

February 3, 1997  
FPP/jah

Introduced By: ROB MCKENNA  
LOUISE MILLER

Proposed No.: 97-097

**12647**

ORDINANCE NO. 12647

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AN ORDINANCE authorizing the county executive to convey, under threat of eminent domain, Farmland Preservation Program property that is located in council district 3 to the Washington State Department of Transportation for a right-of-way project, and declaring an emergency.

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STATEMENT OF FACTS:

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The Washington State Department of Transportation (WSDOT) is planning to widen one quarter mile of State Route 203 in the vicinity of the city of Carnation.

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The project includes improving the right-of-way, constructing a storm water treatment area and developing two wetland mitigation sites.

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The project requires the use of 8.86 acres that are part of two Farmland Preservation Program properties. The Farmland Preservation Program, in addition to the property owners, will be compensated for its interest in the required property.

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R.C.W. 47.12.040 authorizes the county council to directly sell any land or interest therein to the State of Washington at such price as is deemed in the best interests of the county, whenever such sale is necessary for state highway purposes. Section 9 (1) of Ordinance No. 4341, which enabled the Farmland Preservation Program, authorizes the council to convey public road and utility easements across Farmland Preservation Program property.

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The proposed project will benefit public safety and WSDOT has

1 indicated that, if necessary, the agency will acquire the  
2 needed property through eminent domain.

3 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

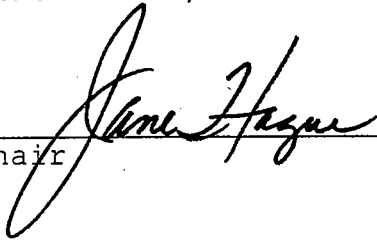
4 SECTION 1. The King County executive is hereby  
5 authorized, under threat of eminent domain, to convey King  
6 County's interest in the lands, as described in Attachments 1  
7 and 2, to the Washington State Department of Transportation  
8 for use in the above-referenced right-of-way project.

1            SECTION 2. The county council finds as a fact and  
2 declares that an emergency exists and that this ordinance is  
3 necessary for the immediate preservation of public peace,  
4 health or safety or for the support of county government and  
5 its existing public institutions.

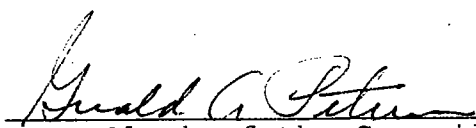
6            INTRODUCED AND READ for the first time this 10<sup>th</sup>  
7 day of February, 1997.

8            PASSED by a vote of 10 to 2 this 18<sup>th</sup> day of  
9 February, 1997.

10            KING COUNTY COUNCIL  
11            KING COUNTY, WASHINGTON

12              
13            Chair

14            ATTEST:

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16            Clerk of the Council

17            APPROVED this 27 day of February, 1997.

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19            King County Executive

20            Attachments: 1 and 2

After recording return document to:

State of Washington  
Department of Transportation  
Real Estate Services Office  
P.O. Box 47338  
Olympia, WA 98504-7338

*Document Title: Quitclaim Deed*

*Reference Number of Related Document: N/A*

*Grantor(s): King County*

*Grantee: State of Washington*

*Legal Description: Ptn of E 1/2 of the NE 1/4 of Section 9, T25N, R7E, WM*

*Additional Legal Description is on Page(s) 3, 4 & 5 of Document.*

*Assessor's Tax Parcel Number(s): 092507-9033-07, 092507-9002-04*

**QUITCLAIM DEED**  
**(Conveyance of Development Rights)**

State Route 203, Vicinity NE 77th Street

The Grantor, **KING COUNTY**, a political subdivision of the State of Washington, acting by and through its King County Real Property Division, for and in consideration of the sum of **TEN AND NO/100 (\$10.00) DOLLARS**, and other valuable consideration, hereby conveys and quitclaims to the **STATE OF WASHINGTON**, the following described real estate, situated in the County of King, State of Washington to the same extent and purpose as if the rights herein granted had been acquired under Eminent Domain statutes of the State of Washington:

See Exhibit A attached hereto and made a part hereof.

IT IS UNDERSTOOD AND AGREED that the Deed of and Agreement Relating to Development Rights, as described in instrument recorded under Auditor's File No. 8610301539, shall continue in full force and effect on the remaining lands described therein.

It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the State of Washington unless and until



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QUITCLAIM DEED  
(Conveyance of Development Rights)

EXHIBIT A

TRACT 1:

All that portion of the hereinafter described AREA "X" lying southerly of the southerly bank of Morris Creek and northeasterly and northerly of a line beginning at Highway Engineer's Station (hereinafter referred to as HES) 41+04 on the SR 203 survey line of SR 203, Vicinity NE 77th Street;

thence westerly to a point opposite said HES 41+04 and 30 feet westerly therefrom;

thence northwesterly to a point opposite HES 47+81 on said survey line and 357 feet westerly therefrom;

thence westerly to a point opposite HES 47+83± on said survey line and 647 feet ± westerly therefrom, being a point on the northeasterly margin of the King County Trail (formerly Chicago - Milwaukee and Puget Sound Railway Company right of way);

thence northwesterly along said trail's northeasterly margin to a point opposite HES 48+33± on said survey line and 713 feet± westerly therefrom, being a point on the southerly bank of Morris Creek and the end of this line description;

EXCEPT any portion thereof lying easterly of said survey line.

TRACT 2:

All that portion of the hereinafter described AREA "X" lying southeasterly of a line beginning at HES 51+45 on the SR 203 survey line of said Highway;

thence northwesterly to a point opposite said HES 51+45 and 41.70 feet northwesterly therefrom;

thence northeasterly to a point opposite HES 53+01 on said survey line and 44 feet northwesterly therefrom;

thence northerly to a point opposite HES 53+51 on said survey line and 65 feet northwesterly therefrom;

thence northeasterly parallel with said survey line to a point opposite HES 54+00 thereon;

Reviewed:

\_\_\_\_\_

Date: \_\_\_\_\_

QUITCLAIM DEED  
(Conveyance of Development Rights)

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EXHIBIT A  
(continued)

thence northeasterly to a point opposite HES 54+50 on said survey line and 65 feet northwesterly therefrom;  
thence northerly to a point opposite HES 54+75 on said survey line and 85 feet northwesterly therefrom;  
thence northeasterly parallel with said survey line to a point opposite HES 56+50 thereon;  
thence northeasterly to a point opposite HES 57+00 on said survey line and 65 feet northwesterly therefrom and the end of this line description;  
EXCEPT any portion thereof lying easterly of said survey line.

AREA X

PARCEL A

That portion of the north half of the northeast quarter of Section 9, Township 25 North, Range 7 East, W.M., lying west of State Highway No. 203;  
EXCEPT 100 foot right of way for railroad conveyed to the Chicago-Milwaukee and Puget Sound Railway Company;  
AND EXCEPT the West 150 feet thereof.

PARCEL B

The southeast quarter of the northeast quarter and the northeast quarter of the southeast quarter of Section 9, Township 25 North, Range 7 East, W.M.;  
EXCEPT the east 50 feet conveyed to Seattle-Tacoma Power Company under Recording Number 404127;

Reviewed:

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Date: \_\_\_\_\_

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QUITCLAIM DEED  
(Conveyance of Development Rights)

EXHIBIT A  
(continued)

AND EXCEPT 100 foot right-of-way for railroad conveyed to the Chicago-Milwaukee and Puget Sound Railway Company;  
AND EXCEPT county roads;  
AND EXCEPT portion thereof described as follows:

Beginning at the intersection of the westerly margin of above mentioned railroad right of way with the easterly margin of the county road in the southeast quarter of the northeast quarter of said Section 9;  
thence southwesterly along the easterly margin of county road 340 feet;  
thence east 118 feet, more or less, to the westerly margin of said railroad right-of-way;  
thence northwesterly, along said railroad right-of-way, 340 feet, more or less, to the point of beginning.

The lands herein described contain an area of 186,016 square feet, more or less, the specific details concerning all of which are to be found in those certain maps of definite location now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval August 30, 1996.

Reviewed:

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Date: \_\_\_\_\_



After recording return document to:

State of Washington  
Department of Transportation  
Real Estate Services Office  
P.O. Box 47338  
Olympia, WA 98504-7338

*Document Title: Quitclaim Deed*  
*Reference Number of Related Document: N/A*  
*Grantor(s): King County*  
*Grantee: State of Washington*  
*Legal Description: Ptns of the S1/2 of Section 4, T25N, R7E, WM*  
*Additional Legal Description is on Page(s) 3 & 4 of Document.*  
*Assessor's Tax Parcel Number(s): 042507-9003-08*

**QUITCLAIM DEED**  
**(Conveyance of Development Rights)**

State Route 203, Vicinity NE 77th Street; and, King County Sundry Site Plans - Harris Creek Wetlands Mitigation Area - Sheet 52

The Grantor, **KING COUNTY**, a political subdivision of the State of Washington, acting by and through its King County Real Property Division, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, hereby conveys and quitclaims to the **STATE OF WASHINGTON**, the following described real estate, situated in the County of King, State of Washington to the same extent and purpose as if the rights herein granted had been acquired under Eminent Domain statutes of the State of Washington:

See Exhibit A attached hereto and made a part hereof.

IT IS UNDERSTOOD AND AGREED that the Deed of and Agreement Relating to Development Rights, as described in instrument recorded under Auditor's File No. 8608071014, shall continue in full force and effect on the remaining lands described therein.

It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the State of Washington unless and until



QUITCLAIM DEED  
(Conveyance of Development Rights)

EXHIBIT A

TRACT 1:

All that portion of the southeast quarter of the southeast quarter of Section 4, Township 25 North, Range 7 East, W.M., lying easterly of a line beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 54+75 on the SR 203 survey line of SR 203, Vicinity NE 77th Street, and 85 feet northwesterly therefrom; thence northeasterly parallel with said survey line to a point opposite HES 56+50 thereon; thence northeasterly to a point opposite HES 57+00 on said survey line and 65 feet westerly therefrom; thence northerly to a point opposite HES 58+50 on said survey line and 70 feet westerly therefrom; thence northerly to a point opposite HES 62+00 on said survey line and 52 feet westerly therefrom and the end of this line description;

EXCEPT portion conveyed to Seattle - Tacoma Power Co., a Washington corp., under Auditors File No. 403122.

(Affects SR 203, Vicinity NE 77th Street)

TRACT 2:

All that portion of the north half of the south half of Section 4, Township 25 North, Range 7 East, W.M., lying within a tract of land beginning at the southeast corner of said Section 4; thence north 51°36'10" west, 2,683 feet to the true point of beginning of said tract of land; thence south 62°51'56" west 380 feet to northeasterly right of way margin of the C.M. & St. P R/R;

thence north 32°47'34" west 706 feet along said margin;

thence north 89°56'6" east 348 feet;

thence south 67°15'6" east 125 feet;

thence south 17°13'5" west 88 feet;

thence south 27°10'27" east 154 feet;

Reviewed:

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Date: \_\_\_\_\_

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**QUITCLAIM DEED**  
(Conveyance of Development Rights)

EXHIBIT A  
(continued)

thence south 55°7'5" east 262 feet to the true point of beginning of said tract of land;  
TOGETHER WITH the land and stream (Harris Creek), if any, lying northerly and easterly of  
said Tract 2 and southerly and westerly of the center line of said stream and between the most  
southwesterly line and the most southeasterly line of said tract of land produced northwesterly  
and northeasterly, respectively.

(Affects King County Sundry Site Plans - Harris Creek Wetland Mitigation Area)

The lands herein described contain an area of 199,824 square feet of land, more or less, the  
specific details concerning all of which are to be found in those certain maps of definite location  
now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing  
dates of approval August 30, 1996 for SR 203, Vicinity NE 77th Street; and, September 22, 1995  
for King County Sundry Site Plans.

Reviewed:

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Date: \_\_\_\_\_