

0020.060.011  
:JEH  
12/08/98  
Rev. 12/09/98jeh

ORIGINAL

ORDINANCE NO. 2009

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, PROVIDING FOR THE ACQUISITION OF AN EASEMENT INTEREST IN THAT CERTAIN PARCEL COMMONLY KNOWN AS THE REID PROPERTY LYING BETWEEN N.E. 95TH STREET AND NOVELTY HILL ROAD, EAST OF BEAR CREEK, FOR THE PURPOSE OF CONSTRUCTING AND IMPROVING A PUBLIC RECREATIONAL TRAIL, TOGETHER WITH ALL NECESSARY APPURTENANCES AND RELATED WORK TO MAKE THE SAME 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 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 plans to construct and improve a public recreational trail near Bear and Evans Creeks as part of the City's recreational trail system, and

WHEREAS, the City has acquired a number of easements across properties in the vicinity of Bear and Evans Creek in furtherance of this purpose, and

WHEREAS, there are few remaining parcels over which easements are needed in order to complete the trail and make the same provide a continuous linkage between Union Hill Road and Avondale Road, and the Reid parcel described in this ordinance is among those few remaining parcels, and

WHEREAS, negotiations with those having ownership, use and possession of the Reid property have not resulted in the City being able to obtain a trail easement across the property, and

WHEREAS, the Mayor and City staff have recommended that the City condemn, take and appropriate an easement interest in the property required, in order to construct and improve the trail in an expeditious manner, and

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

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

Section 1. Need for Property. The public health, safety, necessity, and convenience demand that a public recreational trail be constructed and improved in the vicinity of Bear and Evans Creeks, and that an easement interest be condemned, appropriated, taken and damaged for the construction and improvement of said public recreational trail 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 Park and Recreation Staff, and reviewing the planned recreational trail improvements, hereby declares that an easement interest in the property described on Exhibit A attached hereto and incorporated herein by this reference as if set forth in full is necessary for a public use, i.e., for construction and improvement of a public recreational trail as described in Section 1 above, and that such easement interest must be owned by the City of Redmond.

Section 3. Condemnation. A easement interest 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, for the purpose of constructing and improving the public recreational trail described in Section 1 above, together with all necessary appurtenances and related work to make a complete improvement in accord with City standards. Condemnation of the property is subject to the making or paying of just compensation to the owners and possessors 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 easement 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 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 portion of any of the 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 available funds as may be appropriate under the

circumstances, including, but not limited to, funds available to the City from the 1989 King County Open Space Bond Issue.

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. 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 MATTSO

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK:	December 9, 1998
PASSED BY THE CITY COUNCIL:	December 15, 1998
SIGNED BY THE MAYOR:	December 15, 1998
PUBLISHED:	December 19, 1998
EFFECTIVE DATE:	December 24, 1998
ORDINANCE NO. <u>2009</u>	

LEGAL DESCRIPTION

Ordinance No. 2009

PARK TRAIL EASEMENT - REID PARCEL

ALL BEARINGS ARE REFERENCED TO THE GRID MERIDIAN OF THE WASHINGTON COORDINATE SYSTEM, NORTH ZONE, NAD-83(91).

A STRIP OF LAND, ONE HUNDRED FEET (100') IN WIDTH, SITUATED WITHIN GOVERNMENT LOT 2, SECTION 6, TOWNSHIP 25 NORTH, RANGE 6 EAST, W.M., AND THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 26 NORTH, RANGE 6 EAST, W.M. IN KING COUNTY, WASHINGTON; THE CENTERLINE OF SAID STRIP OF LAND BEING DESCRIBED AS FOLLOWS.

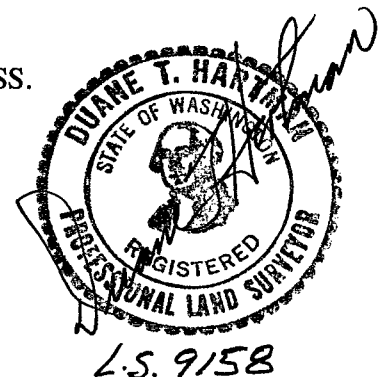
COMMENCING AT THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 2, THENCE NORTH  $02^{\circ} 11' 42''$  EAST ALONG THE WESTERLY LINE THEREOF, 610.82 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND AS DESCRIBED AND MONUMENTED UNDER SURVEY RECORDED IN VOLUME 125 OF SURVEYS, PAGE 96, RECORDS OF KING COUNTY, WASHINGTON; THENCE SOUTH  $89^{\circ} 10' 16''$  EAST ALONG THE NORTH LINE THEREOF, 580.18 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF SAID STRIP OF LAND;

THENCE NORTH  $02^{\circ} 11' 42''$  EAST ALONG SAID CENTERLINE 25.00 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, FROM WHICH THE CENTER BEARS NORTH  $87^{\circ} 48' 18''$  WEST, A RADIUS OF 485.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF  $37^{\circ} 08' 03''$ , AN ARC LENGTH OF 314.34 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT FROM WHICH THE CENTER BEARS NORTH  $55^{\circ} 03' 39''$  EAST, A RADIUS OF 400.00 FEET; THENCE NORTHERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF  $43^{\circ} 59' 19''$ , AN ARC DISTANCE OF 307.10 FEET TO THE INTERSECTION WITH THE NORTH LINE OF GOVERNMENT LOT 2; THENCE CONTINUING WITHIN THE SOUTHWEST QUARTER OF SAID SECTION 31, ALONG SAID REVERSE CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF  $09^{\circ} 11' 24''$ , AN ARC LENGTH OF 64.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF C. ROBSTAD ROAD NO. 1287 (N.E. NOVELTY HILL ROAD) AND THE TERMINUS OF SAID DESCRIBED CENTERLINE; SIDELINES OF SAID 100 FOOT STRIP OF LAND SHALL TERMINATE ON OR EXTEND TO SAID ROADWAY RIGHT-OF-WAY LINES.

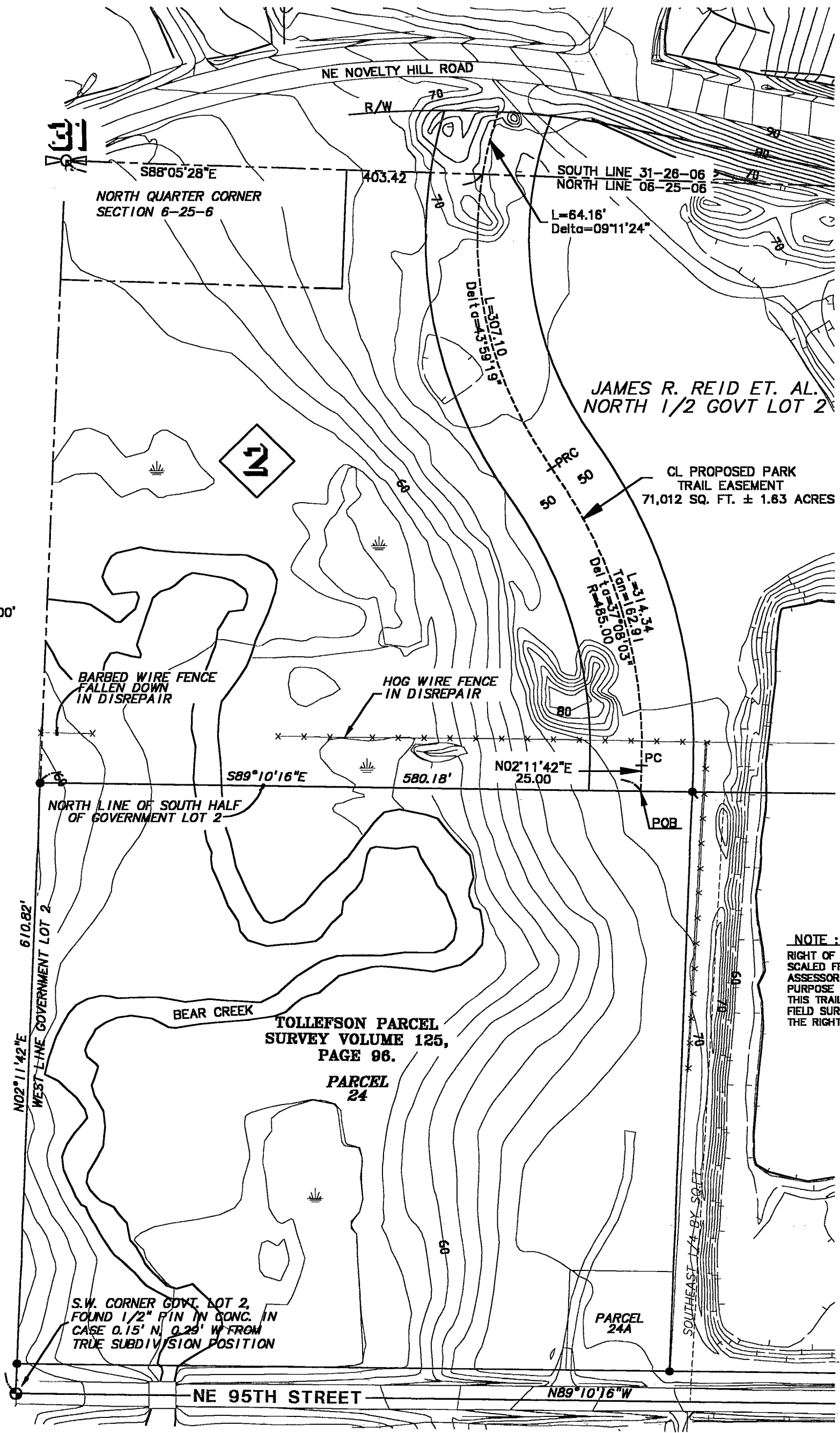
CONTAINING 71,012 SQUARE FEET OR 1.63 ACRES, MORE OR LESS.

Prepared By:

Duane Hartman & Associates, Inc.  
Job No.: 347.00  
December 14, 1998



SCALE 1"=100'



**NOTE :**  
 RIGHT OF WAY SHOWN HEREON  
 SCALED FROM KING COUNTY  
 ASSESSORS MAP FOR THE  
 PURPOSE OF THE CREATION OF  
 THIS TRAIL EASEMENT. ONLY A  
 FIELD SURVEY CAN DETERMINE  
 THE RIGHT OF WAY LOCATION.

Ordinance No. 2009



**DUANE HARTMAN & ASSOCIATES, INC.**  
*Surveyors*

16928 WOODINVILLE-REDMOND ROAD, B-209 (425) 483-5355  
 WOODINVILLE, WASHINGTON 98072 FAX (425) 483-4650

**PROPOSED TRAIL EASEMENT**  
**JAMES R. REID PARCEL**  
**CITY OF REDMOND**  
**PARKS & RECREATION**

JOB NO.	347.00
DATE:	12-14-98
SCALE:	1"=100'
SHEET NO.	1 OF 1