

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 606

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, slope easements, temporary construction easements and permanent easements for additional right-of-way in connection with widening and improving Bellevue-Redmond Road, extending from West Lake Sammamish Parkway N.E. to N.E. 40th Street, 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 Bellevue-Redmond Road 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, slope easements, temporary construction easements and permanent easements for additional right-of-way in the improvement of Bellevue-Redmond Road, extending from West Lake Sammamish Parkway N.E. to N.E. 40th Street, be acquired from, over and across the following described properties, to wit:

PARCEL 1

Right-of-Way:

That portion of lot 9, block 1 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying westerly of the following described line:

Beginning on the north line of said lot 9 at a point 10.53 feet from the northwest corner of said lot 9; thence south 20°24'41" east 247.3 feet, more or less, to a point of curvature; thence along a curve to the left, said curve having a radius of 40 feet, for 49.31 feet to a point of tangency with the south line of said lot 9, the terminus of said described line.

Slope Easement:

That portion of lot 9, block 1 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying westerly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning on the south line of said lot 9 at a point 85 feet from station 0+04+; thence north-westerly to a point 85 feet from station 0+90;

thence northwesterly to a point 43 feet from station 1+35; thence northerly to a point 56 feet from station 2+50; thence northwesterly to a point on the north line of said lot 9, 50 feet from station 2+90+, the terminus of said described line.

PARCEL 2

Right-of-Way:

That portion of lot 10, block 1 of Miravista as recorded in volume 28 of Plats, page 35, records of King County, Washington, described as follows:

A strip of land 10.00 feet in width lying adjacent and parallel to the westerly line of said lot 10.

Slope Easement:

That portion of lot 10, block 1 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying westerly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning on the south line of said lot 10 at a point 50 feet from station 2+90+; thence northwesterly to a point 40 feet from station 3+50; thence northwesterly to a point 40 feet from station 4+00; thence northerly to a point 55 feet from station 5+00; thence northwesterly to a point on the north line of said lot 10, 55 feet from station 5+60+, the terminus of said described line.

PARCEL 3

Right-of-Way:

That portion of lot 11, block 1 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, described as follows:

A strip of land 10.00 feet in width lying adjacent and parallel to the westerly line of said lot 11.

Slope Easement:

That portion of lot 11, block 1 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying westerly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning on the south line of said lot 11 at a point 55 feet from station 5+60+; thence northwesterly to a point 55 feet from station 7+50; thence northwesterly to a point 40 feet from station 8+00; thence northwesterly to a point on the north line of said lot 11, 40 feet from station 8+37+, the terminus of said described line.

PARCEL 4

Right-of-Way:

A strip of land 10.00 feet in width lying adjacent and parallel to the Bellevue-Redmond Road across the following described parcel:

Beginning at the southwest corner of lot 12, block 1 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington; thence easterly along the south line of said lot 12 for 273 feet; thence northerly at right angles to said south line for 140 feet; thence westerly and parallel with said south line to the westerly line of said lot 12; thence southeasterly along said westerly line to the point of beginning.

Construction Easement:

That portion of lot 12, block 1, of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying westerly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning on the south line of said lot 12 at a point 40 feet from station 8+37+; thence northwesterly to a point 40 feet from station 8+50; thence northeasterly to a point 50 feet from station 8+50; thence northwesterly to a point 50 feet from station 9+50; thence southwestwardly to a point 40 feet from station 9+50; thence northwesterly to a point on the north line of said lot 12, 40 feet from station 9+85+, the terminus of said described line.

PARCEL 5

Right-of-Way:

That portion of lots 2 and 12, block 1 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, described as follows:

A strip of land 10.00 feet in width lying adjacent and parallel to the westerly line of said lots 2 and 12 less the south 140 feet in width of lot 12.

Slope Easement:

That portion of lots 2 and 12, block 1, of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying westerly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning at a point on a line lying parallel to and at a distance of 140 feet from the south line of said lot 12, said point being 45 feet from station 9+84+; thence northwesterly to a point 45 feet from station 12+30; thence northerly to a point on the northwesterly line of said lot 2, 75 feet from station 13+04+, the terminus of said described line.

PARCEL 6

Right-of-Way:

That portion of lot 1, block 1 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying westerly of the following described line:

Beginning on the southeast line of lot 1 at a point 11.92 feet from the south corner of said lot 1; thence north 19°13'30" west parallel to and at a distance of 10.00 feet from the westerly line of said lot 1 for 457.6 feet, more or less, to a point on the 40 foot radius curve shown on the plat of Miravista, the terminus of said described line.

Slope Easement:

That portion of lot 1, block 1 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying westerly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning on the southeasterly line of said lot 1 at a point 75 feet from station 13+04<sub>+</sub>; thence northwesterly to a point 40 feet from station 13+50; thence northwesterly to a point 40 feet from station 14+50; thence northerly to a point 50 feet from station 15+50; thence northwesterly to a point 40 feet from station 16+50; thence northwesterly to a point on the northerly 40 foot radius curve of said lot 1, 40 feet from station 17+40<sub>+</sub>, the terminus of said described line.

PARCEL 7

Right-of-Way:

That portion of lot 2, block 2 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, described as follows:

A strip of land 10.00 feet in width lying adjacent to the easterly line of said lot 2.

Slope Easement:

That portion of lot 2, block 2 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying easterly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning on the south line of said lot 2 at a point 48 feet from station 16+90<sub>+</sub>; thence northwesterly to a point 60 feet from station 17+50; thence northwesterly to a point 60 feet from station 19+00; thence northerly to a point on the north line of said lot 2, 43 feet from station 19+58<sub>+</sub>, the terminus of said described line.

PARCEL 7A

Slope Easement

That portion of lot 1, block 2 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying easterly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning on the south line of said lot 1 at a point 43 feet from station 19+58<sub>+</sub>; thence northerly

to a point on the easterly line of said lot 1, 30 feet from station 20+00, the terminus of said described line.

PARCEL 8

Right-of-Way:

That portion of lot 3, block 2 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, described as follows:

A strip of land 10.00 feet in width lying adjacent and parallel to the easterly line of said lot 3.

Slope Easement:

That portion of lot 3, block 2, of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying easterly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning on the south line of said lot 3 at a point 55 feet from station 14+20+; thence northwesterly to a point 55 feet from station 15+00; thence northerly to a point 40 feet from station 16+00; thence northwesterly to a point 40 feet from station 16+50; thence northwesterly to a point on the north line of said lot 3, 48 feet from station 16+90+, the terminus of said described line.

PARCEL 9

Right-of-Way:

That portion of lot 4, block 2 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, described as follows:

A strip of land 10.00 feet in width lying adjacent and parallel to the easterly line of said lot 4 and northerly of a line running south 88°57'25" west from a point on the easterly line 143.42 feet from the northeast corner of said lot 4.

Construction Easement:

That portion of lot 4, block 2, of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying easterly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning at a point 40 feet from station 12+71+, said point being on a line running south 88°57'25" west from a point on the easterly line 143.42 feet from the northeast corner of said lot 4; thence northwesterly to a point 40 feet from station 13+05; thence northwesterly to a point 55 feet from station 13+20; thence northeasterly to a point 40 feet from station 13+35; thence northwesterly to a point on the north line of said lot 4, 40 feet from station 14+15+, the terminus of said described line.

PARCEL 10

Right-of-Way:

That portion of lot 4, block 2 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, described as follows:

A strip of land 10.00 feet in width lying adjacent and parallel to the easterly line of said lot 4 and southerly of a line running south  $88^{\circ}57'25''$  west from a point on the easterly line 143.42 feet from the northeast corner of said lot 4 and northerly of the north margin of a 60 foot wide easement road as recorded under auditor's file No. 6135812, records of King County, Washington.

PARCEL 10A

Right-of-Way:

That portion of lots 4 and 5, block 2 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, described as follows:

A strip of land 10.00 feet in width lying adjacent and parallel to the easterly line of said lots 4 and 5 and southerly of the north margin of a 60 foot wide easement road as recorded in auditor's file no. 6135812, records of King County, Washington, and northerly of a line running south  $73^{\circ}02'30''$  west from a point on the easterly line 198.00 feet from the southeast corner of said lot 5.

Construction Easement:

That portion of lot 5, block 2 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying easterly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning on a line running south  $73^{\circ}02'30''$  west from a point on the easterly line of said lot 5, 198.00 feet from the southeast corner of said lot 5 at a point 40 feet from station 10+62+; thence northwesterly to a point 40 feet from station 10+85; thence southwesterly to a point 60 feet from station 10+85; thence northwesterly to a point 60 feet from station 11+15; thence northeasterly to a point 40 feet from station 11+15, the terminus of said described line.

Slope Easement:

That portion of lots 4 and 5, block 2 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying easterly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning on a line running south  $73^{\circ}02'30''$  west from a point on the easterly line of said lot 5, 198.00 feet from the southeast corner of said lot 5 at a point 45 feet from station 10+62+; thence northwesterly to a point on the north margin of a 60 foot wide easement road as recorded in auditor's

file No. 6135812, records of King County, Washington, said point being 45 feet from station 11+48<sub>+</sub>, the terminus of said described line.

PARCEL 11

Right-of-Way:

That portion of lot 5, block 2 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, described as follows:

A strip of land 10.00 feet in width lying adjacent and parallel to the easterly line of said lot 5 and southerly of a line running south 73°02'30" west from a point on the easterly line 198.00 feet from the southeast corner of said lot 5.

Slope Easement:

That portion of lot 5, block 2 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying easterly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning on the south line of said lot 5 at a point 45 feet from station 8+69<sub>+</sub>; thence northwesterly to a point 45 feet from station 9+00; thence northeasterly to a point 40 feet from station 9+00; thence northwesterly to a point 40 feet from station 9+50; thence northwesterly to a point 55 feet from station 10+00; thence northwesterly to a point 50 feet from station 10+62<sub>+</sub>, said point being on a line running south 73°02'30" west from a point on the easterly line of said lot 5, 198.00 feet from the southeast corner of said lot 5, the terminus of said described line.

PARCEL 12

Right-of-Way:

That portion of lot 6, block 2 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, described as follows:

A strip of land 10.00 feet in width lying adjacent and parallel to the easterly line of said lot 6.

Construction Easement:

That portion of lot 6, block 2, of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying easterly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning on the north line of said lot 6 at a point 40 feet from station 8+68<sub>+</sub>; thence southeasterly to a point 40 feet from station 8+50; thence southwesterly to a point 55 feet from station 8+50; thence southeasterly to a point 55 feet from station 8+25; thence northeasterly to a point 40 feet from station 8+25, the terminus of said described line.

PARCEL 13

Ribht-of-Way:

That portion of lot 7, block 2 of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, described as follows:

A strip of land 10.00 feet in width lying adjacent and parallel to the easterly line of said lot 7.

Slope Easement:

That portion of lot 7, block 2, of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying easterly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning on the south line of said lot 7 at a point 65 feet from station 3+26+; thence northwesterly to a point 65 feet from station 5+75; thence northeasterly to a point on the north line of said lot 7, 40 feet from station 5+92+, the terminus of said described line.

PARCEL 14

Construction Easement:

That portion of lot 8, block 2, of Miravista as recorded in Volume 28 of Plats, page 35, records of King County, Washington, lying easterly of a line described by distances from and at right angles to centerline stationing of the Bellevue-Redmond Road as follows:

Beginning at a point 72 feet from station 0+75; thence northerly to a point 45 feet from station 1+25; thence northwesterly to a point on the north line of said lot 8, 45 feet from station 3+20, the terminus of said described line.

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, 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 Bellevue-Redmond Road.

Section 4. Public use and necessity declared. That the public use and necessity demand that real property and property rights in fee, slope easements, 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 Bellevue-Redmond Road 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.

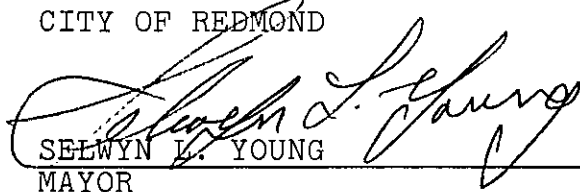
Section 8. City Attorney authorized to negotiate. That in conducting said condemnation proceedings the City Attorney is hereby authorized to enter stipulations and to negotiate for the purchase of said property or property rights for the purpose of minimizing damages.

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.

Section 10. Nothing in this ordinance shall be construed as a waiver by the City of Redmond of its rights to decline to take and pay for said lands should it so elect, after the amount of damages has been ascertained and within the time allowed by law.

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

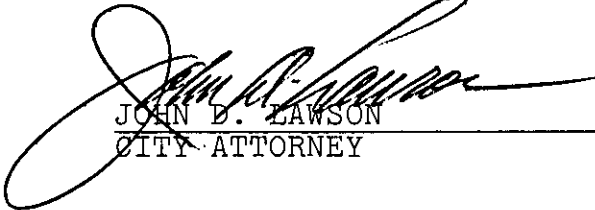
CITY OF REDMOND

  
SELWYN L. YOUNG  
MAYOR

ATTEST:

  
ELEANOR J. HAYDEN  
CITY CLERK

APPROVED AS TO FORM:

  
JOHN D. LAWSON  
CITY ATTORNEY

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