

ORDINANCE NO 2446

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, PROVIDING FOR THE ACQUISITION, CONDEMNATION, APPROPRIATION, AND TAKING OF A FEE INTEREST IN THAT CERTAIN REAL ESTATE LOCATED ON NE 116TH STREET AND LEGALLY DESCRIBED HEREIN, FOR THE PURPOSE OF CONSTRUCTING A NEW FIRE STATION TO BE KNOWN AS CITY OF REDMOND FIRE STATION NO 17, CIP NO 100214, PROVIDING THAT THE ENTIRE COST THEREOF SHALL BE PAID FROM AVAILABLE FUNDS, AND DIRECTING ATTORNEYS RETAINED BY THE CITY OF REDMOND TO PROSECUTE THE APPROPRIATE LEGAL PROCEEDINGS PROVIDED FOR SAID CONDEMNATION

WHEREAS, the City of Redmond plans to construct a new fire station to be known as City of Redmond Fire Station No 17, and

WHEREAS, it is necessary to acquire a parcel of real estate located on NE 116th Street for the purpose of constructing the fire station, and

WHEREAS, the City is in the process of negotiating a voluntary purchase agreement to acquire the necessary property and property rights, but agreement with the owners may not be reached, and

WHEREAS, the owners were notified of the Redmond City Council's intent to consider this condemnation ordinance by mail and by publication as required by RCW 8 25 290, and

WHEREAS, the City Council has determined to condemn the necessary property and property rights in the event that a voluntary purchase cannot be negotiated

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND,
WASHINGTON DO ORDAIN AS FOLLOWS

Section 1 Classification This is a non-code
ordinance

Section 2 Need for Property - Public Use The public
health, safety, and welfare demand that the City of Redmond
construct the Fire Station No 17 Project The improvements to
be constructed include a fire station building and associated
parking, utilities, and site improvements, and the construction
and installation of all necessary appurtenances and related work
to make a complete improvement in accordance with City
standards The public health, safety, and welfare further
demand that the City acquire the property necessary to construct
said public improvements The City is authorized to condemn
property for the purposes stated in this Section by RCW
8 12 030

Section 3 Declaration of Necessity The City Council
of the City of Redmond, after hearing the report of the City's
Public Works Department and reviewing the planned improvements,
hereby finds and declares that a fee simple interest in the
property legally described on Exhibit A attached hereto and
incorporated herein by this reference as if set forth in full is
necessary for the public use and purpose of constructing the
fire station described in Section 2 above

Section 4 Condemnation The fee interest in the real property described in the attached Exhibit A is hereby condemned, appropriated, taken, and damaged for the purpose of constructing the Fire Station No 17 Project described in Section 2 above, together with all necessary appurtenances and related work to make a complete improvement in accordance with City standards Condemnation of the property is subject to the making or paying of just compensation to the owners and possessors thereof in the manner provided by law

Section 5 Authority of Attorneys Attorneys retained by the City are hereby authorized and directed to begin and prosecute the proceedings provided by law to condemn, take, and appropriate the interests necessary to carry out the provisions of this ordinance

Section 6 Source of Funds The entire cost of the property acquisition authorized by this ordinance, including all costs and expenses of condemnation proceedings, shall be paid from available funds as may be appropriate under the circumstances

Section 7 Severability If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity

or constitutionality of any other section, sentence, clause or phrase of this ordinance

Section 8 Effective Date This ordinance shall take effect and be in full force five days after its passage and publication of a summary as provided by law

ADOPTED by the Redmond City Council this 3rd day of February, 2009

CITY OF REDMOND



MAYOR JOHN MARCHIONE

ATTEST


MICHELLE M. MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM
OFFICE OF THE CITY ATTORNEY


JAMES E. HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK	January 28, 2009
PASSED BY THE CITY COUNCIL	February 3, 2009
SIGNED BY THE MAYOR	February 3, 2009
PUBLISHED	February 9, 2009
EFFECTIVE DATE	February 14, 2009
ORDINANCE NO 2446	

PASSED UNANIMOUSLY 7 - 0 ALLEN, CARSON, COLE, MARGESON, MCCORMICK, MYERS AND VACHE

EXHIBIT A
LEGAL DESCRIPTION

Tax Parcel 362605-9005

Legal Description The north 290 00 feet of the west 652 63 feet of the northeast quarter of the northwest quarter of Section 36, Township 26 North, Range 5 East, W M in King County, Washington, EXCEPT therefrom the north 30 00 feet for Northeast 116th Street, also known as York Revision Road Number 1420,

ALSO EXCEPT therefrom that portion lying westerly of the east 945 52 feet of said northeast quarter of the northwest quarter of Section 36