

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 599

AN ORDINANCE, authorizing the City Attorney to purchase and/or institute and prosecute an action or actions 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 in fee, temporary construction easements and permanent easements for additional right-of-way in connection with widening and improving 148th Avenue N.E., extending from the northerly limits of SR 520 to SR 908, and providing for the taking and/or 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 in part out of the Urban Arterial Funds for the improvement for 148th Avenue N.E. and payable in part from assessment against the properties specially benefited.

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

Section 1. Additional right-of-way required for street improvement -- Descriptions. That public use and necessity demand that real property and property rights in fee, temporary construction easements and permanent easements for additional right-of-way in the improvement of 148th Avenue N.E., extending from the northerly limit of SR 520 to SR 908, be acquired from, over and across the following described properties; to wit:

Parcel 12

The east 20 feet of the west 50 feet of the south half of the southwest quarter of the southwest quarter of the southwest quarter of section 14, township 25 north, range 5 east, W.M., in King County, Washington; except the west 30 feet and except the south 30 feet deeded to King County, Washington for road purposes by deeds recorded under Auditor's file No. 1229397 and 2442028 respectively.

Parcel 14

The east 20 feet of the west 50 feet of the north half of the southwest quarter of the southwest quarter of the southwest quarter of section 14, township 25 north, range 5 east, W.M., in King County, Washington; except the west 30 feet thereof conveyed to King County for road purposes by instrument recorded under Auditor's file No. 1229397.

Parcel 16

The east 20 feet of the west 50 feet of the south half of the northwest quarter of the southwest quarter of the southwest quarter of section 14, township 25 north, range 5 east, W.M., in King County, Washington, except the west 30 feet thereof conveyed to King County for road purposes by deed recorded under Auditor's file No. 1229397, and except the north 170 feet as measured on the west line of said south half.

Parcel 18

The east 20 feet of the west 50 feet of the north 170 feet as measured on the west line of the south half of the northwest quarter of the southwest quarter of the southwest quarter of section 14, township 25 north, range 5 east, W.M., in King County, Washington, except the west 30 feet thereof conveyed to King County for road purposes by deed recorded under Auditor's file No. 1229397.

Parcel 20

The east 20 feet of the west 50 feet of the north half of the northwest quarter of the southwest quarter of the southwest quarter of section 14, township 25 north, range 5 east, W.M., in King County, Washington, except the west 30 feet conveyed to King County by deed recorded under Auditor's file No. 1229398.

Parcel 23

The west 20 feet of the east 50 feet of the south half of the southwest quarter of the northwest quarter of the southwest quarter of section 14, township 25 north, range 5 east, W.M., in King County, Washington, except the west 30 feet thereof heretofore deeded to King County for road by deed recorded under Auditor's file No. 1229398.

Parcel 26

The east 20 feet of the west 50 feet of the north half of the southwest quarter of the northwest quarter of the southwest quarter of section 14, township 25 north, range 5 east, W.M., in King County, Washington, except the west 30 feet thereof deeded to King County for road by deed recorded under Auditor's file No. 1229398.

Parcel 34

The west 30 feet of tract 12, Eastside Gardens, according to the plat recorded in volume 12 of Plats, page 68, in King County, Washington, except the north 685 feet thereof and except portion conveyed to King County for road purposes by deed recorded under Auditor's file No. 2711792.

Parcel 35

The west 30 feet of the south 158 feet of the north 685 feet of tract 12 of Eastside Gardens, according to the plat recorded in volume 12 of Plats, page 68, in King County, Washington.

Parcel 36

The west 30 feet of the south 165 feet of the north 527 feet of tract 12, Eastside Gardens, as recorded in volume 12, page 68, records of King County, Washington.

Parcel 38

The west 30 feet of the north 527 feet of tract 12, Eastside Gardens, according to the plat recorded in volume 12 of Plats, page 68, in King County, Washington; except the south 165 feet.

Parcel 40

The west 30 feet of Lot 1 of Eastside Gardens, as recorded in volume 12, page 68, records of King County, Washington, except the south 180 feet of the north 190 feet of the west 250 feet, and except the south 180 feet of the north 442 feet of the west 250 feet, and except the south 180 feet of the north 808 feet of the west 250 feet, and except the north 10 feet thereof conveyed to King County for roads.

Parcel 41

The west 30 feet of the south 180 feet of the north 808 feet of the west 250 feet of Lot 1 of Eastside Gardens, as recorded in volume 12, page 68, records of King County, Washington.

Parcel 42

The west 30 feet of the south 180 feet of the north 442 feet of the west 250 feet of Lot 1 of Eastside Gardens, as recorded in volume 12, page 68, records of King County, Washington.

Parcel 43

The west 30 feet of the south 180 feet of the north 190 feet of the west 250 feet of Lot 1 of Eastside Gardens, as recorded in volume 12, page 68, records of King County, Washington.

Parcel 46

The west 20 feet of the east 50 feet of the south 539.50 feet of the SE 1/4 of section 10, township 25 north, range 5 east, W.M., in King County, Washington, and except the north 134.87 feet, and except the east 30 feet for road and except the west 30 feet thereof conveyed to King County for road purposes, under deed recorded under Auditor's file No. 4883631, and except the north 180 feet of the south 300 feet of the west 240 feet of the east 270 feet of said SE 1/4.

Parcel 47

The east 20 feet of the north 180 feet of the south 300 feet of the west 240 feet of the east 270 feet of the SE 1/4 of section 10, township 25 north, range 5 east, W.M., in King County, Washington.

Parcel 48

The west 20 feet of the east 50 feet of the north 134.87 feet of the south 539.50 feet of the SE 1/4 of section 10, township 25 north, range 5 east, W.M., in King County, Washington, except the east 30 feet for road and except the west 30 feet thereof conveyed to King County for road purposes, under deed recorded under Auditor's file No. 4883631.

Parcel 49

The east 20 feet of the west 50 feet of the west half of the south half of the southwest quarter of the southwest quarter of section 11, township 25 north, range 5, east, W.M., in King County, Washington; except County road.

Parcel 50

The east 20 feet of the west 50 feet of the south 150 feet of the west 500 feet of the north half of the south-

west quarter of the southwest quarter of section 11, township 25 north, range 5 east, W.M., in King County, Washington; except the west 30 feet for road.

Parcel 51

The west 20 feet of the east 50 feet of the south 357.54 feet of the east 406.32 feet of that portion of the southeast quarter of the southeast quarter section 10, township 25 north, range 5 east, W.M., in King County, Washington, lying north of the south 539.5 feet of said subdivision; except County road.

Parcel 52

The east 20 feet of the west 50 feet of the north 150 feet of the south 300 feet of the west 500 feet of the north half of the southwest quarter of the southwest quarter of section 11, township 25 north, range 5 east, W.M., in King County, Washington; except portion for 148th Avenue Northeast.

Parcel 53

The east 20 feet of the west 50 feet of the north 100 feet of south 400 feet of west 435 feet of north half of southwest quarter of southwest quarter, section 11, township 25 north, range 5 east, W.M., in King County, Washington, except County road.

Parcel 54

That portion of the NE 1/4 of the SE 1/4 section 10, township 25 north, range 5 east, W.M., in King County, Washington, described as follows:

Beginning at the quarter corner on the south line of said section; thence north 0°18'10" east along the north and south centerline of said section, 1345.91 feet to the south line of the north half of the southeast quarter of said section; thence along said south boundary line north 89°46'53" east 2079.12 feet to the true point of beginning; thence continuing north 89°46'53" east along said boundary line of said north half of the southeast quarter of said section 400.30 feet to the west margin of the County road; thence north 0°40'09" east along said road margin 543.45 feet to a point 20' east of the north line extended of the Plat of Stafford-Hansell No. 7 as recorded in volume 95 page 20 of records of King County, Washington, and the true point of beginning; thence continuing north 00°40'09" east along said west margin a distance of 705.94 feet more or less to the southeasterly margin of the State Road No. 4; thence south 50°20'23" west along said margin of said State Road No. 4 a distance of 63.00 feet; thence south 64°29'44" east a distance of 30.88 feet; thence south 00°40'09" west 20 feet west of and parallel with said County road margin, a distance of 652.51 feet more or less to the northeast corner of said Plat of Stafford-Hansell No. 7; thence easterly along the north line of said Plat extended a distance of 20.01 feet to the west margin of said County road and the true point of beginning.

Parcel 55

The east 20 feet of the west 50 feet of the west 210 feet of the north 350 feet of the northwest quarter of the southwest quarter in section 11 township 25 north, range 5 east, W.M., in King County, Washington, except the north and west 30 feet thereof conveyed to King County for roads by deeds recorded under Auditor's file Nos. 492380 and 3021830.

Parcel 56

The west 20 feet of the east 50 feet of the east 505.61 feet of the north half of the NE 1/4 of the SE 1/4 lying northwesterly of State Aid Highway No. 4 in section 10, township 25 north, range 5 east, W.M., in King County, Washington.

Parcel 56A

The west 20 feet of the east 50 feet of the east 505.33 feet of the south half of the SE 1/4 of the NE 1/4 lying northwesterly of State Aid Highway No. 4 in section 10, township 25 north, range 5 east, W.M., in King County, Washington, except the west 170 feet of the east 200 feet of the south 135 feet of the north 375 feet of the south half of the SE 1/4 of the NE 1/4 of said section; and except the east 30 feet of the south half of the SE 1/4 of the NE 1/4 of said section conveyed to King County for road by deed recorded under Auditor's file No. 4213460.

Parcel 57

The west 20 feet of lot 8, block 4, Osborne Subdivision, according to the plat recorded in volume 19 of Plats, page 62, in King County, Washington, except the north 15 feet thereof.

Parcels 58 and 59

The north 15 feet of lot 8, and all of lot 7 and the south 16 feet of lot 6, block 4, Osborne Subdivision, according to the plat recorded in volume 19 of Plats, page 62, in King County, Washington.

Parcel 60

The west 20 feet of the east 50 feet of the west 170 feet of the east 200 feet of the south 135 feet of the north 375 feet of the south half of the southeast quarter of the northeast quarter of section 10, township 25 north, range 5 east, W.M., in King County, Washington.

Parcel 61

The west 20 feet of the west 136 feet of lot 6, except the north 15 feet and except the south 16 feet of said lot 6, block 4, Osborne Subdivision, according to the plat recorded in volume 19 of Plats, page 62, in King County, Washington.

Parcel 62

The west 20 feet of the following described properties:

The west half of lot 5 and the west half of the north 15 feet of lot 6, block 4, Osborne Subdivision, according to the Plat recorded in volume 19 of Plats, page 62, in King County, Washington.

Parcel 63

The west 20 feet of lots 2, 3 and 4, block 4, Osborne Subdivision, according to the plat recorded in volume 19 of Plats, page 62, in King County, Washington.

Parcel 64

The west 20 feet of the east 50 feet of the south half of the north half of the southeast quarter of the north-east quarter of section 10, township 25 north, range 5 east, W.M., in King County, Washington; except County roads.

Parcel 65

The west 20 feet of the east 50 feet of the east 300 feet of the south half of the north half of the north half of the southeast quarter of the northeast quarter of section 10, township 25 north, range 5 east, W.M., in King County, Washington, except the east 30 feet thereof for County road.

Parcel 66

The west 20 feet of the south 1/2 of lot 1, block 4, Osborne Subdivision, according to the plat recorded in volume 19 of Plats, page 62, in King County, Washington.

Parcel 67

The west 20 feet of the east 50 feet of the east 185 feet of the north half of the north half of the north half of the southeast quarter of the northeast quarter of section 10, township 25 north, range 5 east, W.M., in King County, Washington, except the east 30 feet thereof for County road.

Parcel 68

The west 20 feet of the east 50 feet of the northeast quarter of the northeast quarter of section 10, township 25 north, range 5 east, W.M., in King County, Washington, lying southerly of Kirkland-Redmond short line road 'Secondary State Highway No. 2-D'; except that portion described as follows:

Beginning at the northeast corner of section 10, township 25 north, range 5 east, W.M., in King County, Washington; thence south 0°24'40" east 30 feet; thence north 89°54'10" west 574.61 feet to a point of curve to the left with a radius of 925.37 feet; thence along said curve for a distance of 145.00 feet to the true point of beginning; thence continuing along said curve 164.56 feet to the point of tangent of said curve; thence south 70°55'50" west 85.06 feet; thence south 9°12'40" east 372.09 feet; thence north 89°35'20" east 183.07 feet; thence north 0°24'40" west parallel with the east line of said subdivision 433.66 feet to the true point of beginning and except County road along the east line '148th Avenue Northeast', and except that portion condemned in King County Superior Court Cause No. SC 725906 for State Highway SR. 901.

Parcel 69

The west 20 feet of the north half of lot 1, block 4, Osborne Subdivision, according to the plat recorded in volume 19 of Plats, page 62, in King County, Washington.

Parcel 70

The west 20 feet of the south 168 feet in width of lot 8, block 3, Osborne Subdivision, according to the plat recorded in volume 19 of Plats, page 62, in King County, Washington.

Parcel 71

The west 20 feet of lot 8, block 3 of Osborne Subdivision, according to the plat recorded in volume 19 of Plats, page 62, in King County, Washington, except the south 168 feet thereof.

Parcels 72 and 73

The west 20 feet of lots 6 and 7, block 3, Osborne Subdivision, according to the plat recorded in volume 19 of Plats, page 62, in King County, Washington, except that portion of lot 7, described as follows:

From the southwest corner of lot 7, block 3, Osborne Subdivision, according to the plat recorded in volume 19 of Plats, page 62, in King County, Washington; thence easterly along the south line of said lot 70.00 feet to the true point of beginning; thence easterly along said south line of said lot 128.75 feet; thence northerly and parallel to 149th Avenue Northeast, to the intersection of the north line of said lot 7; thence westerly along the north line of said lot 7, 128.81 feet; thence southerly, parallel to 148th Avenue Northeast, to the south line of lot 7, and the true point of beginning.

Parcel 74

The west 20 feet of lots 4 and 5, block 3, Osborne Subdivision, according to the plat recorded in volume 19 of Plats, page 62, in King County, Washington.

Parcels 75 and 76

The west 20 feet of lot 1 through 3, block 3, Osborne Subdivision, according to the plat recorded in volume 19 of Plats, page 62 in King County, Washington; except that portion thereof condemned in King County Superior Court Cause No. 721014 for highway purposes.

Section 2. Purchase and/or court action authorized. That the City Attorney is hereby authorized and directed to purchase and/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 provisions of this ordinance.

Section 3. Need for street improvement declared. That the acquisition of said lands for the purposes herein mentioned is for the public use and necessity due in part to the inadequacies of the present street, the increased traffic loads due to the construction of SR 520, the need for increased traffic safety and pedestrian safety, and to provide for the continued increase of traffic and development, both commercial and residential, in the area served by 148th Avenue N.E.

Section 4. Public use and necessity declared. That the public use and necessity demand that real property and property rights in fee, temporary construction easements and perpetual easements be acquired over and across the property described in Section 1.

Section 5. Properties condemned -- Just compensation to be paid. 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 6. Source of funds. That the cost of the improvement provided for herein shall be paid in part from Urban Arterial funds provided for the improvement of 148th Avenue N.E. and in part from assessment against the properties specially benefited.

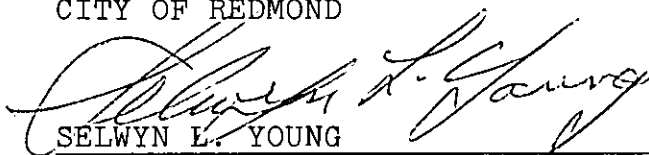
Section 7. Court proceedings authorized. That the City Attorney be and he is hereby authorized and directed to begin and prosecute the actions and the proceedings in the manner provided by law to condemn, take, damage and appropriate the lands, property and property rights necessary to carry out the provisions of this ordinance.

Section 8. City Attorney authorized to negotiate. 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.

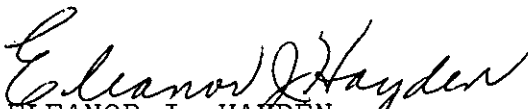
Section 9. Effective date -- emergency declared. This ordinance is hereby found and declared to be a public emergency ordinance necessary for the protection of the public welfare, health, safety and property of the City of Redmond, and shall take effect immediately upon its passage and approval as provided by RCW 35A.12.130.

PASSED by the Council of the City of Redmond, Washington,  
at a regular meeting thereof, AND APPROVED by the Mayor  
this 19 day of September, 1972.

CITY OF REDMOND

  
SELWYN L. YOUNG  
MAYOR

ATTEST:

  
ELEANOR J. HAYDEN  
CITY CLERK

APPROVED AS TO FORM:

  
JOHN D. LAWSON  
CITY ATTORNEY

Published in the Sammamish Valley News on 9-27-72