

June 16, 1987
2091B/MMcF:ple

Introduced by: Audrey Gruger

Proposed No.: 87-434

ORDINANCE NO. 18122

AN ORDINANCE authorizing condemnation of property for the acquisition and construction of the Burke Gilman/Sammamish River Trail Link (Kenmore to Bothell - "Missing Link").

FINDINGS OF FACT:

1. The King County council on November 24, 1986 by Ordinance No. 7864, did adopt the 1987 budget and program for King County and did provide therein for the Capital Budget and Program which included the Capital Improvement Program.

2. The King County Bicycle Facilities Plan and the Northshore Community Plan call for the acquisition of lands for a trail called the Burke Gilman/Sammamish River Trail Link, also known as the "Missing Link", from Kenmore to Bothell.

3. The King County Capital Improvement Program provides for implementation of the King County Bicycle Facilities Plan and the Northshore Community Plan by funding acquisition of the "Missing Link."

4. Bicycle and pedestrian traffic between the Burke Gilman and Sammamish River Trails are now required, in the absence of the needed "Missing Link", to travel along possibly hazardous portions of State Route 522. Acquisition and construction of the "Missing Link" are necessary to eliminate this potential danger to public safety.

5. In order to acquire the property and property rights for the project, and to quiet title to property already acquired by King County, it is necessary for King County to condemn and quiet the title to certain lands and property rights and rights in property as hereinafter more particularly set forth for public purposes.

6. The King County council finds that the public health, safety, necessity, convenience, and welfare demand that the Burke Gilman/Sammamish River Trail Link (Kenmore to Bothell) be constructed in accordance with the King County Capital Budget and Program, and that certain properties, property rights, rights in property, and adverse claims, be condemned, appropriated, taken and damaged, or quieted for the construction of said trail as provided in this ordinance.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County council finds 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

1 property, be quieted in King County or be condemned,
 2 appropriated, taken and damaged for the purpose of constructing
 3 the Burke Gilman/Sammamish River Trail Link (Kenmore to Bothell),
 4 subject to the making or paying of any just compensation to the
 5 owners thereof which may be due in the manner provided by law.

6 Description

7 TRACT I

8 All that portion of Burlington Northern Railroad Company's former
 9 50 foot wide Kenmore to Woodinville, Washington Branch Line right
 10 of way, being 25 feet wide on each side of the main track
 11 centerline as originally located and constructed upon, over and
 12 across Government Lots 4 and 1, and as relocated across
 13 Government Lots 3 and 2 of Section 11, and Government Lots 5, 6,
 14 7, and 8 of Section 12, all in T 26 N, R 4 E, W.M., King County,
 15 Washington, bounded on the West by a line drawn at right angles
 16 to said main track centerline, distant 754 feet Easterly,
 17 measured along said main track centerline of the West line of
 18 said Government Lot 4, said Section 11, bounded on the East by
 19 the East line of said Section 12.

20 TRACT II

21 All that portion of said Railroad Company's former 100 foot wide
 22 Branch Line right of way being 50 feet wide on each side of the
 23 main track centerline as originally located and constructed upon,
 24 over and across Government Lot 3, NE1/4, SW1/4, NW1/4, SE1/4
 25 Section 7, T 26 N, R 5 E, W.M., King County, Washington, bounded
 26 Westerly by the West line of said Section 7 and bounded Southerly
 27 by the South line of said NW1/4, SE1/4 of said Section 7.

28 TRACT III

29 All that portion of said Railroad Company's former 75 foot wide
 30 Branch line right of way being 50 feet wide Northerly and 25 feet
 31 wide Southerly of the main track centerline as originally located
 32 and constructed in the S1/2, SE1/4, Section 7, T 26 N, R 5 E,
 33 W.M., King County, Washington, bounded on the Northwesterly side
 by the North line of said SW1/4, SE1/4 said Section 7 and bounded
 on the Northeasterly side by the North line SE1/4, SE1/4 said
 Section 7.

ALSO,

All that additional 30 foot wide strip lying Northeasterly of and
 adjacent to said hereinbefore described 75 foot wide right of way
 bounded on the Northeasterly side by the North line of said
 SW1/4, SE1/4 said Section 7 and bounded on the Southeasterly side
 by a line drawn at right angles to the North line of the NW1/4,
 SE1/4 said Section 7, distant 333.33 feet Westerly of the
 Northeast corner thereof, measured along said North line of said
 NW1/4, SE1/4 said Section 7.

SECTION 2. The King County council finds that legal
 proceedings are required to acquire property and property rights

1 and/or rights in property by condemnation and related quiet title
2 proceedings for the purposes of subject Burke Gilman/Sammamish
3 River Trail Link (Kenmore to Bothell - "Missing Link.")

4 SECTION 3. The prosecuting attorney for King County is
5 hereby authorized and directed to begin and prosecute the legal
6 proceedings provided by law to condemn, take and appropriate the
7 land and other property and property rights necessary to carry
8 out the provisions of this ordinance and to quiet title to any
9 lands described herein previously conveyed to King County.

10 SECTION 4. Severability. Should any section, subsection,
11 paragraph, sentence, clause or phrase of this ordinance be
12 declared unconstitutional or invalid for any reason, such
13 decision shall not affect the validity of the remaining portion
14 of this ordinance.

15 INTRODUCED AND READ for the first time this 8th day
16 of June, 1987.

17 PASSED this 22nd day of June, 1987.

18 KING COUNTY COUNCIL
19 KING COUNTY, WASHINGTON

20 Gary Grant
21 Chair

22 ATTEST:

23
24 Doreen M. Owens
25 Clerk of the Council

26 APPROVED this 26th day of June, 1987.

27 Don Hill
28 King County Executive