

9371

ORDINANCE NO. _____

AN ORDINANCE authorizing condemnation of property for
Flaming Geyser Bridge Right-of-way No. 2090.

STATEMENT OF FACTS

1. The King County council on December 21, 1988, by Ordinance No. 8802, did adopt the 1989 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 kinds of roads 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 Flaming Geyser Bridge.

4. In order to acquire the property and property rights required to lay out and construct Flaming Geyser Bridge, it is necessary for King County to condemn certain lands and property rights and rights in property for road purposes as hereinafter more particularly set forth.

5. The King County council finds that the public health, safety, necessity and convenience demands that Flaming Geyser Bridge 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 Flaming Geyser Bridge 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 in attached Exhibit "A," and other property rights and/or rights in property be condemned, appropriated, taken and damaged for the purpose of constructing Flaming Geyser Bridge, subject to the making or paying of just compensation to owners hereof in the manner provided by law.

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

WARRANTY DEED

Western United Life Assurance Co. - Parcel 1

That portion of the following described Tract X which lies within a strip of land 60.00 feet in width, extending 30.00 feet on each side of the centerline of 228th Place Southeast, as surveyed under King County Road Survey No. 27-21-6-5; AND ALSO that portion of said Tract X lying Easterly of said strip of land and lying Northerly of the arc of a circular curve, concave Southerly, having a radius of 35.00 feet, and being tangent to the Easterly margin of said strip of land and also tangent to the existing South margin of SE Green Valley Road; AND ALSO that portion of said Tract X lying Westerly of said strip of land and lying Easterly of the arc of a circular curve, concave Westerly, having a radius of 35.00 feet and being tangent to the Westerly margin of said strip of land and also tangent to the existing South margin of SE Green Valley Road.

TRACT X:

That portion of Government Lots 1 and 7 lying within the SE 1/4 of the NE 1/4 of Section 28, Township 21 North, Range 6 East, W. M., in King County, Washington, lying Westerly and Northerly of the thread of the Green River as established by decree entered June 30, 1981 in King County Superior Court Cause No. 79-2-04547-1, and lying Southwesterly and Westerly of the following described line:

Beginning at the point of intersection of the West line of the East 1/2 of the NE 1/4 of said Section 28, with the South margin of the Green River County Road, as laid out and travelled in the year 1905;
 thence in a Southeasterly direction along said South margin a distance of 648 feet, more or less, to a blazed point on the South side of a charred cedar stump about 5 feet in diameter, standing on the South side of said road;
 thence South 58°11'00" East 322.00 feet;
 thence South 00°14'30" East to the South margin of Government Lot 1, being the terminus of said described line;
 EXCEPT that portion, if any, lying Northerly of the South margin of SE Green Valley Road as conveyed to King County by Deed recorded under Auditor's File No. 8711301168.

Containing an area of 43,420 sq. ft., or 0.9968 acre, 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.

EASEMENT FOR SLOPES AND DRAINAGE

Western United Life Assurance Co. - Parcel 1-A

The right to make slopes on said property of owner for cuts and fills. Together with the right to construct, maintain, alter, and repair a drainage facility over, through, across, and under the property described as follows:

That portion of the following described Tract X which lies Westerly of a strip of land 60.00 feet in width, extending 30.00 feet on each side of the centerline of 228th Place SE as surveyed under King County Road Survey No. 27-21-6-5, and lies Northerly and Easterly of a line described as follows:

Beginning at a point opposite Engineer's Station 4+50 of said King County Road Survey and 30.00 feet Southwesterly of the centerline thereof;
 thence Southwesterly to a point opposite said Station and 40.00 feet Southwesterly of said centerline;
 thence Northwesterly along a line parallel and concentric with said centerline to a point opposite Engineer's Station 3+50;
 thence Northeasterly to a point opposite said Station and 35.00 feet Southwesterly of said centerline;
 thence Northerly along a line concentric with said centerline to a point of

reverse curvature common to said concentric line and to the arc of a circle whose center lies 35.00 feet Westerly, as measured radially, of the Westerly margin of said 60.00 foot strip of land, and also lies 35.00 feet Southerly, as measured at right angles, of the existing Southerly margin of SE Green Valley Road;

thence Northerly and Westerly along said arc to a point of tangency of said arc with a line 5.00 feet Southerly, as measured at right angles of said existing Southerly margin;

thence Northerly, radial to said arc, to a point on said existing Southerly margin and the terminus of said described line.

AND ALSO that portion of the following described Tract X which lies Northeasterly of a strip of land 60.00 feet in width, extending 30.00 feet on each side of the centerline of 228th Place SE as surveyed under King County Road Survey No. 27-21-6-5, and lies Southwesterly of a line described as follows:

Beginning at a point on the Northeasterly margin of said 60.00 foot strip of land and opposite Engineer's Station 5+50;

thence Northeasterly and radial to said centerline to a point on a line concentric with said centerline and 33.00 feet Northeasterly thereof;

thence Southeasterly along said concentric line to a point opposite Engineer's Station 7+50;

thence Southwesterly and radial to said centerline to a point on the Northeasterly margin of said 60.00 foot strip of land and the terminus of said described line.

Containing an area of 1,990 sq. ft., or 0.457 acre, M/L.

TRACT X:

That portion of Government Lots 1 and 7 lying within the SE 1/4 of the NE 1/4 of Section 28, Township 21 North, Range 6 East, W. M., in King County, Washington, lying Westerly and Northerly of the thread of the Green River as established by Decree entered June 30, 1981 in King County Superior Court Cause No. 79-2-04547-1, and lying Southwesterly and Westerly of the following described line:

Beginning at the point of intersection of the West line of the East 1/2 of the NE 1/4 of said Section 28, with the South margin of the Green River County Road, as laid out and travelled in the year 1905;

thence in a Southeasterly direction along said South margin a distance of 648 feet, more or less, to a blazed point on the South side of a charred cedar stump about 5 feet in diameter, standing on the South side of said road;

thence South 58°11'00" East 322.00 feet;

thence South 00°14'30" East to the South margin of Government Lot 1, being the terminus of said described line;

EXCEPT that portion, if any, lying Northerly of the South margin of SE Green Valley Road as conveyed to King County by Deed recorded under Auditor's File No. 8711301168.

WARRANTY DEED

Western United Life Assurance Co. - Parcel 2

That portion of the following described Tract X which lies Southwesterly of a line described as follows:

Beginning at the intersection of the Westerly line of said Tract X with a line parallel with and 30.00 feet Northeasterly of, as measured at right angles, the centerline of 228th Place SE as surveyed under King County Road Survey No. 27-21-6-5;

thence South 77°34'59" East along said parallel line to a point opposite Engineer's Station 11+40;

thence North 12°25'01" East 5.00 feet;

thence South 77°34'59" East and parallel with said centerline to the intersection with the South line of said Tract X.

TRACT X:

That portion of Government Lot 1 in Section 28, Township 21 North, Range 6 East, W. M., in King County, Washington, lying within the following described property:

Beginning at the point of intersection of the West line of the East 1/2 of the NE 1/4 of said Section 28, with the South margin of the Green River County Road, as laid out and travelled in the year 1905;
thence in a Southeasterly direction along said South margin a distance of 648 feet, more or less, to a blazed point on the South side of a charred cedar stump about 5 feet in diameter, standing on the South side of said road;
thence South 58°11'00" East 322.00 feet to the True Point of Beginning;
thence South 00°14'30" East to the South margin of Government Lot 1;
thence East along said South margin to a point of intersection with a line running South 58°11'00" East from the True Point of Beginning;
thence North 58°11'00" West to the True Point of Beginning.

Containing an area of 2,126 sq. ft., or 0.0488 acre, 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.

EASEMENT FOR SLOPES AND DRAINAGE

Western United Life Assurance Co. - Parcel 2-A

The right to make slopes on said property of owner for cuts and fills. Together with the right to construct, maintain, alter, and repair a drainage facility over, through, across, and under the property described as follows:

That portion of the following described Tract X lying within a parcel bounded as follows:

Beginning at a point opposite Engineer's Station 11+15 on a line parallel with and 30.00 feet Northeasterly of, as measured at right angles, the centerline of 228th Place SE, as surveyed under King County Road Survey No. 27-21-6-5;
thence North 12°25'01" East 5.00 feet;
thence Easterly to a point opposite Engineer's Station 12+50 which lies 65 feet Northerly of and perpendicular to the centerline;
thence South 77°34'59" East to the intersection with the South line of said parcel;
LESS Deed take.

Containing an area of 775 sq. ft., or 0.0178 acre, M/L.

TRACT X:

That portion of Government Lot 1 in Section 28, Township 21 North, Range 6 East, W. M., in King County, Washington, lying within the following described property:

Beginning at the point of intersection of the West line of the East 1/2 of the NE 1/4 of said Section 28, with the South margin of the Green River County Road, as laid out and travelled in the year 1905;
thence in a Southeasterly direction along said South margin a distance of 648 feet, more or less, to a blazed point on the South side of a charred cedar stump about 5 feet in diameter, standing on the South side of said road;
thence South 58°11'00" East 322.00 feet to the True Point of Beginning;
thence South 00°14'30" East to the South margin of Government Lot 1;
thence East along said South margin to a point of intersection with a line running South 58°11'00" East from the True Point of Beginning;
thence North 58°11'00" West to the True Point of Beginning.

Western United Life Assurance Co. - Parcel 3

That portion of the following described Tract X described as follows:

Beginning at the intersection of the centerline of 228th Place Southeast as surveyed under King County Road Survey No. 27-21-6-5, with the Northerly line of said Tract X;
 thence Easterly along said Northerly line to an intersection with a line lying 35.00 feet Northeasterly of, as measured at right angles, and parallel with said centerline;
 thence Southeasterly along said parallel line to a point opposite Engineer's Station 12+64 of said County Road Survey;
 thence Northeasterly at right angles to said centerline 20.00 feet;
 thence Southeasterly and parallel with said centerline to a point opposite Engineer's Station 13+00;
 thence Southwesterly at right angles to said centerline 20.00 feet;
 thence Southeasterly and parallel with said centerline to the Easterly boundary of said Tract X;
 thence Southwesterly along said Easterly boundary to an intersection with a line lying 35.00 feet Southwesterly of, as measured at right angles, and parallel with said centerline;
 thence Northwesterly along said parallel line to a point lying opposite Engineer's Station 13+00 of said County Road Survey;
 thence Southwesterly at right angles to said centerline a distance of 20.00 feet;
 thence Northwesterly and parallel with said centerline to a point opposite Engineer's Station 12+64;
 thence Northeasterly at right angles to said centerline a distance of 20.00 feet;
 thence Northwesterly and parallel with said centerline to a point opposite Engineer's Station 11+40;
 thence Northeasterly at right angles to said centerline a distance of 5.00 feet;
 thence Northwesterly to a point of curvature opposite Engineer's Station 9+79.57;
 thence Northwesterly in a curve to the right, concentric with said centerline, to an intersection with the Northerly line of said Tract X;
 thence Easterly along said Northerly line to the point of beginning.

TRACT X:

All of Government Lot 8, and that portion of Government Lot 10 lying Easterly of the thread of the Green River as delineated on decree filed on June 30, 1981 under King County Superior Court Cause No. 79-2-04547-1, all lying within Section 28, Township 21 North, Range 6 East, W. M., in King County, Washington.

Containing an area of 25,672 square feet, or 0.5893 acres, more or less.

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.

EASEMENT FOR SLOPES AND DRAINAGE

Western United Life Assurance Co. - Parcel 3A

The right to make slopes on said property of owner for cuts and fills. Together with the right to construct, maintain, alter and repair a drainage facility over, through, across and under the property described as follows:

That portion of the following described Tract X described as follows:

Beginning at a point opposite Engineer's Station 13+00 of the centerline of 228th Place Southeast as surveyed under King County Road Survey No. 27-21-6-5, and 55.00 feet Southwesterly thereof;
 thence Southwesterly at right angles to said centerline a distance of 15.00 feet;

thence Northwesterly and parallel with said centerline to a point opposite Engineer's Station 12+50;
thence Northwesterly to a point lying opposite Engineer's Station 11+15 at a distance of 35.00 feet Southwesterly of said centerline;
thence Northeasterly at right angles to said centerline 5.00 feet;
thence Southeasterly and parallel with said centerline to a point opposite Engineer's Station 11+40;
thence Southwesterly at right angles to said centerline 5.00 feet;
thence Southeasterly and parallel with said centerline to a point opposite Engineer's Station 12+64;
thence Southwesterly at right angles to said centerline 20.00 feet;
thence Southeasterly and parallel with said centerline to the point of beginning.

ALSO, that portion of said Tract X lying within a figure described as follows:

Beginning at the intersection of a line lying 35.00 feet Northeasterly of, when measured at right angles, and parallel with the centerline of 228th Place Southeast as surveyed under King County Road Survey No. 27-21-6-5, with the North line of said property;
thence Southeasterly and parallel with said centerline to a point opposite Engineer's Station 12+64;
thence Northeasterly at right angles to said centerline 20.00 feet;
thence Southeasterly and parallel with said centerline to a point opposite Engineer's Station 13+00;
thence Northeasterly at right angles to said centerline 10.00 feet;
thence Northeasterly and parallel with said centerline to the intersection with said North line of said property;
thence Westerly along said North line to the point of beginning.

Containing a combined area of 5,238 square feet, or 0.1202 acres, more or less.

TRACT X:

All of Government Lot 8, and that portion of Government Lot 10 lying Easterly of the thread of the Green River as delineated on decree filed on June 30, 1981 under King County Superior Court Cause No. 79-2-04547-1, all lying within Section 28, Township 21 North, Range 6 East, W. M., in King County, Washington.

WARRANTY DEED

Kimberly K. Hauge, etal - Parcel 4

That portion of the following described Tract X which lies within a parcel described as follows:

Beginning at the intersection of the Westerly boundary of said Tract X with a line lying 35.00 feet Northeasterly of, as measured at right angles, and parallel with the centerline of 228th Place Southeast as surveyed under King County Road Survey No. 27-21-6-5;
thence Southeasterly along said parallel line to a point opposite Engineer's Station 15+00;
thence Northeasterly at right angles to said centerline 20.00 feet;
thence Southeasterly and parallel with said centerline to a point opposite Engineer's Station 15+36;
thence Southwesterly at right angles to said centerline 20.00 feet;
thence Southeasterly and parallel with said centerline to an intersection with the East line of the SE 1/4 of Section 28, Township 21 North, Range 5 East, W. M.;
thence South along said East line to an intersection with a line lying 35.00 feet Southwesterly of, as measured at right angles, and parallel with the centerline of said Road Survey;
thence Northwesterly and parallel with said centerline to a point opposite Engineer's Station 15+36;
thence Southwesterly at right angles to said centerline 20.00 feet;
thence Northwesterly and parallel with said centerline to an intersection with the Westerly boundary of said Tract X;
thence Northeasterly along said boundary to the point of beginning.

TRACT X:

The North 570 feet of Government Lot 9, and the North 50 feet of the SW 1/4 of the SE 1/4, all in Section 28, Township 21 North, Range 6 East, W. M., in King County, Washington.

Containing an area of 12,535 square feet, or 0.2878 acre, 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.

EASEMENT FOR SLOPES AND DRAINAGE

Kimberly K. Hauge, et al - Parcel 4A

The right to make slopes on said property of owner for cuts and fills. Together with the right to construct, maintain, alter, and repair a drainage facility over, through, across, and under the property described as follows:

That portion of the following described Tract X which lies within a figure described as follows:

Beginning at a point opposite Engineer's Station 15+00 on a line lying 55.00 feet Northeasterly of, as measured at right angles, and parallel with the centerline of 228th Place Southeast as surveyed under King County Road Survey No. 27-21-6-5;

thence Northeasterly at right angles to said centerline 10.00 feet;

thence Southeasterly and parallel with said centerline to an intersection with the East line of the SE 1/4 of Section 28, Township 21 North, Range 5 East, W. M.;

thence South along said East line to an intersection with a line lying 35.00 feet Northeasterly of, as measured at right angles, and parallel with said centerline;

thence Northwesterly and parallel with said centerline to a point opposite Engineer's Station 15+36;

thence Northeasterly at right angles to said centerline 20.00 feet;

thence Northwesterly and parallel with said centerline to the point of beginning.

AND, ALSO, that portion of the following described Tract X which lies within a figure described as follows:

Beginning at a point opposite Engineer's Station 15+00 on a line lying 55.00 feet Southwesterly of, as measured at right angles, and parallel with the centerline of 228th Place Southeast as surveyed under King County Road Survey No. 27-21-6-5;

thence Southwesterly at right angles to said centerline 15.00 feet;

thence Southeasterly and parallel with said centerline to a point opposite Engineer's Station 15+50;

thence Easterly in a straight line towards a point opposite Engineer's Station 16+95 and 35.00 feet Southwesterly thereof, as measured at right angles to said centerline, to an intersection with the East line of the SE 1/4 of said Section 28;

thence North along said East line to an intersection with a line lying 35.00 feet Southwesterly of, as measured at right angles to, and parallel with said centerline;

thence Northwesterly along said parallel line to a point opposite Engineer's Station 15+36;

thence Southwesterly at right angles to said centerline 20.00 feet;

thence Northwesterly and parallel with said centerline to the point of beginning.

Containing a combined area of 2,500 square feet, or 0.0574 acre, M/L.

TRACT X:

The North 570 feet of Government Lot 9, and the North 50 feet of the SW 1/4 of the SE 1/4, all in Section 28, Township 21 North, Range 6 East, W. M., in King County, Washington.