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DAS/naa
08/30/88

Condemnation Ordinance
W. Lk Samm. Pkwy Ext.
CIP, Proj 83-LI-99

ORDINANCE NO. 1448

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, PROVIDING FOR THE ACQUISITION OF CERTAIN PROPERTY FOR THE PURPOSE OF CONSTRUCTING AND INSTALLING STREET AND UTILITY IMPROVEMENTS ALONG AN EXTENSION OF WEST LAKE SAMMAMISH PARKWAY (SR 901), 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 GENERAL OBLIGATION BOND FUNDS AND OTHER 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 CONDEMNATION.

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

Section 1. The public health, safety, 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 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 a fee simple interest in the property hereinafter described is necessary for public use.

Section 3. The property within the City of Redmond, King County, Washington, which has been described in Exhibit A attached hereto and incorporated herein by this reference as if set forth in full, shall be, and the same is hereby condemned, appropriated, taken and damaged for the purposes of extending West Lake Sammamish Parkway (SR 901) 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 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 preclude any of the City's intended uses of said property 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 preclude any of the City's intended uses of said property 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 General Obligation Bond Funds and other general funds available to the City.

Section 6. This ordinance, being an exercise of 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 the ordinance or a summary thereof consisting of the title.

APPROVED:


MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schaible
CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY: Jay C. Martin

FILED WITH THE CITY CLERK: 9-15-88
PASSED BY THE CITY COUNCIL: 9-20-88
PUBLISHED: 9-25-88
EFFECTIVE DATE: 9-30-88
ORDINANCE NO. 1448

EXHIBIT "A"
FEE SIMPLE INTERESTS
TO BE ACQUIRED

Parcel No. 2

RIGHT-OF-WAY TAKE LEGAL DESCRIPTION

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

That portion of the northeast quarter of the northwest quarter of Section 11, Township 25 North, Range 5 East, W.M., in King County, Washington, lying southerly of Kirkland-Redmond Short Line Road, also known as Northeast Redmond Drive, and lying easterly of West Lake Sammamish Boulevard, and lying westerly of the thread of the Sammamish River;

EXCEPT that portion lying easterly of State Aid Road No. 4 and south of a line 1011.95 feet south of and parallel to the north line of said Section 11;

AND EXCEPT that portion as condemned by King County by Superior Court Cause Number 595776.

Parcel No. 3

RIGHT-OF-WAY TAKE LEGAL DESCRIPTION

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

PARCEL A:

That portion of the southwest quarter of Section 2, and that portion of the northwest quarter of Section 11, both in Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the northwest corner of said Section 11;
thence south $88^{\circ}06'37''$ east along the Section line common to Sections 2 and 11, a distance of 1,873.72 feet;
thence south $46^{\circ}23'23''$ west 158.22 feet to the northeasterly margin of Redmond Way;
thence south $43^{\circ}36'37''$ east along said northeasterly margin, 188.47 feet to Engineers Station 187+41.14;
thence north $46^{\circ}23'23''$ east 20.00 feet;
thence south $43^{\circ}36'37''$ east along said northeasterly margin 176.53 feet;
thence north $46^{\circ}23'23''$ east 25.00 feet to the true point of beginning;
thence easterly on an arc of a curve to the left, with a radius of 600 feet, said arc subtended by a cord running south $78^{\circ}36'37''$ east, to the northerly line of the land condemned under King County Superior Court Cause Number 725906 by the State of Washington;
thence easterly along said northerly line to said curve hereinbefore mentioned;
thence easterly along said curve to the westerly margin of the Sammamish River Drainage District No. 3;
thence northerly along said westerly margin, 569.69 feet to the southwesterly margin of the Northern Pacific Railroad right-of-way;
thence northwesterly along said southwesterly margin, 59.82 feet to a line that bears north $46^{\circ}23'23''$ east from said true point of beginning;
thence south $46^{\circ}23'23''$ east 519.34 feet to the true point of beginning.

PARCEL B:

That portion of the northwest quarter of Section 11, Township 25 North, Range 5 East, W.M., in King County, Washington, lying northeasterly of the right of way of Drainage District No. 3.