

ORIGINAL

Condemnation Authorization  
166th Ave. N.E. Right-of-Way  
Acquisition and Street Con-  
struction, Project 77-RW-44

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 827

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, and for right-of-way in connection with construction of and extension of 166th Ave. N.E. from N.E. 80th to N.E. 77th 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 and for the construction shall be payable in whole or in part out of the general revenue funds of the City of Redmond, revenue sharing funds of the U. S. Government, and assessments against the properties specially benefited.

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

Section 1. Right-of-way required for street improvement -- Descriptions. That public use and necessity demand that real property and property rights in fee, and for right-of-way for the extension of 166th Ave. N.E. from N.E. 80th to N.E. 77th Street, be acquired from, over and across the following described properties, to wit:

PARCEL 1

Right-of-Way:

The East 100 feet of the West 650.63 feet of the South 118 feet of the North 148 feet of the Northwest quarter of Section 12, Township 25 North, Range 5 East, W.M., in King County, Washington.

PARCEL 2

Right-of-Way:

That portion of the Northwest quarter of the Northwest quarter of Section 12, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at a point on the Northerly line of said Section 12, distant 650.63 feet Easterly of the Northwest corner thereof; thence South parallel with the West line of said section, 381.4 feet to a point on the Southerly line of the W. A. Faulds County Road (otherwise known as Jackson Street), which point is the true point of beginning; thence East along the South boundary line of said W. A. Faulds County Road, 60 feet;

thence South parallel with the West line of said section, 220 feet to a point 601.4 feet South of the North line of said Section 12;

thence West parallel with the South line of said W. A. Faulds County Road 60 feet; thence North parallel with the West line of said section to the true point of beginning;

EXCEPT the North 120 feet thereof; and

EXCEPT portion conveyed to State of Washington for Primary State Highway No. 2 (North Branch) by deed recorded under Auditor's File No. 2437546.

PARCEL 3

Right-of-Way:

That portion of the NW 1/4 of the NW 1/4 of Section 12, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the NW corner of said Sec. 12; thence S. 89°08'13" E. 650.63 feet; thence S. 1°02'23" W. 30.00 feet to a point on the South margin of N.E. 80th Street; thence continuing S. 1°02'23" W. 45.55 feet to the point of beginning; thence continuing S. 1°02'23" W. 246.75 feet to a point on the North margin of N.E. 79th Street; thence along said North margin S. 88°04'42" E. 48.26 feet; thence N. 9°59'36" W. 252.16 feet to the point of beginning. Contains - 5,953.89 sq. ft.

PARCEL 4

Right-of-Way:

That portion of the Northwest quarter of the Northwest quarter of Section 12, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Northwest corner of said Section; thence East 775.63 feet; thence South to South line of State Road No. 2; thence South 100 feet; thence West 83 feet to the point of beginning; thence West 42 feet; thence South to the North line of County Road No. 164; thence Easterly along North line of said road, 42 feet; thence North to the point of beginning.

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 declared. That the acquisition of said lands for the purposes herein mentioned is for the public use and necessity due in part to the need for increased traffic and pedestrian safety; to provide for the extension of 166th Ave. N.E. in order to more fully utilize the existing 166th Ave. N.E.; to facilitate and improve traffic circulation in, to, and from the commercial and residential districts of the City of Redmond, to serve the increasing needs of traffic, and development in areas served by 166th Ave. N.E. and to develop a better distribution of traffic throughout the existing street systems of the City.

Section 4. Public use and necessity declared. That the public use and necessity demand that real property and property rights in fee, 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 whole or part out of the general revenue funds of the City of Redmond, revenue sharing funds of the U. S. Government, and assessments against the properties specially benefited from the City of Redmond.

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.

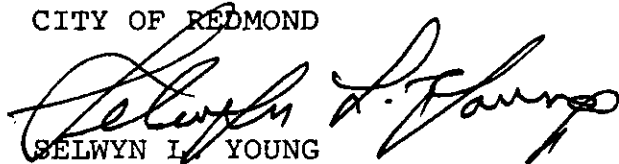
Section 8. City Attorney authorized to negotiate. That in conducting said condemnation proceedings the City Attorney is hereby authorized to enter stipulations and to negotiate for the purchase of said property or property rights for the purpose of minimizing damages.

Section 9. Non-waiver of rights: 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.

Section 10. 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 16<sup>th</sup> day of May, 1978.

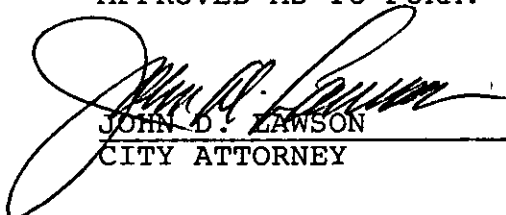
CITY OF REDMOND

  
SELWYN L. YOUNG  
MAYOR

ATTEST:

  
PAUL F. KUSAKABE  
CITY CLERK

APPROVED AS TO FORM:

  
JOHN D. LAWSON  
CITY ATTORNEY

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