06/04/98 dms:C22 clerk 6/4/98

Introduced By:

LOUISE MILLER

Proposed No.:

98-361

ordinance no. 13217

AN ORDINANCE authorizing the condemnation of property for the Bryn Mawr System Improvement Project.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The council finds and declares as follows:

A. The council of the municipality of metropolitan Seattle amended the comprehensive water pollution abatement plan in November 1985 to provide secondary treatment and related wastewater collection to serve the municipality of metropolitan Seattle's service area population as required under state and federal law.

- B. The Bryn Mawr System Improvement Project is part of the King County department of natural resources (KCDNR) Transmission Facility Capital Improvement Program, Appropriation Number 10036. The purpose of the project is to eliminate sewage overflows into Lake Washington by expanding the capacity of the existing Bryn Mawr system.
- C. A state Environmental Policy Act (SEPA) determination of nonsignificance was issued on May 23, 1997 in compliance with SEPA, chapter 43.12C RCW, and the SEPA rules for the Bryn Mawr System Improvement Project.
- D. King County is authorized to acquire and condemn real property for public use, such as water pollution abatement, by chapter 8.08 RCW.
- E. The appropriated budget for the Bryn Mawr System Improvement Project provides for the acquisition of required property and property rights.

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- F. 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 property through negotiations.
- G. Pursuant to such applicable procedures, King County made written offers to purchase the property on April 27, 1998 and May 22, 1998. These offers have not been accepted.
- H. In order to acquire the property and property rights required to construct project elements, it is necessary for King County to condemn certain lands and property rights and rights in property for sewer facilities as hereinafter more particularly set forth.
- I. The public health, safety, necessity, convenience and welfare demand construction of the Bryn Mawr System Improvement Project improvements within King County in accordance with the appropriated budget and that certain properties, property rights and rights in property be condemned, appropriated, taken and damaged for the purpose of constructing the Bryn Mawr System Improvements Project as provided in this ordinance. Said property, property rights and rights in property include but are not limited to permanent easement(s) and temporary construction easement(s).

SECTION 2. The King County council has deemed it necessary and in the best interest of the citizens of King County that the lands 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 sewer facilities for the Bryn Mawr System Improvement Project, subject to the making or paying of just compensation to the owners herein in the manner provided by law.

SECTION 3. Condemnation proceedings are hereby authorized to acquire property and property rights and/or rights in property described in the attached Exhibit "A" for the purpose of the subject sewer facilities.

13217

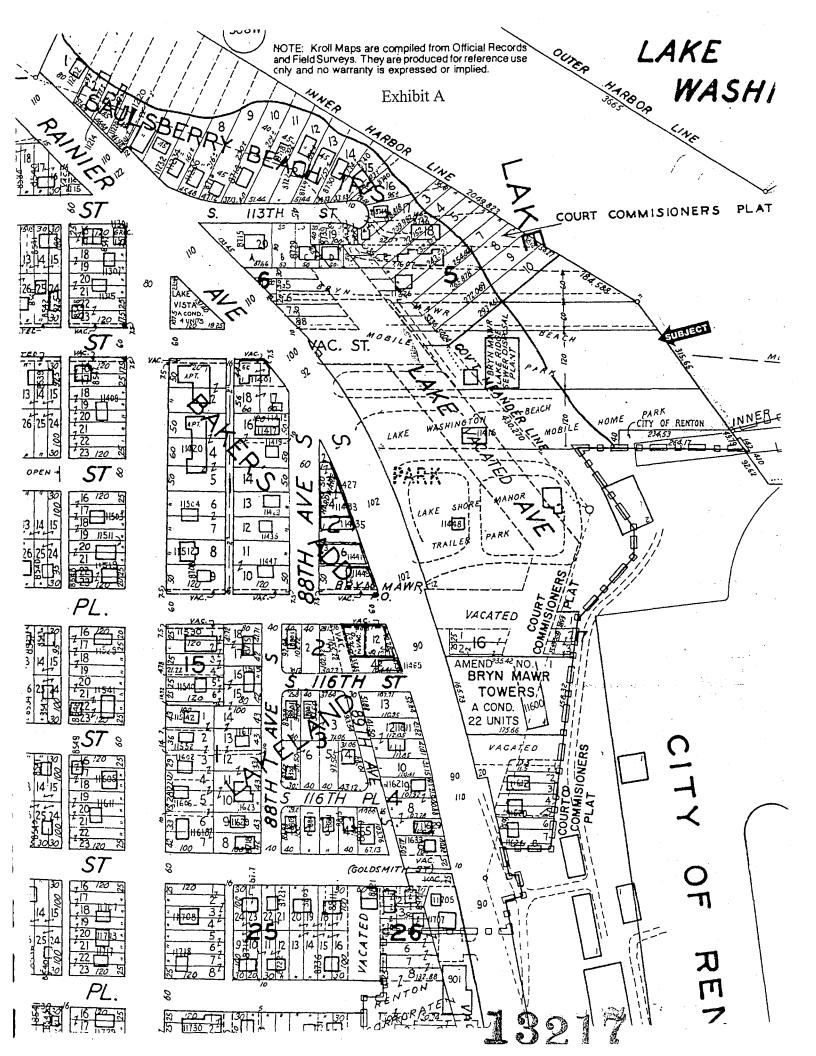
SECTION 4. The attorneys for King County are hereby authorized and directed to 1 2 begin to prosecute the proceedings provided by law to condemn, take, and appropriate the land and other property and property rights necessary to carry out the provisions of this 3 ordinance. 4 5 INTRODUCED AND READ for the first time this _____ day of 6 7 PASSED by a vote of // to O this /5 day of ____ 8 19 98 9 KING COUNTY COUNCIL 10 KING COUNTY, WASHINGTON 11 12 Chair 13 ATTEST: 14 15 Clerk of the Council 16 APPROVED this _____ day of _ 17 18 King County Executive 19 20 Attachments: A. Exhibit "A" 21

B. Exhibit "B"

C. Exhibit "C"

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BRYN MAWR SYSTEM IMPROVEMENTS PERMANENT & CONSTRUCTION EASEMENTS

COLACURCIO, JARRARD & SHAFFER COMBINED PARCEL

NORTHERLY OF RENTON AIRPORT AND EASTERLY OF RAINIER AVENUE SOUTH.

PERMANENT EASEMENT

ALL BEARINGS ARE REFERENCED TO THE GRID MERIDIAN OF THE WASHINGTON COORDINATE SYSTEM, NORTH ZONE, NAD 83(91).

A STRIP OF LAND IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 23 NORTH, RANGE 5 EAST IN KING COUNTY, WASHINGTON LYING EASTERLY OF RAINIER AVENUE SOUTH AND ABUTTING THE NORTHERLY LIMITS OF THE CITY OF RENTON, SAID STRIP OF LAND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK "A" AS SHOWN ON STATE OF WASHINGTON, COMMISSIONER OF PUBLIC LANDS, THIRD SUPPLEMENTAL MAP OF LAKE WASHINGTON SHORELANDS, RECORDED UNDER KING COUNTY RECORDING NO. 5927582, THENCE NORTH 33° 52′ 33" WEST ALONG THE WESTERLY LINE OF SAID BLOCK "A" A DISTANCE OF 92.62 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DEEDED TO THE CITY OF RENTON IN DOCUMENT RECORDED UNDER KING COUNTY RECORDING NO. 3871482; THENCE NORTH 87° 20' 01" WEST 264.17 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE CONTINUING NORTH 87º 20' 01" WEST ALONG THE NORTHERLY LINE OF THE CITY OF RENTON 64.53 FEET TO THE TRUE POINT OF BEGINNING OF HEREIN DESCRIBED STRIP OF LAND; THENCE NORTH 35° 48′ 35" WEST 65.74 FEET; THENCE NORTH 13° 18′ 33" WEST 230.09 FEET; THENCE NORTH 88° 18' 25" WEST 142.10 FEET; THENCE NORTH 01° 41' 35" EAST 9.50 FEET; THENCE NORTH 88° 18' 25" WEST 33.31 FEET; THENCE SOUTH 01° 41' 35" WEST 5.87 FEET; THENCE NORTH 88° 18' 25" WEST 18.08 FEET; THENCE NORTH 74° 26' 16" WEST 89.87 FEET; THENCE SOUTH 15° 33′ 44" WEST 15.00 FEET; THENCE SOUTH 74° 26′ 16" EAST 91.70 FEET; THENCE SOUTH 88° 18' 25" EAST 19.90 FEET; THENCE SOUTH 01° 41' 35" WEST 5.13 FEET; THENCE SOUTH 88° 18' 25" EAST 33.31 FEET; THENCE NORTH 01° 41' 35" EAST 1.50 FEET; THENCE SOUTH 88° 18' 25" EAST 130.59 FEET; THENCE SOUTH 13° 18′ 33" EAST 221.57 FEET; THENCE SOUTH 35° 48′ 35" EAST 56.80 FEET TO A POINT ON A LINE WHICH BEARS NORTH 87° 20' 01" WEST FROM THE TRUE POINT OF BEGINNING, SAID LINE ALSO BEING THE NORTHERLY LINE OF THE CITY OF RENTON: THÉNCE SOUTH 87º 20' 01" EAST 19.16 FEET TO THE TRUE POINT OF BEGINNING.

COLACURCIO, JARRARD & SHAFFER PARCEL PERMANENT AND CONSTRUCTION EASEMENTS PAGE 2

EXCEPT THAT PORTION LYING WITHIN THAT CERTAIN TEN FOOT WIDE STRIP OF LAND GRANTED AS A UTILITY EASEMENT FOR SEWER LINE TO THE MUNICIPALITY OF METROPOLITAN SEATTLE IN DOCUMENT RECORDED UNDER KING COUNTY RECORDING NO. 5447352.

CONTAINING 7,092 SQUARE FEET OR 0.163 ACRES, MORE OR LESS.

CONSTRUCTION EASEMENT

ALL BEARINGS ARE REFERENCED TO THE GRID MERIDIAN OF THE WASHINGTON COORDINATE SYSTEM, NORTH ZONE, NAD 83(91).

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 23 NORTH, RANGE 5 EAST IN KING COUNTY, WASHINGTON LYING EASTERLY OF RAINIER AVENUE SOUTH AND ABUTTING THE NORTHERLY LIMITS OF THE CITY OF RENTON, SAID STRIP OF LAND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK "A" AS SHOWN ON STATE OF WASHINGTON, COMMISSIONER OF PUBLIC LANDS, THIRD SUPPLEMENTAL MAP OF LAKE WASHINGTON SHORELANDS, RECORDED UNDER KING COUNTY RECORDING NO. 5927582, THENCE NORTH 33° 52′ 33" WEST ALONG THE WESTERLY LINE OF SAID BLOCK "A" A DISTANCE OF 92.62 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DEEDED TO THE CITY OF RENTON IN DOCUMENT RECORDED UNDER KING COUNTY RECORDING NO. 3871482; THENCE NORTH 87° 20′ 01" WEST 264.17 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL: THENCE CONTINUING NORTH 87º 20' 01" WEST ALONG THE NORTHERLY LINE OF THE CITY OF RENTON 54.95'FEET TO THE TRUE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT OF LAND; THENCE NORTH 35° 48′ 35" WEST 54.40 FEET; THENCE SOUTH 54° 11′ 25" WEST 5.00 FEET; THENCE NORTH 35° 48' 35" WEST 16.79 FEET: THENCE NORTH 13° 18' 33" WEST 251.53 FEET TO A POINT ON THE NORTH LINE OF THAT PARCEL OF LAND DESCRIBED IN STATUTORY WARRANTY DEED RECORDED UNDER KING COUNTY RECORDING NO. 8509030400; THÊNCE NORTH 87º 20' 21" WEST ALONG SAID NORTH LINE 314.43 FEET; THENCE SOUTH 02° 39' 39" WEST 15.96 FEET; THENCE SOUTH 74° 26' 16" EAST 140.51 FEET; THENCE SOUTH 88º 18' 25" EAST 120.24 FEET; THENCE SOUTH 13º 18' 33" EAST 115.60 FEET; THENCE NORTH 76° 41′ 27" EAST 47.50 FEET; THENCE SOUTH 13° 18′ 33" EAST 112.09 FEET; THENCE SOUTH 35° 48′ 35" EAST 20.79 FEET;

COLACURCIO, JARRARD & SHAFFER PARCEL PERMANENT AND CONSTRUCTION EASEMENTS PAGE 3

THENCE SOUTH 31° 30′ 22" EAST 32.67 FEET TO A POINT ON A LINE WHICH BEARS NORTH 87° 20′ 01" WEST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 87° 20′ 01" EAST 35.12 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PORTION OF THE PERMANENT EASEMENT AS DESCRIBED HEREIN.

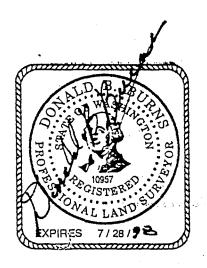
AND EXCEPT THAT PORTION LYING WITHIN THAT CERTAIN TEN FOOT WIDE STRIP OF LAND GRANTED AS A UTILITY EASEMENT FOR SEWER LINE TO THE MUNICIPALITY OF METROPOLITAN SEATTLE IN DOCUMENT RECORDED UNDER KING COUNTY RECORDING NO. 5447352.

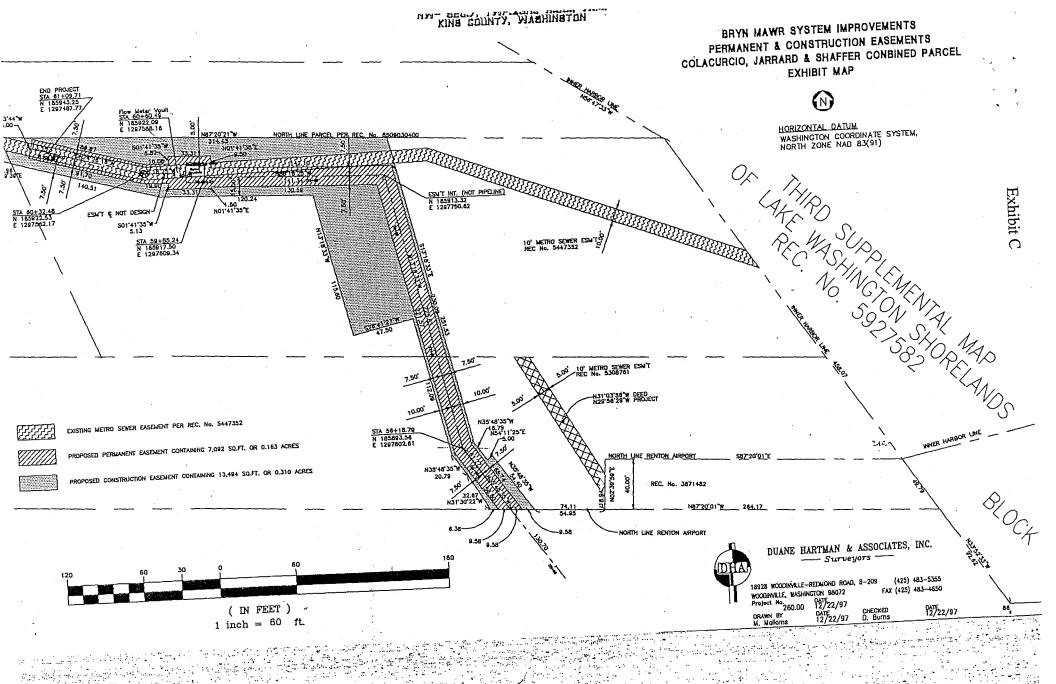
CONTAINING 13,494 SQUARE FEET OR 0.310 ACRES, MORE OR LESS.

Prepared By:

Duane Hartman & Associates, Inc. Job No.: 260.00 December 10, 1997

Easements Revised December 22, 1997





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