

ORDINANCE O-4444

AN ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF THE BILLY CREEK RAVINE STABILIZATION PHASE 2 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 Billy Creek Ravine Stabilization Phase 2 Project ("Project") is an approved and funded project in the City's Capital Improvement Program ("CIP"); and

WHEREAS, the Project improvements are necessary to improve the City's storm-water drainage system and prevent erosion and deposit of silt and sediment on downstream properties and City streets; 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 land and property rights within the City of Kirkland, King County, Washington, described in Exhibit A & Exhibit B attached to this Ordinance and which description is hereby incorporated by reference, necessary for public storm drainage purposes, is 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.

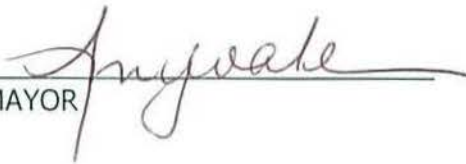
Section 3. The City Attorney is authorized to begin and prosecute legal proceedings in the manner provided by the law to purchase, condemn, take, appropriate, and otherwise acquire the lands and other property rights and privileges necessary to carry out the purposes of this Ordinance.

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 open meeting this 20th day of May, 2014.

Signed in authentication thereof this 20th day of May, 2014.

  
MAYOR

Attest:

  
City Clerk

Approved as to Form:


  
City Attorney

EXHIBIT "A"

BILLY CREEK  
LEGAL DESCRIPTION: DRAINAGE EASEMENT

TRIAD JOB # 14-064  
APRIL 29, 2014  
REVISED MAY 8, 2014

THAT PORTION OF THE NE ¼ OF THE NW ¼ OF SECTION 30, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING WITHIN A STRIP OF LAND 20.00 FEET IN WIDTH, LYING 10.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE NORTHWEST CORNER OF LOT 16, PANORAMA ESTATES ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 91, PAGE 43 RECORDS OF KING COUNTY, WASHINGTON;

THENCE, ALONG THE NORTH LINE OF SAID LOT 16, SOUTH 87°08'29" EAST 43.91 FEET TO THE TRUE POINT OF BEGINNING OF THIS CENTERLINE.

THENCE NORTH 29°56'25" EAST 80.00 TO THE TERMINUS OF SAID CENTERLINE.

THE SIDE LINES OF SAID STRIP OF LAND TO BE EXTENDED OR SHORTEND TO TERMINATE ON THE NORTH LINE OF SAID PLAT OF PANORAMA ESTATES.



5/8/14

WRITTEN: ETH  
CHECKED: BTF



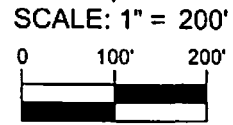
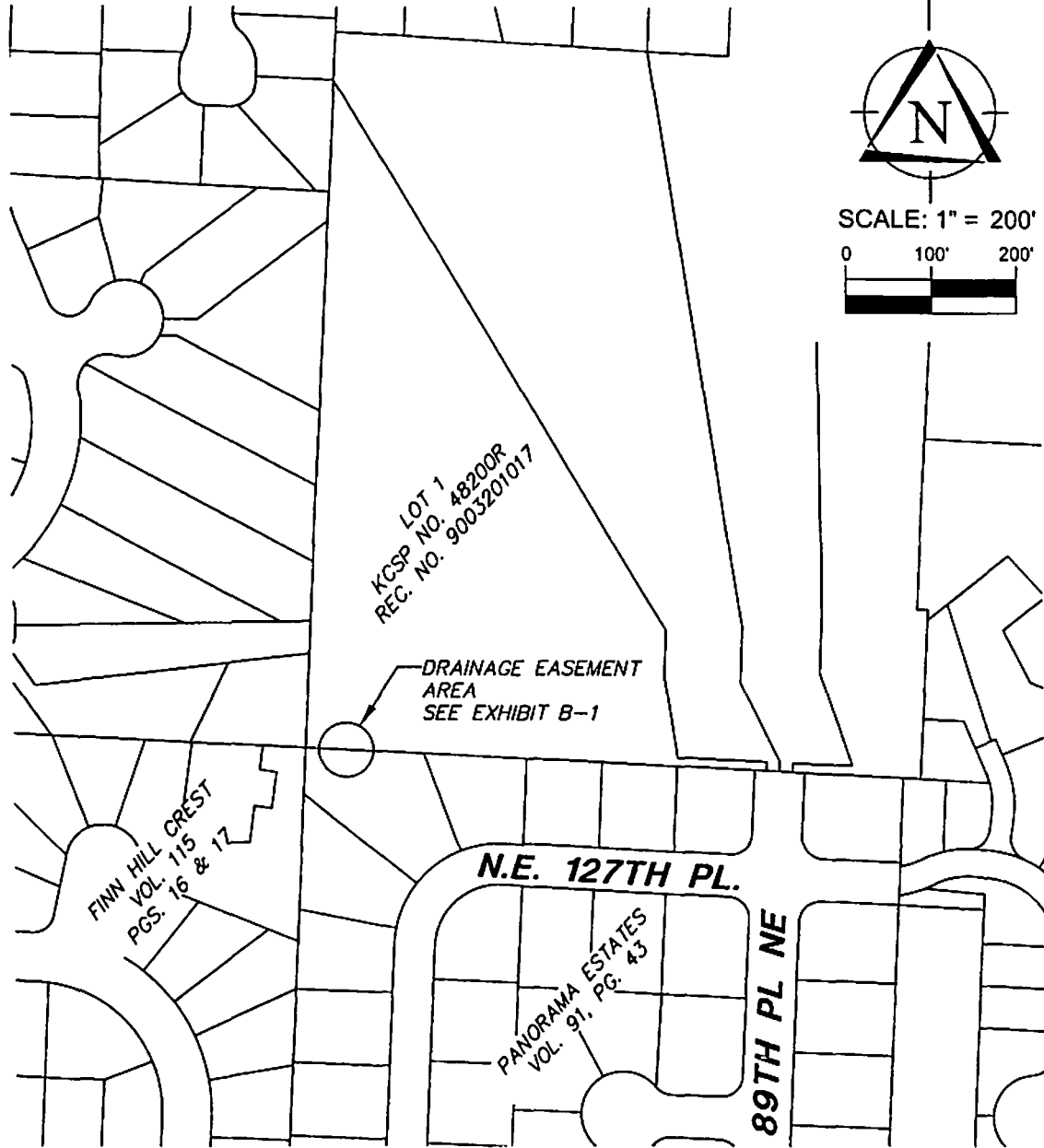
12112 115<sup>th</sup> Avenue NE Kirkland, Washington 98034-9623  
425.821.8448 · 800.488.0756 · Fax 425.821.3481  
www.triadassociates.net

Land Development Consultants

EXHIBIT B

BILLY CREEK  
DRAINAGE EASMENT

TRIAD JOB #14-064  
MAY 07, 2014



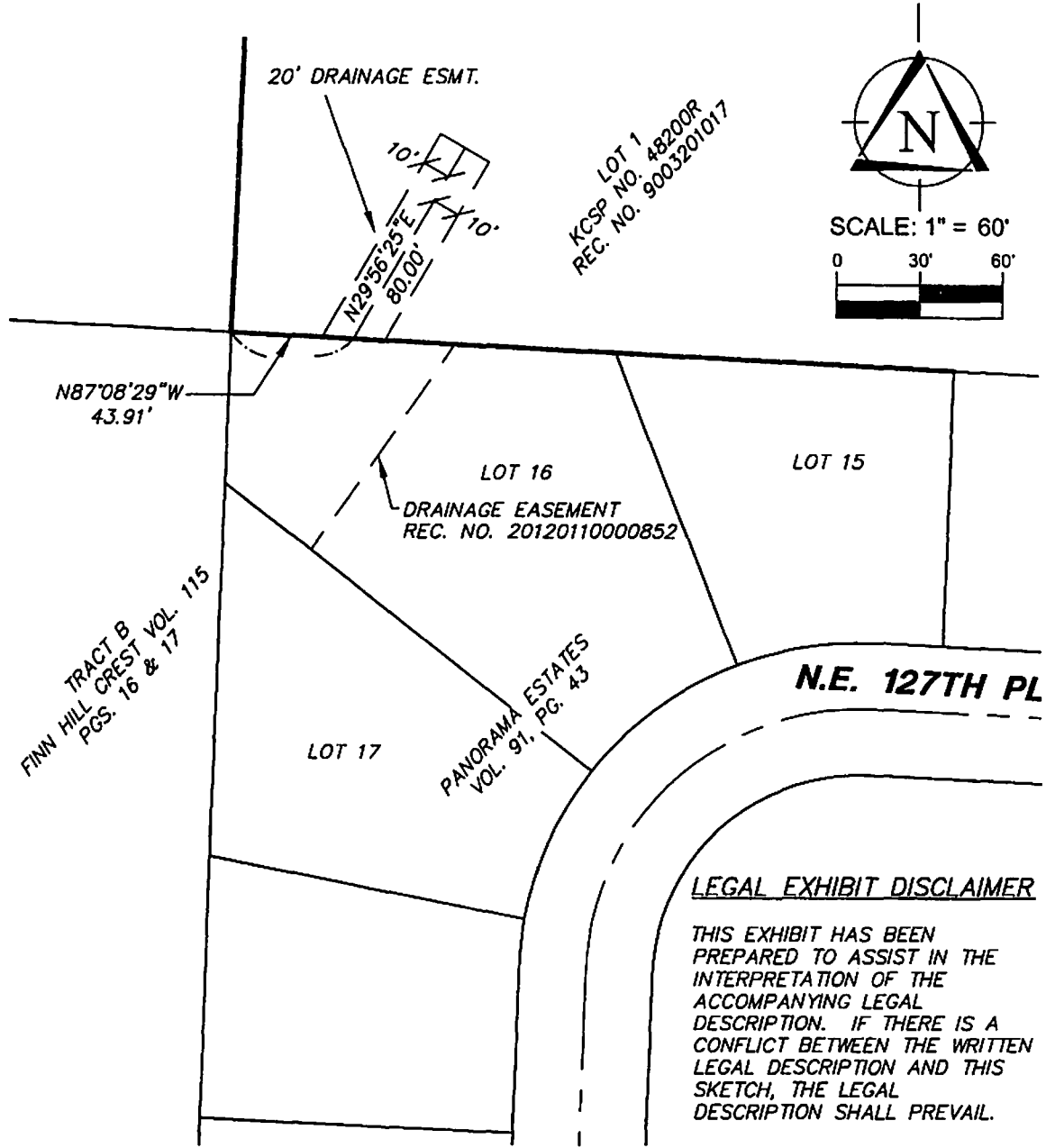
12112 115th Avenue N.E. Kirkland, Washington 98034-6929  
425.821.8448 - 800.488.0756 - Fax 425.821.3481  
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14064.dwg

EXHIBIT B-1

BILLY CREEK  
DRAINAGE EASMENT

TRIAD JOB #14-064  
MAY 07, 2014



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PUBLICATION SUMMARY  
OF ORDINANCE O-4444

AN ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF THE BILLY CREEK RAVINE STABILIZATION PHASE II 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 Billy Creek Ravine Stabilization Phase II Project ("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 20th day of May, 2014.

I certify that the foregoing is a summary of Ordinance O-4444 approved by the Kirkland City Council for summary publication.

  
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City Clerk