

0020.20031
/jeh
08/18/92

LID 91-OW-55
SE Redmond Storage Tank
Condemnation of Property

ORDINANCE NO. 1695

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, PROVIDING FOR THE ACQUISITION OF FEE TITLE TO CERTAIN PROPERTY FOR THE PURPOSE OF CONSTRUCTING THE PROJECT COMMONLY KNOWN AS THE SOUTHEAST REDMOND STORAGE TANK, TOGETHER WITH ALL NECESSARY APPURTENANCES AND RELATED WORK TO MAKE A COMPLETE IMPROVEMENT IN ACCORD WITH APPLICABLE CITY STANDARDS; PROVIDING FOR THE CONDEMNATION, APPROPRIATION, TAKING AND DAMAGING OF LAND OR OTHER PROPERTY NECESSARY THEREFORE; PROVIDING THAT THE ENTIRE COST THEREOF SHALL BE PAID BY PROPOSED LID 91-OW-55, OR OTHER AVAILABLE FUNDS; AND DIRECTING THE CITY ATTORNEY TO PROSECUTE THE APPROPRIATE ACTION AND PROCEEDINGS IN THE MANNER PROVIDED BY LAW FOR SAID CONDEMNATION.

WHEREAS, the City Council of the City of Redmond has determined that a new water storage facility commonly known as the Southeast Redmond Storage Tank should be constructed adjacent to N.E. 65th Street and between 185th Ave. N.E. and 187th Ave. N.E., in order to provide needed water supply and fire flow to the area that could be served by the tank, and

WHEREAS, a portion of the property which must be acquired for the Southeast Redmond Storage Tank is shown by County records to be owned by the Redmond Gun Club, Inc., an corporation which the records of the Washington Secretary of State's Office indicates no longer exists, and

WHEREAS, diligent efforts to locate the Redmond Gun Club to negotiate a purchase of the property have failed and the City

Council has therefore determined to condemn the property in order to acquire clear title to it, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,
HEREBY ORDAINS AS FOLLOWS:

Section 1. Need for Property. The public health, safety, necessity and convenience demand that the Southeast Redmond Storage Tank and related improvements be constructed and maintained within the City of Redmond and that fee title in certain property be condemned, appropriated, taken and damaged for the construction of said improvements as provided by this ordinance.

Section 2. Declaration of Necessity. The City Council of the City of Redmond, after hearing the report of the City Public Works staff, and reviewing the planned improvements for proposed LID 91-OW-55, hereby declares that fee title in the property described on Exhibit A attached hereto and incorporated herein by this reference as if fully set forth is necessary for public use, i.e., for the construction of the project commonly known as the Southeast Redmond Storage Tank.

Section 3. Condemnation. The property described on Exhibit A shall be, and the same is hereby condemned, appropriated, taken and damaged for the purposes of constructing a water storage tank of approximately 5.1 million gallons in capacity, together with all necessary appurtenances and related work to make a complete improvement in accord with City standards, for the purpose of providing an adequate water supply and fire flow to the Southeast Redmond area. Condemnation of the property is subject to

JEH27375.10/0020.20031

the making or paying of just compensation to the owners thereof in the manner provided by law.

Section 4. Authority of City Attorney. The City Attorney is hereby authorized and directed to begin and prosecute the proceedings provided by law to condemn, take and appropriate the property and property rights necessary to carry out the provisions of this ordinance, and is further authorized in conducting said condemnation proceedings and for the purpose of minimizing damages, to stipulate as to the use of the property hereby authorized to be condemned and appropriated and as to the reservation of any right of use of the owner, provided that such reservation does not interfere with the use of said property as provided in this ordinance. The City Attorney is further authorized to adjust the location and/or width of any property herein described in order to minimize damages, provided that said adjustments do not interfere with the use of said property by the City as provided in this ordinance.

Section 5. Source of Funds. The entire cost of the property acquisition authorized by this ordinance, including all costs and expenses of condemnation proceedings, shall be paid from proposed Local Improvement District 91-OW-55, if the same is formed, from assessments collected from those persons specially benefitted by the construction of the Southeast Redmond Storage Tank for which the property is being acquired. In the event that the LID is not formed, the cost of acquisition may be paid from any other available City funds.

JEH27375.10/0020.20031

Section 6. Effective Date. This ordinance, being the exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect and be in full force five (5) days after its passage and publication of the attached summary, which is hereby approved.


CITY OF REDMOND


MAYOR, ROSEMARIE IVES

ATTEST/AUTHENTICATED:


CITY CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: August 27, 1992
PASSED BY THE CITY COUNCIL: September 1, 1992
PUBLISHED: September 6, 1992
EFFECTIVE DATE: September 11, 1992
ORDINANCE NO. 1695

EXHIBIT A

PARCEL B:

A parcel of land lying within the southeast quarter of the southwest quarter of Section 7, Township 25 North, Range 6 East, W.M., in King County, Washington and being more particularly described as follows:

Beginning at the southwest corner of the Cadman Gravel Company Binding Site Plan as recorded under volume 130 of Plats, pages 97 through 100, inclusive, in King County, Washington;
thence north $89^{\circ}13'44''$ west 3.36 feet, along the south line of the north 200 feet of the east half of the southeast quarter of the southwest quarter of said Section 7 to the west line of said subdivision point being the southwest corner of a tract of land conveyed to Redmond Sportman Association, Inc. by deed recorded under Recording Number 2647686;
thence north $00^{\circ}25'53''$ east, 167.03 feet, along said west line as shown under Record of Survey filed under Volume 74, page 49, of said King County, to the southerly right of way line of James Campbell Road, as surveyed under Survey Number 2712, Volume 396A, records of said county;
thence south $89^{\circ}14'17''$ east, 2.96 feet, along said southerly right of way line to the west line of said Cadman Gravel Company Binding Site Plan;
thence south $00^{\circ}17'43''$ west, 167.03 feet along said west line to the point of beginning.