

ORDINANCE NO. 4236

AN ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF CONSTRUCTION OF THE NE 68TH STREET/108TH AVENUE NE INTERSECTION IMPROVEMENTS PROJECT WITHIN THE CITY OF KIRKLAND, PROVIDING FOR THE COST OF PROPERTY ACQUISITION AND AUTHORIZING THE INITIATION OF APPROPRIATE EMINENT DOMAIN PROCEEDINGS IN THE MANNER PROVIDED FOR BY LAW.

WHEREAS, the NE 68th Street/108th Avenue NE Intersection Improvements Project is an approved and funded project in the 2009-2014 Capital Improvement Program ("CIP"), listed as Project No. TR 0085 ("Project"); and

WHEREAS, the 2009-2014 CIP was approved by the Kirkland City Council on December 16, 2008 by Resolution R-4753; and

WHEREAS, the Project improvements are necessary to provide needed lane configurations, pedestrian facilities, and utility systems and installation of traffic signal controllers and components; and

WHEREAS, the City Council finds that the public health, safety, necessity, and convenience require construction of the Project and acquisition of the property described in this Ordinance; and

WHEREAS, the City has provided notice to affected property owners of this final action authorizing condemnation pursuant to RCW 8.25.290.

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. The lands and property rights within the City of Kirkland, King County, Washington, described in Exhibit A attached to this Ordinance and which descriptions are hereby incorporated by reference, necessary for public road purposes, are hereby condemned, appropriated and taken for such public purposes, subject to the making or paying of just compensation to the owners thereof in the manner provided by law.

Section 2. The Project is fully-funded and the expense of acquiring said property rights shall be paid for from the appropriate funding source within the city's portion of general current revenue for each CIP project.

Section 3. The City Attorney is authorized and directed to begin and prosecute legal proceedings in the manner provided by the law to purchase, condemn, take, appropriate, and otherwise acquire

the lands and other property rights and privileges necessary to carry out the purposes of this Ordinance.

Section 4. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 6th day of April, 2010.

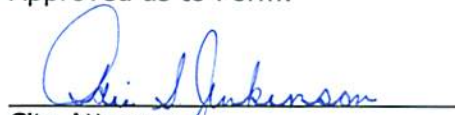
Signed in authentication thereof this 6th day of April, 2010.


MAYOR

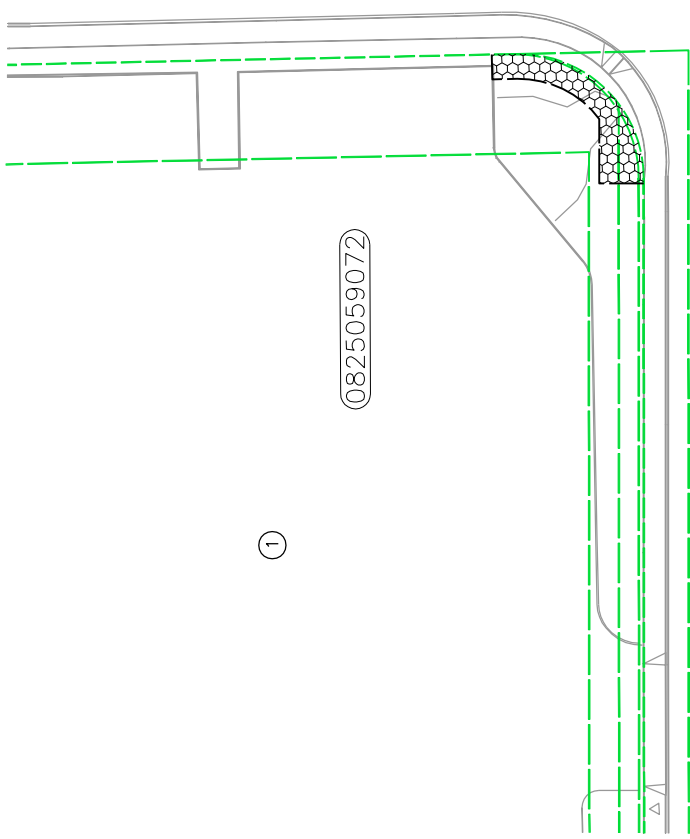
Attest:


City Clerk

Approved as to Form:

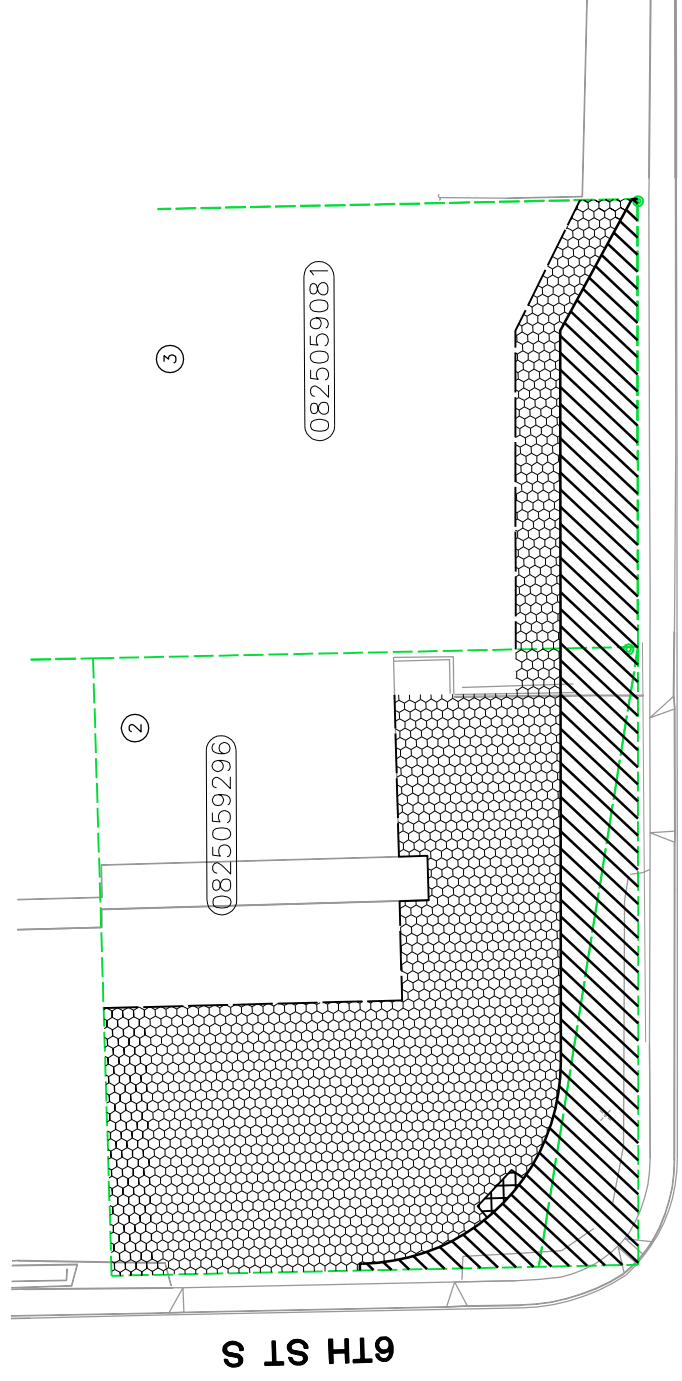

City Attorney

SEC. 8 NE, T. 25 N., R. 5E



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0825059072

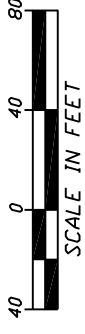


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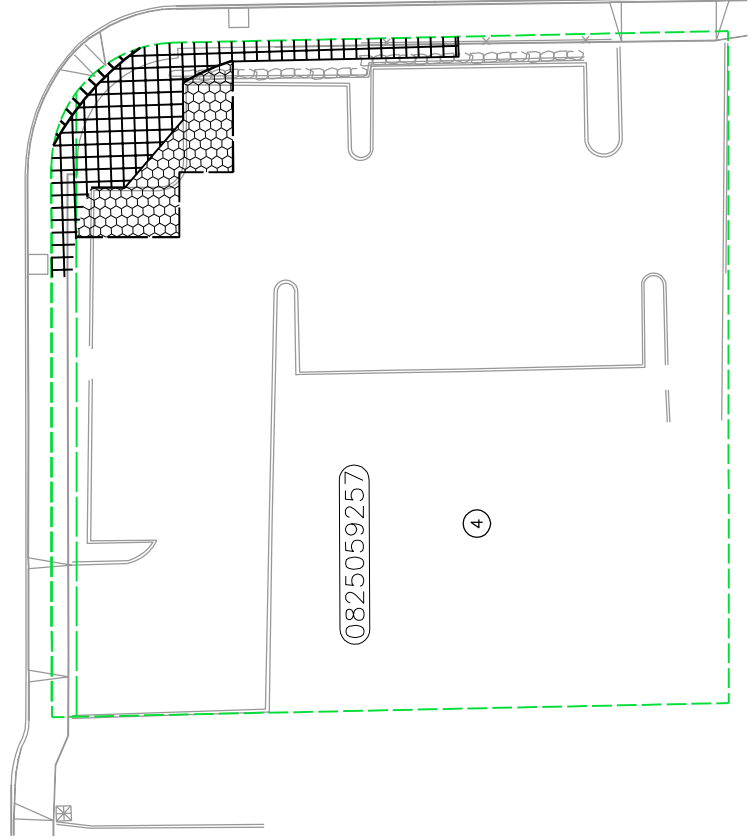
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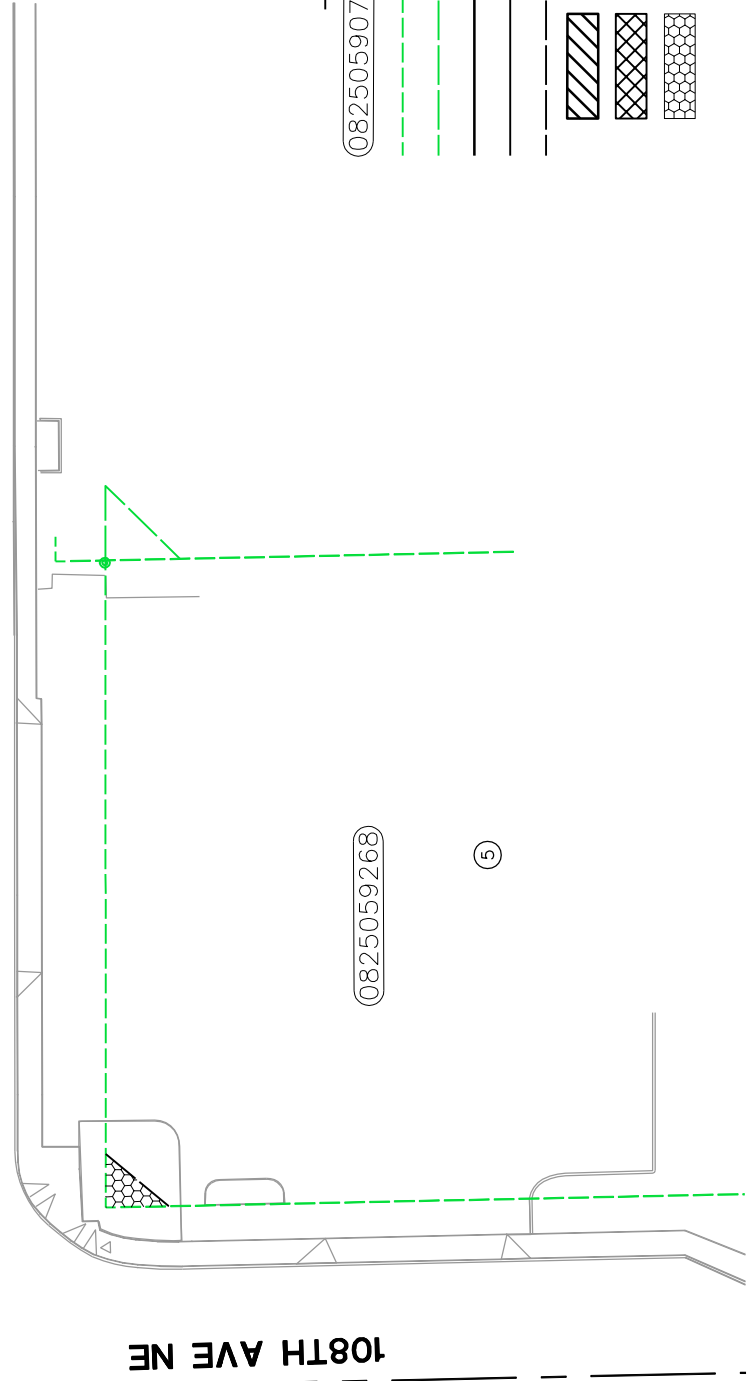


NE 68TH ST



4

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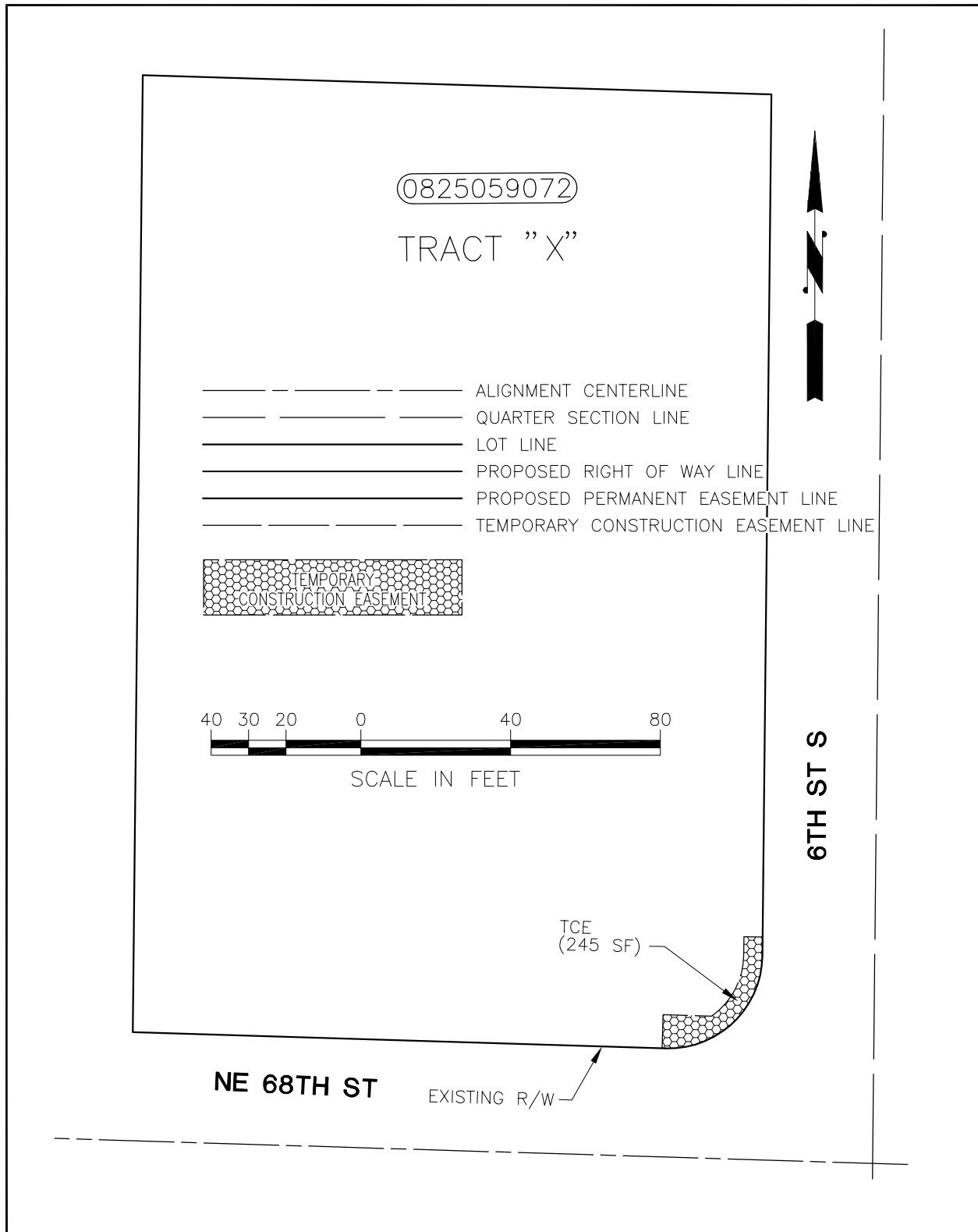
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LEGEND

- PROPERTY NUMBER
- EXISTING RIGHT OF WAY
- EXISTING EASEMENT
- PROPOSED RIGHT OF WAY
- PROPOSED PERMANENT EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT
- RIGHT OF WAY
- PERMANENT EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT A




TEMPORARY CONSTRUCTION EASEMENT AREA DESCRIPTION:

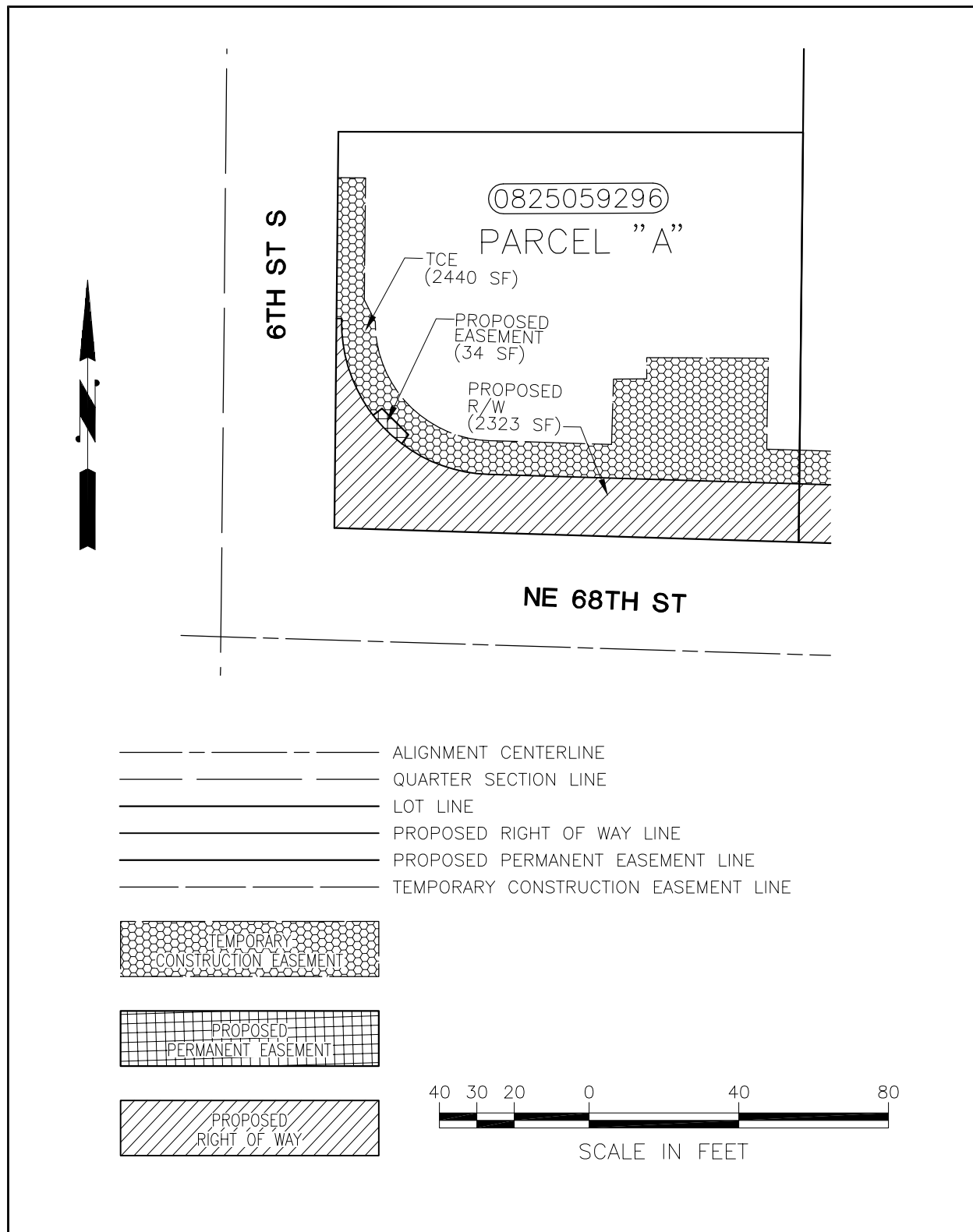
A TEMPORARY CONSTRUCTION EASEMENT BEING ALL THAT LAND LYING WITHIN THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST CORNER OF TRACT "X" AS DESCRIBED BELOW; THENCE S 88°14'41" E ALONG THE SOUTH LINE OF SAID TRACT "X" A DISTANCE OF 141.43 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 88°14'41" E 1.00 FEET; THENCE ALONG A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 91°09'43" A DISTANCE OF 39.78 FEET; THENCE N 0°35'36" E ALONG THE EAST LINE OF SAID TRACT "X" A DISTANCE OF 5.00 FEET; THENCE N 89°24'24" W 5.00 FEET; THENCE S 0°35'36" W PARALLEL WITH SAID EAST LINE 5.00 FEET; THENCE ALONG A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 54°34'18" A DISTANCE OF 19.05 FEET; THENCE N 88°14'41" W PARALLEL WITH SAID SOUTH LINE OF TRACT "X" 12.92 FEET; THENCE S 1°45'19" W 8.94 FEET TO THE POINT OF BEGINNING.

TRACT "X" IS THAT PORTION OF TRACT "B", SOUTH KIRKLAND ACREAGE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 11 OF PLATS, PAGE 94, RECORDS OF KING COUNTY, WASHINGTON, SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 259.11 FEET SOUTH OF THE NORTHEAST CORNER OF SAID TRACT "B"; THENCE SOUTH ALONG THE WEST LINE OF 108TH AVENUE NE A DISTANCE OF 264.49 FEET TO THE NORTH LINE OF COUNTY ROAD; THENCE WESTERLY ALONG THE NORTH LINE OF SAID COUNTY ROAD 167.94 FEET; THENCE NORTH 264.49 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE TRACT CONVEYED TO CARL NILSON BY DEED RECORDED UNDER RECORDING NO. 1234234; THENCE S 88°38'00" E 167.94 FEET TO THE POINT OF BEGINNING; EXCEPT THE SOUTH 9 FEET THEREOF; EXCEPT THAT PORTION THEREOF LYING SOUTHEASTERLY OF AN ARC WHICH HAS A RADIUS OF 25.00 FEET AND WHOSE RADIUS POINT IS 54.00 FEET NORTHERLY WHEN MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF NE 68TH STREET AND LYING ON A LINE 55.00 FEET WESTERLY OF AND PARALLEL TO THE CENTERLINE OF 108TH AVENUE NE, SAID ARC BEGINNING ON A LINE 29.00 FEET NORTHERLY WHEN MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF NORTHEAST 68TH STREET AND TERMINATING AT A POINT ON THE WESTERLY RIGHT OF WAY MARGIN OF 108TH AVENUE NE, KING COUNTY, WASHINGTON.

TOTAL TEMPORARY CONSTRUCTION EASEMENT AREA = 245 SQUARE FEET



	<p>CITY OF KIRKLAND – INTERSECTION IMPROVEMENT KING COUNTY ASSESSOR'S # 0825059072</p>	<p>PAGE 2 OF 2</p>
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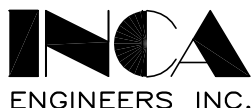
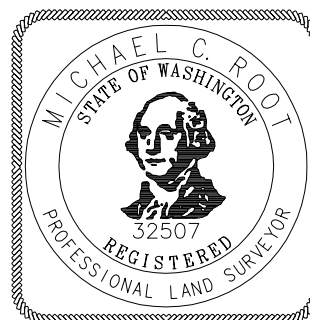


RIGHT OF WAY AREA DESCRIPTION:

A PROPOSED RIGHT OF WAY BEING A PORTION OF PARCEL "A" OF CITY OF KIRKLAND SHORT PLAT NO. 75-9-11, AS RECORDED OCTOBER 29, 1975 UNDER RECORDING NO.7510290579, RECORDS OF KING COUNTY, WASHINGTON, SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON. SAID RIGHT OF WAY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF LAND LYING WITHIN THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL "A"; THENCE N 0°35'36" E ALONG THE WEST LINE OF SAID PARCEL "A" 55.96 FEET; THENCE S 89°24'24" E 1.39 FEET; THENCE S 0°35'36" W 0.51 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 40.50 FEET TO WHICH A RADIAL LINE BEARS N 89°04'18" W; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°11'24" A DISTANCE OF 63.04 FEET; THENCE S 88°15'05" E 83.03 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL "A"; THENCE S 0°35'36" W 15.57 FEET ALONG SAID EAST LINE TO A POINT ON THE SOUTH LINE OF SAID PARCEL "A"; THENCE N 88°14'41" W ALONG SAID SOUTH LINE 124.11 FEET TO THE POINT OF BEGINNING.

TOTAL RIGHT OF WAY AREA = 2323 SQUARE FEET



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PERMANENT EASEMENT AREA DESCRIPTION:

A PROPOSED PERMANENT EASEMENT BEING A PORTION OF PARCEL "A" OF CITY OF KIRKLAND SHORT PLAT NO. 75-9-11, AS RECORDED OCTOBER 29, 1975 UNDER RECORDING NO. 7510290579, RECORDS OF KING COUNTY, WASHINGTON, SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON. SAID EASEMENT BEING MORE PARTICULARLY BE DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF LAND LYING WITHIN THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL "A"; THENCE N 0°35'36" E ALONG THE WEST LINE OF SAID PARCEL "A" 55.96 FEET; THENCE S 89°24'24" E 1.39 FEET; THENCE S 0°35'36" W 0.51 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 40.50 FEET TO WHICH A RADIAL LINE BEARS N 89°04'18" W; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 38°32'56" A DISTANCE OF 27.25 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°16'44" A DISTANCE OF 10.80 FEET; THENCE ALONG A RADIAL LINE OF SAID CURVE N 37°06'02" E 3.00 FEET; THENCE N 45°15'36" W 9.97 FEET TO A POINT ON A RADIAL LINE OF SAID CURVE; THENCE S 52°22'46" W 3.00 FEET ALONG SAID RADIAL LINE TO THE POINT OF BEGINNING.

TOTAL PERMANENT EASEMENT AREA = 34 SQUARE FEET



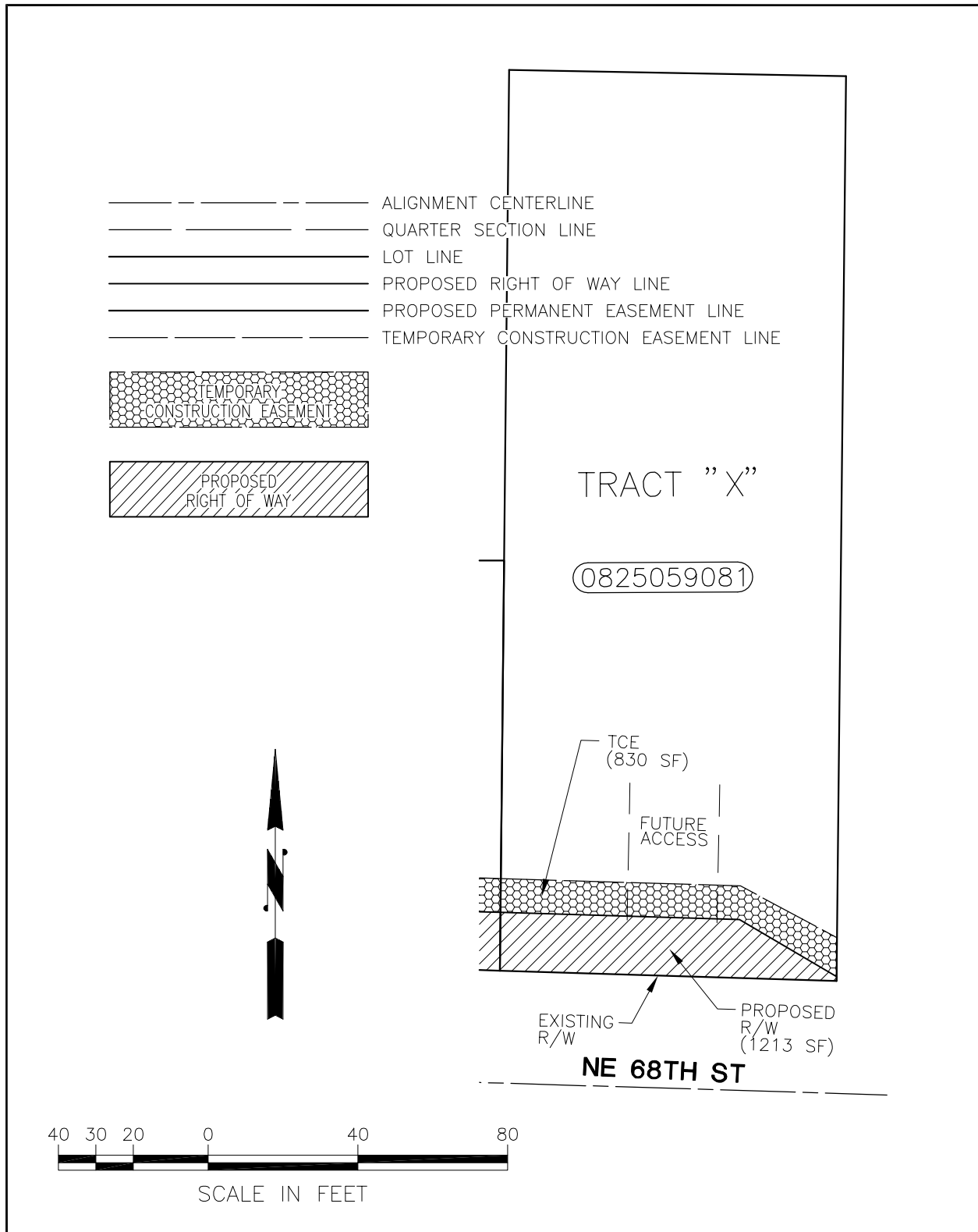
TEMPORARY CONSTRUCTION EASEMENT AREA DESCRIPTION:

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ALL THAT PORTION OF LAND LYING WITHIN THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL "A"; THENCE N 0°35'36" E ALONG THE WEST LINE OF SAID PARCEL "A" 55.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 89°24'24" E 1.39 FEET; THENCE S 0°35'36" W 0.51 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 40.50 FEET TO WHICH A RADIAL LINE BEARS N 89°04'18" W; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 38°32'56" A DISTANCE OF 27.25 FEET; THENCE ALONG A RADIAL LINE OF SAID CURVE N 52°22'46" E 3.00 FEET; THENCE S 45°15'36" E 9.97 FEET; THENCE S 37°06'02" W 3.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 40.50 FEET TO WHICH A RADIAL LINE BEARS S 37°06'02" W; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°21'43" A DISTANCE OF 25.00 FEET; THENCE S 88°15'05" E 83.03 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL "A"; THENCE N 0°35'36" E ALONG SAID EAST LINE 9.00 FEET; THENCE N 88°15'05" W 8.83 FEET; THENCE N 1°03'41" E 24.35 FEET; THENCE N 89°47'34" W 32.48 FEET; THENCE S 0°10'56" W 5.70 FEET; THENCE S 89°45'21" W 8.86 FEET; THENCE S 1°44'55" W 17.47 FEET; THENCE N 88°15'05" W 32.56 FEET; THENCE ALONG A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 31.50 FEET THROUGH A CENTRAL ANGLE OF 88°50'17" A DISTANCE OF 48.84 FEET; THENCE N 26°43'30" W 6.54 FEET; THENCE N 0°35'12" E 32.55 FEET; THENCE N 89°24'48" W 7.38 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL "A"; THENCE S 0°35'36" W ALONG THE WEST LINE OF SAID PARCEL "A" 37.61 FEET TO THE POINT OF BEGINNING.

TOTAL TEMPORARY CONSTRUCTION EASEMENT AREA = 2440 SQUARE FEET





RIGHT OF WAY AREA DESCRIPTION:

A PROPOSED RIGHT OF WAY BEING ALL THAT PORTION OF LAND LYING WITHIN THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE SOUTHEAST CORNER OF TRACT "X" AS DESCRIBED BELOW; THENCE N 0°35'36" E 1.16 FEET ALONG THE EAST LINE OF SAID TRACT "X"; THENCE N 59°36'28" W 30.09 FEET; THENCE N 88°15'05" W 63.87 FEET TO A POINT ON THE WEST LINE OF SAID TRACT "X"; THENCE S 0°35'36" W 15.57 FEET ALONG THE WEST LINE OF SAID TRACT "X"; THENCE S 88°14'41" E 89.98 FEET ALONG THE NORTH LINE OF STATE AID ROAD NO. 4 (AND THE SOUTH LINE OF SAID TRACT "X") TO THE POINT OF BEGINNING.

TRACT "X" IS THE SOUTH ONE-HALF OF THE FOLLOWING DESCRIBED TRACT: BEGINNING 154.08 FEET EAST AND 30.00 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON; THENCE N 89°39'02" E 89.95 FEET; THENCE S 0°15'29" E 485.43 FEET, MORE OR LESS, TO STATE AID ROAD NO. 4 (NE 68TH STREET); THENCE WESTERLY ALONG THE NORTH LINE OF SAID ROAD, 89.98 FEET; THENCE N 0°15'29" W 483.10 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOTAL RIGHT OF WAY AREA = 1213 SQUARE FEET



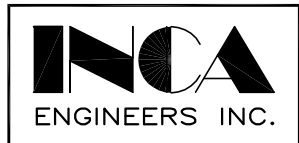
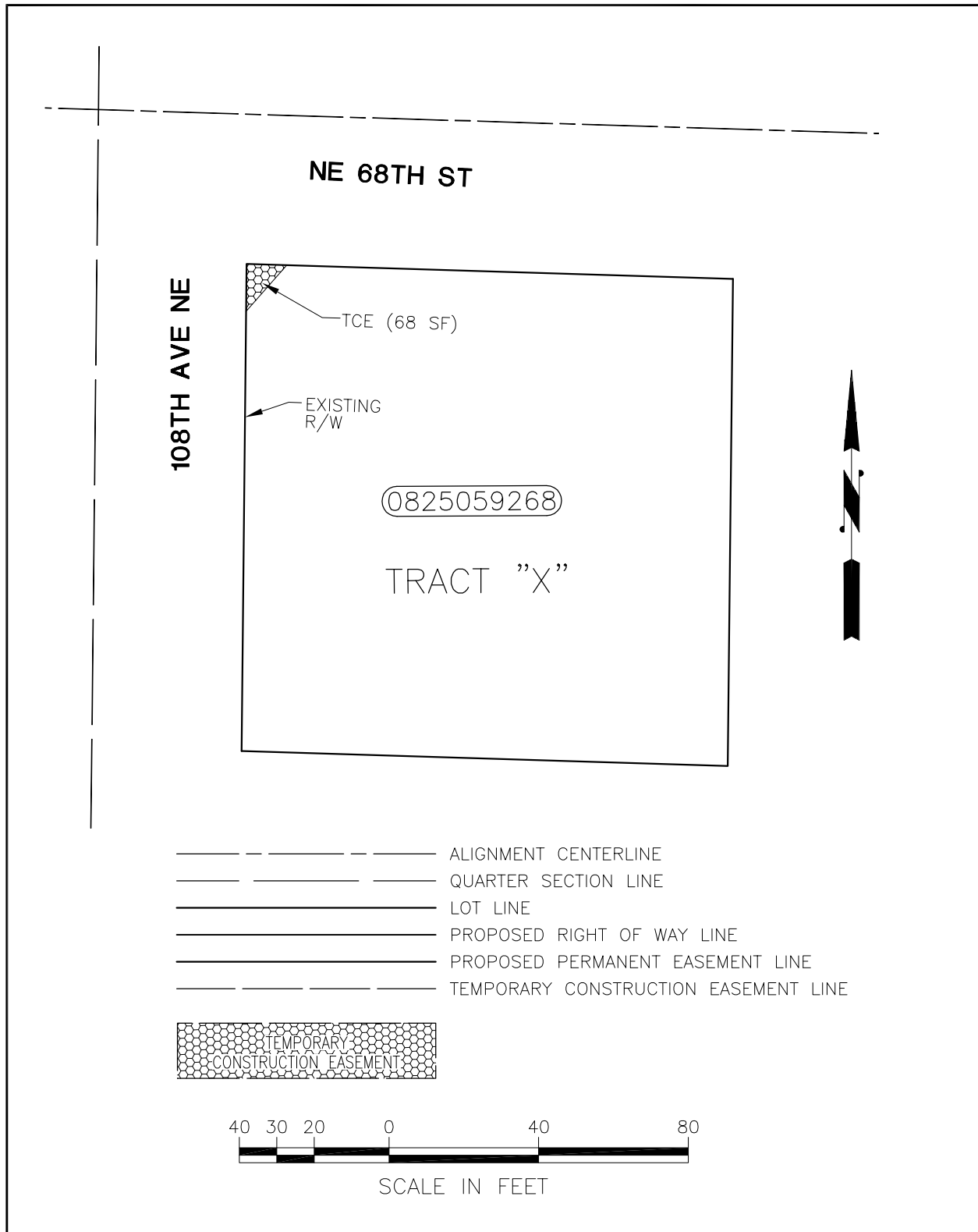
TEMPORARY CONSTRUCTION EASEMENT AREA DESCRIPTION:

A TEMPORARY CONSTRUCTION EASEMENT BEING ALL THAT PORTION OF LAND LYING WITHIN THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHEAST CORNER OF TRACT "X" AS DESCRIBED BELOW; THENCE N 0°35'36" E 1.16 FEET ALONG THE EAST LINE OF SAID TRACT "X" TO THE TRUE POINT OF BEGINNING; THENCE N 0°35'36" E 10.40 FEET ALONG THE EAST LINE OF SAID TRACT "X"; THENCE N 61°48'23" W 29.25 FEET; THENCE N 88°15'05" W 64.05 FEET TO A POINT ON THE WEST LINE OF SAID TRACT "X"; THENCE S 0°35'36" W 9.00 FEET ALONG THE WEST LINE OF SAID TRACT "X"; THENCE S 88°15'05" E 63.87 FEET; THENCE S 59°36'28" E 30.09 FEET TO THE POINT OF BEGINNING.

TRACT "X" IS THE SOUTH ONE-HALF OF THE FOLLOWING DESCRIBED TRACT: BEGINNING 154.08 FEET EAST AND 30.00 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON; THENCE N 89°39'02" E 89.95 FEET; THENCE S 0°15'29" E 485.43 FEET, MORE OR LESS, TO STATE AID ROAD NO. 4 (NE 68TH STREET); THENCE WESTERLY ALONG THE NORTH LINE OF SAID ROAD, 89.98 FEET; THENCE N 0°15'29" W 483.10 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOTAL TEMPORARY CONSTRUCTION EASEMENT AREA = 830 SQUARE FEET





CITY OF KIRKLAND – INTERSECTION IMPROVEMENT
KING COUNTY ASSESSOR'S #
0825059268

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TEMPORARY CONSTRUCTION EASEMENT AREA DESCRIPTION:

A TEMPORARY CONSTRUCTION EASEMENT BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS THE INTERSECTION OF THE SOUTH RIGHT OF WAY MARGIN OF NE 68TH STREET AND THE EAST RIGHT OF WAY MARGIN OF 108TH AVENUE NE AND RUNNING THENCE SOUTH ALONG SAID EAST MARGIN OF 108TH AVENUE NE A DISTANCE OF 140 FEET; THENCE RUNNING EAST PARALLEL TO THE SOUTH MARGIN OF NE 68TH STREET A DISTANCE OF 140 FEET; THENCE RUNNING NORTH PARALLEL TO THE EAST MARGIN OF 108TH AVENUE NE A DISTANCE OF 140 FEET; THENCE WESTERLY ALONG THE SOUTH MARGIN OF NE 68TH STREET A DISTANCE OF 140 FEET TO THE POINT OF BEGINNING; EXCEPT THE NORTH AND WEST 10 FEET AS CONVEYED FOR STREET BY DEED RECORDED MARCH 6, 1967 UNDER RECORDING NO. 6146279. HEREAFTER KNOWN AS TRACT "X"

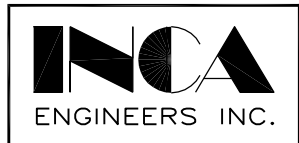
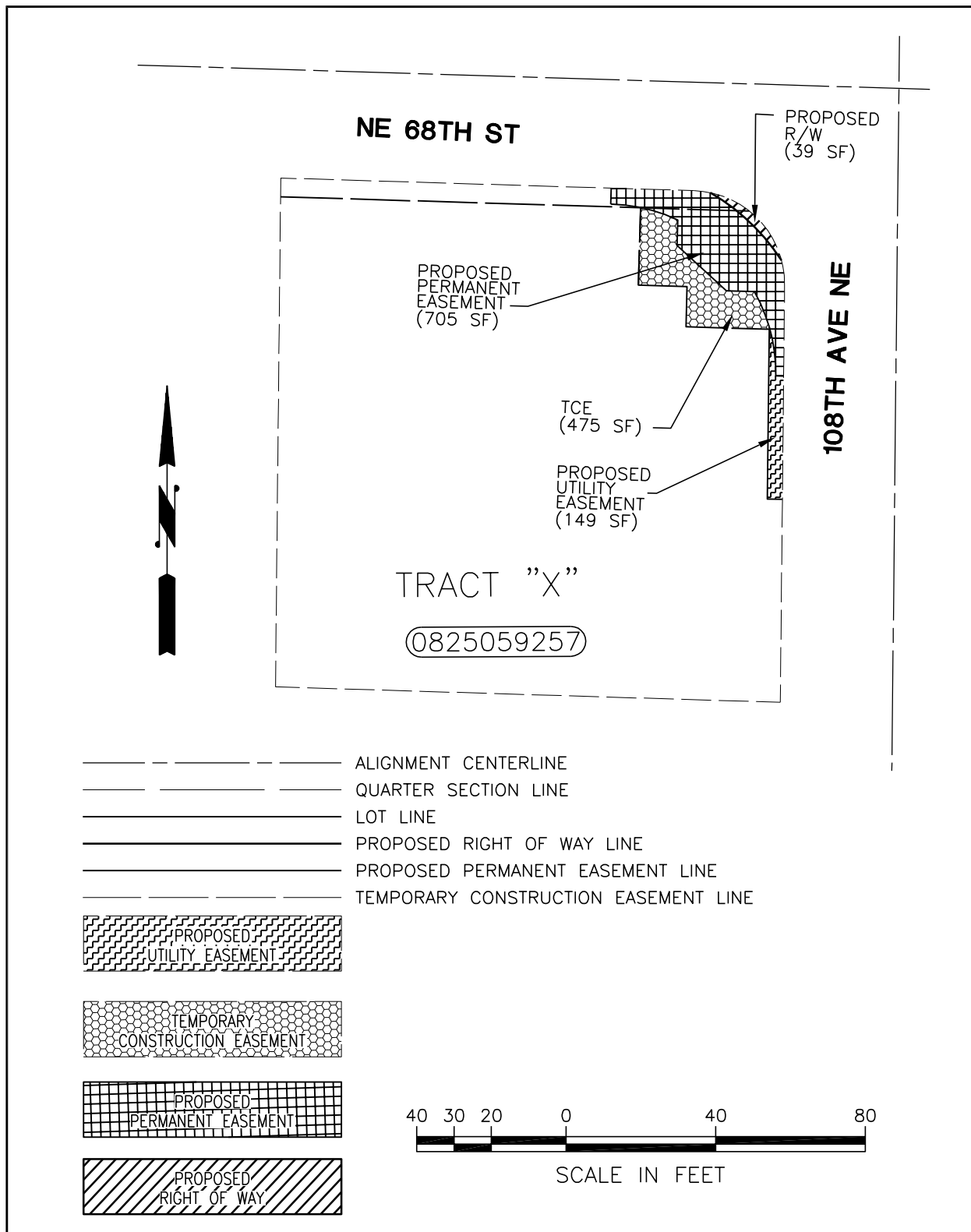
ALL THAT PORTION OF TRACT "X" LYING WITHIN THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT ; THENCE S 88°14'41" E ALONG THE NORTH LINE OF SAID TRACT 10.75 FEET; THENCE S 41°26'37" W 16.44 FEET TO A POINT ON THE WEST LINE OF SAID TRACT; THENCE N 0°35'36" E ALONG THE WEST LINE OF SAID TRACT 12.65 FEET TO THE POINT OF BEGINNING AND THE TERMINUS OF THIS LINE.

TOTAL TEMPORARY CONSTRUCTION EASEMENT = 68 SQUARE FEET



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0825059257


RIGHT OF WAY AREA DESCRIPTION:

A PROPOSED RIGHT OF WAY BEING ALL THAT PORTION OF THE HEREINAFTER DESCRIBED TRACT "X" LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT "X"; THENCE S 88°14'41" E ALONG THE NORTH LINE OF SAID TRACT "X" 110.51 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 25.00 FEET, SAID CURVE BEING A CONTINUATION OF THE NORTH LINE OF TRACT "X"; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°02'01" A DISTANCE OF 4.38 FEET TO THE TRUE POINT OF BEGINNING; THENCE DEPARTING FROM SAID NORTH LINE ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST THE RADIUS POINT OF WHICH BEARS S 29°56'06" W, 56.00 FEET DISTANT, THROUGH A CENTRAL ANGLE OF 27°09'06" A DISTANCE OF 26.54 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF SAID TRACT "X", AND THE TERMINUS OF THIS LINE.

TRACT "X" IS THAT PORTION OF AN UNPLATTED TRACT OF LAND SHOWN ON THE PLAT OF SOUTH KIRKLAND ACREAGE, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 11 OF PLATS, PAGE 94, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EASTERLY PROLONGATION OF THE NORTH LINE OF TRACT 27 IN SAID PLAT WITH THE WEST LINE OF COUNTY ROAD; THENCE WEST ALONG SAID EASTERLY PROLONGATION, 135 FEET; THENCE SOUTHERLY, PARALLEL WITH THE SAID WEST LINE OF COUNTY ROAD, 145 FEET; THENCE EAST, PARALLEL WITH SAID EASTERLY PROLONGATION, 135 FEET; THENCE NORTHERLY ALONG SAID WEST LINE OF COUNTY ROAD, 145 FEET TO THE POINT OF BEGINNING; EXCEPT THAT PORTION THEREOF LYING WITHIN NE 68TH STREET.

TOTAL PROPOSED RIGHT OF WAY AREA = 39 SQUARE FEET



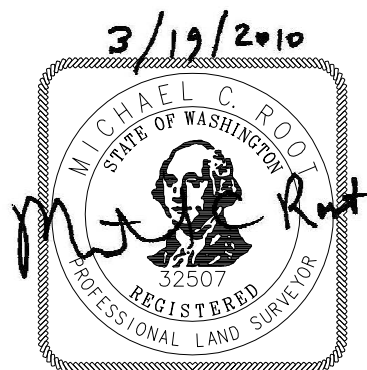
	CITY OF KIRKLAND – INTERSECTION IMPROVEMENT KING COUNTY ASSESSOR'S # 0825059257	PAGE 2 OF 5
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PERMANENT EASEMENT AREA DESCRIPTION:

A PROPOSED PERMANENT EASEMENT BEING ALL THAT PORTION OF THE HEREINAFTER DESCRIBED TRACT "X" LYING WITHIN THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT "X"; THENCE S 88°14'41" E ALONG THE NORTH LINE OF SAID TRACT "X" 88.41 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE S 88°14'41" E, A DISTANCE OF 22.10 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 25.00 FEET, SAID CURVE BEING A CONTINUATION OF THE NORTH LINE OF TRACT "X"; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°02'01" A DISTANCE OF 4.38 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST THE RADIUS POINT OF WHICH BEARS S 29°56'06" W, A DISTANCE OF 56.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 27°09'06" A DISTANCE OF 26.54 FEET TO A POINT ON THE EAST LINE OF SAID TRACT "X" AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE WEST THE RADIUS POINT OF WHICH BEARS S 75°13'58" W, A DISTANCE OF 25.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°21'39" A DISTANCE OF 6.70 FEET; THENCE S 0°35'36" W ALONG SAID EAST LINE A DISTANCE OF 24.29 FEET; THENCE N 89°24'48" W, A DISTANCE OF 2.09 FEET, ALONG THE RADIAL LINE OF A CURVE TO A POINT THAT IS THE BEGINNING OF SAID CURVE, WHICH IS CONCAVE TO THE SOUTHWEST AND HAS A RADIUS OF 45.50 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 29°38'51" A DISTANCE OF 23.54 FEET; THENCE N 88°31'41" W, A DISTANCE OF 7.46 FEET; THENCE N 47°33'45" W, A DISTANCE OF 17.94 FEET; THENCE N 1°44'51" E, A DISTANCE 6.82 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTH THE RADIUS POINT OF WHICH BEARS S 25°04'37" W, A DISTANCE OF 45.50 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°19'42" A DISTANCE OF 18.53 FEET; THENCE N 1°44'55" E, A DISTANCE OF 4.24 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING AND THE TERMINUS OF THIS LINE.

TRACT "X" IS THAT PORTION OF AN UNPLATTED TRACT OF LAND SHOWN ON THE PLAT OF SOUTH KIRKLAND ACREAGE, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 11 OF PLATS, PAGE 94, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EASTERLY PROLONGATION OF THE NORTH LINE OF TRACT 27 IN SAID PLAT WITH THE WEST LINE OF COUNTY ROAD; THENCE WEST ALONG SAID EASTERLY PROLONGATION, 135 FEET; THENCE SOUTHERLY, PARALLEL WITH THE SAID WEST LINE OF COUNTY ROAD, 145 FEET; THENCE EAST, PARALLEL WITH SAID EASTERLY PROLONGATION, 135 FEET; THENCE NORTHERLY ALONG SAID WEST LINE OF COUNTY ROAD, 145 FEET TO THE POINT OF BEGINNING; EXCEPT THAT PORTION THEREOF LYING WITHIN NE 68TH STREET.

TOTAL PROPOSED PERMANENT EASEMENT AREA = 705 SQUARE FEET



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UTILITY EASEMENT AREA DESCRIPTION:

A PROPOSED UTILITY EASEMENT BEING ALL THAT PORTION OF THE HEREINAFTER DESCRIBED TRACT "X" LYING NORTH, EAST, SOUTHWEST AND SOUTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT "X"; THENCE N 0°35'36" E ALONG THE EAST LINE OF SAID TRACT "X" 54.27 FEET TO THE TRUE POINT OF BEGINNING; THENCE N 89°24'24" W, A DISTANCE OF 4.00 FEET; THENCE N 0°35'36" E, A DISTANCE OF 45.99 FEET; THENCE SOUTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE WEST THE RADIUS POINT OF WHICH BEARS S 73°55'11" W, 45.50 FEET DISTANT, THROUGH A CENTRAL ANGLE OF 16°40'00" A DISTANCE OF 13.24 FEET; THENCE S 89°24'48" E, A DISTANCE OF 2.09 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF SAID TRACT "X", AND THE TERMINUS OF THIS LINE.

TRACT "X" IS THAT PORTION OF AN UNPLATTED TRACT OF LAND SHOWN ON THE PLAT OF SOUTH KIRKLAND ACREAGE, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 11 OF PLATS, PAGE 94, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EASTERLY PROLONGATION OF THE NORTH LINE OF TRACT 27 IN SAID PLAT WITH THE WEST LINE OF COUNTY ROAD; THENCE WEST ALONG SAID EASTERLY PROLONGATION, 135 FEET; THENCE SOUTHERLY, PARALLEL WITH THE SAID WEST LINE OF COUNTY ROAD, 145 FEET; THENCE EAST, PARALLEL WITH SAID EASTERLY PROLONGATION, 135 FEET; THENCE NORTHERLY ALONG SAID WEST LINE OF COUNTY ROAD, 145 FEET TO THE POINT OF BEGINNING; EXCEPT THAT PORTION THEREOF LYING WITHIN NE 68TH STREET.

TOTAL PROPOSED UTILITY EASEMENT AREA = 149 SQUARE FEET



TEMPORARY CONSTRUCTION EASEMENT AREA DESCRIPTION:

A TEMPORARY CONSTRUCTION EASEMENT BEING ALL THAT PORTION OF THE HEREINAFTER DESCRIBED TRACT "X" LYING WITHIN THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT "X"; THENCE S 88°14'41" E ALONG THE NORTH LINE OF SAID TRACT "X" 88.41 FEET; THENCE S 1°44'55" W, A DISTANCE OF 4.24 FEET, ALONG THE RADIAL LINE OF A CURVE TO THE POINT OF BEGINNING OF SAID CURVE, WHICH IS CONCAVE TO THE SOUTH AND HAS A RADIUS OF 45.50 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°08'59" A DISTANCE OF 8.06 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°10'44" A DISTANCE OF 10.47 FEET; THENCE S 1°44'51" W, A DISTANCE OF 6.82 FEET; THENCE S 47°33'45" E, A DISTANCE OF 17.94 FEET; THENCE S 88°31'41" E, A DISTANCE OF 7.46 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE WEST THE RADIUS POINT OF WHICH BEARS S 60°56'21" W, 45.50 FEET DISTANT; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°58'50" A DISTANCE OF 10.31 FEET; THENCE S 0°35'36" W, A DISTANCE OF 0.61 FEET; THENCE N 88°17'42" W, A DISTANCE OF 22.24 FEET; THENCE N 1°28'19" E, A DISTANCE OF 10.78 FEET; THENCE N 88°15'09" W, A DISTANCE OF 13.02 FEET; THENCE N 1°44'51" E, A DISTANCE OF 20.70 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING, AND THE TERMINUS OF THIS LINE.

TRACT "X" IS THAT PORTION OF AN UNPLATTED TRACT OF LAND SHOWN ON THE PLAT OF SOUTH KIRKLAND ACREAGE, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 11 OF PLATS, PAGE 94, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EASTERLY PROLONGATION OF THE NORTH LINE OF TRACT 27 IN SAID PLAT WITH THE WEST LINE OF COUNTY ROAD; THENCE WEST ALONG SAID EASTERLY PROLONGATION, 135 FEET; THENCE SOUTHERLY, PARALLEL WITH THE SAID WEST LINE OF COUNTY ROAD, 145 FEET; THENCE EAST, PARALLEL WITH SAID EASTERLY PROLONGATION, 135 FEET; THENCE NORTHERLY ALONG SAID WEST LINE OF COUNTY ROAD, 145 FEET TO THE POINT OF BEGINNING; EXCEPT THAT PORTION THEREOF LYING WITHIN NE 68TH STREET.

TOTAL TEMPORARY CONSTRUCTION EASEMENT AREA = 475 SQUARE FEET



	<p>CITY OF KIRKLAND – INTERSECTION IMPROVEMENT KING COUNTY ASSESSOR'S # 0825059257</p>	<p>PAGE 5 OF 5</p>
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PUBLICATION SUMMARY
OF ORDINANCE NO. 4236

AN ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF CONSTRUCTION OF THE NE 68TH STREET/108TH AVENUE NE INTERSECTION IMPROVEMENTS PROJECT WITHIN THE CITY OF KIRKLAND, PROVIDING FOR THE COST OF PROPERTY ACQUISITION AND AUTHORIZING THE INITIATION OF APPROPRIATE EMINENT DOMAIN PROCEEDINGS IN THE MANNER PROVIDED FOR BY LAW.

SECTION 1. Authorizes condemnation of property necessary for the NE 68th Street/108th Avenue NE Intersection Improvements Project.

SECTION 2. Provides that the Project is fully funded and that the expense of acquiring the property shall be paid for from the appropriate funding source within the city's portion of general current revenue for each CIP project.

SECTION 3. Authorizes the City Attorney to initiate condemnation proceedings to acquire the property necessary for the Project.

SECTION 4. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 6th day of April, 2010.

I certify that the foregoing is a summary of Ordinance 4236 approved by the Kirkland City Council for summary publication.



City Clerk