

11/30/77
AHB/cw

Introduced by GARY GRANT

Proposed No. 77-1153

ORDINANCE NO. 3565

1 AN ORDINANCE authorizing condemnation of certain
2 property for Sammamish River Park.

3 STATEMENT OF FACTS

4 1. The Board of County Commissioners of King County, by Resolution
5 No. 34571, dated December 18, 1967, found and declared that it is necessary
6 for the public welfare and the benefit of the residents of King County that
7 a site be acquired in King County for Sammamish River Park.

8 2. The voters of King County on February 13, 1968, authorized the
9 issuance of General Obligation Bonds to acquire and construct public parks
10 and recreation facilities within King County.

11 3. The Board of County Commissioners had, by Resolution No. 29912,
12 adopted a Ten Year Program for Open Space Acquisition, and by Resolution
13 No. 35155, dated April 8, 1968, the Board did amend said program to in-
14 clude all Forward Thrust acquisition proposals contained in Resolution No.
15 34571.

16 4. In order to implement said Amended Acquisition Plan, the King
17 County Parks Division prepared and submitted a Capital Improvement Pro-
18 gram, and on December 10, 1968, by Resolution No. 36420, the Board
19 approved said Improvement Program and authorized the Parks Division to
20 proceed with its implementation.

21 5. The Capital Improvement Program provides for the acquisition and
22 construction of Sammamish River Park.

23 6. Negotiations to acquire the subject property by purchase has
24 proved unsuccessful and it is therefore necessary that King County acquire
25 this property by condemnation.

26 7. The King County Council finds that the public health and welfare
27 demand the acquisition and construction of Sammamish River Park in accord-
28 ance with the Capital Improvement Program, and that certain property and
29 property rights be condemned, appropriated, taken and damaged as provided
30 in this ordinance.

31 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

32 SECTION 1. The King County Council has deemed it necessary and in
33 the best interests of the citizens of King County that the lands herein

1 described, and other property rights and/or rights in property be con-
 2 demned, appropriated, taken and damaged for the purpose of constructing
 3 and improving the Sammamish River Park, subject to the making or paying
 4 of just compensation to the owner thereof in the manner provided by law.

5 PARCEL I - PATCHETT/HARNECKER

6 Commencing at the East 1/4 corner of Section 11, Township 25
 7 North, Range 5 East, W.M.; thence North $56^{\circ}14'02''$ West
 8 1,877.18 ft. to the intersection of the northwesterly margin
 9 of State Aid Road No. 56 (Leary Way) and the southwesterly
 10 margin of the Sammamish River right of way and the true
 11 point of beginning; thence South $46^{\circ}14'28''$ West along the
 12 northwesterly margin of Leary Way, a distance of 60 ft.;
 13 thence North $43^{\circ}45'32''$ West 125.16 ft.; thence along a curve
 14 to the right, the center of which bears South $05^{\circ}02'35''$ West,
 15 having a radius of 258.3 ft., and an arc length of 140.52 ft.
 16 to the point of beginning.

12 PARCEL II - INTERCHANGE ASSOCIATES, a limited partnership

13 That portion of the SW 1/4 of the NW 1/4 in Section 9, Town-
 14 ship 26 North, Range 5 East, W.M., lying northerly of the
 15 centerline of the Sammamish River Channel, and being south-
 16 erly of Line No. 2 hereinafter described, and as shown on
 17 map of Primary State Highway No. 2 (SR 522) recorded in
 18 Volume 3 of Highway Plats on pages 161 and 162, under
 19 Auditor's File No. 6014779, records of King County, Washing-
 20 ton.

21 LINE NO. 2 - Beginning at a point 130 ft. distant southerly
 22 when measured at right angles from said PSH No. 2 Line Sur-
 23 vey at Station PSH 2 194+00; thence southwesterly and west-
 24 erly along a line which is 86 ft. distant northerly when
 25 measured at right angles and/or radially from the Sammamish
 26 River Channel centerline survey, all as shown on map recorded
 27 in Volume 3 of Highway Plats on pages 161 and 162, under
 28 Auditor's File No. 6014779, records of King County, Washing-
 29 ton to an intersection with Line No. 1, as designated on said
 30 map (being the southerly right of way margin of PSH No. 2
 31 (SR 522); EXCEPT that portion lying within the margins of
 32 PSH No. 2.

24 PARCEL III - BURLINGTON NORTHERN RAILROAD

25 A - (Seattle Belt Line) - That portion of the Northern Pacific
 26 Railroad right of way, Seattle Belt Line, in Section 9, Town-
 27 ship 26 North, Range 5 East, W.M., lying northeasterly of the
 28 Sammamish River and southwesterly of a line which is parallel
 29 and concentric with the centerline of the Sammamish River and
 30 70 ft. northeasterly therefrom.

31 B - (Sumas Branch) - That portion of the Northern Pacific
 32 Railway right of way, Sumas Branch, in Section 9, Township 26
 33 North, Range 5 East, W.M., lying northeasterly of the Sammam-
 ish River and southwesterly of a line which is parallel and
 concentric with the centerline of the Sammamish River and 90
 ft. northeasterly therefrom.

34 C - (North Bend Branch) - That portion of the Northern Pacific
 35 Railway right of way, North Bend Branch, in Sections 2 and 11,
 36 Township 25 North, Range 5 East, W.M., lying easterly of the
 37 Sammamish River and westerly of a line which is parallel and

concentric with the centerline of the Sammamish River and 90 ft. easterly therefrom.

PARCEL IV - CITY OF BOTHELL

That portion of SR 522, Bothell to Woodinville, in the East 1/2 of the SE 1/4 of the NW 1/4 of Section 8, Township 26 North, Range 5 East, W.M., lying westerly of the Sammamish River and easterly of a line which is parallel and concentric with and 160 feet southwesterly (measured radially) from the centerline of the Sammamish River.

PARCEL V - BOTHELL STATION DEVELOPMENT GROUP

A permanent easement for a recreational trail bridge, and public trail 10 ft. in total width, and a temporary construction easement 20 ft. in total width, over and across tax lot Nos. 7, 8, and 54, located in the North 1/2 of Section 8, Township 26 North, Range 5 East, W.M., King County, Washington. The location of said trail shall be within the boundaries as described in the following river protection easements recorded with King County: Tax Lots 7 and 54, Auditor's File No. 5662041, dated October 22, 1963, Volume 4472, Page 624. Tax Lot 8, Auditor's File No. 5441954, dated May 12, 1962, Volume 4288, page 619.

SECTION 2. The King County Council determines that condemnation proceedings are hereby authorized to acquire property and property rights and/or rights in property for the subject park project.

SECTION 3. The attorneys of King County be and they 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 27th day of December, 1977.

PASSED this 16th day of January, 1978.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Bernice Stern
Chairman

ATTEST:

Jessie M. Queen
DEPUTY Clerk of the Council

APPROVED this 17th day of January, 1978.

John D. Sellman
King County Executive