

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5149

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of constructing the 110<sup>th</sup> Avenue NE Extension from NE 2<sup>nd</sup> Street to NE 4<sup>th</sup> Street within the City of Bellevue under CIP Project No PW-R-126; 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 extension of 110<sup>th</sup> Avenue NE from NE 2<sup>nd</sup> Street to NE 4<sup>th</sup> Street, as a project PW-R-126 within the Capital Investment Plan, and has adopted the 1999-2005 CIP Plan creating a budget within the Capital Improvement Program Fund for PW-R-126; and

WHEREAS, the improvements are necessary for providing an extension of 110<sup>th</sup> Avenue NE in the Central Business District; 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 property describe herein; and

WHEREAS, the City Council finds and declares it necessary and in the best interest of the public that interest 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. 27342 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 Capital Investment Program Fund of the City of Bellevue, which has sufficient funding for this purpose.

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 21st day of June, 1999, and signed in authentication of its passage this 21st day of June, 1999.

(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 June 25, 1999