CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2210

AN ORDINANCE authorizing and providing for the acquisition of certain property and property rights for water storage reservoir facilities on 164th Place S.E. near the Newport Heights area in 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 on 164th Place S.E. near the Newport Heights area in King County, Washington, and has prepared an Environmental Impact Statement 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

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 on 164th Place S.E. near the Newport Heights area in King County 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 following described property and property rights in King County, Washington, necessary for the purpose of constructing, maintaining and operating a water storage reservoir facility 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:

That portion of the SE 1/4 of the NE 1/4 of Section 14, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the most westerly corner of Lot 22, Newport Heights, according to the plat thereof recorded in Volume 51 of Plats, page 60, records of King County, Washington; thence southwesterly along the southeasterly right-of-way margin of 164th Place S.E., (60 feet wide), a distance of 236.30 feet to the most westerly corner of that certain parcel of land described under Auditor's File No. 7210260384 and the point of beginning; thence S 44°44'35" E along the southwesterly boundary of said parcel a distance of 153.00 feet; thence S 02°03'08" W parallel with the east line of said SE 1/4 of the NE 1/4, a distance of 234.39 feet to a point on the south line of said SE 1/4 of the NE 1/4, said point being 515.20 feet westerly of the southeast corner of said SE 1/4 of the NE 1/4 as measured along the south line thereof; thence N 89°06'09" W along said south line a distance of 374.80 feet to a point that is 890.00 feet westerly of the southeast corner of said SE 1/4 of the NE 1/4, as measured along the south line thereof; thence N 02°03'08" E parallel with the east line of said SE 1/4 of the NE 1/4 a distance of 158 feet, more or less, to the southeasterly right-of-way margin of said 164th Place S.E.; thence northeasterly along said southeasterly right-of-way margin to the point of beginning, containing 2.1 acres, more or less.

TOGETHER WITH an easement over the south 20 feet of the east 515.20 feet of said SE 1/4 of the NE 1/4 of Section 14, Township 24 North, Range 5 East, W.M., for the construction, operation, maintentance and/or repair and/or replacement of a waterline, or lines, and appurtenances thereto, including electric power lines, 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 5 day of 2 , 1975, and signed in authentication of its passage this 5 day of 2, 1975.

(SEAL)

Richard M. Foreman, Mayor

Approved as to form:

Attest:

Patricia K. Weber, City Clerk

Published May 15 1975