

ORDINANCE O-3288

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF IMPROVING A PORTION OF N.E. 70TH STREET FROM 116TH AVENUE N.E. TO 132ND AVENUE N.E. WITHIN THE CITY OF KIRKLAND; PROVIDING FOR CONDEMNATION, APPROPRIATION, TAKING AND DAMAGING OF LAND AND PROPERTY RIGHTS NECESSARY THEREFOR; PROVIDING FOR THE COST THEREOF AND DIRECTING THE INITIATION OF APPROPRIATE PROCEEDINGS IN THE MANNER PROVIDED BY LAW FOR SAID CONDEMNATION.

WHEREAS, the Kirkland City Council has, by Resolution R-3619 approved the N.E. 70th Street improvement project in the six-year Transportation Improvement Program, and has, by Resolution R-3623 approved the 1991-1995 Capital Improvement Program; and

WHEREAS, the improvements are necessary to provide needed lane configuration, pedestrian and bicycle facilities, and utility systems; and

WHEREAS, the City Council finds that the public health, safety, necessity and convenience demand that said project be undertaken and that in order to carry out the project it is necessary at this time for the City to acquire interests and rights to the properties described herein, NOW, THEREFORE,

Be it ordained by the City Council of the City of Kirkland 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, taken and damaged for such public purposes, subject to the making or paying of just compensation to the owners thereof in the manner provided by law.

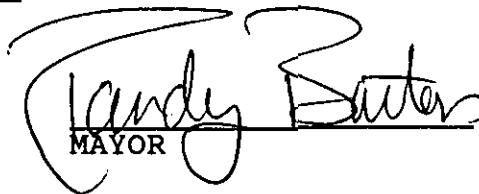
Section 2. The cost and expense of acquiring said property rights shall be paid for from State of Washington Urban Arterial Trust Account and/or City of Kirkland Excise Tax Reserve Fund.

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

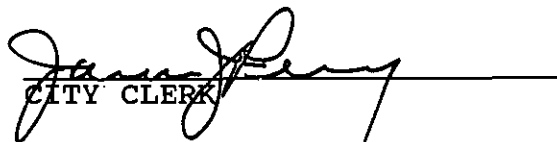
Section 4. This ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 5th day of November, 1991.

Signed in authentication thereof this 5th day of November, 1991.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


City Attorney

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EXHIBIT AN.E. 70th Street R/W Parcel No. 1Right-of-Way Acquisition

THAT PORTION LYING NORTHEASTERLY OF A 20-FOOT RADIUS CURVE TANGENT TO THE NORTH AND EAST LINES OF THE PARCEL OF LAND DESCRIBED AS FOLLOWS:

LOTS 1 AND 2, BLOCK 1, CORMODE AND ADSIT'S FIRST ADDITION TO KIRKLAND, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 6 OF PLATS, PAGE 44, IN KING COUNTY, WASHINGTON.

Temporary Construction Easement

THE NORTHERLY 5 FEET ALONG N.E. 70TH STREET AND THE EASTERLY 5 FEET ALONG 120TH AVE. N.E., MORE OR LESS, AND THE 5 FEET LYING SOUTHWESTERLY OF THE PROPERTY LINE FORMED BY A 20-FOOT RADIUS CURVE TANGENT TO THE NORTH AND EAST LINES OF THE PARCEL OF LAND DESCRIBED AS FOLLOWS:

LOT 1 AND 2, BLOCK 1, CORMODE AND ADSIT'S FIRST ADDITION TO KIRKLAND, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 6 OF PLATS, PAGE 44, IN KING COUNTY, WASHINGTON.

N.E. 70th Street R/W Parcel No. 11Right-of-Way Acquisition

A PARCEL OF LAND LYING DIRECTLY ADJACENT TO AND NORTHERLY OF THE NORTH MARGIN OF STATE AID ROAD NO. 4, HEREINAFTER REFERRED TO AS N.E. 70TH STREET. BEGINNING AT A POINT ON THE NORTH MARGIN OF SAID N.E. 70TH STREET, SAID POINT BEING 30.00 FEET NORTH AND 370.45 FEET WEST OF THE INTERSECTION OF THE CENTERLINES OF SAID N.E. 70TH STREET AND 132ND AVENUE N.E. AS MEASURED ALONG THE CENTERLINE OF SAID N.E. 70TH STREET; THENCE NORTH 03° 00' 55" EAST 5.17 FEET; THENCE SOUTH 79° 43' 04" EAST 39.32 FEET; THENCE SOUTH 72° 24' 43" EAST 10.35 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 460.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17° 41' 12" AN ARC DISTANCE OF 142.00 FEET; THENCE SOUTH 41° 10' 36" EAST 67.19 FEET TO A POINT ON SAID NORTH MARGIN OF N.E. 70TH STREET AND THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET THENCE NORTHEASTERLY ALONG SAID CURVE; THROUGH A CENTRAL ANGLE OF 130° 25' 54" AN ARC DISTANCE OF 68.29 FEET TO A POINT ON THE WEST MARGIN OF 132ND AVENUE N.E. THENCE SOUTHERLY ALONG SAID WEST MARGIN SOUTH 01° 29' 23" WEST TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 130° 25' 54" AN ARC DISTANCE OF 45.53 TO A POINT ON SAID NORTH MARGIN OF N.E. 70TH STREET THENCE NORTH 48° 04' 43" WEST

ALONG SAID NORTH MARGIN 66.48 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 316.48 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND ALONG SAID NORTH MARGIN THROUGH A CENTRAL ANGLE OF 24° 20' 00" AN ARC DISTANCE OF 134.41 FEET; THENCE CONTINUING ALONG SAID NORTH MARGIN NORTH 72° 24' 43" WEST 74.01 FEET TO THE POINT OF BEGINNING, BEING A PORTION OF THE PARCEL OF LAND DESCRIBED AS FOLLOWS:

PARCEL A: (TAX LOT 0155)

THE EAST HALF OF LOT 28 AND ALL OF LOT 29, BLOCK 64, BURKE AND FARRAR'S KIRKLAND ADDITION TO THE CITY OF SEATTLE, DIVISION NO. 20, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 21 OF PLATS, PAGE 43, IN KING COUNTY, WASHINGTON; EXCEPT THE EAST 100 FEET OF SAID LOT 29 AS MEASURED ALONG THE NORTH LINE THEREOF; AND EXCEPT THE NORTH 130 FEET THEREOF OF THE REMAINDER OF SAID LOTS 28 AND 29.

PARCEL B: (TAX LOT 0158)

THE EAST 100 FEET OF LOT 29, AS MEASURED ALONG THE NORTH LINE THEREOF, BLOCK 64, BURKE AND FARRAR'S KIRKLAND ADDITION TO THE CITY OF SEATTLE, DIVISION NO. 20, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 21 OF PLATS, PAGE 43, IN KING COUNTY, WASHINGTON; EXCEPT THE NORTH 400 FEET THEREOF.

Temporary Construction Easement

THE 5 FEET LYING NORTHERLY OF AND ADJACENT TO A LINE BEGINNING AT A POINT ON THE NORTH MARGIN OF SAID N.E. 70TH STREET, SAID POINT BEING 30.00 FEET NORTH AND 399.74 FEET WEST OF THE INTERSECTION OF THE CENTERLINES OF SAID N.E. 70TH STREET AND 132ND AVENUE N.E. AS MEASURED ALONG THE CENTERLINE OF SAID N.E. 70TH STREET; THENCE SOUTH 72° 24' 43" WEST 29.29 FEET; THENCE NORTH 03° 00' 55" EAST 5.17 FEET; THENCE SOUTH 79° 43' 04" EAST 39.32 FEET; THENCE SOUTH 72° 24' 43" EAST 10.35 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 460.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17° 41' 12" AN ARC DISTANCE OF 142.00 FEET; THENCE SOUTH 41° 10' 36" EAST 67.19 FEET TO A POINT ON SAID NORTH MARGIN OF N.E. 70TH STREET AND THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 130° 25' 24" AN ARC DISTANCE OF 68.29 TO A POINT ON THE WEST MARGIN OF SAID 132ND AVE. N.E., BEING A PORTION OF THE PARCEL OF LAND DESCRIBED AS FOLLOWS:

PARCEL A: (TAX LOT 0155)

THE EAST HALF OF LOT 28 AND ALL OF LOT 29, BLOCK 64, BURKE AND FARRAR'S KIRKLAND ADDITION TO THE CITY OF SEATTLE, DIVISION NO. 20, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 21 OF PLATS, PAGE 43, IN KING COUNTY, WASHINGTON; EXCEPT THE EAST 100 FEET OF SAID LOT 29 AS MEASURED ALONG THE NORTH LINE THEREOF; AND EXCEPT THE NORTH 130 FEET THEREOF OF THE REMAINDER OF SAID LOTS 28 AND 29.

PARCEL B: (TAX LOT 0158)

THE EAST 100 FEET OF LOT 29, AS MEASURED ALONG THE NORTH LINE THEREOF, BLOCK 64, BURKE AND FARRAR'S KIRKLAND ADDITION TO THE CITY OF SEATTLE, DIVISION NO. 20, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 21 OF PLATS, PAGE 43, IN KING COUNTY, WASHINGTON; EXCEPT THE NORTH 400 FEET THEREOF.

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