

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6841

AN ORDINANCE authorizing and providing for the acquisition of interests in land for the purpose of constructing the Mountains to Sound Greenway Trail – 142nd Place SE to 150th Avenue SE Project (CIP Plan No. PW-W/B-86); providing for condemnation, appropriation, taking of land and property rights necessary therefore; providing for payment; directing the initiation of appropriate proceedings in the manner provided by law for said condemnation; and establishing an effective date.

WHEREAS, the Eastgate Subarea Plan identifies a mix of improvements, including the Mountains-to-Sound Greenway Trail, intended to improve transportation conditions, address concerns of the employment sector as well as the general public, and position the corridor to grow gracefully over time; and

WHEREAS, on November 19, 2024, the City Council adopted the 2025-2030 General Capital Investment Program (CIP) Plan, by Ordinance No. 6822; and

WHEREAS, the Mountains to Sound Greenway Trail – 142nd Place SE to 150th Avenue SE Project (CIP Plan No. PW-W/B-86)(the “Project”), was adopted as part of such CIP Plan, which includes the public uses of constructing a separated, at grade, 12-foot wide paved trail running along Interstate 90 (I-90) and SE 36th Street with trailhead treatments, wayfinding, urban design, landscaping, lighting, storm drainage improvements, natural drainage practices where feasible, and other related improvements; and

WHEREAS, the City Council finds that the public health, safety, necessity and convenience demand that said Project be undertaken at this time 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 property described herein; and

WHEREAS, the City Council finds and declares it necessary and in the best interest of the public that interests in the land and property rights hereinafter described be condemned, appropriated, and taken for public use, subject to the making or paying of just compensation to the owners thereof; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The land and property rights within the City of Bellevue, King County, Washington, located adjacent to SE 38th Street, as described in Exhibit "A", are necessary for the construction of the Project described above, subject to making or paying just compensation to the owners thereof in the manner provided by law.

Section 2. The City Council of the City of Bellevue finds construction of the Project to be a public use, specifically the public use of constructing a separated, at grade, 12-foot wide paved trail running along Interstate 90 (I-90) and SE 36th Street with trailhead treatments, wayfinding, urban design, landscaping, lighting, storm drainage improvements, natural drainage practices where feasible, and other related improvements. The City Council specifically finds construction of the Project to be necessary, and in the best interests of the citizens.

Section 3. The cost and expense of acquiring the property rights described in this Ordinance shall be paid from the Capital Investment Program (CIP) Plan, or from other general funds of the City. The Director of the Finance and Asset Management Department or designee is hereby authorized to make offers to, negotiate with, and execute agreements with the owners of said land or property interests, for the purposes of: obtaining property interests; entering into lease agreements with property owners (lease-backs) between the time of acquisition and start of construction; entering into relocation agreements; making or paying just compensation; and, approving the payment of just compensation as negotiated with said owners or as ordered by the Court.

Section 4. In the absence of negotiated purchases with the affected property owners, the City Attorney or designee is hereby authorized and directed to undertake proceedings provided by law to condemn, appropriate, and take the property necessary to carry out the provisions of this ordinance. In so doing, the City Attorney or designee is authorized to utilize descriptions of the property rights condemned herein in a format more precise than those general descriptions set forth in Exhibit A. The City Attorney or designee is further authorized to approve and enter into any and all such agreements, stipulations, and orders necessary to carry out the provisions of this ordinance, including the payment of just compensation as agreed to with the property owners, or as ordered by the Court.

Section 5. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this _____ day of _____, 2025
and signed in authentication of its passage this _____ day of _____, 2025.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:
Trisna Tanus, City Attorney

Monica Buck, Deputy City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published _____

EXHIBIT A

Required Property Rights; - Mountains to Sound Greenway Trail (142nd Place SE to the nonmotorized Overcrossing of I-90 at 150th Avenue SE)

COB Parcel	Property Address	KC Tax ID #	Property Type Required	Square Footage
9410	14826 SE 38th St Bellevue, WA 98006 Time Warp V LLC	2200500515	Temporary Construction Easement and Monitoring Period Wall Anchor Easement	4,644 5,087