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Sewer District, designated land use services division file no. L96UU001 and the council does hereby adopt as its action the recommendation(s) contained in said report.

INTRODUCED AND READ for the first time this 27th day of

January, 1997.

PASSED by a vote of 13-0 this 27th day of January, 1997.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Gene Hayes
Chair

ATTEST:

Gerald G. Peterson
Clerk of the Council

November 13, 1996

Introduced By:

PETE VON REICHBAUER

DT:mch

Proposed No.:

96 - 1028

ORDINANCE NO. **12630**

AN ORDINANCE authorizing condemnation of property for the acquisition and development of the East Federal Way Ballfields.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The council finds and declares as follows:

A. King County is authorized by state law RCW 36.34.340, RCW 36.68.010, RCW 36.89.030 and RCW 64.04.130 to acquire, develop, renovate and improve public green spaces, greenbelts, open space, parks and trails in King County.

B. King County is authorized to acquire and condemn real property for public use, such as green spaces, green belts, open space, parks and trails, by Chapter 8.08, RCW.

C. The King County Capital Improvement Program provides for the acquisition of lands for the East Federal Way Ballfields and includes the Forster parcel, the Charles parcel, the Schau, Sr. parcels, the Bergseth parcels, the R. Knopf parcels, the D. Knopf parcels, the Schau, Jr. parcels, the Welfare parcels, the Marshall parcels, the Lounder parcels, the Looney parcel, the Kean parcel, the Sharp parcel, the Callanan parcel, Pflieger parcel, Tito parcels, and Lucker parcels (herein collectively called the "Properties") as more particularly described below.

D. Pursuant to applicable federal and state procedures and the real property acquisition procedures of King County, King County has taken the necessary steps to acquire the Properties through negotiations.

E. Pursuant to such applicable procedures, King County has made written offers to purchase the Properties on the following dates: the Callanan parcel, 8/14/96 and 10/8/96; Pflieger/Andrews parcel, 8/14/96 and 10/8/96; Tito parcel, 8/14/96 and 10/8/96; Lucker parcel, 8/14/96 and 9/26/96; the D. Knopff parcel, 8/12/96 and 9/25/96; the Marshall parcel, 8/12/96 and 9/17/96; the Lounder parcels, 8/12/96 and 9/17/96; and the Sharp parcel 9/23/96 and 11/13/96. Such offers have not been accepted.

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F. Pursuant to such applicable procedures, King County has made written offers to purchase the Properties the Properties and received acceptances: the Forster parcels, the Charles parcel, the Schau, Sr. parcels, the Schau, Jr. parcel, the Bergseth parcels, the Looney parcel, the Welfare parcel, the R. Knopff parcels, and the Kean parcel.

G. In order to acquire the property and property rights required to construct the East Federal Way Ballfields, it is necessary for King County to condemn each of the Properties for public purposes as hereinafter more particularly set forth.

H. The public health, safety, necessity, convenience, and welfare demand that the East Federal Way Ballfields be constructed in accordance with the King County Capital Budget and Program, and that each of the Properties be condemned, appropriated, taken and damaged for the construction of said trail as provided in this ordinance.

SECTION 2. The King County council has deemed it necessary and in the best interest of the citizens of King County that the Properties be condemned, appropriated, taken and damaged for the purpose of constructing the East Federal Way Ballfields, subject to the making, or paying, of just compensation to the owners thereof in the manner provided by law. The Properties are described as follows:

LEGAL DESCRIPTION

- Forster Parcels #1,3
Lots 7, 8, 9 and 11, Block 48, Jovita Heights, according to the plat thereof recorded in Volume 20 of Plats, Page 12, records of King County, Washington.
- Charles Family Trust Parcel #2
Lot 10, Block 48, Jovita Heights, according to the plat thereof recorded in Volume 20 of Plats, Page 12, records of King County, Washington.
- Pfleger/Andrews Parcel #4
Lot 12, Block 48, Jovita Heights, according to the plat thereof recorded in Volume 20 of Plats, Page 12, records of King County, Washington.
- Callanan Parcel #5
Lot 13, Block 48, Jovita Heights, according to the plat thereof recorded in Volume 20 of Plats, Page 12l, records of King County, Washington.
- Schau, E. Parcels #6, 7
Lots 14 and 15, Block 48, Jovita Heights, according to the plat thereof recorded in Volume 20 of Plats, Page 12, records of King County, Washington.
- Tito Parcels #8,9
Lots 16 and 17, Block 48, Jovita Heights, according to the plat thereof recorded in Volume 20 of Plats, Page 12, records of King County, Washington.

1 Bergseth Parcels #10-14

2 Lot 1 through 30, Block 49, Lots 1 through 24, Block 50, Lots 1 and 2, Block 63, Lots 1
3 through 5, and Lots 20 through 25, Block 65, all within the plat of Jovita Heights, according to
4 the plat thereof recorded in Volume 20 of Plats, Page 12, records of King County,
5 Washington.

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7 Knopff, R. Parcels #15, 19, 20

8 Lot 6, Block 65, Jovita Heights, according to the plat thereof recorded in Volume 20 of Plats,
9 Page 12, records of King County, Washington.

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11 Knopff, R. Parcels #16, 17

12 Lots 11 and 12, Block 66, Jovita Heights, according to the plat thereof recorded in Volume 20
13 of Plats, Page 12, records of King County, Washington.

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15 Looney Parcel #18

16 Lot 13, Block 66, Jovita Heights, according to the plat thereof recorded in Volume 20 of Plats,
17 Page 12, records of King County, Washington.

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19 Shau, E. Parcel #21

20 Lot 17, Block 66, Jovita Heights, according to the plat thereof recorded in Volume 20 of Plats,
21 Page 12, records of King County, Washington.

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23 Welfare Parcel #22

24 Lot 18, Block 66, Jovita Heights, according to the plat thereof recorded in Volume 20 of Plats,
25 Page 12, records of King County, Washington.

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27 Lucker Parcel #23

28 Lots 19 and 20, Block 66, Jovita Heights, according to the plat thereof recorded in Volume 20
29 of Plats, Page 12, records of King County, Washington.

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31 Marshall Parcel #24

32 Lots 1, 2, 3, and 4, Block 66, Jovita Heights, according to the plat thereof recorded in
33 Volume 20 of Plats, Page 12, records of King County, Washington.

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35 Kean Parcel #25

36 Lot 5, Block 66, Jovita Heights, according to the plat thereof recorded in Volume 20 of Plats,
37 Page 12, records of King County, Washington.

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39 Sharp Parcel #26

40 Lot 6, Block 66, Jovita Heights, according to the plat thereof recorded in Volume 20 of Plats,
41 Page 12, records of King County, Washington.

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43 Louder Parcels #27, 28

44 Lots 7, 8, 9, and 10, Block 66, Jovita Heights, according to the plat thereof recorded in
45 Volume 20 of Plats, Page 12, records of King County, Washington.

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47 SECTION 3. The King County council determines that condemnation proceedings

48 are hereby authorized to acquire each of the Properties for the purposes of subject East Federal

49 Way Ballfields.

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SECTION 4. 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 Properties necessary to carry out the provisions of this ordinance.

INTRODUCED AND READ for the first time this 6th day of

January, 1997.

PASSED by a vote of 12 to 0 on this 27th day of January, 1997.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Jane Hays
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

APPROVED this 7 day of February, 1997.

Gerald Stein
King County Executive