



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

April 16, 2002

Ordinance 14341

Proposed No. 2002-0126.3

Sponsors Sullivan

1 AN ORDINANCE authorizing the condemnation of
2 property for Mill Creek relief sewer project/South 277th
3 trunk sewer.
4
5

6 **STATEMENT OF FACTS:**

- 7 1. The King County council, on November 30, 2001, by Ordinance
8 14265, did adopt the annual budget and program, and did provide in the
9 annual budget and program for a wastewater program that included the
10 Mill Creek Relief sewer project/South 277th trunk sewer.
11 2. An environmental checklist under WAC 197-11-415 was issued on
12 January 27, 1998, as part of the state Environmental Policy Act review
13 procedure. A determination of non-significance was made under WAC
14 197-11-350 on January 28, 1998.
15 3. The capital budget and program provides for the installation of the Mill
16 Creek Relief sewer project/South 277th trunk sewer and the acquisition
17 and improvement of lands adjacent to new lines.

18 4. To acquire the property and property rights necessary to facilitate
19 construction and maintenance of a new sewer line and temporary
20 construction easement for the South 277th Trunk sewer, as provided in
21 this ordinance, it is necessary for King County to condemn certain lands
22 and rights for use of property for sewer line purposes.

23 5. The King County council finds that public health, safety, necessity, and
24 convenience demand that South 277th Trunk sewer be installed within
25 King County in accordance with the capital budget and program, and that
26 certain properties and rights in those properties be condemned,
27 appropriated, taken, and damaged for the purpose of construction and
28 maintenance of a new sewer line, access and temporary construction
29 easement along the designated route for the South 277th trunk sewer, as
30 provided in this ordinance.

31 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

32 SECTION 1. The King County council has deemed it necessary and in the best
33 interest of the citizens of King County that the properties described in Attachment A to
34 this ordinance, and rights in those properties be condemned, appropriated, taken and
35 damaged for the purpose of constructing and maintaining a new trunk sewer line along
36 the proposed route of the South 277th trunk sewer, as well as for a temporary
37 construction easement, subject to making or paying of just compensation to the owners
38 herein in the manner provided by law.

39 SECTION 2. Condemnation proceedings are hereby authorized to acquire
40 property, and the rights in property required to construct and maintain the new South

41 277th trunk sewer line and temporary construction easement described in Attachment A
42 to this ordinance for the purpose of the subject installation.

43 SECTION 3. The attorneys for King County are hereby authorized and directed
44 to begin to prosecute the proceedings, provided by law, to condemn, take, and
45 appropriate the land and other property, and property rights necessary to carry out this
46 ordinance.
47

Ordinance 14341 was introduced on 3/18/2002 and passed as amended by the
Metropolitan King County Council on 4/15/2002, by the following vote:

Yes: 12 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr.
Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Pullen, Mr. Gossett,
Ms. Hague and Ms. Patterson

No: 0

Excused: 1 - Mr. Irons

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

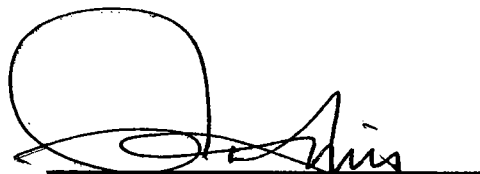

Cynthia Sullivan, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 20th day of April, 2002.



Ron Sims, County Executive

Ordinance deemed enacted without Executive signature due to return of
legislation to Clerk after Charter deadline.

Attachments A. Permanent Sanitary Sewer Easements and Temporary Construction Easements for
South 277th Street Trunk Sewer, revised April 15, 2002

14341

**Attachment A
Revised April 15, 2002**

**Permanent Sanitary Sewer Easements and Temporary Construction Easements for
South 277th Street Trunk Sewer**

Property One

**Property Owner Name: David Monk
Property Address: 27600 78th Avenue South
Kent, Washington**

**Permanent Easement
Legal Description**

Tax Lot 680-0005

A 20 feet wide sanitary sewer easement in the portion of the NE ¼ of Section 36, T. 22 N, R. 4 E, W. M. described in the Quit Claim Deed recorded under No. 9803180348 in the office of the King County Recorder, State of Washington described as follows:

Commencing at the southeast corner of the John M. Thomas D. L. C. No. 42; thence along the southerly boundary of said D. L. C. N 89° 00' 32" W a distance of 756.23 feet to a point on the westerly margin of the Burlington Northern and Santa Fe Railroad right-of-way; thence along said westerly right-of-way N 00° 40' 08" E a distance of 99.86 feet to a point on the easterly boundary of the parcel described in the aforementioned Quit Claim Deed, said point being also the most southerly corner of the parcel described in the Quit Claim Deed recorded under NO. 9309271800 in the office of said County recorder, thence following the common boundary between said parcels along a non-tangent curve to the left, the radius point of which is S 74° 24' 22" W a distance of 3554.68 feet, through a central angle of 00° 32' 26" a distance of 33.53 feet to The True Point of Beginning; thence N 89° 04' 55" W a distance of 43.09 feet to a point on the easterly margin of 78th Avenue South as now constructed (formerly Country Road No. 76); thence along said easterly margin N 24° 58' 12" W a distance of 22.23 feet; thence S 89° 04' 55" E a distance of 46.59 feet to a point on the common boundary of said parcels; thence following said common boundary in a southeasterly direction along a non-tangent curve to the right, the radius point of which bears S 73° 31' 42" W a distance 3554.68 feet, through a central angle of 00° 20' 15" a distance of 20.94 feet to the True Point of Beginning, containing an area of 896.99 square feet, more or less.

14341

**Temporary Sanitary Sewer Construction Easement
Legal Description**

Tax Lot 680-0005

A temporary easement for construction purposes in the portion of the NE $\frac{1}{4}$ of Section 36, T. 22 N, R. 4 E, W. M. described in the Quit Claim Deed recorded under No. 9803180348 in the office of the King County Recorder, State of Washington described as follows:

Commencing at the southeast corner of the John M. Thomas D. L. C. No. 42; thence along the southerly boundary of said D. L. C. N $89^{\circ} 00' 32''$ W a distance of 756.23 feet to a point on the westerly margin of the Burlington Northern and Santa Fe Railroad right-of-way; thence along said westerly right-of-way N $00^{\circ} 40' 08''$ E a distance of 99.86 feet to a point on the easterly boundary of the parcel described in the aforementioned Quit Claim Deed, said point being also the most southerly corner of the parcel described in the Quit Claim Deed recorded under NO. 9309271800 in the office of said County recorder, thence following the common boundary between said parcels along a non-tangent curve to the left, the radius point of which is S $74^{\circ} 24' 22''$ W a distance of 3554.68 feet, through a central angle of $00^{\circ} 12' 13''$ a distance of 12.62 feet to The True Point of Beginning; thence N $89^{\circ} 04' 55''$ W a distance of 39.45 feet to a point on the easterly margin of 78th Avenue South as now constructed (formerly Country Road No. 76); thence along said easterly margin N $24^{\circ} 58' 12''$ W a distance of 66.69 feet; thence S $89^{\circ} 04' 55''$ E a distance of 50.39 feet to a point on the common boundary of said parcels; thence following said common boundary in a southeasterly direction along a non-tangent curve to the left, the radius point of which bears N $75^{\circ} 59' 10''$ E a distance 367.90 feet, through a central angle of $02^{\circ} 31' 55''$ a distance of 16.26 feet to a point of reverse curvature; thence continuing along said common boundary following a curve to the right, the radius point of which bears S $73^{\circ} 27' 15''$ W a distance 3554.68 feet, through a central angle of $00^{\circ} 44' 55''$ a distance of 46.44 feet to the True Point of Beginning, containing a total area of 2690.57 square feet, more or less.

Said total area contains 896.99 square feet for a permanent easement and 1793.58 square feet for a temporary construction easement.

14341

**Permanent Easement
Legal Description**

Tax Lot 680-0016

A 20 feet wide sanitary sewer easement in the portion of the NE ¼ of Section 36, T. 22 N, R. 4 E, W. M. described in the Quit Claim Deed recorded under No. 9309271800 in the office of the King County Recorder, State of Washington, described as follows:

Commencing at the southeast corner of the John M. Thomas D. L. C. NO. 42; thence along the northerly boundary of said D. L. C. N 89°00' 32" W a distance of 756.23 feet to a point on the westerly margin of the Burlington Northern and Santa Fe Railroad right-of-way; thence along said westerly right-of-way N 00° 40' 08" E a distance of 131,95 feet to the True Point of Beginning; thence N 89° 04' 55" W a distance of 9.54 feet to a point on the westerly boundary of the parcel described in the aforementioned Quit Claim Deed, being also a point on the easterly boundary of the parcel described in the Quit Claim Deed recorded under No. 9803180348 in the office of said county recorder; thence following the common boundary along a non-tangent curve to the left, the radius point of which bears S 73° 51' 57" W a distance of 3554.68 feet, through a central angle of 00°20' 15" a distance of 20.94 feet; thence S 89°04' 55" E a distance of 15.65 feet to a point on said westerly railroad right-of-way margin; thence along said margin S 00° 40' 08" W a distance of 20.00 feet to the True Point of Beginning, containing 251.71 square feet more or less.

Along with an area commencing at the southeast corner of the John M. Thomas D. L. C. NO. 42; thence along the northerly boundary of said D. L. C. N 89°00' 32" W a distance of 756.23 feet to a point on the westerly margin of the Burlington Northern and Santa Fe Railroad right-of-way; thence along said westerly right-of-way N 00° 40' 08" E a distance of 131,95 feet to the True Point of Beginning; thence East 50 feet to the centerline of the Burlington Northern Santa Fe right of way; thence north along said centerline for 20 feet; thence West 50 feet to the westerly margin of the Burlington Northern Santa Fe right of way; thence South along said westerly margin to the True Point of Beginning.

14341

**Temporary Sanitary Sewer Construction Easement
Legal Description**

Tax Lot 680-0016

A temporary easement for construction purposes in the portion of the NE $\frac{1}{4}$ of Section 36, T. 22 N, R. 4 E, W. M., described in the Quit Claim Deed recorded under No. 9309271800 in the office of the King County Recorder, State of Washington described as follows:

Commencing at the southeast corner of the John M. Thomas D. L. C. NO 42; thence along the southerly boundary of said D. L. C. N $89^{\circ} 00' 32''$ W a distance of 756.23 feet to a point on the westerly margin of the Burlington Northern and Santa Fe Railroad right-of-way; thence along said westerly right-of-way N $00^{\circ} 40' 08''$ E a distance of 99.86 feet to the True Point of Beginning, being also the most southerly corner of the parcel described in the aforementioned Quit Claim Deed and a point on the easterly boundary of the parcel described in the Quit Claim Deed recorded under No. 9803180348 in the office of said county recorder; thence following the common boundary between said parcels along a non-tangent curve to the left, the radius point of which bears S $74^{\circ} 24' 22''$ W a distance of 3554.68 feet, through a central angle of $00^{\circ} 57' 08''$ a distance of 59.06 feet to a point of reverse curvature; thence continuing along said common boundary following a curve to the right, the radius point of which bears N $73^{\circ} 27' 15''$ E a distance of 367.90 feet through a central angle of $02^{\circ} 31' 55''$ a distance of 16.26 feet; thence S $89^{\circ} 04' 55''$ E a distance of 21.48 feet to a point on said westerly railroad right-of-way margin; thence along said margin S $00^{\circ} 40' 08''$ W a distance of 72.10 feet to the True Point of Beginning, containing a total area of 777.02 square feet, more or less.

Said total area contains 251.71 square feet for a permanent easement and 525.31 square feet for a temporary construction easement.

14341

Property Two

Property Owner Name: Carpinito Brothers, Inc
Property Address: 8014 276th Street
Kent, Washington

**Permanent Easement
Legal Description**

Tax Lot 680-0002

A 20 feet wide sanitary sewer easement in the portion of the NE ¼ of Section 36, T. 22 N, R. 4 E, W. M. described in the Bargain and Sale Deed recorded under No. 8701161043 in the office of the King County Recorder, State of Washington described as follows:

Commencing at the southeast corner of the John M. Thomas D. L. C. No. 42; thence along the southerly boundary of said D. L. C. N 89° 00' 32" W a distance of 656.22 feet to a point on the easterly margin of the Burlington Northern and Santa Fe Railroad right-of-way; thence along said easterly margin N 00° 40' 08" E a distance of 49.50 to the southwest corner of the parcel 4 described in said Bargain and Sale Deed; thence continuing along said easterly margin N 00° 40' 08" E a distance of 82.58 feet to the True Point of Beginning; thence continuing along said easterly margin N 00° 40' 08" E a distance of 20.00 feet; thence S 89° 04' 55" E a distance of 11.56 feet; thence S 73° 08' 57" E a distance of 375.41 feet to a point on the southerly boundary of said parcel 4; thence along said southerly boundary N 89° 00' 32" W a distance of 73.18 feet; thence N 73° 08' 57" W a distance of 302.21 feet; thence N 89° 04' 55" W a distance of 8.67 feet to the True Point of Beginning, containing 6,978.42 square feet more or less.

**Temporary Sanitary Sewer Construction Easement
Legal Description**

Tax Lot 680-0002

A temporary easement for construction purposes in the portion of the NE ¼ of Section 36, T. 22 N, R. 4 E., W. M. described in the Bargain and Sale Deed recorded under No. 8701161043 in the office of the King County Recorder, State of Washington described as follows:

Commencing at the southeast corner of the John M. Thomas D. L. C. No. 42; thence along the southerly boundary of said D. L. C. N 89° 00' 32" W a distance of 656.22 feet to a point on the easterly margin of the Burlington Northern and Santa Fe Railroad right-of-way; thence along said easterly margin N 00° 40' 08" E a distance of 49.50 feet to the southwest corner of parcel 4 described in said Bargain and Sale Deed, being also the True

14341

Point of Beginning; thence continuing along said easterly margin N 00° 40' 08" E a distance of 122.58 feet; thence S 89° 04' 55" E a distance of 14.44 feet; thence S 73° 08' 57" E a distance of 448.60 feet to a point on the southerly boundary of said parcel 4; thence along said southerly boundary N 89° 00' 32" W a distance of 445.28 feet to the True Point of Beginning, containing a total area of 28,179.99 square feet, more or less.

Said total area contains 6,978.42 square feet for a permanent easement and 21,201.57 square feet for a temporary construction easement.

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Temporary Construction Easement

Tax Lot 680-0002

A temporary easement 30.00 feet wide for construction purposes in that portion of the Northeast Quarter of Section 36, T. 22 N, R. 4 E., W. M. described in that Bargain and Sale Deed recorded under No. 8701161043 in the Office of the King County Recorder, State of Washington, the centerline of which is described as follows:

COMMENCING at the southeast corner of the John M. Thomas D. L. C. No. 42; thence along the southerly boundary of said D. L. C., North $89^{\circ}00'32''$ West 656.22 feet to a point on the easterly margin of the Burlington Northern and Santa Fe Railroad right-of-way; thence along said easterly margin, North $00^{\circ}40'08''$ East 49.50 feet to the southwest corner of Parcel 4 described in said Bargain and Sale Deed; thence continuing along said easterly margin, North $00^{\circ}40'08''$ East 122.58 feet to a point on the northerly boundary of an existing temporary construction easement; thence along said northerly boundary, South $89^{\circ}04'55''$ East 14.44 feet and South $73^{\circ}08'57''$ East 290.89 feet to the TRUE POINT OF BEGINNING; thence North $13^{\circ}53'04''$ East 110.25 feet; thence North $00^{\circ}26'37''$ East 105.36 feet to the beginning of a curve to the right with a radius of 25.00 feet; thence northeasterly along said curve 40.58 feet through a central angle of $93^{\circ}00'39''$; thence tangent from said curve, South $86^{\circ}32'44''$ East 67.84 feet; thence South $76^{\circ}05'15''$ East 209.93 feet to the beginning of a curve to the right with a radius of 35.00 feet; thence along said curve southeasterly 43.81 feet through a central angle of $71^{\circ}43'32''$; thence tangent from said curve, South $04^{\circ}21'43''$ East 91.69 feet; thence South $03^{\circ}22'24''$ East 95.53 feet to a point on the southerly boundary of said Parcel 4 and the terminus of this easement.

The sidelines of said easement are to be shortened or lengthened to commence on said northerly boundary of existing temporary construction easement and terminate at said southerly boundary of Parcel 4.

This temporary easement contains a total area of 22,950 square feet, more or less.