

04-07-87
2322c

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3774

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of widening and improving a portion of 108th Avenue N.E. from Northup Way to Burlington Northern Railroad 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. 3721, created L.I.D. 278 for the improvement of 108th Avenue N.E. from Northup Way to Burlington Northern Railroad; and

WHEREAS, the improvements are necessary to provide needed street widening, sidewalks, creek relocation, illumination and storm drainage 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. 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 payment 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, Urban

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Arterial Board Fund, special assessments, 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.

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 20th day of April, 1987, and signed in authentication of its passage this 20th day of April, 1987.

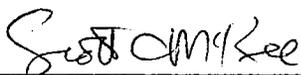
(SEAL)



Cary E. Bozeman, Mayor

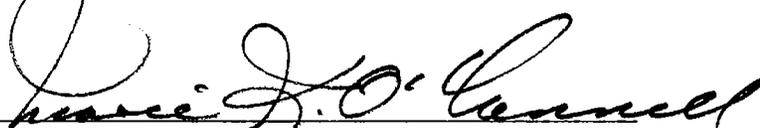
Approved as to form:

Richard L. Andrews, City Attorney



Scott McKee, Assistant City Attorney

Attest:



Marie K. O'Connell, City Clerk

Published April 24, 1987

4903m

Exhibit A
PW-N 1590
Permanent Sidewalk and Utility Easement

That portion of the Southeast quarter of the Northwest quarter of Section 20, Township 25 North, Range 5 East, W.M., King County, Washington, described as follows:

Commencing at the intersection of the West margin of 108th Avenue N.E., established by the S.R. 405, Bellevue to Northup Interchange, Right of Way Plans (Sheet 3 of 10) dated July 23, 1963 and the South margin of Northup Way; thence North $71^{\circ}21'41''$ West 246.62 feet along said South margin to the True Point of Beginning; thence South $18^{\circ}38'19''$ West 1.00 feet; thence North $72^{\circ}16'49''$ West 188.79 feet to the East line of the West 177.50 feet of the East half of the Southeast quarter of the Northwest quarter of said Section 20; thence North $00^{\circ}50'42''$ East 4.23 feet along said East line to the South margin of Northup Way; thence South $71^{\circ}21'41''$ East 190.06 feet along said South margin to the True Point of Beginning and containing 477 square feet, more or less.

Richard J. Brown
3/31/87

4903m

Exhibit A
PW-N 1590

Permanent Sidewalk and Utility Easement

That portion of the East half of the Southeast quarter of the Northwest quarter of Section 20, Township 25 North, Range 5 East, W.M., King County, Washington, described as follows:

Commencing at the intersection of the South margin of Northup Way and the West margin of 108th Avenue N.E., established by the S.R. 405, Bellevue to Northup Interchange Right of Way Plans (Sheet 3 of 10) dated July 23, 1963; said point also being the True Point of Beginning; thence South $00^{\circ}49'39''$ West 5.00 feet along said West margin; thence North $68^{\circ}23'17''$ West 91.77 feet to the South margin of Northup Way; thence South $71^{\circ}21'41''$ East 90.12 feet along said South margin to the True Point of Beginning and containing 214 square feet, more or less.

Richard P. Brown
9/9/87

4903m

Exhibit A
PW-N 1590
Temporary Construction Easement

That portion of the East half of the Southeast quarter of the Northwest quarter of Section 20, Township 25 North, Range 5 East, W.M., King County, Washington, described as follows:

Commencing at the intersection of the South margin of Northup Way and the West margin of 108th Avenue N.E., established by the S.R. 405, Bellevue to Northup Interchange Right of Way Plans (Sheet 3 of 10) dated July 23, 1963; thence South $00^{\circ}49'39''$ West 5.00 feet along said West margin to the True Point of Beginning; thence continuing South $00^{\circ}49'39''$ West 5.50 feet along said West margin; thence North $71^{\circ}21'41''$ West 99.83 feet; thence South $18^{\circ}38'19''$ West 20.00 feet; thence North $71^{\circ}21'41''$ West 50.00 feet; thence North $18^{\circ}38'19''$ East 20.00 feet; thence North $71^{\circ}21'41''$ West 100.00 feet; thence North $75^{\circ}56'50''$ West 115.37 feet; thence South $18^{\circ}38'19''$ West 20.78 feet; thence North $70^{\circ}42'03''$ West 55.00 feet; thence North $18^{\circ}38'19''$ East 15.74 feet; thence North $75^{\circ}56'50''$ West 12.20 feet to the East line of the West 177.50 feet of the East half of the Southeast quarter of the Northwest quarter of said Section 20; thence North $00^{\circ}50'42''$ East 21.62 feet along said East line; thence South $72^{\circ}16'49''$ East 188.79 feet; thence North $18^{\circ}38'19''$ East 1.00 feet to the South margin of Northup Way; thence South $71^{\circ}21'41''$ East 156.50 feet along said South margin; thence South $68^{\circ}23'17''$ East 91.77 feet to the West margin of said 108th Avenue N.E. and the True Point of Beginning and containing 7,045 square feet, more or less.

Richard P. Brown
3/29/87

4903m

Exhibit A
PW-N 1595
Permanent Sidewalk and Utility Easement

That portion of Lot 2 of City of Bellevue Short Plat No. 79-54, recorded under Auditor's File No. 8004299003, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the Southwest corner of said Lot 2; thence North $00^{\circ}50'42''$ East 8.89 feet along the West line of said Lot 2; thence South $71^{\circ}21'41''$ East 379.42 feet to the True Point of Beginning; thence North $18^{\circ}38'19''$ East 1.00 feet; thence South $71^{\circ}21'41''$ East 86.50 feet; thence South $50^{\circ}49'08''$ West 1.18 feet; thence North $71^{\circ}21'41''$ West 85.87 feet to the True Point of Beginning and containing 86 square feet, more or less.

Richard P. Brown
7/7/67

4903m

Exhibit A
PW-N 1595
Permanent Slope Easement

That portion of Lot 2 of City of Bellevue Short Plat No. 79-54, recorded under Auditor's File No. 8004299003, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the Easterly most corner common to said Lot 2 and Lot 1 of said City of Bellevue Short Plat No. 79-54; thence North $89^{\circ}10'21''$ West 4.50 feet along the common line of said Lots 1 and 2 to the True Point of Beginning; thence South $00^{\circ}49'39''$ West 193.80 feet; thence Southwesterly along a curve to the right having a radius of 30.00 feet through a central angle of $2^{\circ}42'12''$ an arc distance of 1.42 feet; thence North $89^{\circ}10'21''$ West 1.97 feet; thence South $56^{\circ}15'07''$ West 44.46 feet; thence North $71^{\circ}21'41''$ West 4.33 feet; thence North $50^{\circ}49'08''$ East 48.61 feet; thence North $00^{\circ}49'39''$ East 183.33 feet; thence South $89^{\circ}10'21''$ East 3.50 feet; thence North $00^{\circ}49'39''$ East 4.54 feet to the common line of said Lots 1 and 2; thence South $89^{\circ}10'21''$ East 2.00 feet along said common line to the True Point of Beginning and containing 1,312 square feet, more or less.

Richard P. Brown
3/31/87

4903m

Exhibit A
PW-N 1595
Permanent Sidewalk Easement

That portion of Lot 2 of City of Bellevue Short Plat No. 79-54, recorded under Auditor's File No. 8004299003, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the Southwest corner of said Lot 2; thence North $00^{\circ}50'42''$ East 6.79 feet along the West line of said Lot 2; thence South $71^{\circ}21'41''$ East 188.78 feet to the True Point of Beginning; thence North $18^{\circ}38'19''$ East 2.00 feet; thence South $71^{\circ}21'41''$ East 280.20 feet; thence North $56^{\circ}15'07''$ East 44.46 feet; thence South $89^{\circ}10'21''$ East 1.97 feet to the point of a non-tangent curve whose center bears North $86^{\circ}28'09''$ West a radius distance of 30.00 feet; thence Southwesterly along said curve to the right through a central angle of $105^{\circ}06'28''$ an arc distance of 55.03 feet; thence North $71^{\circ}21'41''$ West 280.25 feet to the True Point of Beginning and containing 1,006 square feet, more or less.

Robert P. Brown
3/31/87

4903m

Exhibit A
PW-N 1595
Temporary Construction Easement

That portion of Lot 2 of City of Bellevue Short Plat No. 79-54, recorded under Auditor's File No. 8004299003, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the Southwest corner of said Lot 2; thence North $00^{\circ}50'42''$ East 8.89 feet along the West line of said Lot 2; thence South $71^{\circ}21'41''$ East 259.42 feet to the True Point of Beginning; thence North $18^{\circ}38'19''$ East 3.00 feet; thence South $71^{\circ}21'41''$ East 207.76 feet; thence South $50^{\circ}49'08''$ West 2.36 feet; thence North $71^{\circ}21'41''$ West 86.50 feet; thence South $18^{\circ}38'19''$ West 1.00 feet; thence North $71^{\circ}21'41''$ West 120.00 feet to the True Point of Beginning and containing 534 square feet, more or less.

Richard P. Brown
3/9/87

4903m

Exhibit A
PW-N 1595
Temporary Construction Easement

That portion of Lot 2 of City of Bellevue Short Plat No. 79-54, recorded under Auditor's File No. 8004299003, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the Easterly most corner common to said Lot 2 and Lot 1 of said City of Bellevue Short Plat No. 79-54; thence North 89°10'21" West 6.50 feet along the common line of said Lots 1 and 2 to the True Point of Beginning; thence South 00°49'39" West 4.54 feet; thence North 89°10'21" West 8.50 feet; thence North 00°49'39" East 4.54 feet to the common line of said Lots 1 and 2; thence South 89°10'21" East 8.50 feet along said line to the True Point of Beginning and containing 39 square feet, more or less

Richard P. Brown
3/31/87

4903m

Exhibit A
PW-N 1595
Temporary Construction Easement

That portion of Lot 2 of City of Bellevue Short Plat No. 79-54, recorded under Auditor's File No. 8004299003, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the Southwest corner of said Lot 2; thence North $00^{\circ}50'42''$ East 8.89 feet along the West line of said Lot 2; thence South $71^{\circ}21'42''$ East 14.42 feet to the True Point of Beginning; thence North $18^{\circ}38'19''$ East 30.00 feet; thence South $71^{\circ}21'41''$ East 50.00 feet; thence South $18^{\circ}38'19''$ West 30.00 feet; thence North $71^{\circ}21'41''$ West 50.00 feet to the True Point of Beginning and containing 1,500 square feet, more or less.

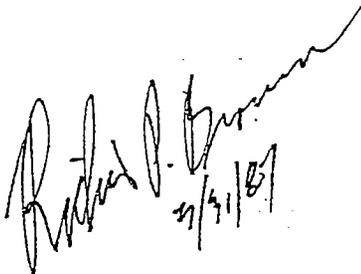
Richard A. Brown
3/9/87

4903m

Exhibit A
PW-N 1596
Permanent Sidewalk and Utility Easement

That portion of the West 132.00 feet of the East half of the Southeast quarter of the Northwest quarter of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington and Tracts 3, 4 and 5 of Northup's Acre Tracts, according to the plat thereof recorded in Volume 6 of Plats, Page 45, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the intersection of the East line of the West 132.00 feet of the East half of the Southeast quarter of the Northwest quarter of said Section 20 and the North margin of Northup Way, said margin being 30.00 feet from the center line of Northup Way; said intersection point also being the True Point of Beginning and the point of a non-tangent curve whose center bears North $19^{\circ}11'59''$ East a radius distance of 686.34 feet; thence Northwesterly along the North margin of Northup Way on said curve to the right through a central angle of $19^{\circ}29'16''$ an arc distance of 233.44 feet to the point of a non-tangent curve whose center bears North $37^{\circ}03'30''$ East a radius distance of 709.07 feet; thence Southeasterly along said curve to the left through a central angle of $18^{\circ}38'58''$ an arc distance of 230.80 feet to the East line of the West 132.00 feet of the East half of the Southeast quarter of the Northwest quarter of said Section 20; thence South $00^{\circ}50'42''$ West 5.50 feet along said East line to the True Point of Beginning and containing 662 square feet, more or less.

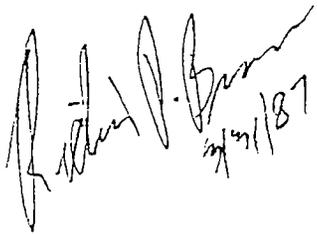

11/31/87

4903m

EXHIBIT A
PW-N 1596
Temporary Construction Easement

That portion of the West 132.00 feet of the East half of the Southeast quarter of the Northwest quarter of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington and Tracts 3, 4, and 5 of Northup's Acre Tracts, according to the plat thereof recorded in Volume 6 of Plats, Page 45, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the intersection of the North margin of Northup Way, said margin being 30.00 feet from the center line of Northup Way and the East line of the West 132.00 feet of the East half of the Southeast quarter of the Northwest quarter of said Section 20; thence North $00^{\circ}50'42''$ East 5.50 feet along said East line to the True Point of Beginning and the point of a non-tangent curve whose center bears North $18^{\circ}24'33''$ East a radius distance of 709.07 feet; thence Northwesterly along said curve to the right through a central angle of $18^{\circ}38'58''$ an arc distance of 230.80 feet to the North margin of Northup Way and the point of a non-tangent curve whose center bears North $38^{\circ}41'15''$ East a radius distance of 686.34 feet; thence Northwesterly along the North margin of Northup Way on said curve to the right through a central angle of $11^{\circ}21'16''$ an arc distance of 136.01 feet to the North line of the South 47.50 feet of Tract 3 of said Northup's Acre Tracts; thence South $88^{\circ}56'16''$ East 6.65 feet along said North line to the point of a non-tangent curve whose center bears North $49^{\circ}40'31''$ East a radius distance of 681.34 feet; thence Southeasterly along said curve to the left through a central angle of $2^{\circ}59'21''$ an arc distance of 35.55 feet; thence North $46^{\circ}41'06''$ East 15.00 feet to the point of a non-tangent curve whose center bears North $46^{\circ}41'06''$ East a radius distance of 666.34 feet; thence Southeasterly along said curve to the left through a central angle of $5^{\circ}11'56''$ an arc distance of 60.46 feet; thence South $41^{\circ}29'13''$ West 15.00 feet to the point of a non-tangent curve whose center bears North $41^{\circ}29'13''$ East a radius distance of 681.34 feet; thence Southeasterly along said curve to the left through a central angle of $2^{\circ}47'58''$ an arc distance of 33.29 feet to the point of a non-tangent curve whose center bears North $37^{\circ}02'49''$ East a radius distance of 704.07 feet; thence Southeasterly along said curve to the left through a central angle of $13^{\circ}30'24''$ an arc distance of 165.97 feet; thence North $24^{\circ}41'25''$ East 15.94 feet to the point of a non-tangent curve whose center bears North $24^{\circ}41'25''$ East a radius distance of 661.34 feet; thence Southeasterly along said curve to the left through a central angle of $4^{\circ}23'57''$ an arc distance of 50.78 feet; thence South $20^{\circ}17'28''$ West 14.97 feet to the point of a non-tangent curve whose center bears North $19^{\circ}18'39''$ East a radius distance of 704.07 feet; thence Southeasterly along said curve to the left through a central angle of $00^{\circ}46'23''$ an arc distance of 9.50 feet to the East line of the West 132.00 feet of the East half of the Southeast quarter of the Northwest quarter of said Section 20; thence South $00^{\circ}50'42''$ West 5.25 feet along said East line to the True Point of Beginning and containing 3,522 square feet, more or less.


Richard D. Brown
3/27/87

4903m

EXHIBIT A
PW-N 1607
Permanent Sidewalk and Utility Easement

That portion of Lot 1 of City of Bellevue Short Plat No. 79-54, recorded under Auditor's File No. 8004299003, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the Northeast corner of said Lot 1 and the True Point of Beginning; thence South 00°49'39" West 5.00 feet along the East line of said Lot 1; thence North 44°03'18" West 7.09 feet to the North line of said Lot 1; thence South 88°56'16" East 5.00 feet along said North line to the True Point of Beginning and containing 12.5 square feet, more or less.

Richard A. Brown
3/31/87

4903m

EXHIBIT A
PW-N 1607
Temporary Construction Easement

That portion of Lot 1 of City of Bellevue Short Plat No. 79-54, recorded under Auditor's File No. 8004299003, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the Southeast corner of said Lot 1 and the True Point of Beginning; thence North $89^{\circ}10'21''$ West 15.00 feet along the South line of said Lot 1; thence North $00^{\circ}49'39''$ East 5.46 feet; thence South $89^{\circ}10'21''$ East 10.00 feet; thence North $00^{\circ}49'39''$ East 48.50 feet; thence North $89^{\circ}10'21''$ West 5.00 feet; thence North $00^{\circ}49'39''$ East 12.00 feet; thence South $89^{\circ}10'21''$ East 5.00 feet; thence North $00^{\circ}49'39''$ East 85.09 feet; thence Northeasterly along a curve to the right having a radius of 321.50 feet through a central angle of $14^{\circ}19'41''$ an arc distance 80.40 feet; thence North $00^{\circ}49'39''$ East 22.92 feet; thence North $88^{\circ}56'16''$ West 40.14 feet; thence North $01^{\circ}03'44''$ East 5.00 feet to the North line of said Lot 1; thence South $88^{\circ}56'16''$ East 40.12 feet along said North line; thence South $44^{\circ}03'18''$ East 7.09 feet to the East line of said Lot 1; thence South $00^{\circ}49'39''$ West 23.53 feet along said East line to the point of a non-tangent curve whose center bears South $74^{\circ}43'52''$ East a radius distance of 316.50 feet; thence Southwesterly along the East line of said Lot 1 on a curve to the left through a central angle of $14^{\circ}26'28''$ an arc distance of 79.77 feet; thence South $00^{\circ}49'39''$ West 151.06 feet along the East line of said Lot 1 to the True Point of Beginning and containing 1,600 square feet, more or less.

Richard D. Brown
3/31/87

4903m

EXHIBIT A
PW-N 2018
Temporary Construction Easement

That portion of Lot D of City of Kirkland Short Plat No. 78-8-1, recorded under Auditor's File No. 7808281050, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the intersection of the West line of the Northeast quarter of Section 20, Township 25 North, Range 5 East, W.M., King County, Washington and the Northwest margin of N.E. 38th Street; thence North $46^{\circ}42'39''$ East 53.00 feet along said Northwest margin to the True Point of Beginning; thence North $43^{\circ}17'21''$ West 30.00 feet; thence North $46^{\circ}42'39''$ East 72.00 feet; thence South $43^{\circ}17'21''$ East 30.00 feet to the Northwest margin of said N.E. 38th Street; thence South $46^{\circ}42'39''$ West 72.00 feet along said Northwest margin to the True Point of Beginning and containing 2,160 square feet, more or less.

Richard P. Brown
7/31/18

4903m

EXHIBIT A
PW-N 2018
Right of Entry

That portion of Lot D of City of Kirkland Short Plat No. 78-8-1, recorded under Auditor's File No. 7808281050, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the intersection of the East line of the Northwest quarter of Section 20, Township 25 North, Range 5 East, W.M., King County, Washington and the North margin of N.E. 38th Place, said point being the True Point of Beginning; thence North 88°56'16" West 55.47 feet along said North margin; thence North 01°03'44" East 10.00 feet; thence South 88°56'16" East 55.43 feet to the East line of the Northwest quarter of said Section 20; thence South 00°49'39" West 10.00 feet along said East line to the True Point of Beginning and containing 555 square feet, more or less.

Richard P. Brown
3/31/87

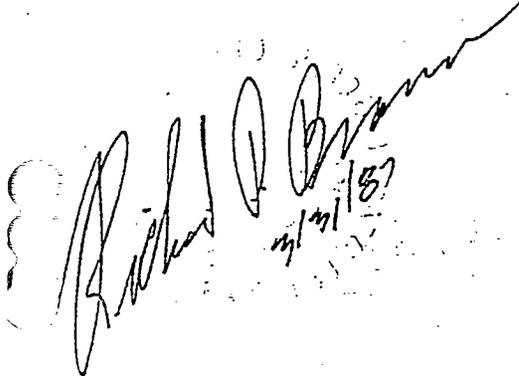
4903m

EXHIBIT A
PW-N 2019

Permanent Sidewalk and Slope Retention Easement

That portion of Parcel A of Yarrowood Condominium, according to the plat thereof recorded in Volume 11 of Condominiums, Pages 6 to 20, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the Southwest corner of said Parcel A, said point also being the True Point of Beginning; thence North $00^{\circ}49'39''$ East 15.25 feet along the West line of said Parcel A; thence South $89^{\circ}10'21''$ East 2.00 feet; thence South $00^{\circ}49'39''$ West 5.00 feet; thence South $42^{\circ}44'57''$ East 11.21 feet; thence South $67^{\circ}59'40''$ East 59.10 feet; thence South $18^{\circ}36'36''$ West 1.50 feet to the South line of said Parcel A; thence North $71^{\circ}23'24''$ West 67.61 feet along said South line to the True Point of Beginning and containing 281 square feet, more or less.


m/21/18

4903m

EXHIBIT A
PW-N 2019
Temporary Construction Easement

That portion of Parcel A and Parcel D of Yarrowood Condominium, according to the plat thereof recorded in Volume 11 of Condominiums, Pages 6 to 20, in the Records and Elections Division of King County, Washington, described as follows:

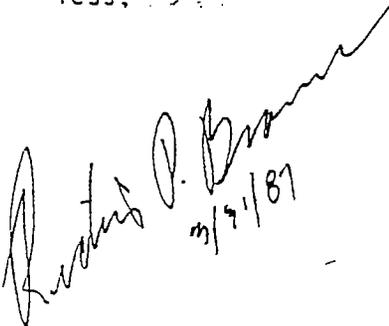
Commencing at the Southwest corner of said Parcel A; thence North 00°49'39" East 300.25 feet along the West line of said Parcel A to the True Point of Beginning; thence continuing North 00°49'39" East 90.00 feet along the West line of said Parcels A and D; thence South 89°10'21" East 70.00 feet; thence South 00°49'39" West 90.00 feet; thence North 89°10'21" West 70.00 feet to the True Point of Beginning and containing 6,300 square feet, more or less, ALSO;

That portion of Parcel A of Yarrowood Condominium, according to the plat thereof recorded in Volume 11 of Condominiums, Pages 6 to 20, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the Southwest corner of said Parcel A; thence North 00°49'39" East 15.25 feet along the West line of said Parcel A to the True Point of Beginning; thence continuing North 00°49'39" East 90.00 feet along said West line; thence South 89°10'21" East 5.00 feet; thence South 00°49'39" West 90.00 feet; thence South 89°10'21" East 2.00 feet; thence South 00°49'39" West 3.00 feet; thence South 42°44'57" East 8.10 feet; thence South 67°59'40" East 72.71 feet; thence South 18°36'36" West 5.62 feet to the South line of said Parcel A; thence North 71°23'24" West 15.00 feet along said South line; thence North 18°36'36" East 1.50 feet; thence North 67°59'40" West 59.10 feet; thence North 42°44'57" West 11.21 feet; thence North 00°49'39" East 5.00 feet; thence North 89°10'21" West 2.00 feet to the True Point of Beginning and containing 901 square feet, more or less, ALSO;

That portion of Parcel A and Parcel D of Yarrowood Condominium, according to the plat thereof recorded in Volume 11 of Condominiums, Pages 6 to 20, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the Northerly most corner of said Parcel D and the True Point of Beginning; thence North 46°42'39" East 7.08 feet along the Northwest line of said Parcel A; thence South 43°17'21" East 30.00 feet; thence South 46°42'39" West 63.00 feet; thence North 43°17'21" West 30.00 feet to the Northwest line of said Parcel D; thence North 46°42'39" East 55.92 feet along said Northwest line to the True Point of Beginning and containing 1,890 square feet, more or less.


3/21/87