

10228

ORDINANCE NO. _____

AN ORDINANCE authorizing the condemnation of property for a portion of South 214th Street from Fourth Place South to Fifth Place South.

STATEMENT OF FACTS

1. A portion of South 214th Street was vacated as a matter of law under the Washington State Statute of 1889-1890 by reason that the street as dedicated in the Plat of Southern Pacific Land Company's Second Addition to Des Moines on November 30, 1889 was not opened and maintained within five years from the date of the said plat.
2. Under Superior Court Cause No. 86-2-21795-9, a judgement and decree quieting title, and vacating the portion of South 214th Street as more particularly set forth therein, was entered on March 16, 1987. The vacation by operation of law was confirmed.
3. A review of information with adjoining property owners would indicate that facts regarding access to adjoining properties may not have been brought before the court.
4. The King County council finds that the public health, safety, necessity, and convenience demands that a portion of South 214th Street be condemned, appropriated, taken and damaged for the purpose of providing public access on South 214th Street.

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 re-establishing a portion of South 214th Street for public access and right of way, subject to the making or paying of just compensation to the owners in the manner provided by law:

That portion of the NW 1/4 of Section 8, Township 22 North, Range 4 East, W. M., described as follows:

The South 1/2 of South 214th Street (Chestnut Street) lying Westerly of the West margin of Fifth Place South (Grand Avenue) and lying Easterly of the Northerly extension of the East margin of 4th Place in the Plat of Southern Pacific Land Company's Section Addition to Des Moines as recorded in Volume 4 of Plats, Page 49, records of King County, Washington.

1 SECTION 2. The King County council having determined that
2 condemnation proceedings are necessary does hereby authorize
3 the acquisition of property and property rights and/or rights
4 in property through the exercise of eminent domain, together
5 with the right to construct and maintain slopes for cuts and
6 fills on certain abutting property described herein for the
7 purpose of providing for public access and right of way.

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

13 INTRODUCED AND READ for the first time this 8th day
14 of April, 1991.

15 PASSED this 6th day of January, 1992.

16 KING COUNTY COUNCIL
17 KING COUNTY, WASHINGTON

18 Audrey Griggs
19 Chair

20 ATTEST:

21 Gerald A. Peterson
22 Clerk of the Council

23 APPROVED this 15th day of January, 1992.

24 Jim Dill
25 King County Executive