



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

January 30, 2018

Ordinance 18651

Proposed No. 2017-0356.1

Sponsors McDermott

1 AN ORDINANCE relating to the condemnation of certain
2 property required for expansion of the south transit base,
3 located in King County council district eight, and
4 authorizing the condemnation of the property.

5 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

6 **SECTION I. Findings:**

7 A. In November 2016, Ordinance 18409 provided funding for certain capital
8 projects to support the comprehensive system of transportation services operated and
9 maintained by the transit division of the department of transportation in furtherance of its
10 duties under K.C.C. 2.16.140.C.

11 B. One of the capital projects funded in Attachment A to Ordinance 18409 is the
12 expansion of the existing south metro transit base under capital improvement project
13 number 1129642 ("the South Base Expansion").

14 C. The south base expansion furthers King County's long-range transit service
15 and capital plan, entitled METRO CONNECTS, adopted in Ordinance 18449. The
16 project will be constructed in the city of Tukwila.

17 D. In order to construct, operate, and maintain the South Base Expansion, it is
18 necessary for King County to condemn and damage certain lands, property rights and
19 rights in property. The acquisition of such lands, property rights and rights in property is

20 for a public purpose.

21 E. The property to be condemned for the construction of the South Base
22 Expansion is zoned MIC/L which allows for approved commercial, industrial and
23 manufacturing uses, as well as automotive services, heavy equipment repair and salvage,
24 truck terminals, warehouse storage, and other uses.

25 F. The transit division of the department of transportation has initiated
26 discussions with the property owner for the voluntary acquisition of the property
27 necessary for the south base expansion. If the property owner and the transit division
28 cannot reach an agreement on voluntary acquisition of the property, condemnation
29 proceedings will be necessary so King County can obtain the property needed for the
30 south base expansion. The transit division will continue to negotiate with the property
31 owner and pursue condemnation only in the event that negotiations reach an impasse.

32 G. The capital budget for project 1129642 in Attachment A to Ordinance 18409
33 provides for the acquisition of real property, property rights and rights in property
34 necessary for the construction, operation and maintenance of the south base expansion.

35 H. King County is authorized by chapters 8.12 and 36.56 RCW, RCW 35.58.240
36 and RCW 35.58.320, to acquire, damage and condemn real property for public use for
37 metropolitan transportation systems and facilities.

38 I. The public health, safety, necessity, convenience and welfare require that
39 certain property and rights in property be condemned, appropriated, taken and damaged
40 for the purpose of constructing, operating and maintaining the south base expansion and
41 associated facilities.

42 SECTION 2. The metropolitan King County council deems the south base

43 expansion to be a public use and for county purposes and for metropolitan transportation
44 purposes. Further, the metropolitan King County council deems it necessary in the best
45 interest of the citizens of King County for the property described in Attachment A to this
46 ordinance, together with other appurtenant property interests, property rights, or rights in
47 property, be condemned, appropriated, taken or damaged in fee, or in easements where
48 applicable, subject to the making or paying of just compensation to the owner of the
49 property in the manner provided by law.

50 SECTION 3. Condemnation proceedings are hereby authorized to acquire the
51 property, property rights, and rights in property in all or any portion of the property
52 described in Attachment A to this ordinance for purposes of the south base expansion.

53 SECTION 4. The attorneys of King County are hereby authorized to begin to
54 prosecute the proceedings provided by law to condemn, take, damage and appropriate the
55 land and other property interests, property rights, and rights in property necessary to carry
56 out this ordinance.

57 SECTION 5. If any provision of this ordinance or its application to any person or

58 circumstance is held invalid, the remainder of the ordinance or the application of the
59 provision to other persons or circumstances is not affected.
60

Ordinance 18651 was introduced on 10/2/2017 and passed by the Metropolitan King
County Council on 1/29/2018, by the following vote:


Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn,
Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles
and Ms. Balducci
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Joseph McDermott, Chair

ATTEST:




Melani Pedroza, Clerk of the Council



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2018 FEB -9 AM 9:42
CLERK
KING COUNTY COUNCIL

APPROVED this 5 day of FEBRUARY 2018.



Dow Constantine, County Executive

Attachments: A. Legal description and illustration of property to be condemned for South Base
Expansion

ATTACHMENT A - 18651

Legal description and illustration of property to be condemned for South Base Expansion

Legal Description

Address: 12400 East Marginal Way South, Tukwila, WA 98168

Tax Parcel No.: 7340600480

Begin Legal Description:

THAT PORTION OF TRACTS 21, 22, 31 AND 32 OF RIVERSIDE INTERURBAN TRACTS, ACCORDING TO PLAT RECORDED IN VOLUME 10 OF PLATS AT PAGE 74, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY MARGIN OF PRIMARY STATE HIGHWAY NO. 1, FOSTER INTERCHANGE TO SOUTH 118TH STREET, AS CONDEMNED UNDER SUPERIOR COURT CAUSE NO. 646846, THAT BEARS SOUTH 04°33'59" EAST 165.03 FEET DISTANT FROM THE POINT OF CURVATURE OF THE WEST MARGIN, HIGHWAY ENGINEERS STATION 76+05.30, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF

THAT CERTAIN TRACT OF LAND AS DESCRIBED IN OPTION AGREEMENT RECORDED UNDER RECORDING NO. 7506090402; THENCE SOUTH 04°33'59" EAST ALONG SAID MARGIN 615.17 FEET TO A POINT LYING 110 FEET WESTERLY OF AND OPPOSITE ENGINEER'S STATION 68+25; THENCE SOUTH 58°17'25" WEST 230.32 FEET; THENCE SOUTH 21°32'52" EAST 36.80 FEET TO THE SOUTH LINE OF TRACT 32 OF THE RIVERSIDE INTERURBAN TRACTS; THENCE NORTH 89°17'24" WEST 476.97 FEET ALONG THE SOUTH LINE OF TRACTS 31 AND 32 TO THE EASTERLY MARGIN OF EAST MARGINAL WAY AS ESTABLISHED BY WARRANTY DEED FOUND IN KING COUNTY RECORDS, KING COUNTY RECORDING NO. 7412090465; THENCE NORTH 18°38'24" WEST 12.65 FEET ALONG SAID EASTERLY MARGIN; THENCE NORTH 12°54'24" WEST 443.48 FEET ALONG SAID EASTERLY MARGIN; THENCE NORTH 10°07'24" WEST 333.78 FEET ALONG SAID EASTERLY MARGIN TO THE SOUTHWEST CORNER OF OPTION AGREEMENT RECORDED UNDER RECORDING NO. 7506090402; THENCE SOUTH 89°17'24" EAST PARALLEL WITH THE SOUTH LINE OF TRACTS 31 AND 32 OF RIVERSIDE INTERURBAN TRACTS A DISTANCE OF 774.30 FEET TO THE POINT OF BEGINNING.

End Legal Description

Illustration of 12400 East Marginal Way South

Also known as King County Assessor's Tax Parcel No. 7340600480

Abbreviated legal: Por. Lots 21, 22, 31, & 32 Riverside Interurban Tracts, Vol. 10 p.74

