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## CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4056

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of improving a portion of 140th Avenue NE from Bel-Red Road to NE 24th Street 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; and repealing Ordinance No. 3992.

WHEREAS, the City Council has established the improvement of NE 10th Street from 100th Avenue NE to 112th Avenue NE as project PW-R-13 within the Capital Improvement Plan, and has, by Ordinance No. 3958, approved the 1986-1990 Capital Improvement Plan; and

Whereas, the improvements are necessary for street widening, lighting, signalization and sidewalks; and

WHEREAS, the City Council has, by Ordinance No. 3720, passed October 27, 1986, ordered that the improvements be made; 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, certain parcels were condemned under Ordinance No. 3992, passed March 13, 1989, but subsequent design changes require alteration of legal descriptions; 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 in that certain document given Clerk's Receiving No. 14785 which descriptions are hereby incorporated by reference, necessary for public road purposes, are

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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.

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. Ordinance No. 3992, passed March 13, 1989, is hereby repealed and replaced by 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 25<sup>th</sup> day of September 1989, and signed in authentication of its passage this 25<sup>th</sup> day of September 1989.

(SEAL)

Nan Campbell  
Nan Campbell, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Scott McKee

Scott McKee, Assistant City Attorney

Attest:

Marie K. O'Connell

Marie K. O'Connell, City Clerk

Published September 29, 1989