

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5135

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of improving a portion of SE Newport Way from 129<sup>th</sup> Avenue SE to Somerset Boulevard within the City of Bellevue under CIP Project No. PW-R-108; providing for condemnation, appropriation, taking and damaging of land and property rights necessary therefore; 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 established the improvement of SE Newport Way, from 129<sup>th</sup> Avenue SE to Somerset Boulevard, as a project PW-R-108 within the Capital Improvement Plan, and has adopted the 1998-2003 CIP Plan creating a budget within Capital Improvement Program Fund No. 3680-088 for PW-R-108 .

WHEREAS, the improvements are necessary for providing curb, gutter, sidewalks, bicycle lanes, and turn lanes at major intersections where necessary; 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 find 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. **26992** 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.

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. This ordinance shall take effect five days after its passage and legal publication.

PASSED by the City Council this 15th day of March, 1999, and signed in authentication of its passage this 15th day of March, 1999.

(SEAL)

Mike Creighton, Mayor

Approved as to form:  
Richard L. Andrews, City Attorney  
Patrice C. Cole, Assistant City Attorney

Attest:  
Myrna L. Basich, City Clerk  
Published March 15, 1999