

November 10, 1997
clerk 11/13/97

Introduced By: Louise Miller

Proposed No.: 97-669

ORDINANCE NO. **12947**

AN ORDINANCE authorizing the condemnation of
property for the North Creek Diversion Project.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

Section 1. The Council finds and declares as follows:

A. The council of the municipality of metropolitan Seattle amended the comprehensive water pollution abatement plan in November 1985 to provide secondary treatment and related wastewater collection to serve the municipality of metropolitan Seattle's service area population as required under state and federal law.

B. The amended comprehensive water pollution abatement plan calls for conveyance system improvements including the North Creek Connection. The North Creek Connection (subsequently titled North Creek Diversion Project) would divert additional flows of the northern service area from the West Point Treatment Plant to the Eastside Reclamation Plant at Renton.

C. A State Environmental Policy Act (SEPA) determination of non-significance was issued in July 1996 in compliance with SEPA, chapter 43.12C RCW and the SEPA rules for the North Creek Diversion Project.

D. King County is authorized to acquire and condemn real property for public use, such as water pollution abatement, by chapter 8.08 RCW.

1 E. The appropriated budget for the North Creek Diversion Project provides for
2 the acquisition of required property and property rights.

3 F. Pursuant to applicable federal and state procedures and the real property
4 acquisition procedures of King County, King County has taken the necessary steps to
5 acquire the property through negotiations.

6 G. Pursuant to such applicable procedures, King County made written offers to
7 purchase the property on May 5, 1997 and August 29, 1997. Such offers have not been
8 accepted.

9 H. In order to acquire the property and property rights required to construct
10 project elements, it is necessary for King County to condemn certain lands and property
11 rights and rights in property for sewer facilities as hereinafter more particularly set forth.

12 I. The public health, safety, necessity, convenience, and welfare demand
13 construction of the North Creek Diversion Project improvements within King County in
14 accordance with the appropriated budget and that certain properties, property rights, and
15 rights in property be condemned, appropriated, taken and damaged for the purpose of
16 constructing the North Creek Diversion Project as provided in this ordinance.

17 SECTION 2. The King County council has deemed it necessary and in the best
18 interest of the citizens of King County that the lands described in attached Exhibit "A", and
19 other property rights and/or rights in property be condemned, appropriated, taken and
20 damaged for the purpose of constructing sewer facilities for the North Creek Diversion
21 Project, subject to the making or paying of just compensation to the owners herein in the
22 manner provided by law.

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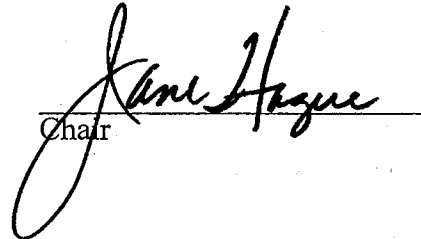
SECTION 3. Condemnation proceedings are hereby authorized to acquire property and property rights and/or rights in property described in the attached Exhibit "A" for the purpose of the subject sewer facilities.

SECTION 4. The attorneys for King County are hereby authorized and directed to begin to prosecute the proceedings provided by law to condemn, take and appropriate the land and other property and property rights necessary to carry out the provisions of this ordinance.

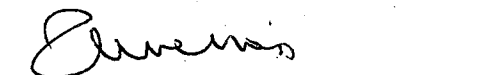
INTRODUCED AND READ for the first time this 17th day of November, 1997.

PASSED by a vote of 11 to 0 this 15th day of December, 1997.

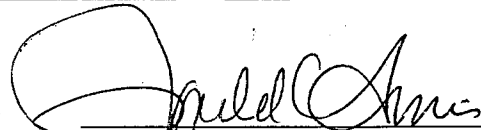
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Chair

ATTEST:


Clerk of the Council

Approved this 19 day of December, 1997.


King County Executive

Attachment: Exhibit "A"

12947

Lot 10 Easement

An easement for utility purposes through a portion of Lot 10 Quadrant Business Park - Bothell as per the plat recorded in Volume 131 of Plats at pages 87 through 91, in the office of the King County Recorder, State of Washington, more particularly described as follows:

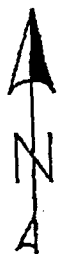
Commencing at the southwest corner of said Lot 10; thence along the common boundary between Lot 10 and Tract "F" of said Business Park N 01° 40' 40" E, a distance of 48.77 feet to the True Point of Beginning; thence continuing N 01° 40' 40" E, a distance of 25.00 feet; thence S 88° 37' 09" E, a distance of 363.39 feet to a point on the eastern boundary of Lot 10; thence along said boundary S 00° 07' 25" W, a distance of 25.01 feet; thence N 88° 37' 09" W, a distance of 364.07 feet to the True Point of Beginning, containing 9093.31 square feet more or less.

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PEDESTRIAN AND GENERAL DRAINAGE ESM'T.

Δ = 98°58'23"
R = 50.00'
T = 58.51'
L = 86.37'

Δ = 37°26'20"
R = 800.00'
T = 203.32'
L = 392.06'

12

TRACT F

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25' STREETSCAPE AREA ESM'T. TYPICAL ALL ROADS

Δ = 88°27'04"
R = 50.00'
T = 48.67'
L = 77.18'

120th AVE N.E.

FORCE MAINS

30' G DRAIN

N. LINE NW 1/4, SEC. 9-26-5E

15' GENERAL DRAINAGE ESM'T.

S. LINE OF THE N. 60°, NE 1/4

WETLANDS

OPEN SPACE AREA

EXISTING LOT LINES TO BE RELINQUISHED

Δ = 44°04'00"
R = 580.00'
T = 226.63'

XREFS:

PLOT DATE: 7/12/98

FILENAME: SITE.DWG

SYMONDS

CONSULTING ENGINEERS

1801 Second Avenue, Suite 1000, Seattle, Washington 98101
Phone (206)441-1030 Fax (206)448-7187

QUADRANT BUSINESS PARK
BOTHELL

FIGURE

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LOT 10