INTRODUCED BY	GARY GRANT	
PROPOSED NO.	88 - 130	4-

ORDINANCE NO. 8449

AN ORDINANCE authorizing condemnation of property for Green River Bridge improvement. R/W 2121.

### STATEMENT OF FACTS

- 1. The King County council on November 23, 1987, by Ordinance No. 8331, did adopt the 1988 Budget and Program and did provide therein for a Transportation Program.
- 2. The King County Transporation Program provides for the County Road System Development and Improvement Program coordinating the kinds of roads 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 Green River Bridge improvement.
- 4. In order to acquire the property and property rights required to lay out and construct the Green River Bridge, it is necessary for King County to condemn certain lands and property rights and rights in property for road purposes as hereinafter more particularly set forth.
- 5. The King County council finds that the public health, safety, necessity and convenience demands that the Green River Bridge improvement 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 the Green River Bridge improvement 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 the Green River Bridge improvement subject to the making or paying of just compensation to the owners hereof in the manner provided by law.

#### SLOPES EASEMENT

## W. S. Torrance - Parcel 5A

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A portion of the J. M. Thomas Donation Claim Number 42, in Section 25 and 36, Township 22 North, Range 4 East, W. M. in King County, Washington, described as follows:

Beginning at the Southeast corner of the said donation claim running North 00°09'20" West along the East boundary line thereof 891 feet; thence North 89°47'30" West 18.60 feet to the West line of State Highway No. 5 and the True Point of Beginning; thence continuing North 89°47'30" West 639.41 feet to the East line of the Northern Pacific Railroad right of way; thence North 00°09'20" West along said right of way line 788.99 feet; thence North 88°47'30" East 639.50 feet to the West line of said State Highway; thence South 00°09'20" Fast along the highway line 804.76 feet to the True

thence South 00°09'20" East along the highway line 804.76 feet to the True Point of Beginning.

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

Beginning at a point on the West margin of East Valley Highway South (83rd Avenue South), said point being 40.00 feet right, opposite Engineer's Station 97+50 as surveyed under King County Road Survey No. 25-22-4-6; thence Southerly along said West margin to a point 40.00 feet right, opposite Engineer's Station 103+30; thence Westerly to a point 53.00 feet right, opposite Engineer's Station 103+30: thence Northerly to a point 53.00 feet right, opposite Engineer's Station 103+00; thence continuing Northerly to a point 51.00 feet right, opposite Engineer's Station 102+50; thence continuing Northerly to a point 47.00 feet right, opposite Engineer's Station 100+50; thence continuing Northerly to a point 46.00 feet right, opposite Engineer's Station 99+00: thence continuing Northerly to a point 44.00 feet right, opposite Engineer's Station 98+00;

thence continuing northerly to a point 43.00 feet right, opposite Engineer's Station 97+50;

thence Easterly to said West margin and point of beginning.

Contains an area of 4,440 sq. ft., or 0.102 acres, M/L.

#### Monk Estates - Parcel 6

The North 841.50 feet of the South 891 feet of that part of John M. Thomas Donation Claim in Sectin 36, Township 22 North, Range 4 East, W. M., in King County, Washington, lying East of right of way of Northern Pacific Railroad Company; EXCEPT tract described as follows:

ENOUTH BIRDS GESOFISED GS TO FORS.

Beginning at a point on the South line of the above described tract 60 feet East of the Southwest corner of said tract; thence East 60 feet;

thence North 120 feet; thence West 60 feet;

thence South 120 feet to the point of beginning;

AND EXCEPT that portion conveyed to the State of Washington for highway purposes by deed recorded September 21, 1964 under Recording No. 5788897.

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

Beginning at a point on the West margin of the East Valley Highway South (83rd Avenue South), said point being 40.00 feet right, opposite Engineer's Station 103+57 as surveyed under King County Road Survey No. 25-22-4-6;

## Monk Estates - Parcel 6 - (continued)

thence Southerly along said West margin to a point 40.00 feet right, opposite Engineer's Station 105+00; thence Westerly to a point 53.00 feet right, opposite Engineer's Station 3 thence Northerly to a point 53.00 feet right, opposite Engineer's Station thence Easterly to said West margin of East Valley Highway South and point of beginning. Contains an area of 1,889.00 sq. ft., or 0.043 acres, M/L.

#### Monk Estates - Parcel 7

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All of Robert H. Beatty Donation claim being a portion of Sections 25 and 36, Township 22 North, Range 4 East, W. M., in King County, Washington: EXCEPT the South 49.5 feet thereof; AND EXCEPT that portion conveyed to the State of Washington for highway

purposes by deed recorded September 21, 1964, under Recording No. 5788897.

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

Beginning at a point on the Northerly property line and on the East margin of East Valley Highway South (83rd Avenue South), said point being 40.00 feet left, opposite Engineer's Station 85+84 as surveyed under King County Road Survey No. 25-22-4-6; thence Easterly along said Northerly line to a point 50.00 feet left, opposite Engineer's Station 85+84;

thence Southerly to a point 48.00 feet left, opposite Engineer's Station

thence continuing Southerly to a point 46.00 feet left, opposite Engineer's Station 87+50;

thence continuing Southerly to a point 46.00 feet left, opposite Engineer's Station 91+00:

thence continuing Southerly to a point 45.00 feet left, opposite Engineer's Station 92+00;

thence continuing Southerly to a point 44.00 feet left, opposite Engineer's Station 93+50;

thence continuing Southerly to a point 42.00 feet left, opposite Engineer's Station 94+50;

thence continuing Southerly to a point 42.00 feet left, opposite

Engineer's Station 97+00; thence continuing Southerly to a point 44.00 feet left, opposite Engineer's Station 98+00;

thence continuing Southerly to a point 47.00 feet left, opposite Engineer's Station 99+50;

thence continuing Southerly to a point 48.00 feet left, opposite Engineer's Station 100+50;

thence continuing Southerly to a point 49.00 feet left, opposite Engineer's Station 101+00;

thence continuing Southerly to a point 49.00 feet left, opposite Engineer's Station 102+00;

thence continuing Southerly to a point 50.00 feet left, opposite Engineer's Station 102+50;

thence continuing Southerly to a point 50.00 feet left, opposite

Engineer's Station 103+30; thence Westerly to a point on the East margin of East Valley Highway South, said point being 40.00 feet left, opposite Engineer's Station

103+30; thence Northerly along said East margin of East Valley Highway South to the point of beginning.

## Monk Estates - Parcel 7 - (continued)

AND TOGETHER WITH a portion of said parcel described below:

Beginning at a point on the East margin of East Valley Highway South (83rd Avenue South), said point being 40.00 feet left, opposite Engineer's Station 103+57 as surveyed under King County Road Survey No. 25-22-4-6; thence Easterly to a point 50.00 feet left, opposite Engineer's Station 103+57;

thence Southerly to a point 50.00 feet left opposite Engineer's Station 105+00;

thence Westerly to a point on the East margin of said East Valley Highway South, said point being 40.00 feet left opposite Engineer's Station 105+00:

thence Northerly along said East margin of East Valley Highway South to the point of beginning.

Contains a total area of 11,318 sq. ft., or 0.26 acres, M/L.

Page 4

#### EASEMENT FOR DRAINAGE FACILITY

## W. S. Torrance - Parcel 4

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The right, privilege and authority to construct and maintain a drainage facility, together with necessary slopes for cuts and fills, across, under, over and upon the following described lands and premises situated in the County of King, State of Washington, to wit.

That portion of the following described Tract A, beginning at a point on the West margin of East Valley Highway South (83rd Avenue South) said point being on the South bank of the Green River and 40.00 feet right, opposite Engineer's Station 86+01 as surveyed under King County Road Survey No. 25-22-4-6; thence Southerly along said West margin to a point 40.00 feet right, opposite Engineer's Station 95+29.65, said point on the Southerly line of the above described parcel of land; thence Westerly along said Southerly line to a point 53.00 feet right, opposite Engineer's Station 95+29.65; thence Northerly to a point 53.00 feet right, opposite Engineer's Station 94+50; thence continuing Northerly to a point 56.00 feet right, opposite Engineer's Station 94+00; thence continuing Northerly to a point 61.00 feet right, opposite Engineer's Station 92+00; thence continuing Northerly to a point 64.00 feet right, opposite Engineer's Station 91+00; thence continuing Northerly to a point 66.00 feet right, opposite Engineer's Station 90+00; thence continuing Northerly to a point 71.00 feet right, opposite Engineer's Station 89+00; thence continuing Northerly to a point 72.00 feet right, opposite Engineer's Station 88+50; thence continuing Northerly to a point 75.00 feet right, opposite Engineer's Station 87+50; thence continuing Northerly to a point 78.00 feet right, opposite Engineer's Station 86+50; thence continuing Northerly to a point 78.00 feet right, opposite Engineer's Station 86+07 and on the South bank of the Green River; thence Easterly along said South bank to said West margin of East Valley

Contains an area of 23,383.45 sq. ft., or 0.537 acres, M/L.

Highway South and the point of beginning.

### TRACT A:

That portion of the John M. Thomas Donation land Claim No. 42, Sections 25 and 36, Township 22 North, Range 4 East, W. M., in King County, Washington, described as follows:

From the Southeast corner of said Donation Claim running north 00°09'20" West along the East boundary line thereof 1,696.22 feet; thence South 88°47'30" West 18.60 feet to the West line of State Highway No. 5 and the True Point of Beginning; thence continuing South 88°47'30" West 639.50 feet to the East line of the Northern Pacific Railroad Company right of way; thence North 00°09'20" West along said right of way line 992.41 feet to the South bank of the Green River; thence South 78°29'00" East along the bank of Green River 418.41 feet; thence North 81°45'30" East 231.94 feet to the West line of State Highway No. 5; thence South 00°09'20" East along said highway line 928.65 feet to the True Point of Beginning.

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### W. S. Torrance - Parcel 5

The right, privilege and authority to construct and maintain a drainage facility.

That portion of the following described Tract A, beginning at a point on the Northerly line of said parcel and on the West margin of East Valley Highway South (83rd Avenue South), said point being 40.00 feet right, opposite Engineer's Station 95+29.65 as surveyed under King County Road Survey No. 25-22-4-6;

thence Southerly along said West margin to a point 40.00 feet right, opposite Engineer's Station 97+50;

thence Westerly to a point 43.00 feet right, opposite Engineer's Station 97+50:

thence Northerly to a point 50.00 feet right, opposite Engineer's Station 97+00;

thence continuing Northerly to a point 53.00 feet right, opposite Engineer's Station 95+50;

thence continuing Northerly to a point 53.00 feet right, opposite Engineer's Station 95+29.65, said point on the Northerly property line of the following described parcel;

thence Easterly along said Northerly line to said West margin and point of beginning.

Contains an area of 2,314.55 sq. ft., or 0.053 acres, M/L.

#### TRACT A:

A portion of the J. M. Thomas Donation Claim No. 42, in Sections 25 and 36, Township 22 North, Range 4 East, W. M., in King County, Washington described as follows:

Beginning at the Southeast corner of the said donation claim running North 00°09'20" West along the East boundary line thereof 891 feet; thence North 89°47'30" West 18.60 feet to the West line of State Highway No. 5 and the True Point of Beginning;

thence continuing North 89°47'30" West 639.41 feet to the East line of the

Northern Pacific Railroad right of way; thence North 00°09'20" west along said right of way line 788.99 feet; thence North 88°47'30" East 639.50 feet to the West line of said State Highway;

thence South 00°09'20" East along the highway line 804.76 feet to the True Point of Beginning.

#### TEMPORARY CONSTRUCTION EASEMENT

### Janet D. Plemmons - Parcel 1

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The South 300 feet of the North 580 feet of Tract 23, Horseshoe Acre Tract to Kent, according to the plat thereof recorded in Volume 15 of Plats, Page 10, in King County, Washington; EXCEPT that portion conveyed to the State of Washington for State Road No. 5 by deed recorded under Recording Number 2795453; EXCEPT the West 90 feet thereof; AND EXCEPT that portion thereof conveyed to the City of Kent for street purposes by deed recorded under Recording No. 7305030092.

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

Beginning at a point on the West margin of East Valley Highway South (83rd Avenue South) said point being 36.00 feet right, opposite Engineer's Station 82+60 as surveyed under King County Road Survey No. 25-22-4-6; thence Southerly along said West margin to a point 36.00 feet right, opposite Engineer's Station 83+04.84, said point on the Southerly line of the above described parcel; thence Westerly, along said Southerly property line, to a point 41.00 feet right, opposite Engineer's Station 83+04.84; thence Northerly, and parallel with said West margin to a point 41.00 feet right, opposite Engineer's Station 82+60;

thence Easterly to said West margin of East Valley Highway South and the point of beginning.

Contains an area of 224.20 sq. ft., or 0.005 acres, M/L.

## Janet D. Plemmons - Parcel 2

All of Tract 23, Horseshoe Acre Tract to Kent, according to the plat recorded in Volume 15 of Plats, Page 10, in King County, Washington, LESS the North 570 feet; LESS the South 10 feet of the North 580 feet; EXCEPT the West 90 feet; LESS State Road.

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

Beginning at a point on the Northerly property line and on the West margin of East Valley Highway (83rd Avenue South) said point being 36.00 feet right, opposite Engineer's Station 83+04.84 as surveyed under King County Road Survey No. 25-22-4-6; thence Southerly along said West margin to a point 36.00 feet right, opposite Engineer's Station 84+32, said point being at the line of ordinary high water on the North bank of the Green River; thence Southwesterly, along said line of ordinary high water to a point 41.00 feet right, opposite Engineer's Station 84+34.75; thence Northerly, and parallel to said West margin of East Valley Highway to a point on the Northerly property line of the above described parcel of land, 41.00 feet right, opposite Engineer's Station 83+04.84; thence Easterly along said Northerly property line to said West margin of East Valley Highway South and the point of beginning.

Contains an area of 643 sq. ft., or 0.015 acres, M/L.

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#### Monk Estate - Parcel 7A

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All of Robert H. Beatty Donation Claim being a portion of Sections 25 and 36, Township 22 North, Range 4 East, W. M., in King County, Washington; EXCEPT the South 49.5 feet thereof; AND EXCEPT that portion conveyed to the State of Washington for highway

purposes by deed recorded September 21, 1964, under Recording No. 5788897.

The right to locate equipment and to work on the following described land for the purpose of carrying on said construction activities consistent with the purposes of the project which consists of the construction of a temporary bridge and approachment thereto.

Beginning at a point on the Northerly property line, said point being 50.00 feet left, opposite Engineer's Station 85+84; thence Easterly along said Northerly line to a point 90 feet left, opposite Engineer's Station 85+84; thence Southerly to a point 90.00 feet left, opposite Engineer's Station thence continuing Southerly to a point 84.00 feet left, opposite Engineer's Station 87+50; thence continuing Southerly to a point 74.00 feet left, opposite Engineer's Station 88+00; thence Southwesterly to a point 46.00 feet left, opposite Engineer's Station 89+00; thence Northerly to a point 46.00 feet left, opposite Engineer's Station 87+50; thence continuing Northerly to a point 48.00 feet left, opposite Engineer's Station 86+50;

thence continuing Northerly to a point 50.00 feet left, opposite Engineer's Station 86+00;

thence Northerly to the point of beginning.

TOGETHER WITH a portion of said parcel described below:

Beginning at a point 48.00 feet left, opposite Engineer's Station 100+50 as surveyed under King County Survey No. 25-22-4-6; thence Southeasterly to a point 54.00 feet left, opposite Engineer's Station 101+00;

thence continuing Southeasterly to a point 63.00 feet left, opposite Engineer's Station 101+50;

thence continuing Southeasterly to a point 75.00 feet left, opposite Engineer's Station 102+50;

thence Southerly to a point 75.00 feet left, opposite Engineer's Station 104+60;

thence Southwesterly to a point 55.00 feet left, opposite Engineer's Station 105+50;

thence Northerly along the East margin of East Valley Highway South (83rd Avenue South) to a point 55.00 feet left, opposite Engineer's Station 105+00:

thence Westerly to a point 50.00 feet left,opposite Engineer's Station 105+00;

thence Northerly to a point 50.00 feet left, opposite Engineer's Station 103+57;

thence Westerly to said East margin of East Valley Highway South (83rd Avenue South), said point being 40.00 feet left, opposite Engineer's Station 103+57:

thence Northerly along said East margin to a point 40.00 feet left, opposite Engineer's Station 103+30;

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## Monk Estate - Parcel 7A (Continued)

thence Easterly to a point 50.00 feet left, opposite Engineer's Station 103+30; thence Northerly, to a point 50.00 feet left, opposite Engineer's Station 102+50; thence continuing Northerly to a point 49.00 feet left, opposite Engineer's Station 102+00; thence continuing Northerly to a point 49.00 feet left, opposite Engineer's Station 101+00; thence continuing Northerly to the point of beginning.

Contains an area of 18,950 sq. ft., or 0.435 acres, M/L.

#### Monk Estates - Parcel 8

Government Lot 10, in Section 25, Township 22 North, Range 4 East, W. M., King County, Washington; EXCEPT for County Road; AND EXCEPT that portion conveyed to the State of Washington for highway numbers by deed recorded September 21, 1964, under Pecerding No.

purposes by deed recorded September 21, 1964, under Recording No. 5788897.

The right to locate equipment and to work on the following described land for the purpose of carrying on said construction activities consistent with the purposes of the project which consists of the construction of a temporary bridge and approachment thereto.

Beginning at a point on the East margin of East Valley Highway South (83rd Avenue South), said point being 40.00 feet left, opposite Engineer's Station 85+45 as surveyed under King County Survey No. 25-22-4-6; AND being a point on the line of ordinary high water on the South bank of the Green River; thence Northeasterly along said line of ordinary high water to a point 90.00 feet left, opposite Engineer's Station 85+18; thence Southerly to a point 90.00 feet left, opposite Engineer's Station

thence Southerly to a point 90.00 feet left, opposite Engineer's Station 85+84, said point on the Southerly line of the above described parcel of land;

thence Westerly along said Southerly line to said East margin, said point being 40.00 feet left, opposite Engineer's Station 85+84; thence Northerly along said East margin to the point of beginning.

Contains an area of 2,625 sq. ft., or 0.060 acres, M/L.

### Rivers Edge Office Park L. P. - Parcel 9

That portion of Tracts 31 and 32, Horseshoe Acre Tracts to Kent, according to the plat thereof recorded in Volume 15 of Plats, Page 10, in King County, Washington, lying between South Central Avenue (83rd Avenue South) and South Central Place (84th Place South);

EXCEPT that portion thereof conveyed to King County for South Central Place (84th Place South) by deed recorded under King County Recording No. 764335;

AND EXCEPT that portion thereof conveyed to the City of Kent for South Central Avenue (83rd Avenue South) by deed recorded under King County Recording No. 7309110032.

The right to locate equipment and to work on the following described land for the purpose of carrying on said construction activities consistent with the purposes of the project which consists of the construction of a temporary bridge and approachment thereto.

Beginning at a point 36.00 feet left, on the East margin of East Valley Highway South (83rd Avenue South) said point being opposite Engineer's Station 80+90 as surveyed under King County Road Survey No. 25-22-4-6; thence Southeasterly to a point 51.00 feet left, opposite Engineer's Station 81+50;

thence continuing Southeasterly to a point 83.00 feet left, opposite Engineer's Station 83+05;

thence Easterly to a point 90.00 feet left, opposite Engineer's Station 83+05:

thence Southerly to a point 90.00 feet left, opposite Engineer's Station 83+60, said point being at the line of ordinary high water on the North bank of the Green River;

thence Southwesterly, along said line of ordinary high water to a point 36.00 feet left, opposite Engineer's Station 83+92;

thence Northerly, and parallel with said East margin of East Valley Highway to the point of beginning.

Contains an area of 9,089 sq. ft., or 0,209 acres, M/L.

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## RIGHT OF ENTRY FOR PARKING LOT RECONSTRUCTION

# Rivers Edge Office Park L. P. - Parcel 9A

That portion of Tracts 31 and 32, Horseshoe Acre Tracts to Kent, according to the plat thereof recorded in Volume 15 of Plats, Page 10, in King County, Washington, lying between South Central Avenue (83rd Avenue South) and South Central Place (84th Place South);

EXCEPT that portion thereof conveyed to King County for South Central Place (84th Place South) by deed recorded under King County Recording No. 764335:

AND EXCEPT that portion thereof conveyed to the City of Kent for South Central Avenue (83rd Avenue South) by deed recorded under King County Recording No. 7309110032.

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

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

INTRODUCED AND READ for the first time this day of
Flormany, 1988.
PASSED this <u>2/pt</u> day of <u>March</u> , 19 <u>88</u> .
KING COUNTY COUNCIL KING COUNTY, WASHINGTON
Jan Jant
Chairman/

4 march

APPROVED this 15 day of April , 1988

King County Executive

ATTEST:

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