

ORDINANCE NO. **9876**

AN ORDINANCE authorizing the condemnation of property for 140th Place Northeast/148th Avenue Northeast. (R/W 2142).

STATEMENT OF FACTS

1. The King County council on December 21, 1989, by Ordinance No. 8802, did adopt the 1990 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 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 140th Place Northeast/148th Avenue Northeast.

4. In order to acquire the property and property rights required to lay out and construct 140th Place Northeast/148th Avenue Northeast, 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 140th Place Northeast/148th Avenue Northeast 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 140th Place Northeast/148th Avenue Northeast 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 in attached Exhibit "A," and other property rights and/or rights in property be condemned, appropriated, taken and damaged for the purpose of constructing 140th Place Northeast/148th Avenue Northeast, subject to the making or paying of just compensation to the owners herein in the manner provided by law.

SECTION 2. The King County council determined 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 in the attached Exhibit "A" for the purpose of the subject road improvements.

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 22nd day of January, 1991.

PASSED this 1st day of April, 1991.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Lois North
Chair

ATTEST:

Gerald A. Foster
Clerk of the Council

APPROVED this 11 day of April, 1991.

Jim Hill
King County Executive

WARRANTY DEED

Gold Creek Assoc. - Parcel 7

The Easterly 15 feet of the Southerly 325 feet of the Tract X described herein:

TRACT X:

That portion of the North 1/2 of the North 1/2 of the SE 1/4 of said Section 15, Township 26 North, Range 5 East, W. M., in King County, Washington, lying Easterly of the East bank of said Sammamish Waterway Channel and lying Westerly of said C. L. Morris Road and State Road No. 205, conveyed by Deeds recorded under Recording Nos. 930096 and 2751521;

EXCEPT that portion of the North 60 feet thereof lying East of the East line of the West 5 acres of the North 1/2 of the North 1/2 of the North 1/2 of the SE 1/4 of said Section 15 (said West 5 acres being net in area exclusive of portion taken for drainage ditch);

AND EXCEPT that portion of the North 1/2 of the following described tract of land lying East of the East line of the West 5 acres of the North 1/2 of the North 1/2 of the North 1/2 of the SE 1/4 of said Section 15 (said West 5 acres being net in area exclusive of portion taken for drainage ditch):

That portion of the North 1/2 of the North 1/2 of the North 1/2 of the SE 1/4 of said Section 15, described as follows:

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Beginning at the intersection of the said Westerly margin of C. L. Morris County Road No. 983 with the South line of the North 60 feet of the SE 1/4 of said Section 15;

THENCE West along said South line to the East line of the West 5 acres of said North 1/2 of the North 1/2 of the North 1/2 of the SE 1/4, West 5 acres being net in area, exclusive of portion taken for drainage ditch;

THENCE South along said East line to a point midway between the South line of the North 60 feet of said SE 1/4 and the South line of said North 1/2 of the North 1/2 of the North 1/2 of the SE 1/4;

THENCE East to the Westerly margin of said road;

THENCE Northerly along said road margin to the point of beginning;

AND EXCEPT that portion conveyed to King County by Recording No. 7304050524, which lies Westerly of a line drawn concentric with and distant 160 feet Easterly of the centerline of those certain river protective easements conveyed to King County by instrument recorded under Recording Nos. 5485555, 5485552, and 5491240.

Containing 4,875 square feet, or 0.112 acre more or less.

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.

DRAINAGE EASEMENT

Dahl, William H. - Parcel 10

A right of way easement for a drainage facility over, through, across, and under Tract X hereinafter described, situated in King County, Washington, being more particularly described as follows:

A strip of land 30 feet in width lying Westerly of and adjoining the Westerly right-of-way line of 140th Place Northeast having 15 feet of such width on each side of the following described line:

Beginning at a point on said right-of-way line at Engineer's Station 258+15 as surveyed by King County Survey No. 15-26-5-2; THENCE Westerly to a distance of 30 feet.

Containing 900 sq. ft., or 0.021 acre, more or less.

Dahl, William H. - Parcel 10 (Continued)

TRACT X:

That portion of the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 15, Township 26 North, Range 5 East, W. M., in King County, Washington, lying Easterly of Sammamish River and Westerly of Morris Road and Southerly of a line running North 88°36'45" West from a point in centerline of said road, said point being 226.74 feet North of the South line of said subdivision.

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.

DRAINAGE EASEMENT

Dahl, William H. - Parcel 12

A right of way easement for a drainage facility over, through, across, and under Tract X, hereinafter described, situated in King County, Washington, being more particularly described as follows:

A strip of land 20 feet in width lying Westerly of and adjoining the Westerly right-of-way line of 140th Place Northeast, having 10 feet of such width on each side of the following described line:

Beginning at a point on said right-of-way line at Engineer's Station 263+75 as surveyed by King County Survey No. 15-26-5-2; THENCE Westerly to a distance of 30 feet.

Containing 600 sq. ft., or 0.014 acre, more or less.

TRACT X:

That portion of Section 15, Township 26 North, Range 5 East, W. M., in King County, Washington, described as follows:

The South 1/2 of the North 1/2 of said Section 15 lying between C. L. Morris County Road and East bank of Sammamish Waterway Channel and South of a line 60 feet North of the South 65/160th of the NE 1/4 of said section and said line extended;
LESS the South 226.74 feet.

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.

EASEMENT FOR SLOPES

Tudor, Joseph A. - Parcel 14

The right to make slopes on said property of owner for cuts and fills as follows:

Beginning at Engineer's Station 275+10 at 4 foot width;
THENCE continuing 4 foot width at Engineer's Station 276+00;
THENCE decreasing to zero foot width at Engineer's Station 276+50 as surveyed by King County Survey No. 15-26-5-2.

Containing 460 sq. ft., or 0.010 acre, more or less.

TRACT X:

Lot 2, King County Short Plat No. 283041, recorded October 27, 1983 under Recording No. 8310270861, being a portion of the North 95 acres of the NE 1/4 of Section 15, Township 26 North, Range 5 East, W. M., in King County, Washington lying West of C. L. Morris Road.

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DRAINAGE EASEMENT

Tudor, Joseph A. - Parcel 14A and 18

A right of way easement for a drainage facility over, through, across, and under Tract X hereinafter described, situated in King County, Washington, being more particularly described as follows:

A strip of land 20 feet in width lying Westerly of and adjacent to the Westerly right-of-way line of 140th Place Northeast having 10 feet of such width lying on each side of the following described line:

Beginning at a point on said right-of-way line at Engineer's Station 276+56 as surveyed by King County Survey No. 15-26-5-2;
THENCE Westerly at right angles with said right-of-way line to a distance of 30 feet.

Containing 600 sq. ft., or 0.014 acre, more or less.

TRACT X:

Lot 2, King County Short Plat No. 283041, recorded October 27, 1983 under Recording No. 8310270861, being a portion of the North 95 acres of the NE 1/4 of Section 15, Township 26 North, Range 5 East, W. M., in King County, Washington lying West of C. L. Morris Road.

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.

EASEMENT FOR SLOPES

Tudor, Properties - Parcel 15

The right to make slopes on said property of owner for cuts and fills as follows:

A strip of land being that portion of Tract X lying Westerly of and adjoining the Westerly right-of-way line of 140th Place Northeast, as surveyed by King County Survey No. 15-26-5-2, described as follows:

Beginning at Engineer's Station 274+50 at zero foot width;
THENCE increasing to 4 foot width at Engineer's Station 275+00;
THENCE continuing 4 foot width at Engineer's Station 275+10.

Containing 140 sq. ft., or 0.003 acre, more or less.

TRACT X:

That portion of the North 1/2 of the Northeast 1/4 of Section 15, Township 26 North, Range 5 East, W. M., in King County, Washington, lying West of C. L. Morris Road; South of the South line of the North 26 acres, and East of the East line of the West 8 acres.

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