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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3422

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of improving a portion of Bellevue Way N.E. between N.E. 12th Street and SR 520 within the City of Bellevue; providing for condemnation, appropriation, taking and damaging of land and property rights necessary therefor; providing for the cost thereof and directing the initiation of appropriate proceedings in the manner provided by law for said condemnation.

WHEREAS, the City Council has, by Ordinance No. 3245, established the improvement of Bellevue Way N.E. from N.E. 12th Street to SR 520 as a project within the Capital Improvement Plan, and has, by Resolution No. 4397, approved the 1985-1989 Capital Improvement Plan; and

WHEREAS, the improvements are necessary to provide needed curbs, gutters, lighting, and landscaping, along with sidewalks on the west side of the street; and

WHEREAS, the City Council finds that the public health, safety, necessity and convenience demand that said project be undertaken and that in order to carry out the project it is necessary at this time for the City to acquire interests and rights to the properties described herein; and

WHEREAS, negotiations have been successful for all but one of the needed parcels; and

WHEREAS, the City Council finds and declares it necessary and in the best interest of the public that interests in the land and property rights hereinafter described be condemned, appropriated, taken and damaged for public use, subject to the making or paying of just compensation to the owners thereof in the manner provided by law; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The lands and property rights within the City of Bellevue, King County, Washington, designated as Parcel PW-G 1654 and

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more particularly described on the attached Exhibit A, necessary for public road purposes, are hereby condemned, appropriated, taken and damaged for such public purposes, subject to the making or paying of just compensation to the owners thereof in the manner provided by law.

Section 2. The cost and expense of acquiring said property rights shall be paid for from the General Fund of the City of Bellevue, or from other monies the City may have available or obtain therefor.

Section 3. The City Attorney is hereby authorized and directed to undertake proceedings provided by law to condemn, appropriate, take and damage the land and property necessary to carry out the provisions of this ordinance, all in accordance with law.

Section 4. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 15th day of October, 1984, and signed in authentication of its passage this 15th day of October 1984.

(SEAL)

Cary E. Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Scott McKee, Assistant City Attorney

Attest:

Marie K. O'Connell, City Clerk

Published October 20, 1984

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EXHIBIT A

Parcel No. PW-G 1654

Fee simple title as follows:

That portion of Lot 1 in City of Bellevue Short Plat No. 79-33, as recorded under Recording No. 7906200823, Records and Elections Division of King County, Washington, said portion described as follows: Beginning at the northeast corner of said lot; thence South 00°57'12" West 5.00 feet along the west margin of Bellevue Way N.E. (104th Avenue N.E.) and the east line of said lot; thence North 61°50'22" West 11.24 feet to the north line of said lot; thence South 88°14'32" East 10.00 feet along said north line to the point of beginning, and containing 25 square feet, more or less.

Walkway/rockwall easement as follows:

That portion of Lot 1 in City of Bellevue Short Plat No. 79-33, as recorded under Recording No. 7906200823, Records and Elections Division of King County, Washington, said portion described as follows: Beginning at the southeast corner of said lot; thence North 88°06'47" West 10.00 feet along the south line of said lot; thence North 00°57'12" East 71.43 feet; thence North 57°29'24" West 29.34 feet; thence North 00°57'12" East 10.00 feet to the north line of said lot; thence South 88°14'32" East 25.00 feet along said north line; thence South 61°50'22" East 11.24 feet to the west margin of Bellevue Way N.E. (104th Avenue N.E.); thence South 00°57'12" West 91.45 feet along said west margin to the point of beginning, and containing 1,377 square feet, more or less.

Temporary construction easement as follows:

That portion of Lot 1 in City of Bellevue Short Plat No. 79-33, as recorded under Recording No. 7906200823, Records and Elections Division of King County, Washington, said portion described as follows: Beginning at the northwest corner of said lot; thence South 88°14'32" East 74.66 feet along the north line of said lot; thence South 00°57'12" West 10.00 feet; thence South 57°29'24" East 29.34 feet; thence North 88°14'32" West 96.53 feet to the west line of said lot; thence North 06°10'26" West 25.24 feet along said west line to the point of beginning, and containing 2,015 square feet, more or less.