

ORDINANCE O-4519

AN ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF CONSTRUCTION AND OPERATION OF FIRE STATION NO. 24 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.

1           WHEREAS, the City annexed portions of the Juanita, Finn Hill  
2 and Kingsgate neighborhoods on June 1, 2011 ("Annexation"); and

3  
4           WHEREAS, prior to Annexation, the City entered into an  
5 Interlocal Agreement ("Interlocal") with King County Fire Protection  
6 District No. 41 ("District") in which the City agreed to continue and take  
7 over certain District projects intended to improve response times; and

8  
9           WHEREAS, on October 20, 2015, the City Council adopted  
10 Resolution No. 5156 in which it found that construction and operation  
11 of a new Fire Station No. 24 to replace the existing Fire Station No. 24  
12 was consistent with the purpose and the intent of the Interlocal; and

13  
14           WHEREAS, the City previously identified a proposed site for Fire  
15 Station No. 24, conducted negotiations with the owners of the four  
16 properties that comprised the proposed site and authorized the City to  
17 acquire the four properties in eminent domain pursuant to Ordinance  
18 No. 4512; and

19  
20           WHEREAS, the City subsequently determined that development  
21 of the previous site as a fire station was not feasible; and

22  
23           WHEREAS, the City has identified a new proposed site for Fire  
24 Station No. 24; and

25  
26           WHEREAS, the City has provided notice to the affected property  
27 owner of this final action authorizing condemnation pursuant to RCW  
28 8.25.290;

29  
30           NOW, THEREFORE, the City Council of the City of Kirkland do  
31 ordain as follows:

32  
33           Section 1. The land and property rights within the City of  
34 Kirkland, King County, Washington, described in Exhibit A to this  
35 Ordinance and incorporated herein, which are necessary for the public  
36 purpose of construction and operation of a fire station, are hereby  
37 condemned, appropriated and taken for such public purposes, subject  
38 to the making or paying of just compensation to the owners thereof in  
39 the manner provided by law.

40           Section 2. The expense of acquiring said property rights shall  
41 be paid for from the bond proceeds from the debt issued by the District  
42 prior to Annexation.

43  
44           Section 3. The City Attorney or designee is authorized and  
45 directed to begin and prosecute legal proceedings in the manner  
46 provided by the law to purchase, condemn, take, appropriate, and  
47 otherwise acquire the land and other property rights and privileges  
48 necessary to carry out the purposes of this Ordinance.

49  
50           Section 4. This ordinance shall be in force and effect five days  
51 from and after its passage by the Kirkland City Council and publication  
52 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary  
53 form attached to the original of this ordinance and by this reference  
54 approved by the City Council.

55  
56           Passed by majority vote of the Kirkland City Council in open  
57 meeting this 17th day of May, 2016.

58  
59           Signed in authentication thereof this 17th day of May, 2016.


  
MAYOR

Attest:

  
City Clerk

Publication Date: May 23, 2016

Approved as to Form:

  
City Attorney

**EXHIBIT "A"**  
Legal Description

That portion of the south 495 feet in width of the southeast quarter of the southeast quarter of Section 19, Township 26 North, Range 5 East, Willamette Meridian, in King County, Washington, described as follows:

Commencing at the southeast corner of said section;  
Thence North 88°50'28" West, along the south line thereof, 467.90 feet;  
Thence North 0°45'11" East, parallel to the east line of said section 42.00 feet to the north margin of Northeast 132nd Street and the true point of beginning of this description;  
Thence North 88°50'28" West, along said north margin 242.10 feet;  
Thence North 0°45'11" East 453.01 feet to the south line of Sparkman & McLean No. 3, Div. No. 1, according to the plat thereof, recorded in Volume 89 of Plats, page 71, in King County, Washington;  
Thence South 88°50'28" East, along said south line, 242.10 feet;  
Thence South 0°45'11" West, 453.01 feet to the true point of beginning.

Copyright American Land Title Association. All rights reserved.

The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use.  
All other uses are prohibited. Reprinted under license from the American Land Title Association.



PUBLICATION SUMMARY  
OF ORDINANCE O-4519

AN ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF CONSTRUCTION AND OPERATION OF FIRE STATION NO. 24 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 public purpose of construction and operation of a fire station.

SECTION 2. Provides that the expense of acquiring said property rights shall be paid for from the bond proceeds from the debt issued by King County Fire Protection District No. 41 prior to Annexation.

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

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 17th day of May, 2016.

I certify that the foregoing is a summary of Ordinance O-4519 approved by the Kirkland City Council for summary publication.

  
\_\_\_\_\_  
City Clerk