

6-03-86
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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3667

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of Meydenbauer Bay Sanitary Sewer System Improvements; 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; and repealing Ordinance No. 3607.

WHEREAS, the City Council has, by Ordinance No. 3246, established the Meydenbauer Bay Sanitary Sewer System Improvements 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 prevent sewage overflows into Meydenbauer Bay and to comply with a permit issued by the Department of Ecology; and

WHEREAS, by Ordinance No. 3607 passed March 24, 1986, the Council authorized acquisition of land for the purposes mentioned herein; and

WHEREAS, it has since been determined that an alternative site is more desirable for the sewer system improvements; 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 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. Ordinance No. 3607 is hereby repealed.

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Section 2. The lands and property rights within the City of Bellevue, King County, Washington, described on the attached Exhibit "A", necessary for sanitary sewer 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.

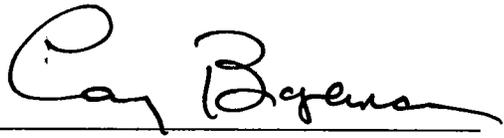
Section 3. The cost and expense of acquiring said property rights shall be paid for from the General Fund of the City of Bellevue, or from other monies the City may have available or obtain therefor.

Section 4. The City Attorney is hereby authorized and directed to undertake proceeding provided by law to condemn, appropriate, take and damage the land and property necessary to carry out the provisions of this ordinance.

Section 5. This ordinance shall take effect and be in force five days after its passage and legal publication.

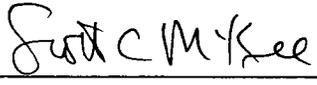
PASSED by the City Council this 16th day of June, 1986, and signed in authentication of its passage this 16th day of June, 1986.

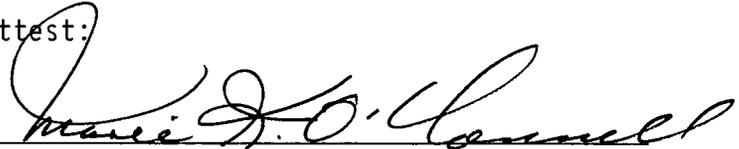
(SEAL)


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 June 21, 1986

EXHIBIT A
Page 1 of 4

SANITARY SEWER EASEMENT
(8911 Lake Washington Boulevard N.E.) 5-21-86

"Permanent Easement"

An easement over portion of Blocks 9 and 26 and of vacated Kenwood Boulevard and Hawthorne Avenue (80th Avenue Northeast), in Kenwood Park, according to plat thereof recorded in Volume 8 of Plats, Page 26, in King County, Washington, described as follows:

Beginning at a point on the Southwesterly margin of Northeast Lake Washington Boulevard, which point is South $53^{\circ} 51' 30''$ East 24.51 feet from the intersection of the Southwesterly margin of Northeast Lake Washington Boulevard, and the centerline of vacated Hawthorne Avenue; thence North $53^{\circ} 51' 30''$ West 20.00 feet; thence South $36^{\circ} 08' 30''$ West 102.14 feet; thence North $84^{\circ} 01' 36''$ West 114.17 feet; thence North $1^{\circ} 26' 41''$ West 143.00 feet; thence on a curve to the right, with a radius of 58.00 feet, the radial point of which bears South $60^{\circ} 12' 58''$ East, through a central angle of $49^{\circ} 39' 14''$ an arc distance of 50.26 feet to the Southwesterly margin of Overlake Boulevard; thence North $53^{\circ} 51' 30''$ West along said margin 63.61 feet; thence South $1^{\circ} 26' 41''$ East 484 feet, more or less, to the shoreline of Lake Washington; thence Easterly along the shoreline of Lake Washington 110 feet, more or less, to a point which bears South $14^{\circ} 00' 21''$ West from the point of beginning; thence North $14^{\circ} 00' 21''$ East 341 feet, more or less, to the point of beginning; TOGETHER WITH second class shorelands adjoining; said easement described as follows: Commencing at the intersection of the Southerly margin of Lake Washington Blvd. and the Easterly most line of the above described tract; thence South $14^{\circ} 54' 38''$ West 256.00 feet along said Easterly line; thence North $75^{\circ} 05' 22''$ West 2.50 feet to the West line of the East 2.50 feet of the above described tract and the point of beginning of this description; thence South $14^{\circ} 54' 38''$ West 24.70 feet along said West line; thence North $75^{\circ} 05' 22''$ West 5.93 feet; thence North $14^{\circ} 54' 38''$ East 24.70 feet; thence South $75^{\circ} 05' 22''$ East 5.83 feet to the point of beginning and containing 144 square feet, more or less.

SANITARY SEWER EASEMENT
(8911 Lake Washington Boulevard N.E.) 5-21-86

"Temporary Construction Easement"

An easement over portion of Blocks 9 and 26 and of vacated Kenwood Boulevard and Hawthorne Avenue (80th Avenue Northeast), in Kenwood Park, according to plat thereof recorded in Volume 8 of Plats, Page 26, in King County, Washington, described as follows:

Beginning at a point on the Southwesterly margin of Northeast Lake Washington Boulevard, which point is South $53^{\circ} 51' 30''$ East 24.51 feet from the intersection of the Southwesterly margin of Northeast Lake Washington Boulevard, and the centerline of vacated Hawthorne Avenue; thence North $53^{\circ} 51' 30''$ West 20.00 feet; thence South $36^{\circ} 08' 30''$ West 102.14 feet; thence North $84^{\circ} 01' 36''$ West 114.17 feet; thence North $1^{\circ} 26' 41''$ West 143.00 feet; thence on a curve to the right, with a radius of 58.00 feet, the radial point of which bears South $60^{\circ} 12' 58''$ East, through a central angle of $49^{\circ} 39' 14''$ an arc distance of 50.26 feet to the Southwesterly margin of Overlake Boulevard; thence North $53^{\circ} 51' 30''$ West along said margin 63.61 feet; thence South $1^{\circ} 26' 41''$ East 484 feet, more or less, to the shoreline of Lake Washington; thence Easterly along the shoreline of Lake Washington 110 feet, more or less, to a point which bears South $14^{\circ} 00' 21''$ West from the point of beginning; thence North $14^{\circ} 00' 21''$ East 341 feet, more or less, to the point of beginning; TOGETHER WITH second class shorelands adjoining; said easement described as follows: Beginning at the intersection of the Southerly margin of Lake Washington Blvd. and the Easterly most line of the above described tract; thence South $14^{\circ} 54' 38''$ West 75.00 feet along said Easterly line; thence North $30^{\circ} 58' 50''$ West 52.04 feet; thence North $37^{\circ} 02' 47''$ East 50.00 feet to the Southerly margin of Lake Washington Blvd.; thence South $52^{\circ} 57' 13''$ East 20.00 feet along said Southerly margin to the point of beginning; AND TOGETHER WITH the following described easement: Commencing at the intersection of the Southerly margin of Lake Washington Blvd. and the Easterly most line of the above described tract; thence South $14^{\circ} 54' 38''$ West 226.80 feet along said Easterly line to the point of beginning of this description; thence continuing South $14^{\circ} 54' 38''$ West 72.70 feet along said Easterly line; thence North $75^{\circ} 05' 22''$ West 18.33 feet; thence North $14^{\circ} 54' 38''$ East 52.70 feet; thence North $57^{\circ} 24' 57''$ East 27.13 feet to the point of beginning; said easements having a combined area of 3,050 square feet, more or less.

SANITARY SEWER EASEMENT
(9011 Lake Washington Boulevard NE) 5-20-86

"Permanent Easement"

An easement over that portion of Blocks 8,9, and 26, Kenwood Park, according to the plat recorded in Volume 8 of plats, page 26, in King County, Washington, described as follows:

Commencing on the centerline of Lake Washington Boulevard, North 53° 51' 20" West 633.42 (638.42) feet from the intersection of said Lake Washington Boulevard and 92nd Avenue N.E.; thence South 14° 00' 21" West 32.39 (30.87) feet to the true point of beginning; thence South 53° 51' 20" East along the Southerly margin of said Lake Washington Boulevard 149.47 feet; thence South 30° 27' 55" West 167.03 feet; thence North 67° 59' 39" West 32.00 feet; thence South 27° 17' 21" West 129.28 feet; thence North 82° 19' 39" West (South 82 19' 39" West) 29.92 (30.00) feet; thence North 14° 00' 21" East 341.18 feet (341.29) feet to the true point of beginning; TOGETHER WITH second class shorelands adjoining; said easement described as follows: Commencing at the Northwest corner of the above described tract; thence South 52° 57' 13" East 2.70 feet along the Northerly line of said tract to the East line of the West 2.50 feet of said tract; thence South 14° 54' 38" West 35.00 feet along said East line to the point of beginning of this description; thence continuing South 14° 54' 38" West 36.71 feet; thence South 30° 05' 22" East 9.90 feet; thence South 14° 54' 38" West 77.93 feet; thence South 59° 54' 38" West 9.90 feet to the East line of the West 2.50 feet of said tract; thence South 14° 54' 38" West 116.84 feet along said East line; thence South 75° 05' 22" East 14.33 feet; thence North 14° 54' 38" East 24.70 feet; thence North 75° 05' 22" West 11.83 feet; thence North 14° 54' 38" East 87.57 feet; thence North 59° 54' 38" East 13.44 feet; thence North 14° 54' 38" East 82.07 feet; thence North 30° 05' 22" West 13.44 feet; thence North 14° 54' 38" East 32.14 feet; thence North 75° 05' 22" West 2.50 feet to the point of beginning and containing 1,181 square feet more or less.

SANITARY SEWER EASEMENT
(9011 Lake Washington Boulevard NE) 5/20/86

"Temporary Construction Easement"

An easement over that portion of Blocks 8,9, and 26, Kenwood Park, according to the plat recorded in Volume 8 of plats, page 26 in King County, Washington, described as follows:

Commencing on the centerline of Lake Washington Boulevard, North 53° 51' 20" West 633.42 (638.42) feet from the intersection of said Lake Washington Boulevard and 92nd Avenue N.E.; thence South 14° 00' 21" West 32.39 (30.87) feet to the true point of beginning; thence South 53° 51' 20" East along the Southerly margin of said Lake Washington Boulevard 149.47 feet; thence South 30° 27' 55" West 167.03 feet; thence North 67° 59' 39" West 32.00 feet; thence South 27° 17' 21" West 129.28 feet; thence North 82° 19' 39" West (South 82° 19' 39" West) 29.92 (30.00) feet; thence North 14° 00' 21" East 341.18 (341.29) feet to the true point of beginning; TOGETHER WITH second class shorelands adjoining; said easement described as follows: Beginning at the Northwest corner of the above described tract; thence South 14° 54' 38" West 309.50 feet along the Westerly line of said tract; thence South 87° 43' 36" East 24.72 feet; thence North 38° 11' 28" East 42.00 feet; thence North 25° 11' 28" East 18.00 feet; thence North 16° 41' 28" East 10.00 feet; thence North 1° 41' 28" East 10.00 feet; thence North 48' 32" West 18.00 feet; thence North 29° 48' 32" West 3.00 feet; thence North 11° 19' 58" East 10.15 feet; thence North 10° 09' 58" East 48.73 feet; thence North 14° 54' 38" East 85.00 feet; thence North 7° 03' 42" West 40.44 feet; thence North 15° 15' 29" East 21.40 feet to the Northerly line of said tract; thence North 52° 57' 13" West 16.19 feet along said North line to the point of beginning and containing 9,340 square feet, more or less.