

0020.170.008
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09/05/95

Condemnation of Propety
91-CI-42, MOC Expansion

ORDINANCE NO. 1853

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, PROVIDING FOR THE ACQUISITION OF A FEE INTEREST IN CERTAIN PROPERTY COMMONLY KNOWN AS LOT 3 OF THE HOS INDUSTRIAL ADDITION TO THE CITY OF REDMOND, AND ALL EASEMENTS APPURTENANT THERETO, IN ORDER TO CONSTRUCT AN EXPANSION OF THE CITY'S PUBLIC WORKS MAINTENANCE AND OPERATIONS CENTER, CITY PROJECT NO. 91-CI-42, 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 THEREFOR; PROVIDING THAT THE ENTIRE COST THEREOF SHALL BE PAID FROM AVAILABLE CITY 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 has plans to expand its Public Works Maintenance and Operations Center located at 18080 N.E. 76th Street, Redmond, Washington, and

WHEREAS, in order to complete the expansion, the City has acquired property commonly known as Lot 1 of the Hos Industrial Addition to Redmond and must also acquire Lot 3 of the Hos Industrial Addition, and

WHEREAS, negotiations with those having ownership, use and possession of the property which must be permanently acquired and on which the construction must be done has not resulted in the City being able to obtain free and clear title to the property, and

WHEREAS, the Mayor and City staff have recommended that the City condemn, take and appropriate a fee interest in the property, free from any and all encumbrances, and together with any appurtenant easements, in order to construct the Project in an expeditious manner, and

WHEREAS, the City Council has determined the necessity of constructing the Project and is therefore prepared to authorize the condemnation, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Need for Property. The public health, safety, necessity and convenience demand that the City's Public Works Maintenance and Operations Center be improved, expanded, and maintained within the City of Redmond and that a fee interest 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 to the Maintenance and Operations Center, hereby declares that a fee interest in the property and appurtenant easements described on Exhibit A attached hereto and incorporated herein by this reference as if set forth in full is necessary for public use, i.e., for the construction of the Project commonly known as the MOC Expansion Project, City Project No. 91-CI-42.

Section 3. Condemnation. A fee interest, free from any and all liens and encumbrances, is hereby condemned, appropriated, taken and damaged in the property described on Exhibit A attached hereto and incorporated herein by this reference as if set forth in full, and

any and all appurtenant easements, for the purpose of constructing the MOC Expansion Project, City Project No. 91-CI-42, together with all necessary appurtenances and related work to make a complete improvement in accordance with City standards. Condemnation of the property is subject to the making or paying of just compensation to the owners and possessors thereof in a manner provided by law.

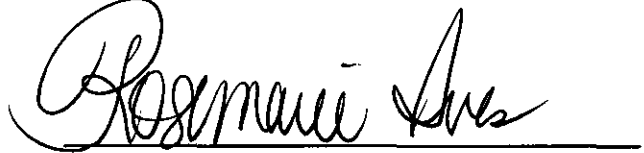
Section 4. Authority of City Attorney. The City Attorney is hereby authorized and directed to begin and prosecute the proceedings provided by law to condemn, take and appropriate the interest necessary to carry out the provisions of this Ordinance, and is further authorized in conducting said condemnation 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 or any other person entitled to possession of the property, 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 easement so taken 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 such available funds as may be appropriate under the circumstances.

Section 6. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect

five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND



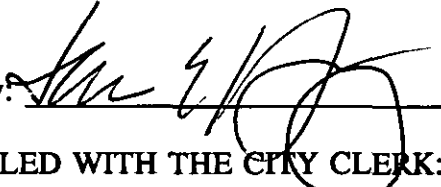
MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:



CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK:	09/07/95
PASSED BY THE CITY COUNCIL:	09/19/95
SIGNED BY THE MAYOR:	09/19/95
PUBLISHED:	09/27/95
EFFECTIVE DATE:	10/02/95
ORDINANCE NO. <u>1853</u>	

EXHIBIT A

The land referred to in this commitment is situated in the county of King, state of Washington, and described as follows:

Lot 3, Hos Industrial Addition to Redmond, according to the plat thereof recorded in Volume 119 of Plats, page 95, in King County, Washington;

TOGETHER WITH an easement for ingress, egress and for utilities over, under and across that portion of Lot 4, Hos Industrial Addition to Redmond, according to the plat thereof recorded in Volume 119 of Plats, page 95, in King County, Washington, designated as utility and road easement on the face of said plat.

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