

ORDINANCE NO. 7266

AN ORDINANCE authorizing condemnation of property for 100th Avenue N.E. (N.E. 124th Street to N.E. 145th Street) R/W 2041.

STATEMENT OF FACTS

1. The King County council on November 26, 1984, by Ordinance No. 7027, did adopt the 1985 Budget and Program and did provide therein for a Transportation Program.

2. The King County Transportation Program provides for the County Road System Development and Improvement Program coordinating the kind of road with other elements of the larger transportation system, abutting land uses and business, industry, government and residential processes.

3. The Capital Budget and Program provides for the acquisition and construction of 100th Avenue N.E. (N.E. 124th Street to N.E. 145th Street).

4. In order to acquire the property and property rights required to lay out and construct 100th Avenue N.E. (N.E. 124th Street to N.E. 145th Street), it is necessary for King County to condemn certain lands and property rights and rights in property for road purposes and hereinafter more particularly set forth.

5. The King County council finds that the public health, safety, necessity and convenience demands that 100th Avenue N.E. (N.E. 124th Street to N.E. 145th Street) be constructed within King County in accordance with the Capital Budget and Program, and that certain properties, property rights and rights in property be condemned, appropriated, taken and damaged for the purpose of constructing 100th Avenue N.E. (N.E. 124th Street to N.E. 145th Street), as provided in this ordinance.

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 constructing 100th Avenue N.E. (N.E. 124th Street to N.E. 145th Street), subject to the making or paying of just compensation to the owners hereof in the manner provided by law.

WARRANTY DEEDS

Ronald J. Cobb - Parcel 1

The East 10 feet of the West 140 feet of the East 180 feet of the North 198 feet of the South 528 feet of the Northeast 1/4 of Section 30, Township 26 North, Range 5 East, W.M., King County, Washington.

Contains an area of 1,980 sq. ft., or 0.045 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Joe W. Penner - Parcel 3

The East 10 feet of the West 50 feet of the South 83 feet of the West 258 feet of the North 210 feet of the South 450 feet of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 29, Township 26 North, Range 5 East, W.M., King County, Washington.

Contains an area of 830 sq. ft., or 0.019 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Administrator of Veterans Affairs - Parcel 4

The East 10 feet of the West 50 feet of the North 127 feet of the West 258 feet of the South 450 feet of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 29, Township 26 North, Range 5 East, W.M., King County, Washington.

Contains an area of 1,270 sq. ft. or 0.029 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Floyd L. Newland - Parcel 7

The East 20 feet of that portion of the Southeast 1/4 of the Northeast 1/4 of Section 30, Township 26 North, Range 5 East, W.M., King County, Washington, described as follows:

BEGINNING, on the West line of county road, at a point 30.00 feet West and 906.63 feet North of the Southeast corner of said subdivision;
 THENCE North, along said road line, 84.00 feet;
 THENCE West, parallel with the South line of said subdivision, 624.00 feet;
 THENCE South 84.00 feet;
 THENCE East 624.00 feet to the Point of Beginning.

Contains an area of 1,680 sq. ft., or 0.039 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

WARRANTY DEEDS

Mottner - Parcel 8

The East 20 feet of Lot 1 of Short Plat No. 778012 as recorded under Auditor's File No. 7905300956, being a Short Plat of the East 330.00 feet of the Southerly 200 feet of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 30, Township 26 North, Range 5 East, W.M., King County, Washington.

Contains an area of 2,000 sq. ft., or 0.046 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

James N. Bergeron - Parcel 9

The East 20 feet of Lot 2 of Short Plat No. 778012 as recorded under Auditor's File No. 7905300956 being a portion of:

The Easterly 330.00 feet of the Southerly 200.00 feet of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 30, Township 26 North, Range 5 East, W.M., King County Washington; EXCEPT the East 30.00 feet conveyed to King County for streets, recorded under Auditor's File No. 1107054; AND TOGETHER WITH Tract "C," Brookhaven No. 2, according to the plat recorded in Volume 91 of Plats, pages 9 and 10, in King County, Washington.

Contains an area of 2,000 sq. ft., or 0.046 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Donald V. Norine - Parcel 10

The West 20 feet of the following described property:

The North 210 feet of the South 1,080 feet of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 29, Township 26 North, Range 5 East, W.M., King County, Washington; EXCEPT the East 190 feet thereof; AND EXCEPT the West 30 feet thereof condemned in King County Superior Court Cause No. 122015 for street purposes.

Contains an area of 4,200 sq. ft., or 0.096 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

WARRANTY DEEDS

Arthur R. Baier - Parcel 18

The West 20 feet of the East 50 feet of the South 44 feet of the North 1/2 of the North 10 acres of the Southeast 1/4 of the Southeast 1/4 of Section 19, Township 26 North, Range 5 East, W.M., King County, Washington.

Contains an area of 880 sq. ft., or 0.02 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Ervin R. Baier - Parcel 19

The West 20 feet of the East 50 feet of the North 5 acres of the Southeast 1/4 of the Southeast 1/4 of Section 19, Township 26 North, Range 5 East, W.M., King County, Washington;
EXCEPT the South 44 feet;
AND EXCEPT the South 30 feet of the north 75.775 feet thereof.

Contains an area of 1,830 sq. ft., or 0.042 acres, M/L

TOGETHER WITH all right, title, and interest in and to the concrete block service station and garage building on the remainder of the Grantor's lands described as the East 50 feet of the North 5 acres of the Southeast 1/4 of the Southeast 1/4 of Section 19 Township 26 North, Range 5 East, W.M., King County, Washington;
EXCEPT the South 44 feet;
AND EXCEPT the South 30 feet of the north 75.775 feet thereof;
AND as illustrated on the attached Exhibit "A";
ALSO the right to enter upon the said remaining lands of the Grantor in order to demolish the said building, and restore the surface of said lands to a safe condition.

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Ervin R. Baier - Parcel 20

The West 20 feet of the East 50 feet of the North 5 acres of the Southeast 1/4 of the Southeast 1/4 of Section 19, Township 26 North, Range 5 East, W.M., King County, Washington;
EXCEPT the North 45.775 feet;
AND EXCEPT the South 89.69 feet.

Contains an area of 600 sq. ft., or 0.014 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

WARRANTY DEEDS

Robert L. Shelts - Parcel 21

The West 20 feet of the South 20 feet of the East 50 feet of the South 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 19, Township 26 North, Range 5 East, W.M., King County, Washington.

Contains an area of 400 sq. ft., or 0.009 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Malia Reed - Parcel 23

The East 20 feet of the West 50 feet of the South 89 feet of the North 236 feet of that portion of the Southwest 1/4 of the Southwest 1/4 of Section 20, Township 26 North, Range 5 East, W.M., King County, Washington, lying Westerly of Juanita-Woodinville Way Northeast.

Contains an area of 1,780 sq. ft., or 0.041 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Malia Reed - Parcel 24

The West 20 feet of the following:

The South 200 feet of the North 236 feet of that portion of the Southwest 1/4 of the Southwest 1/4 of Section 20, Township 26 North, Range 5 East, W.M., King County, Washington, lying Westerly of Juanita-Woodinville Way Northeast;

EXCEPT the South 89 feet thereof;

AND EXCEPT the West 30 feet for road.

Contains an area of 2,220 sq. ft., or 0.051 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Martin J. Manhoff - Parcel 25

The West 20 feet of Lot 1 of King County Short Plat No 1075063 recorded under Auditor's File Nos. 7604060516 and 7704281059 (revised) being a portion of Southwest 1/4 of Section 20, Township 26 North, Range 5 East, W.M., King County, Washington.

Contains an area of 2,960 sq. ft., or 0.068 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

WARRANTY DEEDS

Herbert Schlansky - Parcel 27

The East 20 feet of the West 50 feet of the South 165 feet of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 20, Township 26 North, Range 5 East, W.M., King County, Washington.

Contains an area of 3,300 sq. ft., or 0.076 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Frances O. McCutcheon - Parcel 28

The Westerly 20 feet of Lot 1 of Short Plat No. 279034 recorded under Auditor's File No. 7907021067, records of King County, Washington, being a portion of:

The North 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 20, Township 26 North, Range 5 East, W.M., King County, Washington;
EXCEPT the West 30 feet conveyed to King County by deed recorded under Auditor's File No. 347151, now known as 100th Avenue N.E.;
AND EXCEPT the South 165 feet of the West 250 feet thereof lying East of 100th Avenue N.E.

Contains an area of 3,318 sq. ft., or 0.076 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

John R. Tomkins - Parcel 29

That portion of Lot 1, Poplar Lane, Volume 80 of Plats, page 7, in King County, Washington, lying Southeasterly of an arc of a circle, having a radius of 25 feet, tangent to the northerly right-of-way line of N.E. 139th Street and also tangent to a line parallel with and 50 feet Westerly of the centerline of 100th Avenue N.E.

Contains an area of 116 sq. ft., or 0.003 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

WARRANTY DEEDS

Texaco, Inc. - Parcel 30

That portion of the following described Tract "X" lying Southeasterly of an arc of a circle, of 20 foot radius, tangent to the Northerly margin of N.E. 137th Street and also tangent to the Westerly margin of 100th Avenue N.E.

TRACT "X"

That portion of the Southeast 1/4 of Section 19, Township 26 North, Range 5 East, W.M., King County, Washington, described as follows:

Commencing at the intersection of the centerline of N.E. 137th Street with the centerline of 100th Avenue N.E.; Thence North 88°17'04" West, along the centerline of said 137th Street, 50.00 Feet; Thence North 0°45'11" East, parallel with the East line of said subdivision, 28.00 feet to the North margin of said N.E. 137th Street and the True Point of Beginning; Thence North 88°17'04" West, along said North margin, 150.00 feet; Thence North 0°45'11" East 165.00 feet; Thence South 88°17'04" East 150.00 feet to the West margin of said 100th Avenue N.E.; Thence South 0°45'11" West, along said West margin, 165.00 feet to the True Point of Beginning.

Contains an area of 90 Sq. Ft., or 0.002 Acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

Lake Washington School District No. 414 - Parcel 31

That portion of the North 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 26 North, Range 5 East, W.M., King County, Washington, lying Northeasterly of an arc of a circle, having a radius of 25 feet, which is tangent to the Southerly right-of-way line of N.E. 132nd Street and also tangent to the Westerly right-of-way line of 100th Avenue N.E.;

EXCEPT the North 30.00 feet thereof (within N.E. 132nd Street);
ALSO EXCEPT that portion within 100th Avenue N.E. (the East 50 feet thereof.)

Contains an area of 134 sq. ft., or 0.003 acres, M/L

Together with the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes.

SLOPE EASEMENTS

Ronald J. Cobb - Parcel 1A

The West 140 feet of the East 180 feet of the North 198 feet of the South 528 feet of the Northeast 1/4 of Section 30, Township 26 North, Range 5 East, W.M., King County, Washington.

To make slopes on the said property for cuts and fills, as follows:

A strip of land, lying Westerly of and adjoining a line 50 feet Westerly of and parallel with the centerline of 100th Avenue N.E., described as follows: BEGINNING at zero feet in width opposite Engineer's Station 4+75; THENCE increasing to 6 feet in width opposite Engineer's Station 5+00; THENCE increasing to 9 feet in width at the North line of the above described parcel as surveyed by King County Survey No. 30-26-5-33.

Contains an area of 285 sq. ft., or 0.006 acres, M/L

James N. Bergeron - Parcel 9A

Lot 2 of Short Plat No. 778012 as recorded under Auditor's File No. 7905300956 being a portion of: The Easterly 330.00 feet of the Southerly 200.00 feet of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 30, Township 26 North, Range 5 East, W.M., King County, Washington; EXCEPT the East 50.00 feet conveyed to King County for streets; AND TOGETHER WITH Tract "C" Brookhaven No. 2, according to the plat recorded in Volume 91 of Plats, pages 9 and 10, in King County, Washington.

To make slopes on the said property for cuts and fills, as follows:

A strip of land, lying Westerly of and adjoining a line 50 feet Westerly of and parallel with the centerline of 100th Avenue N.E., described as follows: The East 3 feet of the North 75 feet of the above described parcel.

Contains an area of 225 sq. ft., or 0.005 acres, M/L

TEMPORARY CONSTRUCTION EASEMENT

University Federal Savings and Loan - Parcel 22

The East 200 feet of the North 210 feet of the South 396.41 feet of the Northeast 1/4 of the Southeast 1/4 of Section 19, Township 26 North, Range 5 East, W.M., King County, Washington; EXCEPT the North 60 feet thereof; EXCEPT that portion deeded to King County for road under Auditor's File No. 377464; and EXCEPT that portion deeded to said county for road under Auditor's File No. 8503151037.

The South 15 feet of the North 30 feet of the East 8 feet of the above described parcel.

Contains an area of 120 Sq. Ft., or 0.003 Acres, M/L

1 SECTION 2. The King County council determined that condemnation
2 proceedings are hereby authorized to acquire property and property rights
3 and/or rights in property, together with the right to construct and
4 maintain slopes for cuts and fills on certain abutting property described
5 herein, for the purpose of the subject road improvement.

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

10 INTRODUCTION AND READ for the first time this 1st day of

11 July, 1985.

12 PASSED this 15th day of July, 1985.

13 KING COUNTY COUNCIL
14 KING COUNTY, WASHINGTON

15 Gary Grant
16 Chairman

16 ATTEST:

17
18 Janet M. Owens
19 Clerk of the Council

20 APPROVED this 19th day of July, 1985.

21
22 Randy R. Williams
23 King County Executive