

ORDINANCE NO. 7741

AN ORDINANCE authorizing condemnation of property for South 348th Street (1st Avenue South to SR 99) R/W 2086-B.

STATEMENT OF FACTS

1. The King County council on November 25, 1985, by Ordinance No. 7422, did adopt the 1986 Budget and Program and did provide therein for a Transportation Program.

2. The King County Transportation Program provides for the County Road System Development and Improvement Program coordinating the kind of road with other elements of the larger transportation system, abutting land uses and business, industry, government and residential processes.

3. The Capital Budget and Program provides for the acquisition and construction of South 348th Street (1st Avenue South to SR 99).

4. In order to acquire the property and property rights required to lay out and construct South 348th Street (1st Avenue South to SR 99), it is necessary for King County to condemn certain lands and property rights and rights in property for road purposes and hereinafter more particularly set forth.

5. The King County council finds that the public health, safety, necessity and convenience demands that South 348th Street (1st Avenue South to SR 99) be constructed within King County in accordance with the Capital Budget and Program, and that certain properties, property rights and rights in property be condemned, appropriated, taken and damaged for the purpose of constructing South 348th Street (1st Avenue South to SR 99) as provided in this ordinance.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County council has deemed it necessary and in the best interest of the citizens of King County 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 South 348th Street (1st Avenue South to SR 99) subject to the making or paying of just compensation to the owners hereof in the manner provided by law.

WARRANTY DEEDS

1 Ted J. Rolewicz - Parcel 3

2 The South 20 feet of the following described property:

3 The West 160 feet of the South 215 feet of the East 1/2 of the Northwest
4 1/4 of the Southwest 1/4 of Section 20, Township 21 North, Range 4 East,
5 W.M., King County, Washington;
6 EXCEPT the West 77 feet of the South 175 feet of the Southeast 1/4 of the
7 Northwest 1/4 of the Southwest 1/4 of said Section 20; and
8 EXCEPT the South 30 feet conveyed to King County for road by deed recorded
9 under Auditor's File No. 1229269, records of said county.

10 Contains an area of 1,660 sq. ft., or 0.038 acres, M/L

11 Together with the right to make all necessary slopes for cuts and fills
12 upon the abutting property on each side of any road which is now, or may be
13 constructed hereafter on said property, in conformity with standard plans
14 and specifications for highway purposes.15 Allen & Randie Nelson - Parcel 516 The South 20 feet of the North 50 feet of the West 440 feet of the
17 Northeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 20
18 Township 21 North, Range 4 East, W.M., King County, Washington.

19 Contains an area of 8,800 sq. ft., or 0.202 acres, M/L

20 Together with the right to make all necessary slopes for cuts and fills
21 upon the abutting property on each side of any road which is now, or may be
22 constructed hereafter on said property, in conformity with standard plans
23 and specifications for highway purposes.24 Puget Sound Power & Light Co. - Parcel 625 The South 20 feet of the North 50 feet of the North 1/2 of the Northeast
26 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 20, Township 21
27 North, Range 4 East, W.M., King County, Washington;
28 EXCEPT the West 440 feet thereof.

29 Contains an area of 4,273 sq. ft., or 0.098 acres, M/L

30 Together with the right to make all necessary slopes for cuts and fills
31 upon the abutting property on each side of any road which is now, or may be
32 constructed hereafter on said property, in conformity with standard plans
33 and specifications for highway purposes.34 Presbytery of Seattle - Parcel 735 The South 20 feet of the North 50 feet of the West 1/2 of the Southeast 1/4
36 of the Southwest 1/4 of Section 20, Township 21 North, Range 4 East, W.M.,
37 King County, Washington.

38 Contains an area of 13,073 sq. ft., or 0.3 acres, M/L

39 Together with the right to make all necessary slopes for cuts and fills
40 upon the abutting property on each side of any road which is now, or may be
41 constructed hereafter on said property, in conformity with standard plans
42 and specifications for highway purposes.

WARRANTY DEEDS

Lake Haven Sewer District - Parcel 10

The South 8 feet of Lot 11, West Campus Business and Office Park, according to the Plat recorded in Volume 96 of Plats, Page 52, in King County, Washington.

Contains an area of 560 sq. ft., or 0.013 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

R & F Properties - Parcel 11

The North 20 feet of the South 50 feet of the East 100 feet of the West 1/2 of the East 1/2 of the East 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington.

Contains an area of 2,000 sq. ft., or 0.046 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

O. Eugene Iverson - Parcel 12

The South 20 feet of the North 50 feet of the East 1/2 of the North 1/2 of the North 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington.

Contains an area of 13,073 sq. ft., or 0.30 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Rhodes & Fullaway - Parcel 13

The North 20 feet of the South 50 feet of the East 1/2 of the East 1/2 of the East 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington; EXCEPT the East 70 feet thereof.

Contains an area of 1,868 sq. ft., or 0.043 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

WARRANTY DEEDS

Rhodes & Fullaway - Parcel 14

The North 20 feet of the South 50 feet of the East 70 feet of the East 1/2 of the East 1/2 of the East 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington.

Contains an area of 1,400 sq. ft., or 0.032 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Joseph Pircey - Parcel 15

The South 20 feet of the North 50 feet of the West 100 feet of the Northwest 1/4 of the Southwest 1/4 of the Southeast 1/4, of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington.

Contains an area of 2,000 sq. ft., or 0.046 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Leonard L. Welter - Parcel 17

The North 20 feet of the South 50 feet of the East 100 feet of the East 1/2 of the West 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington.

Contains an area of 2,000 sq. ft., or 0.046 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

WARRANTY DEEDS

Anthony & Sylvia Starkovich - Parcel 19

That portion of the following described Tract "X" lying Northerly of a line 50 feet Southerly of and parallel with the centerline of South 348th Street.

Tract "X":

Commencing at the Southwest corner of the Northeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington;
 thence North 00°20'23" East, along the West line of said subdivision, 396.80 feet to the True Point of Beginning;
 thence continuing North 00°20'23" East 236.62 feet, more or less, to the South margin of South 348th Street;
 thence South 89°37'12" East, along said South margin, 649.48 feet;
 thence South 21°51'18" West 191.27 feet;
 thence South 89°37'12" East 180.00 feet to the West margin of Primary State Highway No. 1 (SR 99);
 thence, along said West margin, South 21°51'18" West 63.00 feet;
 thence North 89°37'12" West 736.22 feet to the True Point of Beginning.

Contains an area of 12,911 sq. ft., or 0.296 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Sylvia M. Starkovich & Anthony G. Starkovich - Parcel 25

Commencing at the Southwest Corner of the Northeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington;
 thence North 00°20'23" East, along the West line of said subdivision, 633.42 feet, more or less, to the south margin of South 348th Street;
 thence South 89°37'12" East, along said South margin, 649.48 feet to the True Point of Beginning;
 thence, continuing along said South margin, South 89°37'12" East 59.95 feet;
 thence South 00°22'48" West 10.00 feet;
 thence South 89°37'12" East 100 feet;
 thence South 21°51'18" West 32.76 feet to a point of cusp with a curve concave to the Southwest having a radius of 15.00 feet (a radial line through said point of cusp bears S 68°08'42" E);
 Thence Northerly and Northwesterly 29.18 feet, along said curve, through a central angle of 111°28'30";
 thence North 89°37'12" West 141.86 feet;
 thence North 21°51'18" East 21.49 feet to the True Point of Beginning.

Contains an area of 2,369 sq. ft., or 0.054 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

SLOPE EASEMENTS

Allen & Randie Nelson - Parcel 5A

The West 440 feet of the North 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington.
EXCEPT the North 30 feet thereof.

To make slopes on the said property for cuts and fills, as follows:

A strip of land, adjoining and Southerly of a line 50 feet Southerly of and parallel with the centerline of South 348th Street, as surveyed by King County (Survey No. 20-21-4-9), described as follows:

Beginning, opposite Engineer's Station 8+15, at zero feet in width;
thence increasing in width to 2.00 feet at Engineer's Station 8+50;
thence decreasing in width to 1.00 foot at Engineer's Station 9+00;
thence increasing in width to 2.00 feet at Engineer's Station 9+50;
thence decreasing in width to zero feet at Engineer's Station 10+50;
thence increasing in width to 2.00 feet at the East line of the above described parcel and the terminus.

Contains an area of 331 sq. ft., or 0.008 acres, M/L

Puget Sound Power & Light Co. - Parcel 6A

The North 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington;
EXCEPT the West 440 feet thereof; and
EXCEPT the North 30 feet thereof for County Road.

To make slopes on the said property for cuts and fills, as follows:

Three strips of land lying adjacent to and Southerly of a line 50 feet Southerly of and parallel with the centerline of South 348th Street as surveyed by King County (Survey No. 20-21-4-9), said strips of land being more particularly described as follows:

Beginning at the West line of the herein above described parcel at 2.00 feet in width;
thence continuing at 2.00 feet in width to Engineer's Station 11+00;
thence decreasing in width to zero feet at the terminus of this strip of land opposite Engineer's Station 11+25;
TOGETHER WITH the South 3.00 feet of the North 23 feet of the herein above described parcel lying between Engineer's Station 11+28 and 11+77;
TOGETHER WITH the South 3.00 feet of the North 23 feet of the herein above described parcel lying between Engineer's Station 12+01 and 12+27.

Contains an area of 260 sq. ft., or 0.006 acres, M/L

SLOPE EASEMENTS

Presbytery of Seattle - Parcel 7A

The West 1/2 of the North 1/2 of the North 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington;
EXCEPT the North 30 feet for County Road (South 348th Street).

To make slopes on the said property for cuts and fills, as follows:

Two strips of land, adjoining and Southerly of a line 50 feet Southerly of and parallel with the centerline of South 348th Street, as surveyed by King County (Survey No. 20-21-4-9), described as follows:

Beginning, opposite Engineer's Station 16+42, at zero feet in width;
thence increasing in width to 2.00 feet at Engineer's Station 16+50;
thence increasing in width to 3.00 feet at Engineer's Station 17+00;
thence continuing at 3.00 feet in width to Engineer's Station 17+50;
thence decreasing in width to zero feet at the terminus opposite Engineer's Station 17+70;

ALSO, beginning, opposite Engineer's Station 18+28, at zero feet in width;
thence increasing in width to 4.00 feet at Engineer's Station 18+50;
thence decreasing in width to zero feet at Engineer's Station 19+00;
thence increasing in width to 5.00 feet at Engineer's Station 19+50;
thence continuing at 5.00 feet in width to the East line of the above described parcel and the terminus.

Contains an area of 662 sq. ft., or 0.015 acres, M/L

Lake Haven Sewer District - Parcel 10A

Lot 11, West Campus Business and Office Park, according to the Plat recorded in Volume 96 of Plats, Page 52, in King County, Washington.

To make slopes on the said property for cuts and fills, as follows:

A strip of land, adjoining and Northerly of a line 38 feet Northerly of and parallel with the centerline of South 348th Street, as surveyed by King County (Survey No. 20-21-4-9), described as follows:

Beginning at the West lot line at 3.00 feet in width;
thence continuing at 3.00 feet in width to the East lot line;
EXCEPT any portion for driveway.

Contains an area of 156 sq. ft., or 0.004 acres, M/L

SLOPE EASEMENTS

0. Eugene Iverson - Parcel 12A

The East 1/2 of the North 1/2 of the North 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington;
EXCEPT the North 30 feet thereof.

To make slopes on the said property for cuts and fills, as follows:

Two strips of land, adjoining and Southerly of a line 50 feet Southerly of and parallel with the centerline of South 348th Street, as surveyed by King County (Survey No. 20-21-4-9), described as follows:

Beginning; at the West line of the above described parcel at 5.00 feet in width;
thence increasing in width to 6.00 feet at Engineer's Station 20+00;
thence decreasing in width to zero feet at Engineer's Station 20+50;
thence increasing in width to 1.00 foot at Engineer's Station 21+00;
thence decreasing in width to zero feet at Engineer's Station 21+10;
ALSO, beginning, opposite Engineer's Station 21+90, at zero feet in width;
thence increasing in width to 1.00 foot at Engineer's Station 22+00;
thence decreasing in width to zero feet at Engineer's Station 22+10.

Contains an area of 399 sq. ft., or 0.009 acres, M/L

Anthony & Sylvia Starkovich - Parcel 19A

Commencing at the Southwest corner of the Northeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington;
thence North 00°20'23" East, along the West line of said subdivision, 396.80 feet to the True Point of Beginning;
thence continuing North 00°20'23" East 236.62 feet, more or less, to the South margin of South 348th Street;
thence South 89°37'12" East, along said South margin, 649.48 feet;
thence South 21°51'18" West 191.27 feet;
thence South 89°37'12" East 180.00 feet to the West margin of Primary State Highway No. 1 (SR 99);
thence, along said West margin, South 21°51'18" West 63.00 feet;
thence North 89°37'12" West 736.22 feet to the True Point of Beginning.

To make slopes on the said property for cuts and fills, as follows:

Two strips of land, adjoining and Southerly of a line 50 feet Southerly of and parallel with the centerline of South 348th Street, as surveyed by King County (Survey No. 20-21-4-9), described as follows:

1. Beginning at Engineer's Station 33+82, at zero feet in width;
thence increasing in width to 1.00 feet at Engineer's Station 34+00;
thence continuing at 1.00 feet in width to Engineer's Station 34+50;
thence decreasing in width to zero feet at Engineer's Station 34+65;

2. Beginning at Engineer's Station 35+66, at zero feet in width;
thence increasing in width to 2 feet at Engineer's Station 36+00;
thence increasing in width to 3 feet at Engineer's Station 36+50;
thence decreasing in width to 2 feet at Engineer's Station 37+00;
thence decreasing in width to zero feet at Engineer's Station 37+50.

Contains an area of 401 sq. ft., or 0.009 acres, M/L

DRAINAGE EASEMENTS

Puget Sound Power & Light Co. - Parcel 6B

That portion of the following described Parcel "A" described as follows:

Commencing at the Northwest corner of said Parcel "A";
 thence, along the West line of said Parcel "A," South 01°10'56" West 20.00 feet;
 thence, along a line parallel with and 20.00 feet Southerly of the North line of said Parcel "A," South 88°44'52" East 15.00 feet to the True Point of Beginning;
 thence, continuing along said parallel line, South 88°44'52" East 20.00 feet;
 thence South 01°15'08" West 30.00 feet;
 thence North 88°44'52" West 20.00 feet;
 thence North 01°15'08" East 30.00 feet to the True Point of Beginning.

Contains an area of 600 sq. ft., or 0.0138 acres, M/L

PARCEL "A":

North 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington; EXCEPT the West 440 feet thereof; and EXCEPT the North 30 feet thereof for County Road (South 348th Street).

TOGETHER with the right at such time as may be necessary, to enter upon said property for the purpose of constructing, reconstructing, maintaining and repairing said drainage facility.

O. Eugene Iverson - Parcel 12B

That portion of the East 1/2 of the North 1/2 of the North 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 20, Township 21 North, Range 4 East, W.M., King County, Washington, described as follows:

Commencing at the Northwest corner of said subdivision;
 thence, along the West line of said subdivision, South 01°14'49" West 50.00 feet;
 thence, along a line parallel with and 50 feet Southerly of the North line of said subdivision, South 88°44'52" East 246.09 feet to the True Point of Beginning;
 thence continuing South 88°44'52" East 21.28 feet;
 thence South 21°15'08" West 35.00 feet;
 thence, at right angles, North 68°44'52" West 20.00 feet;
 thence, at right angles, North 21°15'08" East 27.72 feet to the True Point of Beginning.

DRAINAGE EASEMENTS

1 O. Eugene Iverson - Parcel 12B (Continued)

2 Contains an area of 627 sq. ft., or 0.014 acres, M/L

3 TOGETHER with the right at such time as may be necessary, to enter upon
4 said property for the purpose of constructing, reconstructing, maintaining
and repairing said drainage facility.5 Sylvia M. Starkovich - Parcel 18B6 Lot 4 of Short Plat 178013R, as recorded under Recording Number 7808140906,
7 records of King County, Washington.8 That portion of said Lot 4 lying Southerly of a line 90 feet Northerly of
and parallel with the centerline of South 348th Street, as surveyed by King
9 County Survey No. 20-21-4-9, and between Engineer's Station 35+00 and 35+25.

10 Contains an area of 990 sq. ft., or 0.023 acres, M/L

11 TOGETHER with the right at such time as may be necessary, to enter upon
12 said property for the purpose of constructing, reconstructing, maintaining
and repairing said drainage facility.13 Anthony & Sylvia Starkovich - Parcel 19B14 That portion of the Northeast 1/4 of the Southwest 1/4 of the Southeast 1/4
15 of Section 20, Township 21 North, Range 4 East, W.M., King County,
Washington described as follows:16 Commencing at the Northwest corner of said subdivision;
17 thence, along the West line thereof, South 01°21'10" West (South 00°20'23"
West record title) 50.00 feet;
18 thence, along a line parallel with and 50 feet Southerly of the North line
of said subdivision, South 88°39'49" East (South 89°37'12" East record
19 title) 226.00 feet to the True Point of Beginning;
thence continuing South 88°39'49" East (South 89°37'12" East record title)
20 35.00 feet;
thence South 01°20'11" West (South 00°22'48" West record title) 25.00 feet;
21 thence North 88°39'49" West (North 89°37'12" West record title) 35.00 feet;
thence North 01°20'11" East (North 00°22'48" East record title) 25.00 feet
to the True Point of Beginning.

22 Contains an area of 875 sq. ft., or 0.020 acres, M/L

23 TOGETHER with the right at such time as may be necessary, to enter upon
24 said property for the purpose of constructing, reconstructing, maintaining
25 and repairing said drainage facility.

TEMPORARY CONSTRUCTION EASEMENT

1 Grana Investments - Parcel 9

2 Lot 2, West Campus Business Park, according to the Plat thereof recorded in
3 volume 97 of Plats, pages 78 through 82, Records of King County,
Washington:

4 The right to locate equipment and to work on the following described land
5 for the purpose of carrying on said construction activities consistent with
the purposes of the project.

6 That portion of the above described parcel lying Southerly of a line 65
7 feet Northerly of and parallel with the centerline of South 348th Street as
surveyed by King County Survey No. 20-21-4-9 between Engineer's Station
19+65 and 19+83.

8 Contains an area of 270 sq. ft., or 0.006 acres, M/L.

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1 SECTION 2. The King County council determined that condemnation
2 proceedings are hereby authorized to acquire property and property rights
3 and/or rights in property, together with the right to construct and
4 maintain slopes for cuts and fills on certain abutting property described
5 herein, for the purpose of the subject road improvement.

6 SECTION 3. The attorneys for King County are hereby authorized and
7 directed to begin and prosecute the proceedings provided by law to condemn,
8 take and appropriate the land and other property and property rights
9 necessary to carry out the provisions of this ordinance.

10 INTRODUCED AND READ for the first time this 28th day of
11 July, 1986.

12 PASSED this 25th day of August, 1986.

13 KING COUNTY COUNCIL
14 KING COUNTY, WASHINGTON

15 Audrey L. Ferguson
16 Chair

16 ATTEST:

17 Dorothy M. Owens
18 Clerk of the Council

19 APPROVED this 4th day of September, 1986.

20 Jim Hill
21 King County Executive
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