

ORDINANCE NO. 7296

AN ORDINANCE authorizing condemnation of property for Petrovitsky Road, Phase II, Right-of-Way 2077A.

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 Petrovitsky Road, Phase II.

4. In order to acquire the property and property rights required to lay out and construct Petrovitsky Road, Phase II, 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 Petrovitsky Road, Phase II 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 Petrovitsky Road, Phase II, 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 Petrovitsky Road, Phase II, subject to the making or paying of just compensation to the owners hereof in the manner provided by law.

WARRANTY DEEDS

Michael Alcayaga - Parcel 3

The South 268.55 feet as measured at right angles of Lot 15 in Block 1 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98, records of King County, Washington.

All that portion of the above described tract of land lying Southerly of a line 42 feet Northerly of and parallel to the centerline of Petrovitsky Road as surveyed by King County Survey No. 29-23-5-15.

Contains an area of 1,984 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.

Michael A. Marinelli - Parcel 10

Lot 11, in Block 1 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98, records of King County, Washington; EXCEPT the North 892 feet thereof.

All that portion of the above described Tract of land lying Southerly of a line 42 feet Northerly of and parallel to the centerline of Petrovitsky Road as surveyed by King County Survey No. 29-23-5-15.

Contains an an area of 1,998 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.

Richard Grant - Parcel 11

That portion of the West 90 feet of the East 973.20 feet of the Southeast 1/4 of the Southwest 1/4 of Section 28, Township 23 North, Range 5 East, W.M., lying South of Petrovitsky Road, King County, Washington.

All that portion of the above described Tract of land lying Northerly of a line 42 feet Southerly of and parallel to the centerline of Petrovitsky Road as surveyed by King County Survey No. 29-23-5-15.

Contains an area of 1,080 sq. ft., or 0.025 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

Ray C. Greninger - Parcel 12

The Westerly 70 feet of that portion of the Southeast 1/4 of the Southwest 1/4 of Section 28, Township 23 North, Range 5 East, W.M., King County, Washington, lying Southerly of Petrovitsky Road, West of a line 654.72 feet East of the West Line and East of a line 883.20 feet West of the East line.

All that portion of the above described Tract of land lying Northerly of a line 42 feet Southerly of and parallel to the centerline of Petrovitsky Road as surveyed by King County Survey No. 29-23-5-15.

Contains an area of 840 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.

Gene L. Erwin - Parcel 15

The East 673 feet of that portion of the Southeast 1/4 of the Southwest 1/4 of Section 28, Township 23 North, Range 5 East, W.M., King County, Washington, lying Southerly of Southeast 176th Street (formerly Petrovitsky Road); EXCEPT the East 430 feet thereof.

All that portion of the above described Tract of land lying Northerly of a line 42 feet Southerly of and parallel to the centerline of Petrovitsky Road as surveyed by King County Survey No. 29-23-5-15.

Contains an area of 2,916 sq. ft. or 0.063 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.

Stanley W. Moe - Parcel 16

The South 260 feet of the West 135.25 feet as measured along the West line thereof, of Lot 10 in Block 1 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98, records of King County, Washington.

All that portion of the above described tract of land lying Southerly of a line 42 feet Northerly of and parallel to the centerline of Petrovitsky Road as surveyed by King County Survey No. 29-23-5-15.

Contains an area of 1,623 sq. ft., or 0.037 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

Carlo V. Spatari - Parcel 20

The East 100 feet of the West 330 feet of the East 673 feet of that portion of the Southeast 1/4 of the Southwest 1/4 of Section 28, Township 23 North, Range 5 East, W.M., lying Southerly of Southeast 176th Street (formerly known as Petrovitsky Road), King County, Washington.

All that portion of the above described tract of land lying Northerly of a line 42 feet Southerly of and parallel to the centerline of Petrovitsky Road as surveyed by King County Survey No. 29-23-5-15.

Contains an area of 1,200 sq. ft., or 0.028 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.

Jakob Huber - Parcel 21

The West 173 feet of the East 343 feet of that portion of the Southeast 1/4 of the Southwest 1/4 of Section 28, Township 23 North, Range 5 East, W.M., King County, Washington, lying Southerly of S.E. 176th Street (formerly Petrovitsky Road).

All that portion of the above described Tract of land lying Northerly of a line 42 feet Southerly of a parallel to the centerline of Petrovitsky Road as surveyed by King County survey No. 29-23-5-15.

Contains an area of 2,076 sq. ft., or 0.048 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.

Richard T. & Donna M. Byrd - Parcel 23

Lot 8 in Block 2 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98, records of King County, Washington.

The Northerly 12 feet of the above described parcel of land.

Contains an area of 3,575sq. ft., or 0.077 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

Thomas Bentley - Parcel 26

Lot 6 in Block 1 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98, records of King County, Washington.

The Southerly 12 feet of the above described parcel of land.

Contains an area of 2,123 sq. ft., or 0.049 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.

Laraine Fugate - Parcel 28

Lot 7 in Block 2 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98, records of King County, Washington.

The Northerly 12 feet of the above described parcel of land.

Contains an area of 2,573 sq. ft., or 0.059 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.

Merle Fugate - Parcel 29

Lot 6 in Block 2 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98, records of King County, Washington.

The Northerly 12 feet of the above described parcel of land.

Contains an area of 1,801 sq. ft., or 0.04 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.

Marjorie M. King - Parcel 31

The North 375 feet of Lot 5 in Block 1 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98, records of King County, Washington;

TOGETHER WITH the East 15 feet of that portion of said Lot 5 lying South of the North 375 feet thereof;

The Southerly 12 feet of the above described parcel of land.

Contains an area of 180 sq. ft., or 0.004 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

Ida M. Tillman - Parcel 36

Lot 4 in Block 2 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98; records of King County, Washington.

The Northerly 12 feet of the above described parcel of land.

Contains an area of 1,738 sq. ft., or 0.04 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.

Jakob Huber - Parcel 37

Lot 3 in Block 2 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98, records of King County, Washington.

The Northerly 12 feet of the above described parcel of land.

Contains an area of 1,685 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.

Merle J. Fugate - Parcel 38

Lot 2 in Block 2 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98, records of King County, Washington.

The Northerly 12 feet of the above described parcel of land.

Contains an area of 1,720 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.

Albert J. Huber - Parcel 45

Lot 1 in Block 2 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98, records of King County, Washington

The Northerly 12 feet of the above described parcel of land.

Contains an area of 1,760 sq. ft., or 0.04 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

Gene L. Erwin - Parcel 15A

The East 673 feet of that portion of the Southeast 1/4 of the Southwest 1/4 of Section 28, Township 23 North, Range 5 East, W.M., King County, Washington, lying Southerly of Southeast 176th Street (formerly Petrovitsky Road);
EXCEPT the East 430 feet thereof.

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

A strip of land, lying Southerly of and adjacent to a line 42 feet Southerly of and parallel to the centerline of Petrovitsky Road; said strip being described as follows:

BEGINNING at the West line of above described parcel of land at 7 feet in width;
THENCE increasing to 10 feet in width opposite Engineer's Station 46+50;
THENCE decreasing to zero feet in width opposite Engineer's Station 47+10.

Contains an area of 435 sq. ft., M/L

Jakob Huber - Parcel 21A

The West 173 feet of the East 343 feet of that portion of the Southeast 1/4 of the Southwest 1/4 of Section 28, Township 23 North, Range 5 East, W.M., King County, Washington, lying Southerly of S.E. 176th Street (formerly Petrovitsky Road).

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

A strip of land, lying Southerly of and adjacent to a line 42 feet Southerly of and parallel to the centerline of Petrovitsky Road; said strip being described as follows:

BEGINNING at the West line of above described parcel of land at zero feet in width;
THENCE increasing to 2 feet in width opposite Engineers Station 50+00;
THENCE increasing to 7 feet in width opposite Engineer's Station 50+50;
THENCE continuing to 7 feet in width opposite Engineer's Station 51+00;
THENCE decreasing to 3 feet in width at the East line of above described parcel of land.

Contains an area of 795 sq. ft., M/L

Richard T. & Donna M. Byrd - Parcel 23A

Lot 8 in Block 2 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98, records of King County, Washington;

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

A strip of land, lying Southerly of and adjacent to a line 42 feet Southerly of and parallel to the centerline of Petrovitsky Road; said strip being described as follows:

BEGINNING at the West line of the above described parcel of land at 10 feet in width;
THENCE continuing to 10 feet in width opposite Engineer's Station 54+00;
THENCE decreasing to 3 feet in width opposite Engineer's Station 54+55;

Contains an area of 1,290 sq. ft., M/L

SLOPE EASEMENTS

Laraine Fugate - Parcel 28A

Lot 7 in Block 2 of Benson Heights, as per plat recorded in Volume 48 of Plats, on page 98, records of King County, Washington.

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

A strip of land, lying Southerly of and adjacent to a line 42 feet Southerly of and parallel to the centerline of Petrovitsky Road; said strip being described as follows:

BEGINNING at the west line of the above described parcel of land at 4 feet in width;
THENCE continuing at 4 feet in width opposite Engineer's Station 56+00;
THENCE decreasing to zero feet in width opposite Engineer's Station 56+50;

Contains an area of 150 sq. ft., M/L

Jakob Huber - Parcel 37B

Lot 3, Block 2, Benson Heights, Volume 48 of Plats, page 98, records of King County, Washington.

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

The Northerly 8 feet of the Easterly 70 feet of that portion of the above described parcel lying Southerly of a line 42 feet Southerly of and parallel with the centerline of S.E. Petrovitsky Road.

Contains an area of 560 sq. ft., or 0.013 acres, M/L

Merle J. Fugate - Parcel 38A

Lot 2, Block 2, Benson Heights, Volume 48 of Plats, page 98, records of King County, Washington.

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

A strip of land, lying Southerly of and adjoining a line 42 feet Southerly of and parallel with the centerline of Petrovitsky Road, described as follows:

BEGINNING at the west line of said Lot 2 at 8 feet in width;
THENCE continuing at 8 feet in width opposite Engineer's Station 64+50;
THENCE increasing to 11 feet in width opposite Engineer's Station 65+00;
THENCE increasing to 17 feet in width at the East line of said Lot 2.

Contains an area of 1,670 sq. ft., or 0.038 acres, M/L

SLOPE EASEMENTS

Albert J. Huber - Parcel 45A

Lot 1, Block 2, Benson Heights, Volume 48 of Plats, page 98, records of King County, Washington.

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

A strip of land, lying Southerly of and adjoining a line 42 feet Southerly of and parallel with the centerline of Petrovitsky Road, described as follows:

BEGINNING at the West line of said Lot 1 at 18 feet in width;
 THENCE increasing to 19 feet in width opposite Engineer's Station 66+00;
 THENCE decreasing to 16 feet in width opposite Engineer's Station 66+50;
 THENCE increasing to 23 feet in width at the East line of said Lot 1.

Contains an area of 2,740 sq. ft., or 0.063 acres, M/L

Metroland Dev., Inc. & N. Fiorito Co., Inc. - Parcel 51

That portion of the Southwest 1/4 of Section 27, Township 23 North, Range 5 East, W.M., King County, Washington, lying South of John Petrovitsky Road, as conveyed to King County by deed recorded under Recording No. 6267569; EXCEPT the East 250 feet thereof; AND EXCEPT the West 367.09 feet thereof;

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

A strip of land, lying Southerly of and adjacent to a line 42 feet Southerly of and parallel to the centerline of Petrovitsky Road; said strip being described as follows:

BEGINNING at zero feet in width opposite Engineer's Station 91+75;
 THENCE increasing to 5 feet in width opposite Engineer's Station 92+00;
 THENCE continuing to 5 feet in width opposite Engineer's Station 95+00;
 THENCE decreasing to zero feet in width opposite Engineer's Station 95+25;
 THENCE continuing to zero feet in width opposite Engineer's Station 98+25;
 THENCE increasing to 8 feet in width opposite Engineer's Station 99+00;
 THENCE decreasing to zero feet in width opposite Engineer's Station 100+00;

Contains an area of 2,325 sq. ft., M/L

Tao Sang Brainerd Shiu - Parcel 55

Lot 41 of Fairwood Park Division No. 2, as per Plat recorded in Volume '80 of Plats, on page 33, records of King County, Washington.

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

A strip of land, lying Northerly of and adjacent to a line 42 feet Northerly of and parallel to the centerline of Petrovitsky Road, said strip being described as follows:

BEGINNING at the West line of the above described parcel of land at 5 feet in width;
 THENCE decreasing to 4 feet in width opposite Engineer's Station 98+50;
 THENCE decreasing to zero feet in width opposite Engineer's Station 98+75.

Contains an area of 135 sq. ft., M/L

SLOPE EASEMENTS

Puget Power & Light Co. - Parcel 61B

That portion of the Southwest 1/4 of the Southeast 1/4 of Section 27, Township 23 North, Range 5 East, W.M., King County, Washington, lying Southerly of John Petrovitsky Road;
TOGETHER WITH that portion, if any, of vacated John Petrovitsky Road adjoining, which, upon vacation, attached to said property by operation of law;

EXCEPT the West 30 feet for 140th Avenue S.E.

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

A strip of land, lying Southerly of and adjoining a line 42 feet Southerly of and parallel with the centerline of Petrovitsky Road, described as follows:

BEGINNING at zero feet in width at the West line of said parcel;
THENCE increasing to 8 feet in width opposite Engineer's Station 109+00;
THENCE decreasing to 7 feet in width opposite Engineer's Station 109+50;
THENCE continuing at 7 feet in width opposite Engineer's Station 110+50;
THENCE increasing to 10 feet in width opposite Engineer's Station 111+00;
THENCE decreasing to 7 feet in width opposite Engineer's Station 111+50;
THENCE decreasing to 5 feet in width opposite Engineer's Station 112+50;
THENCE decreasing to zero feet in width opposite Engineer's Station 113+00;

Contains an area of 2,800 sq. ft., or 0.064 acres, M/L

DRAINAGE EASEMENTS

Gene L. Erwin - Parcel 15BTRACT X

The East 673 feet of that portion of the Southeast 1/4 of the Southwest 1/4 of Section 28, Township 23 North, Range 5 East, W.M., King County, Washington, lying Southerly of Southeast 176th Street (formerly Petrovitsky Road);

EXCEPT the East 430 feet thereof.

DRAINAGE EASEMENT:

A rectangular strip of land 50 feet long and 20 feet wide within Tract X, lying Southerly of and adjacent to a line 42 feet Southerly of and parallel to the centerline of Petrovitsky Road; said strip being centered at Engineer's Station 47+55, 67 feet right.

Contains an area of 1,000 sq. ft., M/L

TOGETHER with the right at such time as may be necessary, to enter upon said property for the purpose of repairing said drainage facility.

ALSO, reasonable strip for temporary construction easement.

DRAINAGE EASEMENTS

1
2 Merle Fugate - Parcel 29B

3 TRACT X

4 Lot 6 in Block 2 of Benson Heights, as per plat recorded in Volume 48 of
5 Plats, on page 98, records of King County, Washington.

6 DRAINAGE EASEMENT:

7 A rectangular strip 15 feet long and 15 feet wide within Tract X, lying
8 Southerly of and adjacent to a line 42 feet South of and parallel to the
9 centerline of Petrovitsky Road, said strip being centered at Station 59+08,
10 49.5 feet right.

11 Contains an area of 225 sq. ft., M/L

12 TOGETHER with the right at such time as may be necessary, to enter upon
13 said property for the purpose of repairing said drainage facility.

14 ALSO, reasonable strip for Temporary Construction Easement.

15 Marjorie M. King - Parcel 31A

16 TRACT X

17 The North 375 feet of Lot 5 in Block 1 of Benson Heights, as per plat
18 recorded in Volume 48 of Plats, on page 98, records of King County,
19 Washington;
20 TOGETHER WITH the East 15 feet of that portion of said Lot 5 lying South of
21 the North 375 feet thereof;

22 DRAINAGE EASEMENT:

23 The Southerly 10 feet of Tract X, lying Northerly of and adjacent to a line
24 42 feet Northerly of and parallel to the centerline of Petrovitsky Road.

25 Contains an area of 150 sq. ft., M/L

26 TOGETHER with the right at such time as may be necessary, to enter upon
27 said property for the purpose of repairing said drainage facility.

28 Mario Segale - Parcel 50A

29 TRACT "X"

30 That portion of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4
31 of Section 27, Township 23 North, Range 5 East, W.M., King County,
32 Washington, described as follows:

33 BEGINNING at the Southwest corner of said Section 27;
THENCE North 02°34'20" East, along the West line of said Section, 401.14
feet to a point on the Southerly margin of S.E. Petrovitsky Road;
THENCE North 69°11'18" East, along said Southerly margin, 399.94 feet;
THENCE South 02°34'20" West parallel with the West line of said Section 27,
548.17 feet to a point on the South line thereof;
THENCE North 89°15'14" West, along said South line, 367.28 feet to the
Point of Beginning.

DRAINAGE EASEMENTS

DRAINAGE EASEMENT:

A strip of land within Tract "X," lying Southerly of and adjoining the Southerly right-of-way line of Petrovitsky Road, described as follows:

BEGINNING at the West line of said Tract at 25 feet in width; THENCE continuing at 25 feet in width opposite Engineer's Station 82+00; THENCE decreasing to 15 feet in width opposite Engineer's Station 82+50; THENCE continuing at 15 feet in width to the East line of said Tract.

Contains an area of 7,800 sq. ft., or 0.179 acres, M/L

TOGETHER with the right at such time as may be necessary, to enter upon said property for the purpose of repairing said drainage facility.

Metroland Dev. Inc. & N. Fiorito Co., Inc. - Parcel 51A

TRACT X

That portion of the Southwest 1/4 of Section 27, Township 23 North, Range 5 East, W.M., King County, Washington, lying South of John Petrovitsky Road, as conveyed to King County by deed recorded under Recording No. 6267569; EXCEPT the East 250 feet thereof; AND EXCEPT the West 367.09 feet thereof;

DRAINAGE EASEMENT:

Three square strips of land within Tract X, 30 feet; 20 feet and 20 feet wide on each side respectively, lying Southerly of and adjacent to the Southerly right-of-way line of Petrovitsky Road centered at Engineer's Station 91+00, 65 feet right, Engineer's Station 93+25, 60 feet right and Engineer's Station 99+20, 60 feet right, respectively.

Contains an area of 1,700 sq. ft., M/L

TOGETHER with the right at such time as may be necessary, to enter upon said property for the purpose of repairing said drainage facility.

INTRODUCED AND READ for the first time this 15th day of

July, 1985.

PASSED this 29th day of July, 1985.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Darryl Grant
Chairman

ATTEST:

Dorothy M. Owens
Clerk of the Council

APPROVED this 9th day of August, 1985.

Randy Ruelle
King County Executive