

0003-ORD  
10/11/96

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4921

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of improving a portion of N.E. 15th Street east of 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.

WHEREAS, on June 28, 1996, Briar Development submitted an application for design review for development of a TOP Food & Drug Store at a site which fronts onto the private road known as N.E. 15th Street; and

WHEREAS, on September 26, 1996 the Department of Community Development issued a design review approval for the project together with a mitigated determination of nonsignificance requiring dedication of N.E. 15th Street as a public right of way and construction of a street meeting public street design and construction standards; and

WHEREAS, N.E. 15th Street is made of parcels of land owned by entities unrelated to the developer; and

WHEREAS, the responsibility for reimbursement for these properties, if condemnation is approved rests with the developer, Briar Development; 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 damages 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 land 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

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public purposes, subject to the making or paying of just compensation to the owners thereof in the manner provided by law.

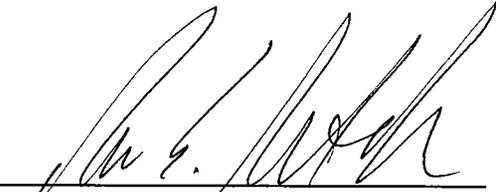
Section 2. The cost and expense of acquiring said property rights be paid for from the General Fund of the City of Bellevue, or from other monies the City may have available or obtain therefor, subject to full reimbursement by Briar Development.

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.

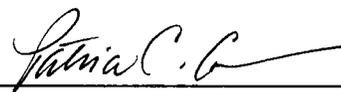
PASSED by the City Council this 21st day of October, 1996, and signed in authentication of its passage this 21st day of October, 1996.

(SEAL)

  
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Ronald E. Smith, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

  
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Patrice C. Cole, Assistant City Attorney

Attest:

  
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Myrna L. Basich, City Clerk

Published October 25, 1996