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02/05/90

## CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4124

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of improving a portion of N.E. 8th Street from 121st Avenue N.E. to 156th 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; and repealing Ordinance No. 4057.

WHEREAS, the City Council has established the improvement of N.E. 8th Street from 121st Avenue N.E. to 156th Avenue N.E., as project PW-R-20 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, landscaping and sidewalks; and

WHEREAS, the City Council has by Ordinance 3989, passed February 21, 1989, 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. 4057, passed September 25, 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. 15246 which descriptions are hereby incorporated by reference, 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.

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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.

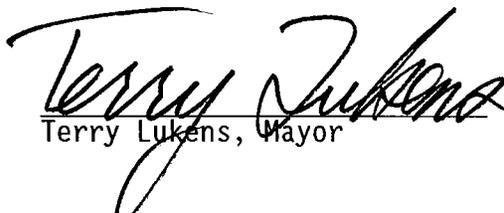
Section 3. The City Attorney is hereby authorized and directed to undertake proceedings provided by law to condemn, appropriate, take and damage the land and property necessary to carry out the provisions of this ordinance.

Section 4. Ordinance No. 4057, passed September 25, 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 20<sup>th</sup> day of February, 1990, and signed in authentication of its passage this 20<sup>th</sup> day of February, 1990.

(SEAL)

  
Terry Lukens, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

  
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Scott McKee, Assistant City Attorney

Attest:

  
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Marie K. O'Connell, City Clerk

Published February 26, 1990