

1 February 14, 1997
2 DP:clt
3 bothhous.ord
4 Clerk 02/25/97

Introduced by: Fimia, Phillips

Proposed No: 97-70

ORDINANCE NO. **12651**

AN ORDINANCE authorizing the negotiated direct sale of a portion of the Riverside Trail property in Council District 1 to the City of Bothell and declaring an emergency.

STATEMENT OF FACTS:

1. King County owns undeveloped trail property in the City of Bothell, known as the Riverside Trail, that is described below as Parcel A. The former railroad right-of-way was purchased with real estate excise tax revenues in 1985.
2. The City of Bothell owns a parcel of property known as the Riverside Lumber Site which adjoins the north side of King County's Riverside Trail property and is described below as Parcel B.
3. The City of Bothell wants to construct affordable senior housing using Parcel B. However, a viable housing project requires the use of both Parcels A and B. Shelter Resources, Inc. was selected through a competitive RFP let by Bothell and ARCH (A Regional Coalition for Housing) to develop affordable senior housing on Parcels A and B.
4. The City of Bothell proposes to purchase Parcel A for a compensation package consisting of a) a 35-foot wide trail easement, described as Parcel C, across Parcel B and adjoining property also owned by the City of Bothell; and b) a commitment to develop the Riverside Trail between Blythe Park and 102nd Avenue NE with a twelve foot wide paved trail with two foot wide soft shoulders. The development of this section of trail will be an amenity for the senior housing residents and trail users in general.
5. The parks and cultural resources department has determined that Parcel A is surplus to its needs insofar as Bothell will provide a replacement trail easement and development of a new section of trail. When the property was circulated among County agencies, no objections to the sale were raised. Based on the responses to the notification, the Property Services Division finds that the property is surplus to the County's present and foreseeable needs.

1 6. King County Ordinance 12045, Section 13 authorizes the negotiated direct sale of
2 county property to another governmental agency. King County Ordinance 12045,
3 Section 7 requires council approval before the sale of the Riverside Trail property.
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5 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:
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7 SECTION 1. The King County executive is hereby authorized to execute a deed and
8 agreement to sell the property described below as Parcel A in council district 1 to the City of
9 Bothell for a) a 35-foot wide trail easement described below as Parcel C and b) the City of
10 Bothell's commitment to develop the Riverside Trail between Blythe Park and 102nd Avenue
11 NE with a twelve foot wide paved trail with two foot wide soft shoulders, with construction to
12 be completed by December 31, 2000.

13 Provided that:

14 In the event that the trail easement cannot be located as described in Parcel C, due to
15 environmental constraints, the City of Bothell agrees to alter its location.

16 Provided further that:

17 If the trail easement must be altered, the City of Bothell agrees to obtain for and/or grant to
18 King County a replacement trail easement, acceptable to the King County parks and
19 recreation department, that meets the following criteria: 1) minimum width of the paved trail
20 is to equal 10 feet to accommodate both pedestrian and bicycle traffic; 2) ADA (Americans
21 with Disabilities Act) accessible; 3) 2 foot soft shoulders on each side of the paved trail; and
22 4) connects to the existing county trail right-of-way.

23 Parcel A (owned by King County):
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25 Beginning at the SW corner of the following described Parcel B; thence
26 Southerly on the Southerly prolongation of the Westerly line of Parcel B to the
27 Northerly Right of Way line of Riverside Drive; thence Easterly along said

1 right of way line to a point on the Southerly prolongation of the Easterly line of
2 Parcel B, said point being on the Westerly right of way line of 103rd Ave. NE
3 (also known as 2nd St. Extn. in the Town of Bothell); thence Northerly along
4 said right of way to the Northerly right of way of the Northern Pacific Railway
5 Co.; thence Westerly along said Northerly Right of Way to the point of
6 beginning. Situate in the SW 1/4 of the NW 1/4 of Section 8, Township 26
7 North, Range 5 East, W.M., in King County, Washington.

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9 Parcel B (owned by Bothell):

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11 That portion of the SW 1/4 of the NW 1/4 of Section 8, Township 26 North,
12 Range 5 East, W.M., in King County, Washington, lying West of 103rd Ave.
13 NE (also known as 2nd St. Extn. in the Town of Bothell), lying Southerly and
14 Easterly of the Southerly Right of Way line of P.S. Highway No. 2, and lying
15 Northerly of the Northerly right of way line of the Northern Pacific Railway
16 Co. Right of Way.

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Parcel C (easement to be conveyed to King County):

An easement for a public non-motorized trail for pedestrian and bicycle use, 35 feet wide, lying 17.5 feet on each side of the following described centerline: Beginning at the SE corner of the following described, Parcel B:

That portion of the SW 1/4 of the NW 1/4 of Section 8, Township 26 North, Range 5 East, W.M., in King County, Washington, lying West of 103rd Ave. NE (also known as 2nd St. Extn. in the Town of Bothell), lying Southerly and Easterly of the Southerly Right of Way line of P.S. Highway No. 2, and lying Northerly of the Northerly right of way line of the Northern Pacific Railway Co. Right of Way.

Thence N.80-28-51 W. along the Southerly line of said Parcel B for a distance of 142.80 feet to a point of tangency with a curve to the left having a radius of 1117.14 feet; thence Westerly and Southerly along said curve for an arc length distance of 174.59 feet through a central angle of 8-57-15 to the true point of beginning for said centerline; thence N.6-12-27 W. along a line parallel with and 17.50 feet Westerly of the Westerly line of said Parcel B for a distance of 61.24 feet; thence N.25-01-13 E. for a distance of 26.59 feet; thence N.84-10-57 E. a distance of 65.32 feet; thence N.89-04-29 E. for a distance of 28.34 feet; thence S.85-08-49 E. a distance of 22.79 feet; thence S.70-42-44 E. a distance of 45.45 feet; thence N.84-37-15 E. for a distance of 72.24 feet; thence S.75-52-53 E. for a distance of 54.93 feet; thence N.64-58-06 E. for a distance of 39.22 feet to a point on the Westerly right of way line for 103rd Ave. NE (also known as 2nd St. Extn. in the Town of Bothell), being the Northerly extension of the Easterly line of said Parcel B, said point being the end of this center-line description; thence S.4-28-49 W. along said Westerly right of way line for a distance of 124.40 feet to the point of beginning.

1 Together with the right to make all necessary slopes for cuts and fills upon the said
2 easement, on each side of the said trail which is now, or may be constructed hereafter
3 upon said property, in conformity with standard plans and specifications for said trail
4 and to the same extent and purposes as if the rights herein granted had been acquired
5 by condemnation proceedings under eminent domain statutes of the State of
6 Washington.

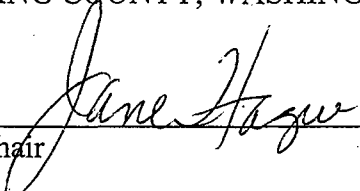
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8 SECTION 2. The county council finds as a fact and declares that an emergency exists
9 and that this ordinance is necessary for the immediate preservation of public peace, health or
10 safety or for the support of county government and its existing public institutions.

11 INTRODUCED AND READ for the first time this 3rd day of FEBRUARY, 1997.

12 PASSED by a vote of 13 to 0 this 24th day of

13 FEBRUARY, 1997.

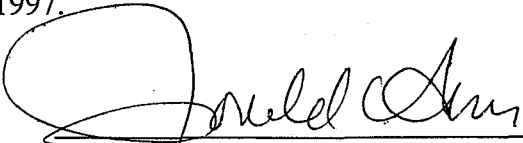
14 KING COUNTY, COUNCIL
15 KING COUNTY, WASHINGTON

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19 Chair

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21 ATTEST:

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25 Clerk of the Council

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27 APPROVED this 6 day of March, 1997.

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31 King County Executive

32 Attachments:
33 None