

0167-ORD  
06/23/98

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5080

AN ORDINANCE authorizing and providing for the acquisition of interest in land for the purpose of improving a portion of 118th Avenue SE at the plat of Newport Shores 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 December 1, 1997, the City Council adopted the 1998-2003 Capital Improvement plan which in pertinent part included the 118th Avenue SE walkway/bikeway improvement along the plat of Newport Shores; and

WHEREAS, the improvement is necessary to provide needed sidewalks and bikeways; and

WHEREAS, the City Council find 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 property 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 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 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.

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Section 3. The City Attorney is hereby authorized 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 20<sup>th</sup> day of July, 1998, and signed in authentication of its passage this 20<sup>th</sup> day of July, 1998.

(SEAL)

  
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Mike Creighton, 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 July 24, 1998

EXHIBIT A

Parcel 2896  
Fee Simple

That portion of Lot 1, Block 1 NEWPORT DIVISION NO. 2, according to the plat thereof recorded in Volume 76 of Plats, Page 64, in King County, described as follows:

Beginning at the Southeast corner of Lot 1, said corner also being located along the westerly margin of 118th Avenue Southeast as depicted in that certain Record of Survey recorded under Book 90 of Surveys, Page 173 and 173A prepared by Harrison in 1992;

Thence along the south line thereof South 77°35'59" West 3.06 feet to a point being 33.00 feet westerly of, as measured at right angles to, the centerline of 118th Avenue Southeast;

Thence leaving said south line North 21°33'05" West 70.49 feet to the easterly line of Lot 1;

Thence along said easterly line South 23°59'24" East 71.04 feet to the Point of Beginning, and there ending, all in King County, Washington.

Containing 107 square feet.

Parcel 2896

Temporary Construction Easement

That portion of Lot 1, Block 1 NEWPORT DIVISION NO. 2, according to the plat thereof recorded in Volume 76 of Plats, Page 64, in King County, described as follows:

Commencing at the Southeast corner of Lot 1, said corner also being located along the westerly margin of 118th Avenue Southeast as depicted in that certain Record of Survey recorded under Book 90 of Surveys, Page 173 and 173A prepared by Harrison in 1992;

Thence along the south line thereof South 77°35'59" West 3.06 feet to a point being 33.00 feet westerly of, as measured at right angles to, the centerline of 118th Avenue Southeast, and the Point of Beginning;

Thence continuing South 77°35'59" West 5.10 feet to a point being 38.00 feet westerly of, as measured at right angles to, the centerline of 118th Avenue Southeast;

Thence leaving said south line North 22°13'14" West 96.94 feet;

Thence North 67°43'03" East 5.01 feet to the easterly line of Lot 1;

Thence along said easterly line South 23°59'24" East 27.34 feet;

Thence leaving said easterly line South 21°33'05" East 70.49 feet to the Point of Beginning, and there ending, all in King County, Washington.

Containing 530 square feet.