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07/09/87

ORDINANCE NO. 1380

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, PROVIDING FOR THE ACQUISITION OF CERTAIN PROPERTY AND/OR CERTAIN EASEMENTS OVER, ALONG, UNDER AND ACROSS CERTAIN PROPERTY FOR THE PURPOSE OF CONSTRUCTING AND INSTALLING STREET AND UTILITY IMPROVEMENTS ALONG A PORTION OF AVONDALE ROAD N.E., TOGETHER WITH ALL NECESSARY APPURTENANCES AND RELATED WORK NECESSARY TO MAKE A COMPLETE IMPROVEMENT IN ACCORDANCE WITH APPLICABLE CITY STANDARDS ALL WITHIN THE CITY OF REDMOND, 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 URBAN ARTERIAL BOARD FUNDS AND GENERAL FUNDS OF THE CITY AND DIRECTING THE CITY ATTORNEY TO PROSECUTE THE APPROPRIATE ACTION AND PROCEEDINGS IN THE MANNER PROVIDED BY LAW FOR SAID CONDEMNATIONS.

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

Section 1. The public health, safety, and necessity and convenience demand that street improvements, storm, water and sanitary sewer improvements and underground utilities be constructed and maintained within the City of Redmond and that certain property and/or easements upon property be condemned, appropriated, taken and damaged for the construction of said improvements as provided by this ordinance.

Section 2. The City Council of the City of Redmond, after hearing the report of the City Engineer, and reviewing the planned improvements; hereby declares that the property and/or easements hereinafter set forth are necessary for public use.

Section 3. The property and/or easements within the City of Redmond, King County, Washington, which have been designated on Exhibit A attached hereto and incorporated herein by this reference as if set forth in full, shall be, and the same are hereby condemned, appropriated, taken and damaged for the purposes of improving a portion of Avondale Road N. E. by constructing standard curbs, gutters and sidewalks, bikeways, driveways across sidewalks, paving the streets with asphalt, concrete paving, installing storm drainage facilities, sanitary sewer mains and water mains, traffic channelization and

signalization, retaining walls, landscaping, and slope protection, street illumination, underground power and communications, together with all necessary appurtenances and related work to make a complete improvement in accordance with City standards all within the City limits, together with the right to make all necessary slopes for cuts and fills upon adjacent lands in the reasonable original grading and maintenance of the street together with temporary easements to enable construction of said improvements, said land and easements being taken, damaged and appropriated subject to the making or paying of just compensation to the owners thereof in the manner provided by law.

Section 4. The City Attorney is hereby authorized and directed to begin and prosecute the proceedings provided by law to condemn, take and appropriate the 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 to the owner, provided that such reservation does not interfere with the use of said property by the City as provided in this ordinance. The City Attorney is further authorized to adjust the location and/or width of any of the property and/or easements 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. The entire cost of the property acquisition authorized by this ordinance, including all costs and expenses of condemnation proceedings, shall be paid from State of Washington Urban Arterial Board Funds and general funds available to the City.

Section 6. 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.

CITY OF REDMOND

Doreen Marchione
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schaible
CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY *Jenna Inver*

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|-----------------------------|---------------|
| FILED WITH THE CITY CLERK: | July 2, 1987 |
| PASSED BY THE CITY COUNCIL; | July 14, 1987 |
| SIGNED BY THE MAYOR: | July 16, 1987 |
| PUBLISHED: | July 19, 1987 |
| EFFECTIVE DATE: | July 24, 1987 |
| ORDINANCE NO. <u>1380</u> | |

EXHIBIT "A"

Parcel No. 27
RIGHT-OF-WAY TAKE
LEGAL DESCRIPTION

That portion of the following described property lying southerly of the easterly right-of-way of Avondale Road;

That portion of the northeast quarter of Section 1, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at a point on the east line of said subdivision distance south $0^{\circ}54'55''$ east 1046.51 feet from the northeast corner thereof; thence south $39^{\circ}33'$ west 46.22 feet;

thence south $0^{\circ}54'55''$ east 414.54 feet to the most southerly corner of a tract conveyed to W.O. Greenfield by deed recorded under Recording Number 2723429;

thence north $51^{\circ}11'55''$ west 263.3 feet;

thence south $39^{\circ}33'$ west 60 feet;

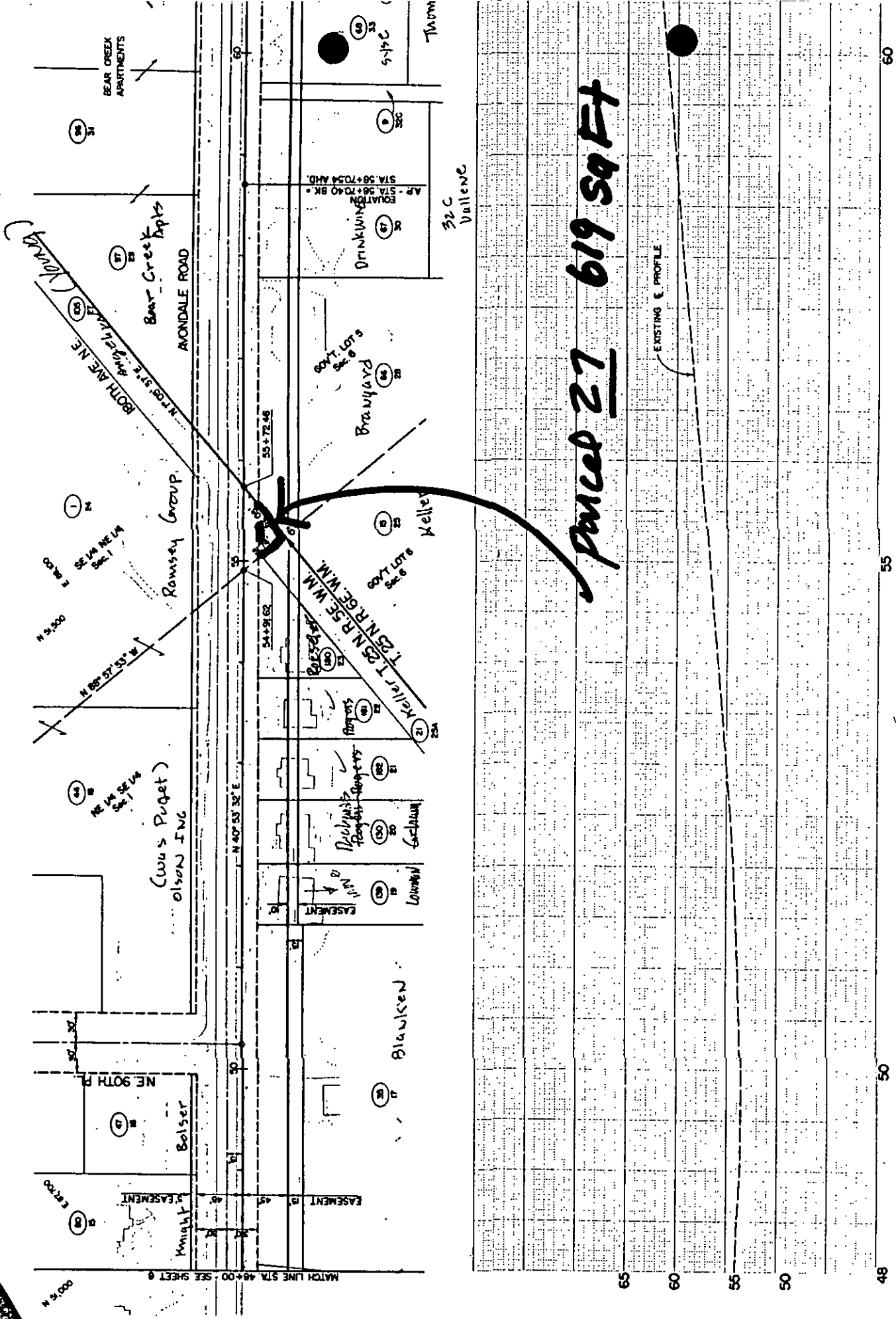
thence south $51^{\circ}38'40''$ east 308.18 feet more or less to the west line of the east 30 feet of said subdivision;

thence south $0^{\circ}54'55''$ east along said west line to the south line of said subdivision;

thence easterly along said south line 30 feet to the southeast corner of said subdivision;

thence north $0^{\circ}54'55''$ west 1569.55 feet to the point of beginning, EXCEPT that portion thereof within Redmond-Bear Creek Road.

Containing an area of 619 square feet.



Parcel 27 619 sq Ft

EXISTING E PROFILE

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|------|-----|----------|------------|-------|----------------|----------------------------|
| DATE | NO. | REVISION | CHECKED | DRAWN | SCALE | TITLE |
| | | | ANDRES TTB | | SCALE 1" = 50' | AVONDALE ROAD IMPROVEMENTS |
| | | | APPROVED | | | CITY OF REDMOND |

BELL WALKER ENGINEERS INC.

CITY OF REDMOND
AVONDALE ROAD IMPROVEMENTS