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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3597

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of improving a portion of Northup Way from 116th Avenue N.E. to Northup Avenue N.E. 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. 3402, established the improvement of Northup Way from 116th Avenue N.E. to Northup Avenue N.E. as a project within the Capital Improvement Plan, and has, by Resolution No. 4607, approved the 1986-1990 Capital Improvement Plan; and

WHEREAS, the improvements are necessary to provide needed street and bridge widening, signalization and sidewalks; 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, the City Council finds and declares it necessary and in the best interest of the public that the property 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, 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, special assessments, or from other monies the City may have available or obtain therefor.

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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.

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 18th day of February, 1986, and signed in authentication of its passage this 18th day of February, 1986.

(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 February 22, 1986

EXHIBIT A

Parcel No. PW-N 1591

Fee Simple

That portion of Block 8 of Kirkland Syndicates 2nd Addition to Kirkland, according to the plat thereof recorded in Volume 7 of Plats, page 75, records of King County, Washington, lying Northerly of the North margin of Northup Way and more particularly described as follows: Commencing at the Southeast corner of the Southeast quarter of the Southeast quarter of Section 20, Township 25 North, Range 5 East, W.M., King County, Washington; thence North 1°22'48" East 530.50 feet along the East line of said subdivision; thence North 88°37'12" West 30.00 feet to the intersection of the West margin of 116th Avenue N.E. and the North margin of Northup Way, said point being the point of beginning of this description; thence North 69°46'10" West 27.80 feet along said North margin; thence North 53°25'48" East 33.36 feet to the West margin of 116th Avenue N.E.; thence South 1°22'48" West 29.50 feet along said West margin to the point of beginning and containing 388 square feet, more or less.

Parcel No. PW-N 1591A

Permanent Slope Easement

That portion of Block 8 of Kirkland Syndicates 2nd Addition to Kirkland, according to the plat thereof recorded in Volume 7 of Plats, page 75, records of King County, Washington, lying Northerly of the North margin of Northup Way and more particularly described as follows: Commencing at the Southeast corner of the Southeast quarter of the Southeast quarter of Section 20, Township 25 North, Range 5 East, W.M., King County, Washington; thence North 1°22'48" East 560.00 feet along the East line of said subdivision; thence North 88°37'12" West 30.00 feet to the West margin of 116th Avenue N.E. and the point of beginning of this description; thence South 53°25'48" West 33.36 feet to the North margin of Northup Way; thence North 69°46'10" West 30.00 feet along said North margin; thence North 83°02'06" East 40.12 feet; thence North 1°22'48" East 45.00 feet; thence North 20°32'41" East 45.69 feet to the West margin of 116th Avenue N.E.; thence South 1°22'48" West 83.16 feet along said West margin to the point of beginning and containing 1,324 square feet, more or less.

Parcel No. PW-N15918

Temporary Construction Easement

That portion of Block 8 and Block 9 of Kirkland Syndicates 2nd Addition to Kirkland, according to the plat thereof recorded in Volume 7 of Plats, page 75, records of King County, Washington, lying Northerly of the North margin of Northup Way and more particularly described as follows: Commencing at the Southeast corner of the Southeast quarter of the Southeast quarter of Section 20, Township 25 North, Range 5 East, W.M., King County, Washington; thence North 1°22'48" East 530.50 feet along the East line of said subdivision; thence North 88°37'12" West 30.00 feet to the intersection of the West margin of 116th Avenue N.E. and the North margin of Northup Way; thence North 69°46'10" West 57.80 feet along said North margin to the point of beginning of this description; thence North 69°46'10" West 157.76 feet along said North margin to the West line of Block 9 of said plat of Kirkland Syndicates 2nd Addition to Kirkland; thence North 1°22'48" East 10.57 feet along said West line; thence South 69°46'10" East 146.17 feet; thence North 20°13'50" East 15.00 feet; thence South 69°46'10" East 30.95 feet; thence North 20°32'41" East 84.97 feet to the South margin of the Burlington Northern Railroad Right-of-Way; thence Southeasterly 6.01 feet along said South margin; thence South 20°32'41" West 45.69 feet; thence South 1°22'48" West 45.00 feet; thence South 83°02'06" West 40.12 feet to the point of beginning and containing 3,017 square feet, more or less.

Parcel No. PW-N 1833

Fee Simple

That portion of the Southwest quarter of the Southwest quarter of Section 21, Township 25 North, Range 5 East, W.M., King County, Washington, described as follows: Commencing at the Southwest corner of said subdivision; thence North 1°22'48" East 509.72 feet along the West line of said subdivision; thence South 88°37'12" East 30.00 feet to the intersection of the North margin of Northup Way and the East margin of 116th Avenue N.E., and the point of beginning of this description; thence North 1°22'48" East 51.13 feet along said East margin to the South margin of the Burlington Northern Railroad Right-of-Way; thence Southeasterly 81.60 feet along said South margin to the North margin of Northup Way; thence North 69°00'40" West 48.71 feet along said North margin to the point of beginning and containing 1,189 square feet, more or less.

Parcel No. PW-N 1833A

Fee Simple

That portion of the Southwest quarter of the Southwest quarter of Section 21, Township 25 North, Range 5 East, W.M., King County, Washington, described as follows: Commencing at the Southwest corner of said subdivision; thence North $1^{\circ}22'48''$ East 446.03 feet along the West line of said subdivision; thence South $88^{\circ}37'12''$ East 30.00 feet to the intersection of the East margin of 116th Avenue N.E. and the South margin of Northup Way and the point of beginning of this description; thence South $69^{\circ}00'40''$ East 43.76 feet along said South margin to the point of a non-tangent curve which center bears South $00^{\circ}28'37''$ West a radius distance of 50.00 feet; thence Southwesterly along said curve to the left through a central angle of $56^{\circ}14'57''$ an arc distance of 49.09 feet to the East margin of 116th Avenue N.E.; thence North $1^{\circ}22'48''$ East 37.56 feet along said East margin to the point of beginning and containing 586 square feet, more or less.

Parcel No. PW-N 1833B

Permanent Sidewalk Easement

That portion of the Southwest quarter of the Southwest quarter of Section 21, Township 25 North, Range 5 East, W.M., King County, Washington, described as follows: Commencing at the Southwest corner of said subdivision; thence North $1^{\circ}22'48''$ East 393.03 feet along the West line of said subdivision; thence South $88^{\circ}37'12''$ East 30.00 feet to the East margin of 116th Avenue N.E. and the point of beginning of this description; thence North $1^{\circ}22'48''$ East 15.44 feet along said East margin to the point of a non-tangent curve which center bears South $55^{\circ}46'19''$ East a radius distance of 50.00 feet; thence Northeasterly along a curve to the right through a central angle of $56^{\circ}14'57''$ an arc distance of 49.09 feet to the South margin of Northup Way; thence South $69^{\circ}00'49''$ East 59.49 feet along said South margin to the West margin of the Burlington Northern Railroad Right-of-Way; thence Southeasterly along said West margin 6.19 feet; thence North $69^{\circ}00'40''$ West 46.69 feet; thence Southwesterly along a curve to the left having a radius of 42.83 feet through a central angle of $93^{\circ}47'11''$ an arc distance of 70.11 feet to the Easterly margin of 116th Avenue N.E.; thence North $88^{\circ}37'12''$ West 4.80 feet along said Easterly margin to the point of beginning and containing 633 square feet, more or less.

Parcel No. PW-N 1833C

Temporary Construction Easement

That portion of the Southwest quarter of the Southwest quarter of Section 21, Township 25 North, Range 5 East, W.M., King County, Washington, described as follows: Commencing at the Southwest corner of said subdivision; thence North $1^{\circ}22'48''$ East 380.00 feet along the West line of said subdivision; thence South $88^{\circ}37'12''$ East 40.76 feet to the East margin of 116th Avenue N.E. and the point of beginning of this description; thence North $1^{\circ}56'15''$ West 13.05 feet along said East margin; thence North $88^{\circ}37'12''$ West 9.20 feet along the Easterly margin of 116th Avenue N.E. to the point of a non-tangent curve which center bears South $72^{\circ}47'51''$ East a radius distance of 42.83 feet; thence Northeasterly along said curve to the right through a central angle of $93^{\circ}47'11''$ an arc distance of 70.11 feet; thence South $69^{\circ}00'40''$ East 46.69 feet to the West margin of the Burlington Northern Railroad Right-of-Way; thence Southeasterly along said West margin 29.87 feet; thence North $88^{\circ}37'12''$ West 104.26 feet to the point of beginning and containing 3,663 square feet, more or less.