

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND AND PARCELS FOR THE PURPOSE OF THE INTERSECTION IMPROVEMENTS OF NE 68TH STREET/STATE STREET AND NE 85TH STREET/124TH AVENUE NE, 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-4221 approved the Intersection Capacity Improvement Projects in the six-year Transportation Improvement Program, and has, by Resolution R-4222 approved the 2000-2005 Capital Improvement Program; and

WHEREAS, the improvements are necessary to enhance safety and to alleviate congestion; 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 land, parcels, 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.

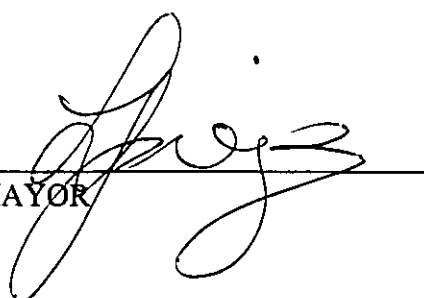
Section 2. The cost and expense of acquiring said property rights shall be paid for from State of Washington Urban Arterial Trust Account and/or City of Kirkland Excise Tax Reserve Fund.

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.

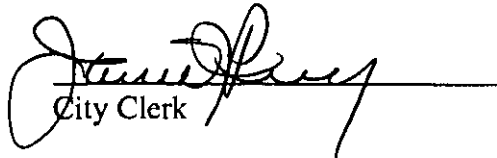
Section 4. This Ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code, in the Summary form attached to the original of this ordinance and by this reference approved by the City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

Passed by majority vote of the Kirkland City Council in open meeting
This 16th day of April, 2002.

MAYOR

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be "John".

Attest:

A handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be "Janet".
City Clerk

Approved as to Form:

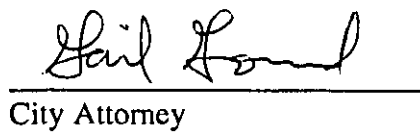
A handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be "Gail".
City Attorney

Exhibit A**Legal Description existing Tax Lot Parcel No.788260-0512-06**

The South 130 feet of Tract 51, South Kirkland Acreage; according to the plat thereof recorded in Volume 11 of Plats, page 94, in King County, Washington;
 EXCEPT the east 75 feet thereof;
 AND EXCEPT portion for street purposes.

Street Right of Way Acquisition

Said Street Right of Way Acquisition being a portion of the above described parcel lying South and West of the following described line;

Commencing at the found monument in the intersection of NE 68th Street and State Street; thence along the centerline of 68th Street S 88°15' 07" E, 175.33 feet, as defined by a found monument which bears S 88°15' 07" E, 376.96 feet; thence N 01°44' 53" E, 30 feet more or less to a point on the existing right of way and the POINT OF BEGINNING; thence continuing along said line 16 feet more or less to a point being 46.00 feet North of the centerline of NE 68th Street; thence N 88°15' 07" W, 111.94 feet; thence N 47°57' 34" W, 40.57 feet; thence N 01°36' 53" E, 74.50 feet ; thence N 88°15' 07" W, 2.00 feet more or less to a point on the existing right of way which bears N 01°30' 55" E, 147.87 feet, and S 88°15' 07" E, 31.77 feet from the above described monument.

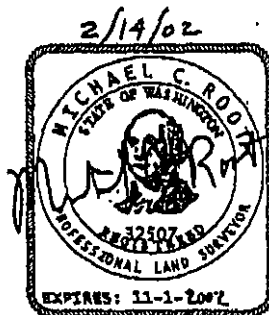
Said described Street Right of Way acquisition contains 2,483 square feet more or less.

Temporary Construction Easement

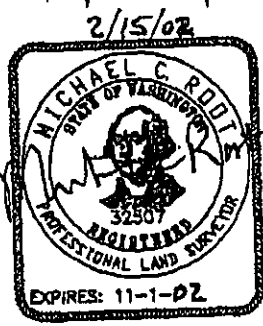
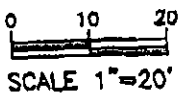
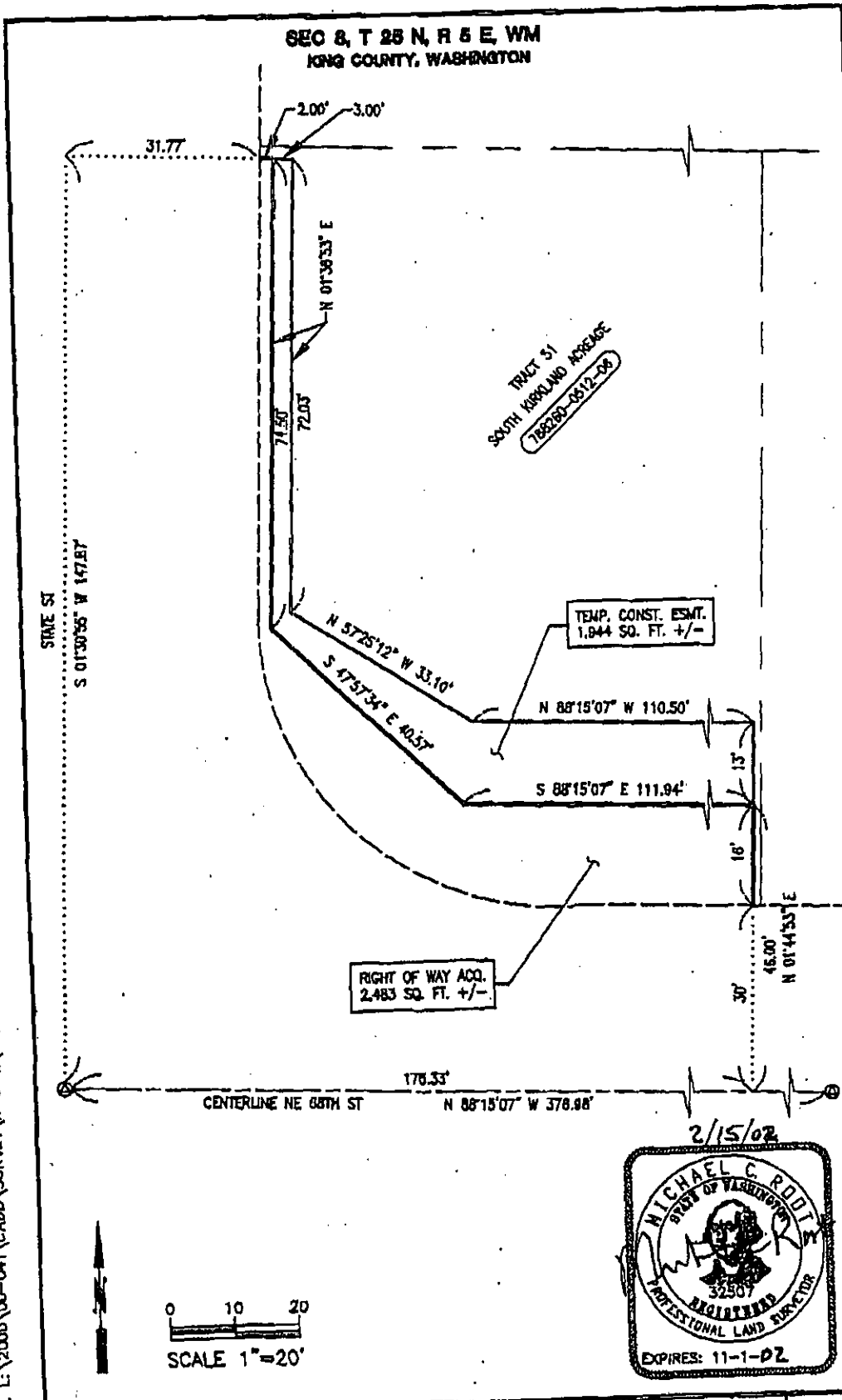
Said temporary construction easement being a portion of the above described parcel lying within the following described line;

Commencing at the found monument at the intersection of NE 68th Street and State Street; thence along the centerline of NE 68th Street S 88°15' 07" E, 175.33 feet; as defined by a found monument which bears S 88°15' 07" E, 376.96 feet; thence N 01°44' 53" E, 46 feet to the POINT OF BEGINNING; Thence N 01°44' 53" E, 13 feet; thence N 88°15' 07" W, 110.50 feet; thence N 57°25' 12" W, 33.10 feet; thence N 01°36' 53" E, 72.03 feet; thence N 88°15' 07" W, 3.00 feet; thence S 01°36' 53" W, 74.50 feet; thence S 47°57' 34" E, 40.57 feet; thence S 88°15' 07" E, 111.94 feet to the point of beginning.

Said described temporary construction easement contains 1,944 square feet more or less.



2/15/2002 1:20 P.M. L:\2000\00-041\CADD\SURVEY\F-O-W\88thState.DWG INCA_F.PCP 01F 20.0



<p>INCA INCA ENGINEERS INC. 400 11200 Aurora NE Bellevue, WA 98006 (425) 833-1000</p>	DATE: FEB. 2002	SCALE: 1" = 20'	<p>'EXHIBIT B' City of Kirkland Intersection Improvements NE 88th St and STATE St</p>	SHEET 1
	DRAWN: CAU	JOB NO. 00041		OF 1

Exhibit A

**Legal Description Tax Lot Parcel No. 123310-0855-01
Tract I, Parcel B**

Lot 11, Block 15, Burke & Farrar's Kirkland Addition to the City of Seattle, Division No. 6, according to the plat thereof recorded in Volume 19 of Plats, page 68, in King County, Washington;
EXCEPT the west 91 feet thereof;
AND EXCEPT that portion conveyed to the State of Washington for Northeast 85th Street by deed recorded under Recording Number 6607951

Street Right of Way Acquisition

Said Street Right of Way Acquisition being a portion of the above described parcel, lying South and West of the following described line;

Commencing at the platted intersection of 124th Avenue NE and NE 85th Street; thence along the centerline of NE 85th Street N 89° 44' 58" E, 255.78 feet; thence N 00° 15' 02" W, 42.71 feet to a point on the existing right of way and the POINT OF BEGINNING; thence N 05° 57' 40" W, 2.00 feet; thence N 77° 36' 56" W, 54.51 feet; thence S 89° 44' 58" W, 122.38 feet; thence N 00° 15' 02" W, 3.17 feet; thence S 89° 44' 58" W, 15.51 feet to a tangent curve, concave to the Northeast having a radius of 17.50 feet; thence Northwesterly along said curve through a central angle of 90° 05' 33", 27.52 feet to a point of tangency; thence N 00° 15' 26" W, 7.92 feet; thence S 89° 44' 58" W, 17.00 feet to a point on the existing right of way which bears N 00° 15' 26" W, 85.00 feet and N 89° 44' 58" E, 30.00 feet from said intersection as described above.

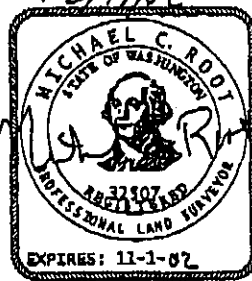
Said described Street Right of Way acquisition contains 3,710 square feet more or less.

Temporary Construction Easement

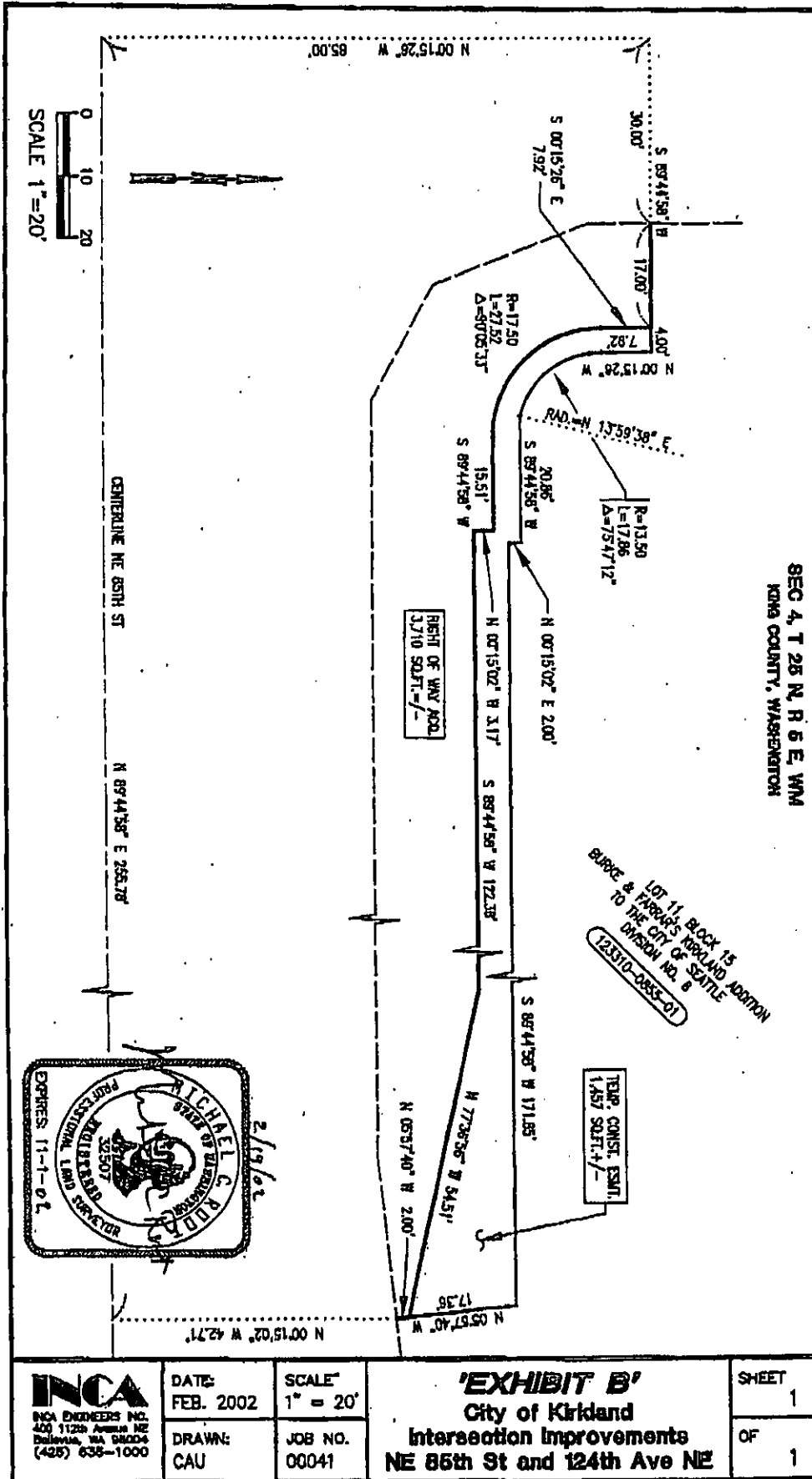
Said temporary construction easement being a portion of the above described parcel, lying within the following described line;

Commencing at the platted intersection of 124th Avenue NE and NE 85th Street; thence along the centerline of NE 85th Street N 89° 44' 58" E, 255.57 feet; thence N 00° 15' 02" W, 44.71 feet to the POINT OF BEGINNING; thence N 05° 57' 40" W, 17.36 feet; thence S 89° 44' 58" W, 171.85 feet; thence N 00° 15' 02" W, 2.00 feet; thence S 89° 44' 58" W, 20.86 feet; to a non-tangent curve, concave to the Northeast, the radius point of which bears N 13° 59' 38" E, with a radius of 13.50 feet; thence Northerly along said curve through a central angle of 75° 47' 12", 17.86 feet to a point of tangency; thence N 00° 15' 26" W, 7.92 feet; thence S 89° 44' 58" W, 4.00 feet; thence S 00° 15' 26" E, 7.92 feet to a tangent curve concave to the Northeast having a radius of 17.50 feet; thence Southeasterly along said curve through a central angle of 90° 05' 33", 27.52 feet to a point of tangency; thence N 89° 44' 58" E, 15.51 feet; thence S 00° 15' 02" E, 3.17 feet; thence N 89° 44' 58" E, 122.38 feet; thence S 77° 36' 56" E, 54.51 feet to the Point of Beginning.

Said described temporary construction easement contains 1,457 square feet more or less.



2/19/2002 9:24 A.M. L:\2000\00-041\CADD\SURVEY\R-0-W\85th124th.DWG INCA_F 01F 20.0



PUBLICATION SUMMARY
OF ORDINANCE NO. 3837

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND AND PARCELS FOR THE PURPOSE OF INTERSECTION IMPROVEMENTS OF NE 68TH STREET/STATE STREET AND NE 85TH STREET/124TH AVENUE NE, 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.

Section 1. Set forth portions of properties to be condemned for the Intersection Capacity Improvement Projects. The land is located at the northeast corner of NE 68th Street and State Street intersection and the northeast corner of NE 85th Street and 124th Avenue NE intersection.

Section 2 and 3. Set forth the source of funding for the project and authorizes the City Manager to pursue acquisition of the properties.

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 Council at its regular meeting on the 16th day of April, 2002.

I certify that the foregoing is a summary of Ordinance 3837 approved by the Kirkland City Council for summary publication.


City Clerk