

January 6, 1992
JAG:jag

Introduced by: LARRY PHILLIPS

Proposed No.: 92-7

ORDINANCE NO.

10281

AN ORDINANCE authorizing condemnation of property for the acquisition and development of the Green River Trail.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The council finds and declares as follows:

A. King County is authorized by state law R.C.W. 36.34.340, R.C.W. 36.68.010, R.C.W. 36.89.030 and R.C.W. 64.04.130, to acquire, develop, renovate and improve public green spaces, greenbelts, open space, parks and trails in King County.

B. King County is authorized to acquire and condemn real property for public use, such as green spaces, green belts, open space, parks and trails, by Chapter 8.08, R.C.W.

C. The King County Capital Improvement Program provides for the acquisition of lands for the Green River Trail and includes the Tempkin parcel, Pease parcel, and Sanft parcel (herein collectively called the "Properties") as more particularly described below.

D. Pursuant to applicable federal and state procedures and the real property acquisition procedures of King County, King County has taken the necessary steps to acquire the Properties through negotiations.

E. Pursuant to such applicable procedures, King County has made written offer to purchase the Properties on the following dates: Tempkin, January 15, 1991; Pease, November 20, 1990; and, Sanft, August 20, 1991. Such offers have not been accepted.

F. In order to acquire the property and property rights required to construct the Green River Trail, it is necessary for King County to condemn each of the Properties for public purposes as hereinafter more particularly set forth.

1 G. The public health, safety, necessity, convenience,
2 and welfare demand that the Green River Trail be constructed in
3 accordance with the King County Capital Budget and Program, and
4 that each of the Properties be condemned, appropriated, taken
5 and damaged for the construction of said trail as provided in
6 this ordinance.

7 SECTION 2. The King County council has deemed it necessary
8 and in the best interest of the citizens of King County that
9 the Properties be condemned, appropriated, taken and damaged
10 for the purpose of constructing the Green River Trail, subject
11 to the making, or paying, of just compensation to the owners
12 thereof in the manner provided by law. The Properties are
13 described as follows:

14 LEGAL DESCRIPTION

15 Tempkin Parcel #1.

16 An easement for a public trail for pedestrian, bicycle and
17 other non-motorized public use, over, through, along and across
18 that certain parcel of land situated in King County, Washington
19 described as follows:

20 That portion of the following described Tract "X" lying
21 Southerly of the left bank of the Duwamish River and Northerly
22 of the following described line:

23 Commencing at the Southwesterly corner of Lot 8, Block 18,
24 Hillman's Seattle Garden Tracts, Volume 11 of Plats, page 24
25 records of King County, Washington;
26 Thence North 7°15'15" East, along the Westerly line of said Lot
27 8, a distance of 459.40 feet to the point of beginning of said
28 line;
29 Thence South 87°39'36" East 292.66 feet;
30 Thence South 72°25'01" East 8.56 feet, more or less, to the
31 Easterly line of Lot 12, said Block 18, and the terminus of
32 said line.

33 Contains an area of 0.5217 Acres, M/L

34 Tract "X".

35 Lots 8, 9, 10, 11, and 12, Block 18, Hillman's Seattle Garden
36 Tracts, according to the plat thereof recorded in Volume 11 of
37 Plats, page 24, in King County, Washington;

38 TOGETHER WITH those certain lands awarded to Henry Vander Pol
39 and Anna Vander Pol, husband and wife in proceedings had under
40 King County Superior Court Cause No. 90-2-06809-9 by Decree
41 dated and filed June 13, 1990, said lands being more
42 particularly described as follows:

43 That portion of the Southeast quarter of Section 14, Township
44 23 North, Range 4 East, W.M., in King County, Washington,
45 described as follows:

46 Beginning at the Southwest corner of Lot 8, Block 18, Hillman's
47 Seattle Garden Tracts, according to the plat thereof recorded
48 in Volume 11 of Plats, page 24, in King County, Washington;
49 Thence North along the West line of said Lot 8, a distance of

1 315 feet to the left bank of the Green (Duwamish) River, as the
2 same appears on the map of said plat and the true point of
3 beginning;

4 Thence continuing North along the Northerly production of the
5 West line of said Lot 8 to the left bank of the Green
6 (Duwamish) River as the same existed on the date of said
7 decree;

8 Thence Easterly along said left bank to an intersection with
9 the Northerly production of the East line of Lot 12 in said
10 Block 18;

11 Thence South along said produced East line to an intersection
12 with the left bank of the Green (Duwamish) River, as the same
13 appears on the map of said plat;

14 Thence Westerly along said platted left bank to the true point
15 of beginning

16 TOGETHER WITH the right to make all necessary slopes for cuts
17 and fills upon the said easement, on each side of the said
18 trail which is now, or may be constructed hereafter upon said
19 property, in conformity with standard plans and specifications
20 for said trail; together with the right to perform all
21 necessary and convenient construction, alteration, and
22 maintenance in any reasonable manner.

23 Pease Parcel #6.

24 That portion of Government Lot 6, Section 10, Township 23
25 North, Range 4 East, W.M., King County, Washington, lying
26 between the Easterly margin of E. Marginal Way S. and the
27 Westerly margin of the Seattle City Light R/W and Northerly of
28 the following described line:

29 Commencing at station 20 + 38.58 P.C. of Interurban Bridge No.
30 3160 Replacement 1987 (E. Marginal Way S.);

31 Thence South $8^{\circ}21'35''$ East, along the construction C/L, 371.42'
32 to a brass cap at station 16 + 67.16 P.T.;

33 Thence South $68^{\circ}36'18''$ East 79.42 feet to a point on the
34 Easterly margin of E. Marginal Way S. and the point of
35 beginning of said line;

36 Thence South $88^{\circ}00'30''$ East 154.91 feet, more or less, to the
37 Westerly margin of the Seattle City Light R/W and the terminus
38 of said line.

39 Contains an area of 12,400 square feet or 0.2847 acres M/L.

40 TOGETHER WITH the right to make all necessary slopes for cuts
41 and fills upon the said easement, on each side of the said
42 trail which is now, or may be constructed hereafter upon said
43 property, in conformity with standard plans and specifications
44 for said trail; together with the right to perform all
45 necessary and convenient construction, alteration, and
46 maintenance in any reasonable manner.

47 Sanft Parcel #5.

48 An easement for a public trail for pedestrian, bicycle and
49 other non-motorized public use, over, through, along and across
50 that certain parcel of land situated in King County, Washington
51 described as follows:

52 (Parcel adjacent to Metal Fabrication Plant, lying South of
53 South 143rd Street to proposed bridge end on Northwest bank of
54 the Duwamish.)

55 That portion of Lots 23 and 24, Block 17 Hillman's Seattle
56 Garden Tracts, Sections 14 and 23, Township 23 North, Range 4
57 East W.M., as recorded in Volume 11 book of plats, Page 24,
58 Records of King County, Washington, lying Westerly of the left
59 bank of the Duwamish River and Easterly of the following
60 described line:

1 Commencing at the Northwesterly corner of said Lot 23;
 2 Thence South 82°44'43" East along the Northerly line of said
 3 lot 23 a distance of 205.06 feet to the true point of beginning
 4 of the herein described lines;
 5 Thence on a non-tangent curve concave to the West the center of
 6 which bears South 54°34'30" West a radial distance of 129.00
 7 feet through a central angle of 32°58'48" an arc distance of
 8 74.25 feet to a point of compound curve, the center of which
 9 bears South 87°33'18" West;
 10 Thence along said curve having a radius of 293.50 feet through
 11 a central angle of 29°32'36" an arc distance of 151.34 feet;
 12 Thence South 27°05'54" West 86.49 feet;
 13 Thence South 30°01'05" East 52.00 feet, more or less to the
 14 left bank of the Duwamish River and the terminus of said line.

15 Contains an area of 0.67 acres, M/L.

16 TOGETHER WITH the right to make all necessary slopes for cuts
 17 and fills upon the said easement, on each side of the said
 18 trail which is now, or may be constructed hereafter upon said
 19 property, in conformity with standard plans and specifications
 20 for said trail; together with the right to perform all
 21 necessary and convenient construction, alteration, and
 22 maintenance in any reasonable manner.

23 SECTION 3. The King County council determines that
 24 condemnation proceedings are hereby authorized to acquire each
 25 of the Properties for the purposes of subject Parks Trail.

26 SECTION 4. The attorneys for King County are hereby
 27 authorized and directed to begin and prosecute the proceedings
 28 provided by law to condemn, take and appropriate the Properties
 29 necessary to carry out the provisions of this ordinance.

30 INTRODUCED AND READ for the first time this 10th day of
 31 February 19 92.

32 PASSED on this 8th day of February 19 92.

33 KING COUNTY COUNCIL
 34 KING COUNTY, WASHINGTON

Audrey Singer
 Chair

35 ATTEST

36
 37
 38 Gerald G. Peterson
 39 Clerk of the Council

40 APPROVED this 28th day of February, 19 92.

Jim Hill
 King County Executive

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