

ORDINANCE No. 3351

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF CONSTRUCTION OF 116TH AVENUE NE ROADWAY IMPROVEMENTS, PHASE II, 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-3758 approved the 116th Avenue NE Improvement Project in the six-year Transportation Improvement Program, and has, by Resolution R-3710 approved the 1992-1997 Capital Improvement Program; and

WHEREAS, the improvements are necessary to provide needed lane configuration, pedestrian 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 the 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 19th day of January, 1993.

Signed in authentication thereof this 19th day of January, 1993.



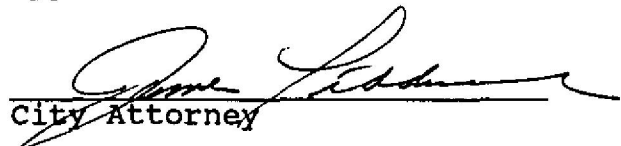
MAYOR

Attest:



City Clerk

Approved as to Form:



City Attorney

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EXHIBIT A**Permanent Slope Easement Area**

The east 18.00 feet of Parcel 8 as described in Stewart Title Company, Title Order No. 92589 lying adjacent to the westerly right-of-way margin of 116th Avenue Northeast, said Parcel 8 being a portion of the northeast quarter of the southeast quarter of the northeast quarter of Section 29, Township 26 North, Range 5 East, W.M., in King County, Washington;

TOGETHER WITH that portion of the north 18.00 feet of the west 90.00 feet of the east 108.00 feet of said Parcel 8 lying northeasterly of a line between the northwest and southeast corners of the north 18.00 feet of the west 90.00 feet of the east 108.00 feet of said Parcel 8.