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11-2-88

## CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3968

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of improving a portion of N.E. 10th Street from 100th Avenue N.E. to 112th 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, the City Council has, by Ordinance No. 3958, approved the 1989-1993 Capital Improvement Plan including the improvement of N.E. 10th Street from 100th Avenue N.E. to 112th Avenue NE, No. PW-R-43; and

WHEREAS, the City Council has, by Ordinance No. 3961, authorized construction of the improvement and financing of N.E. 10th Street through Local Improvement District 280; and

WHEREAS, the improvements are necessary to provide needed roadway improvements, sidewalks and utility easements; 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 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 the attached Exhibit A, 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.

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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 and be in force five days after its passage and legal publication.

PASSED by the City Council this 21<sup>st</sup> day of November, 1988, and signed in authentication of its passage this 21<sup>st</sup> day of November, 1988.

(SEAL)

Nan Campbell  
Nan Campbell, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Scott McKee  
Scott McKee, Assistant City Attorney

Attest:

Marie K. O'Connell  
Marie K. O'Connell, City Clerk

Published November 27, 1988

## Parcel 113

The south 13 feet of Lot 3, Block 2, and Lot 4, Block 2, McCormick's Addition to Bellevue, according to the plat thereof recorded in Volume 50 of Plats, page 67, in King County, Washington.

## Parcel 114

Lot 5, Block 2, McCormick's Addition to Bellevue, according to the plat thereof recorded in Volume 50 of Plats, page 67, in King County, Washington.

## Parcel 115

Lot 6, Block 2, McCormick's Addition to Bellevue, according to the plat thereof recorded in Volume 50 of Plats, page 67, in King County, Washington.

## Parcel 116

Lot 7, Block 2, McCormick's Addition to Bellevue, according to the plat thereof recorded in Volume 50 of Plats, page 67, in King County, Washington.

## Parcel 120

Lot 5, Block 1, McCormick's Addition to Bellevue, according to the plat thereof recorded in Volume 50 of Plats, page 67, in King County, Washington.

## Parcel 301

The south 75 feet of the north 150 feet of the east 140 feet of that portion of Tract 7 of Cheriton Fruit Gardens Conway Subdivision, according to the plat thereof recorded in Volume 7 of Plats, page 46, in King County, Washington, lying westerly of 108th Avenue Northeast.

## Parcel 319

Lot 5, Fox Addition to Bellevue, according to the plat thereof recorded in Volume 49 of Plats, page 39, in King County, Washington.

## Parcel 320

Lot 1, Fox Addition to Bellevue, according to the plat thereof recorded in Volume 49 of Plats, page 39, in King County, Washington;

TOGETHER WITH an easement for driveway over that portion of Lot 1, said Fox Addition to Bellevue, lying south of a line described as follows:

Beginning at a point on the westerly line of said lot at a point which is north  $68^{\circ}09'26''$  west 21 feet from the most southerly corner of said lot;  
thence north  $89^{\circ}21'25''$  east parallel with the north line thereof to the street boundary on the southerly line thereof.