

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 542

AN ORDINANCE, authorizing the City Attorney to purchase and/or institute and prosecute an action in the Superior Court of the State of Washington in King County, under the right of eminent domain, for the condemnation and acquisition of certain real property and property rights for temporary construction easements and permanent easements for the purpose of constructing, operating, maintaining and servicing sanitary sewers within an area of the City known as the Viewpoint Area; providing for the taking and damaging of such property, property rights and privileges; declaring such taking to be for a public use and directing that the compensation for the same shall be payable from the assessment rolls of ULID 70-SS-16.

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

Section 1. That public use and necessity demand that perpetual easements and temporary construction easements for sanitary sewer purposes be acquired over and across the following described properties, to wit:

Parcel 570

Thomas S. Shinn and Hilda Shinn, his wife,

That portion of Government Lots 3 and 4 beginning at a point on the easterly margin of the west side of Lake Sammamish Road 1176.02 feet southeasterly measured along said road from west line of section; thence continuing southeasterly along said road 100 feet; thence north 36-16-40 east 355.98 feet to Government meander line; thence northwesterly along meander line to a point bearing north 36-16-40 east from beginning; thence south 36-16-40 west to beginning and shorelands adjacent.

TOGETHER with second class shorelands adjacent,

Said easement to be acquired is described as follows: A permanent easement 10 feet in width and a temporary construction easement 30 feet in width lying 5 feet and 15 feet respectively on each side of the following described centerline:

Beginning at a point on the southeasterly margin of the above described real property, said point being 264 feet from the most southerly corner; thence northwesterly for 100 feet, more or less, to a terminus on the northwesterly margin of said real property, said terminus being 263 feet from the most westerly corner thereof,

for the purpose of installing, constructing, maintaining, operating, repairing and replacing sanitary sewer pipelines and all necessary connections and appurtenances thereto, together with the right of ingress and egress to, from and across said property for the foregoing purposes.

Parcel 598

Charles E. Nyman and Dolly R. V. Nyman, his wife,

Beginning at a point on the northerly margin of the west side Lake Sammamish Road, distant north $36^{\circ}29'20''$ west along the said road margin 619.64 feet from the south boundary of Government Lot 6, Section 19, Township 25 north, Range 6 east W.M., in King County, Washington; thence continuing north $36^{\circ}29'20''$ west along the said road margin 50.00 feet; thence north $53^{\circ}30'40''$ east 332.58 feet to the Government meander line in front of said Government Lot 6; thence along said meander line south $28^{\circ}16'08''$ east 50.52 feet; thence south $53^{\circ}30'40''$ west 325.35 feet to the point of beginning;

TOGETHER with second class shorelands adjoining, lying between the northeasterly productions of the northwesterly and southeasterly boundaries of the above-described tract,

Said easements to be acquired are described as follows: A permanent easement 10 feet in width and a temporary construction easement 30 feet in width lying 5 feet and 15 feet respectively on each side of the following described centerline:

Beginning at a point on the southeasterly margin of the above-described real property, said point being 220 feet northeasterly of the most southerly corner; thence northerly for 70 feet, more or less, to a terminus on the northwesterly margin of said real property, said terminus being 272 feet northeasterly of the most westerly corner thereof,

Also a permanent easement over the northwesterly two feet of the above-described real property and temporary construction easement over the northwesterly twelve feet of said real property,

for the purpose of installing, constructing, maintaining, operating, repairing and replacing sanitary sewer pipelines and all necessary connections and appurtenances thereto, together with the right of ingress and egress to, from and across said property for the foregoing purposes.

Parcel 616

Mr. Ross K. Ferguson and Loraine Ferguson, his wife,

That portion of Government Lot 6, Section 19, Township 25 north, Range 6 east, W.M., described as follows:

Beginning at a point on the northeasterly margin of Lake Sammamish Shoreline Road, said point being north $36^{\circ}29'30''$ west 669.94 feet from the south line of said Government Lot 6; thence continuing north $36^{\circ}29'30''$ west 77.15 feet to a tangent curve having a radius of 1940.08 feet; thence along said curve to the left through an angle of $0^{\circ}40'30''$ for 22.36 feet; thence north $53^{\circ}30'40''$ east for 100.13 feet; thence south $36^{\circ}29'20''$ east for 80 feet; thence north $53^{\circ}30'40''$ east for 230 feet, more or less, to the shore of Lake Sammamish; thence southerly along said shore to a point which bears north $53^{\circ}30'40''$ east from the point of beginning; thence south $53^{\circ}30'40''$ west 318 feet, more or less, to the point of beginning,

Said easements to be acquired are described as follows:

Beginning at the most southerly corner of the above-described real property; thence north 53°30'40" east along the southeasterly margin thereof, for 296 feet; thence north 18°59'20" west for 20 feet, more or less, to the northwesterly margin of said property; thence south 53°30'40" west, along said northwesterly margin for 100 feet; thence south 36°29'20" east for 12 feet, more or less, to a line that is 8 feet northwesterly of and parallel to the southeasterly margin of said real property; thence south 53°30'40" west, along said line for 202 feet, more or less, to the northeasterly margin of said Lake Sammamish Shoreline Road; thence southeasterly along said margin for 8 feet, more or less, to the point of beginning.

TOGETHER with a temporary construction easement described as follows:

A strip of land 18 feet in width, lying northwesterly of and adjacent to the southeasterly margin of the above-described real property,

for the purpose of installing, constructing, maintaining, operating, repairing and replacing sewer pump station and sewer pipelines and all necessary connections and appurtenances thereto, together with the right of ingress and egress to, from and across said property for the foregoing purposes.

Section 2. That the City Attorney is hereby authorized and directed to purchase or institute and prosecute to its determination in the Superior Court of the State of Washington for King County, an action in the name of the City of Redmond to take, damage and appropriate the lands and other property, property rights and privileges necessary to carry out the provision of this ordinance.

Section 3. That public use and necessity demand that a temporary construction easement to be used during sewer construction be acquired over and across the property described in Section 1. Said temporary easement should be in full force and effect until the proposed sewers are constructed and accepted by the City of Redmond and to become null and void and have no further effect on or after the date of official acceptance of said sewers for the City of Redmond by the Department of Public Works and City Council.

Section 4. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land

described in Section 1 hereof are hereby condemned, appropriated, taken or damaged for the purpose enumerated in said section provided, that lands, rights, privileges and other property are to be taken, damaged and appropriated only after just compensation has been made or paid into court for the owners thereof in the manner provided by law.

Section 5. That the entire cost of the improvement provided for herein shall be paid from the assessment rolls of the ULID 70-SS-16.

Section 6. That the City Attorney be and he is hereby authorized and directed to begin and prosecute the actions and the proceedings in the manner provided by law to condemn, take, damage and appropriate the lands, property and property rights necessary to carry out the provisions of this ordinance.

Section 7. That in conducting said condemnation proceedings the City Attorney is hereby authorized to enter stipulations and to negotiate for the purchase of said easements for the purpose of minimizing damages.

Section 8. That the acquisition of said lands for the purposes herein mentioned is for public necessity and also for public use, and is necessary because of a health problem and to prevent pollution of water resources in the area by the installation of sanitary sewers.

Section 9. An emergency is hereby declared to exist, and this ordinance shall take effect immediately upon its passage and approval in order to preserve the public health and welfare of the City of Redmond.

PASSED by the Council of the City of Redmond, Washington, at a regular meeting thereof, AND APPROVED by the Mayor this 20th day of October, 1970.

CITY OF REDMOND


SELWYN L. YOUNG
MAYOR

ATTEST:


ELEANOR J. HAYDEN
CITY CLERK

APPROVED AS TO FORM:


JOHN B. LAWSON
CITY ATTORNEY

Published in the Sammamish Valley News December 9, 1970.