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ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2206

AN ORDINANCE authorizing and providing for the acquisition of certain property and property rights for water storage reservoir facilities and other public uses in the Horizon View area of King County; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefore; providing for the cost therefore; and directing the initiation of appropriate proceedings in the manner provided by law for such condemnation.

WHEREAS, the City has considered the environmental impact of the construction of a water storage reservoir facility and other public uses within the Horizon View area of King County, Washington, and has prepared Environmental Impact Statements on said project, consistent with the State Environmental Policy Act of 1971, and

WHEREAS, the City Council finds that in order to carry out said project it is necessary for the City to condemn certain lands and property rights and rights in property for said water storage reservoir facility and for other public uses, and

WHEREAS, the City Council finds that the public health, safety, necessity and convenience demand that said project be undertaken and that the City acquire and condemn certain property and property rights at this time for said project, and

WHEREAS, under RCW Chapter 8.12 the City has authority to condemn property and property rights beyond its corporate boundaries for the purposes of said project, and

WHEREAS, the City Council deems it necessary and in the best interest of the citizens of Bellevue that the lands hereinafter described and other property rights and/or rights in property be condemned, appropriated, taken and damaged for the purpose of constructing, maintaining and operating a water storage reservoir facility and other public uses in the Horizon View area of King County subject to the making or paying of just compensation to the owners thereof in the manner provided by law, now, therefore,

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THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The following described property and property rights in King County, Washington, necessary for the purpose of constructing, maintaining and operating a water storage reservoir facility and other public uses are hereby condemned, appropriated, taken and damaged for such purposes, subject to the making or paying of just compensation to the owners thereof in the manner provided by law:

- 1) That portion of the north half of Section 23, Township 24 North, Range 5 East W.M. more particularly described as follows:

Commencing at the most easterly corner of Lot 14, Block 1, Horizon View Addition Division "C" as recorded in Vol. 56 of Plats, pages 20 and 21, records of King County, Washington; thence S. 19°49'15" E. 20.00 feet; thence N. 34°05'42" E. 234.39 feet; thence N. 46°58'30" E. 61.55 feet; thence N. 55°37'10" E. 161.15 feet; thence N. 81°43'27" E. 55.58 feet; thence S. 78°57'33" E. 83.55 feet; thence S. 84°14'43" E. 129.65 feet; thence S. 60°15'18" E. 56.44 feet; thence S. 33°04'14" E. 51.31 feet; thence S. 10°41'40" E. 168.25 feet; thence S. 86°40'00" W. 40.00 feet; thence S. 3°20'00" E. 15.00 feet; to the true Point of Beginning; thence N. 86°40' E. 170.00 feet; thence S. 3°20' E. 170'; thence S. 86°40' W. 170.00 feet; thence N. 3°20' W. 170.00 feet; to the true Point of Beginning.

- 2) A ten foot easement, five feet on each side of the following described centerline:

Commencing at the most easterly corner of Lot 14, Block 1, Horizon View Addition Division "C", as recorded in Volume 56 of Plats, Pages 20 and 21, King County, Washington; thence S. 19°49'15" E. 20.00 feet to the true point of beginning; thence N. 34°05'42" E. 234.39 feet; thence N. 46°58'30" E. 61.55 feet; thence N. 55°37'10" E. 161.15 feet; thence N. 81°43'27" E. 55.58 feet; thence S. 78°57'33" E. 83.55 feet; thence S. 84°14'43" E. 129.65 feet; thence S. 60°15'18" E. 56.44 feet; thence S. 33°04'14" E. 51.31 feet; thence S. 10°41'40" E. 133.25 feet; except that portion thereof lying within 153rd Place S.E., all situated in a portion of the N 1/2 of Section 23-24 - 5E WM.

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for the construction, operation, maintenance and/or repair and/or replacement of a waterline, or lines, and appurtenances thereto, and electric power and telephone lines, and appurtenances thereto, along with right of ingress and egress to and from said easement and right-of-way for all purposes necessary and related thereto.

Section 2. The entire cost and expense of acquiring said properties, and of making said improvements, shall be paid out of the general fund of the City of Bellevue and/or from the Maintenance and Operating Fund of the Department of Utilities, and/or from any other monies that the City of Bellevue shall obtain therefore.

Section 3. The attorneys for the City of Bellevue are hereby authorized and directed to begin and prosecute proceedings provided by law to condemn, appropriate and take the land and other property and property rights necessary to carry out provisions of this ordinance, all in accordance with law.

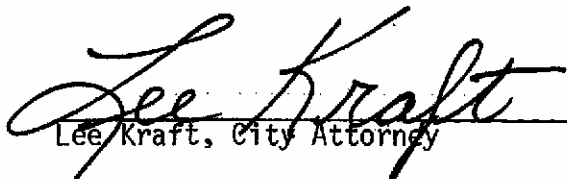
Section 4. This ordinance shall take effect and be in force five days after its passage, approval and legal publication.

PASSED by the City Council this 21 day of April, 1975, and signed in authentication of its passage this 21 day of April, 1975.

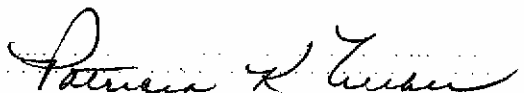
(SEAL)


Richard M. Foreman, Mayor

Approved as to form:


Lee Kraft, City Attorney

Attest:


Patricia K. Weber, City Clerk

Published: May 1, 1975