

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5856

AN ORDINANCE authorizing and providing for the acquisition of interest in land for the purpose of completing the Meydenbauer Creek Sewer Replacement and Bank Stabilization Project; providing for condemnation, appropriation, taking 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, on December 1, 2008, the City Council adopted the 2009-2015 CIP, by Ordinance No. 5851, which included CIP Plan No. D-86, Stream Channel Modification Program (otherwise known as the Meydenbauer Creek Sewer Replacement and Bank Stabilization Project ("Project")); and

WHEREAS, the City Council has found that the public health, safety, necessity and convenience demand that said Project be undertaken at this time 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, and taken 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 in the attached Exhibits "A" and "B", are necessary for construction of the Project described above, subject to making or paying just compensation to the owners thereof in the manner provided by law.

Section 2. The City of Bellevue specifically finds construction of the Project to be a public use, specifically the construction or repair of public utilities. The City Council specifically finds construction of the Project to be necessary, and in the best interests of the citizens.

Section 3. The cost and expense of acquiring said property rights shall be paid for from the Capital Investment Plan, or from other monies the City may have available or may obtain therefore. The Director of the Utilities Department or his designee is hereby authorized to negotiate with and make offers to the owners of said land or property for the purposes of making or paying just compensation, and to

approve the payment of just compensation as negotiated with said owners or as ordered by the Court.

Section 4. The City Attorney is hereby authorized and directed to undertake proceedings provided by law to condemn, appropriate, and take the property necessary to carry out the provisions of this ordinance. The City Attorney is further authorized to approve and enter into any and all such agreements, stipulations, and orders necessary to carry out the provisions of this ordinance, including for the payment of just compensation as agreed to with the property owners, or as ordered by the Court.

Section 5. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 9th day of February, 2009 and signed in authentication of its passage this 9th day of February, 2009.

(SEAL)

  
\_\_\_\_\_  
Grant S. Degginger, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

  
\_\_\_\_\_  
Lacey L. Madche, Assistant City Attorney

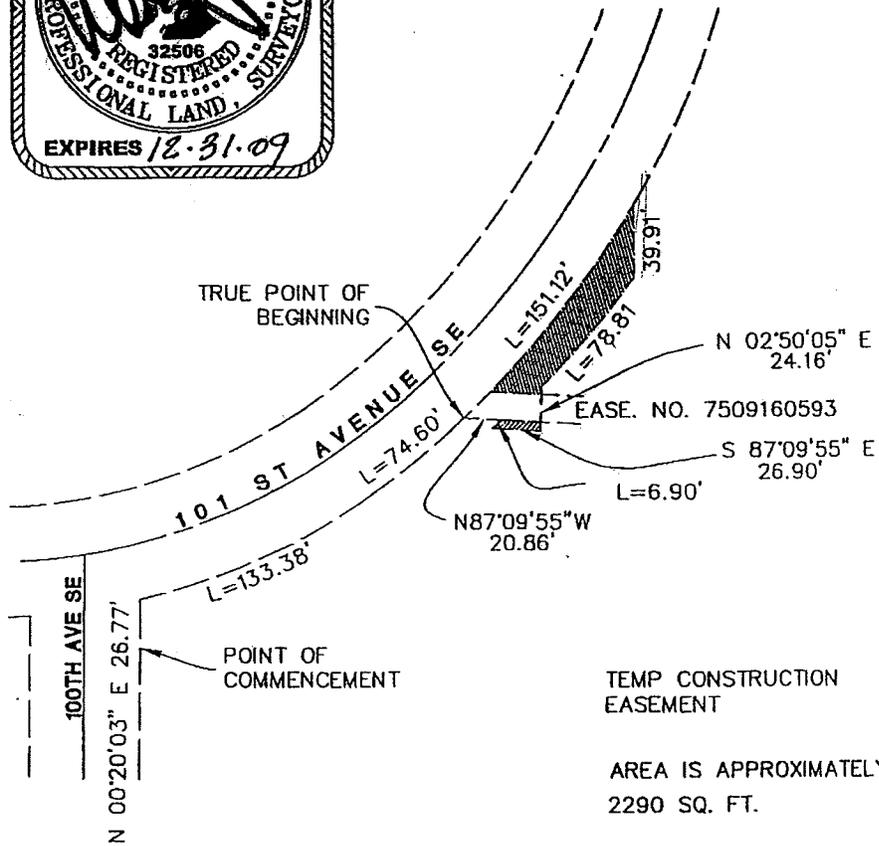
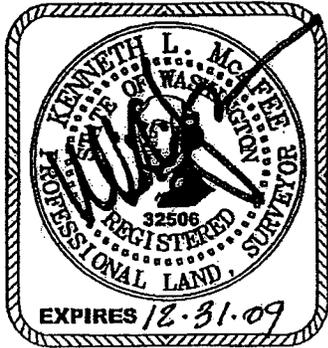
Attest:

  
\_\_\_\_\_  
Myrna L. Basich, City Clerk

Published February 12, 2009

EXHIBIT A

SW1/4 OF SECT. 32, T. 25 N., R. 5 E., W.M.



TEMPORARY CONSTRUCTION EASEMENT



Engineers  
a Pacific company

PACIFIC PARK  
1442 - 112TH AVENUE NE, STE 102  
BELLEVUE, WASHINGTON 98004  
425.451.7022

CITY OF BELLEVUE

KING COUNTY, WASHINGTON

EASEMENT EXHIBIT

JOB NO.  
WA07.002.M0120

DATE  
01.15.09

SHEET NO.

1

**EXISTING LAND DESCRIPTION:**

**KING COUNTY PARCEL NUMBER: 0666000475**

TRACTS 74 AND 75, BELLEVUE ACRE AND HALF ACRE TRACTS,  
ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 11 OF PLATS,  
PAGE 35, IN KING COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF LAKE WASHINGTON SHORELANDS IN  
GOVERNMENT LOT 2, SECTION 32, TOWNSHIP 25 NORTH, RANGE 5 EAST,  
W.M., IN KING COUNTY, WASHINGTON, LYING WEST OF TRACTS 57, 58, AND  
59, OF SAID BELLEVUE ACRE AND HALF ACRE TRACTS, LYING NORTHERLY  
OF TRACT 75 OF SAID BELLEVUE ACRE AND HALF ACRE TRACTS, LYING  
EASTERLY OF 100<sup>TH</sup> AVE SOUTHEAST (ALSO KNOWN AS WILDWOOD  
AVENUE AND ALCAZAR STREET) AS CONVEYED TO KING COUNTY BY  
DEED RECORDED UNDER RECORDING NUMBER 3166974, AND LYING  
SOUTHERLY OF 101<sup>ST</sup> AVENUE SOUTHEAST (ALSO KNOWN AS WILDWOOD  
PARK ROAD) AS CONVEYED TO KING COUNTY BY DEED RECORDED UNDER  
RECORDING NUMBER 3166973.

**TEMPORARY CONSTRUCTION EASEMENT:**

COMMENCING AT THE NORTHWEST CORNER OF TRACT 75 OF BELLEVUE  
ACRE AND HALF ACRE TRACTS, ACCORDING TO THE PLAT THEREOF  
RECORDED IN VOLUME 11 OF PLATS, PAGE 35, IN KING COUNTY,  
WASHINGTON, ALSO BEING A POINT ON THE EAST MARGIN OF 100<sup>TH</sup> AVE  
SE;

THENCE NORTH 00°20'03" EAST, 26.77 FEET ALONG SAID EAST MARGIN TO  
THE SOUTHERLY MARGIN OF 101<sup>ST</sup> AVE SE;

THENCE NORTHEASTERLY ALONG SAID MARGIN OF 101<sup>ST</sup> AVE SE, ON A  
NON-TANGENT CURVE HAVING A RADIUS OF 364.50 FEET, WHOSE CENTER  
BEARS NORTH 12°57'01" WEST THROUGH A CENTRAL ANGLE OF 20°57'59",  
AN ARC DISTANCE OF 133.38 FEET TO A POINT OF COMPOUND  
CURVATURE;

THENCE CONTINUING ALONG SAID MARGIN ON A CURVE HAVING A RADIUS OF 507.68 FEET WHOSE CENTER BEARS NORTH 33°55'00" WEST AN ARC DISTANCE OF 74.60 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID MARGIN AN ARC DISTANCE OF 151.12 FEET;

THENCE SOUTH 00°00'00" EAST A DISTANCE OF 39.91 FEET TO A POINT ON A NON-TANGENT ARC HAVING A RADIUS OF 507.68 FEET WHOSE CENTER BEARS NORTH 53°56'46" WEST;

THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 78.81 FEET;

THENCE SOUTH 02°50'05" WEST A DISTANCE OF 24.16 FEET;

THENCE NORTH 87°09'55" WEST A DISTANCE OF 26.90 FEET;

THENCE NORTHEASTERLY ALONG A NON-TANGENT ARC HAVING A RADIUS OF 522.68 FEET WHOSE CENTER BEARS NORTH 43° 11'31" WEST AN ARC DISTANCE OF 6.90 FEET TO THE SOUTH LINE OF EASEMENT NUMBER 7509160593, RECORDED ON OCTOBER 1, 1975, RECORDS OF KING COUNTY, WASHINGTON;

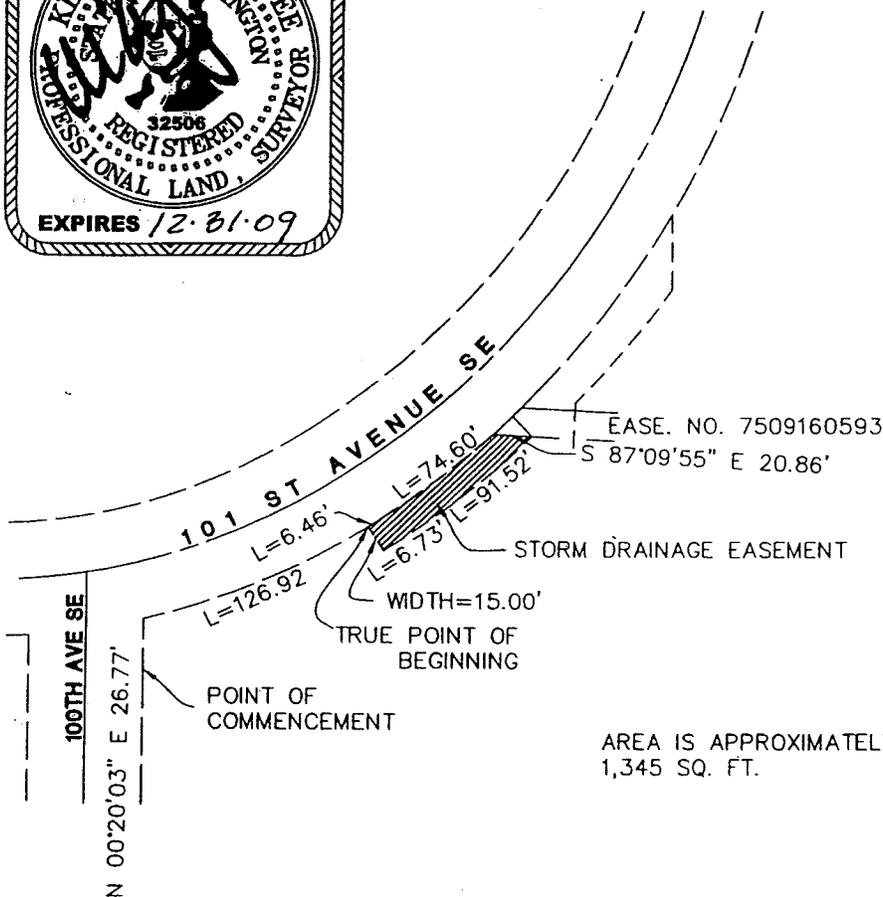
THENCE NORTH 87°09'55" WEST A DISTANCE OF 20.86 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PORTION OF THE EASEMENT FILED UNDER KING COUNTY RECORDERS NUMBER 7509160593.

SAID DESCRIPTION CONTAINING APPROXIMATELY 2290 SQ. FT

EXHIBIT B

SW1/4 OF SECT. 32, T. 25 N., R. 5 E., W.M.



AREA IS APPROXIMATELY 1,345 SQ. FT.

SCALE: 1" = 100'



**Engineers**  
 a Pacific company  
 PACIFIC PARK  
 1412 - 112TH AVENUE NE, STE 102  
 BELLEVUE, WASHINGTON 98004  
 425.455.7622

**CITY OF BELLEVUE**

**KING COUNTY, WASHINGTON**

**STORM DRAINAGE EASEMENT EXHIBIT**

JOB NO.  
**WA07.002.M0120**

DATE  
**01.14.09**

SHEET NO.  
**1**

**EXISTING LAND DESCRIPTION:**

**KING COUNTY PARCEL NUMBER: 0666000475**

TRACTS 74 AND 75, BELLEVUE ACRE AND HALF ACRE TRACTS,  
ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 11 OF PLATS,  
PAGE 35, IN KING COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF LAKE WASHINGTON SHORELANDS IN  
GOVERNMENT LOT 2, SECTION 32, TOWNSHIP 25 NORTH, RANGE 5 EAST,  
W.M., IN KING COUNTY, WASHINGTON, LYING WEST OF TRACTS 57, 58, AND  
59, OF SAID BELLEVUE ACRE AND HALF ACRE TRACTS, LYING NORTHERLY  
OF TRACT 75 OF SAID BELLEVUE ACRE AND HALF ACRE TRACTS, LYING  
EASTERLY OF 100<sup>TH</sup> AVE SOUTHEAST (ALSO KNOWN AS WILDWOOD  
AVENUE AND ALCAZAR STREET) AS CONVEYED TO KING COUNTY BY  
DEED RECORDED UNDER RECORDING NUMBER 3166974, AND LYING  
SOUTHERLY OF 101<sup>ST</sup> AVENUE SOUTHEAST (ALSO KNOWN AS WILDWOOD  
PARK ROAD) AS CONVEYED TO KING COUNTY BY DEED RECORDED UNDER  
RECORDING NUMBER 3166973.

**STORM DRAINAGE EASEMENT:**

COMMENCING AT THE NORTHWEST CORNER OF TRACT 75 OF BELLEVUE  
ACRE AND HALF ACRE TRACTS, ACCORDING TO THE PLAT THEREOF  
RECORDED IN VOLUME 11 OF PLATS, PAGE 35, IN KING COUNTY,  
WASHINGTON, ALSO BEING A POINT ON THE EAST MARGIN OF 100<sup>TH</sup> AVE  
SE;

THENCE NORTH 00°20'03" EAST, 26.77 FEET ALONG SAID EAST MARGIN TO  
THE SOUTHERLY MARGIN OF 101<sup>ST</sup> AVE SE;

THENCE NORTHEASTERLY ALONG SAID MARGIN OF 101<sup>ST</sup> AVE SE, ON A  
NON-TANGENT CURVE HAVING A RADIUS OF 364.50 FEET, WHOSE CENTER  
BEARS NORTH 12°57'01" WEST THROUGH A CENTRAL ANGLE OF 19°57'02", A  
DISTANCE OF 126.92 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID MARGIN AN ARC DISTANCE OF 6.46 FEET TO A POINT OF COMPOUND CURVATURE HAVING A RADIUS OF 507.68 FEET WHOSE CENTER BEARS NORTH 33°55'00" WEST;

THENCE ALONG SAID MARGIN AN ARC DISTANCE OF 74.60 FEET TO A POINT;

THENCE SOUTH 87°09'55" EAST ALONG THE SOUTH LINE OF EASEMENT NUMBER 7509160593, RECORDED ON OCTOBER 1, 1975, RECORDS OF KING COUNTY, WASHINGTON A DISTANCE OF 20.86 FEET TO A POINT ON AN ARC HAVING A RADIUS OF 522.68 FEET WHOSE CENTER BEARS NORTH 43°56'55" WEST;

THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 91.52 FEET TO A POINT OF COMPOUND CURVATURE HAVING A RADIUS OF 379.50 FEET WHOSE CENTER BEARS NORTH 33°55'00" WEST;

THENCE CONTINUING ALONG SAID CURVE AN ARC DISTANCE OF 6.73 FEET TO A POINT;

THENCE NORTHWESTERLY ALONG A RADIAL LINE 15.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID DESCRIPTION CONTAINING APPROXIMATELY 1345 SQ. FT