

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6526

AN ORDINANCE authorizing and providing for acquisition of interests in land for the purpose of constructing the 130th Avenue NE – Bel-Red Road to NE 20th Street Project (CIP Plan No. PW-R-170); 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 Bel-Red Subarea Plan identifies a network of transportation improvements, including the improvements along 130th Avenue NE between Bel-Red Road and NE 20th Street; and

WHEREAS, on December 2, 2019, the City Council adopted the 2019-2025 Capital Investment Program (CIP), by Ordinance No. 6493; and

WHEREAS, the 130th Avenue NE – Bel-Red Road to NE 20th Street Project project, CIP Plan No. PW-R-170 (“the Project”), was adopted as part of such CIP, which includes the public uses of constructing multi-modal improvements along 130th Avenue NE between Bel-Red Road and NE 20th Street including curb, gutter, sidewalk, landscaping, illumination, drainage, water quality treatment, bicycle facilities on both sides of the street, on-street parking at select locations, potential mid-block crossings, intersection improvements, potential traffic signal and accommodations for the Sound Transit East Link light rail line project; and

WHEREAS, 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 130th Avenue NE northerly of Bel-Red Road and and southerly of NE 20th Street, as now described in Exhibit “A” and generally depicted on Exhibit “B”, 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 multi-modal improvements along 130th Avenue NE between Bel-Red Road and NE 20th Street including curb, gutter, sidewalk, landscaping, illumination, drainage, water quality treatment, bicycle facilities on both sides of the street, on-street parking at select locations, potential mid-block crossings, intersection improvements, potential traffic signal and accommodations for the Sound Transit East Link light rail line project. 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 her 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 her 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 her designee is authorized to utilize legal descriptions and depictions of the property rights condemned herein in a format more precise than those general descriptions and depictions set forth in Exhibits A and B. The City Attorney or her 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 _____, 2020
and signed in authentication of its passage this _____ day of September, 2020.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:

Kathryn L. Gerla, City Attorney

Monica A. Buck, Assistant City Attorney

Attest:

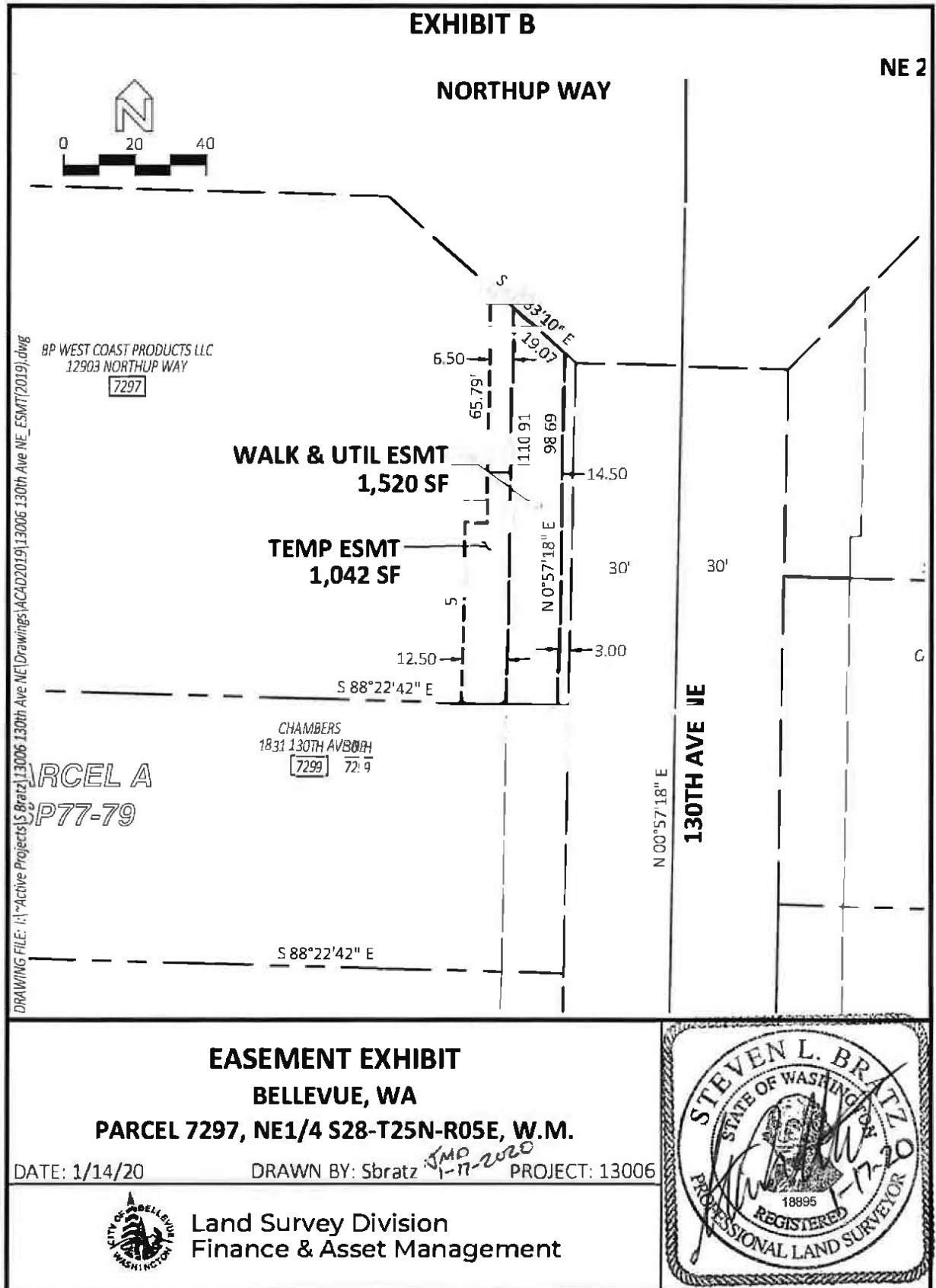
Charmaine Arredondo, City Clerk

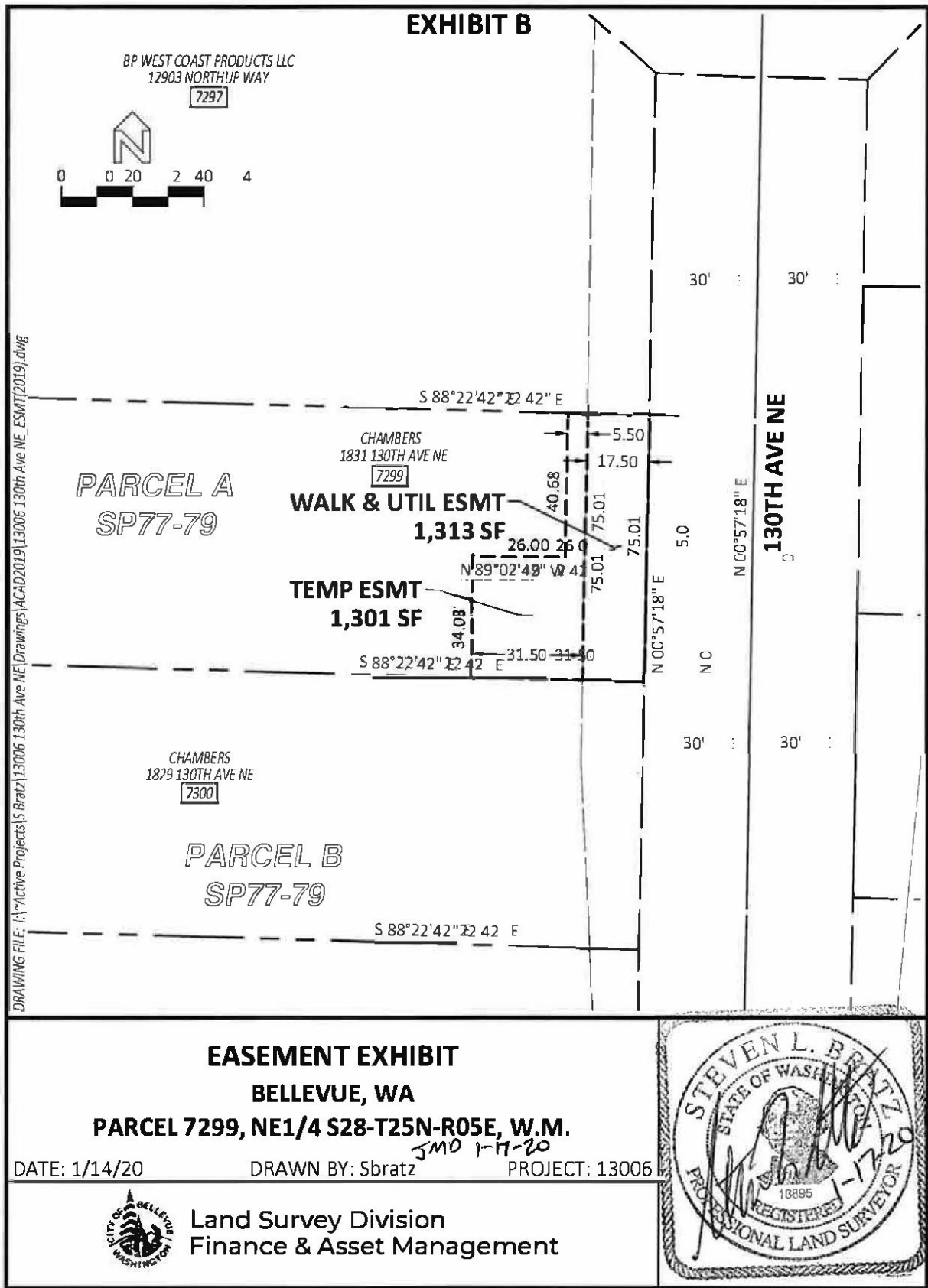
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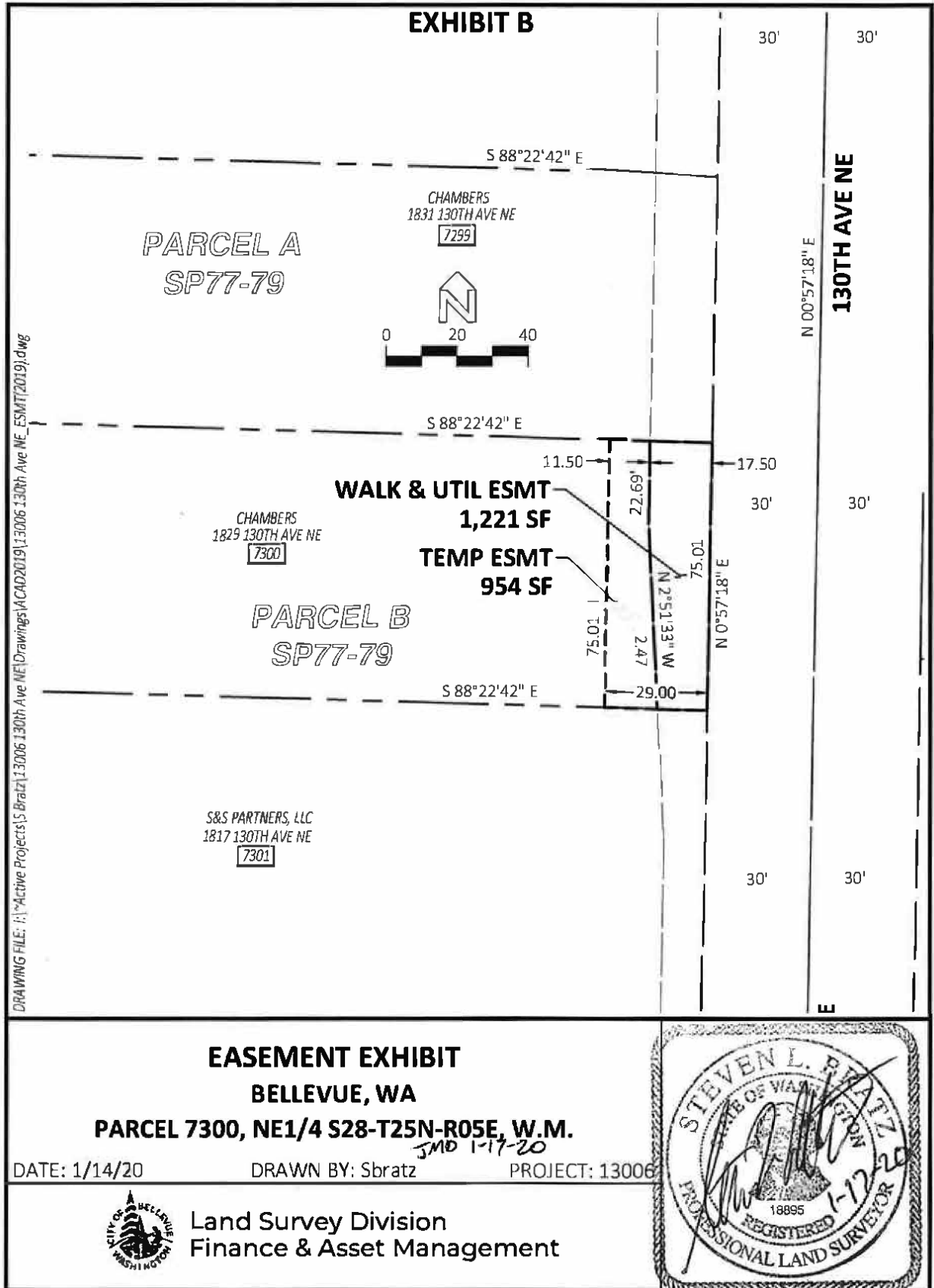
EXHIBIT A

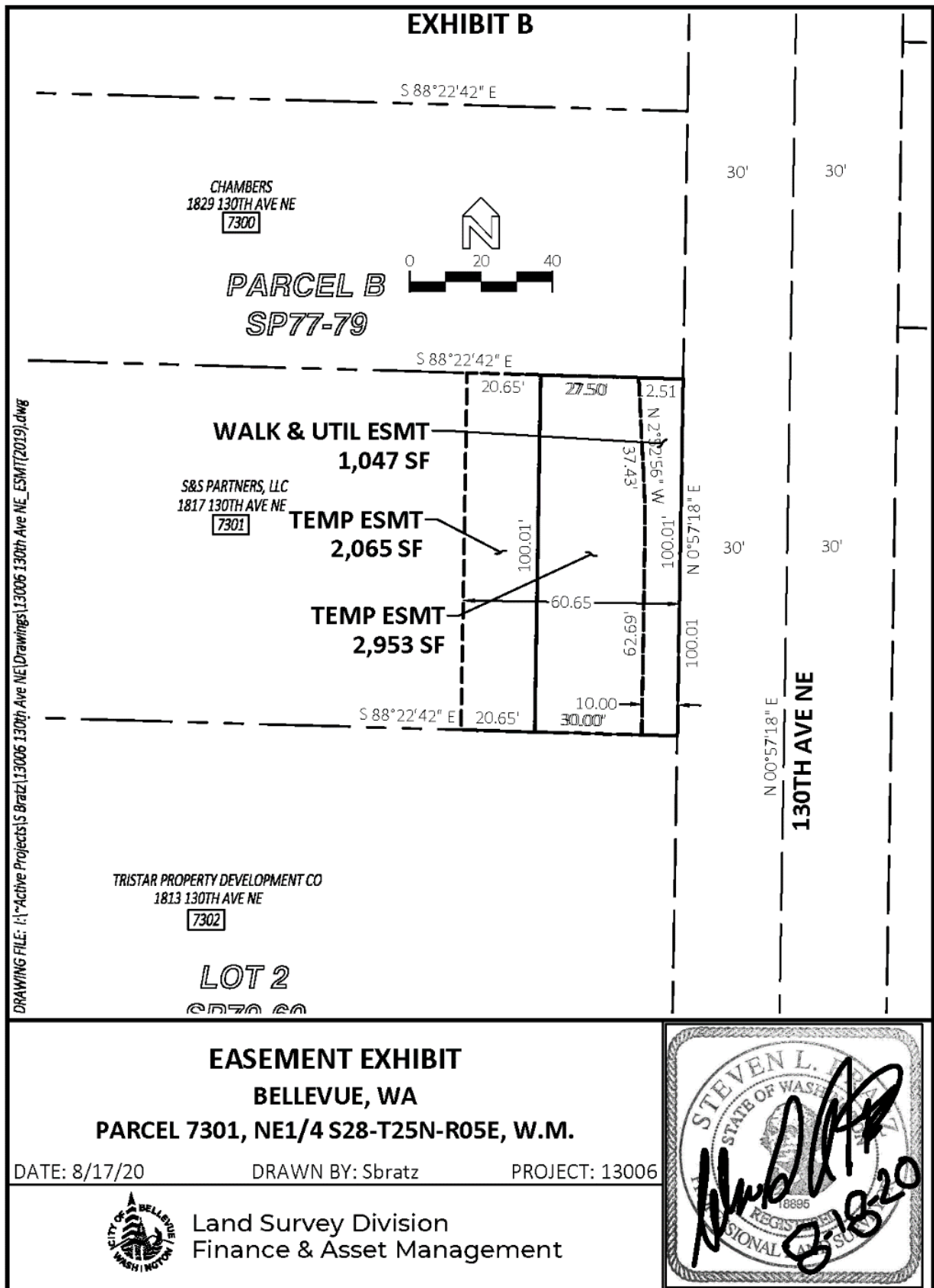
Required Property Rights; - CIP PW-R-170 (130th Ave NE, BelRed to Northup)

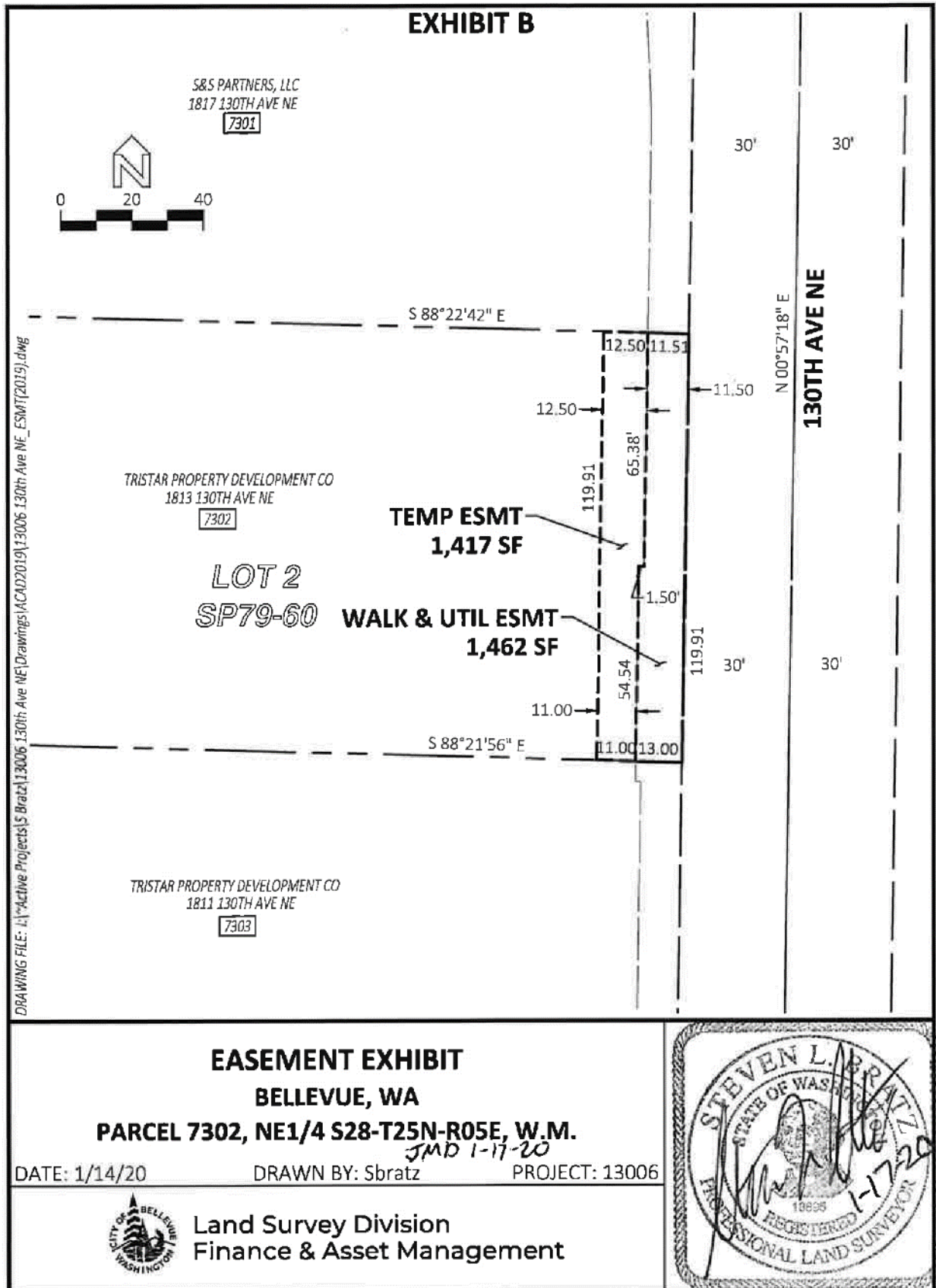
| COB | | | | Square |
|----------------------|--|-----------------------------------|--|----------------|
| Parcel | Property Address | KC Tax ID # | Property Type Required | Footage |
| 7297 | 12903 Northup Way (Am-Pm Market) | 282505-9229 | Multi-Purpose Easement Tempoary Construction Easement | 1,520 1,042 |
| 7302 & 7303 | 1813 130th Ave NE 1811 130th Ave NE | 282505-9221 & 282505-9215 | Multi-Purpose Easement Tempoary Construction Easement | 2,392 2,329 |
| 7304 | 12863 Northup Way (You Store It) | 282505-9012 | Multi-Purpose Easement Tempoary Construction Easement | 345 675 |
| 7305 | 1605 130th Ave NE (Cadman) | 282505-9041 | Multi-Purpose Easement Tempoary Construction Easement | 6,312 5,747 |
| 7308, 7309 & 7310 | 1429-1455 130th Ave NE (Evans) | 282505-9054,9098 & 282505-9126 | Multi-Purpose Easement Tempoary Construction Easement | 2,582 5,931 |
| 7312 | 1403 130th Ave NE (KIRP LLC) | 282505-9300 | Multi-Purpose Easement Tempoary Construction Easement | - 739 |
| 7313 | 1405 130th Ave NE (Bellevue Heated Storage LLC) | 282505-9147 | Multi-Purpose Easement Tempoary Construction Easement | - 271 |
| 7314 | 12950 NE BelRed Road (Discount Tire) | 282505-9066 | Multi-Purpose Easement Tempoary Construction Easement | 465 3,527 |
| 7315 | 13000 NE BelRed Road (Big 1 LLC) | 282505-9189 | Multi-Purpose Easement Tempoary Construction Easement | 526 4,856 |
| 7316 | 1406 130th Ave NE (RA Little Holdings) | 282505-9199 282505-9107 | Multi-Purpose Easement Tempoary Construction Easement | 4 1,708 |
| 7318-7319 | 1422-1424 130th Ave NE (Artic Holdings) | 282505-9303 282505-9027 | Multi-Purpose Easement Tempoary Construction Easement | 1,934 3,788 |
| 7321 | 1720 130th Ave NE (Blue Sky Church) | 282505-9124 | Multi-Purpose Easement Tempoary Construction Easement | 2,530 2,305 |
| 7324 & 7325 | 13013 NE 20th & 1960 130th Ave NE (Cammihir Investments LLC) | 282505-9217 & 282505-9233 | Multi-Purpose Easement Tempoary Construction Easement | 3,157 2,563 |
| 7322 & 7323 | 1820 130th Ave NE & 1950 130th Ave NE (MRM Evergreen LLC) | 282505-9202 & 282505-9203 | Multi-Purpose Easement Tempoary Construction Easement | 5,514 8,494 |
| 7299 & 7300 | 1831 130th Ave NE 1829 130th Ave NE | 282505-9185 & 282505-9266 | Multi-Purpose Easement Tempoary Construction Easement | 2,534 2,255 |
| 7301 | 1817-1827 130th Ave NE | 282505-9186 | Multi-Purpose Easement Tempoary Construction Easement | 1,047 5,018 |

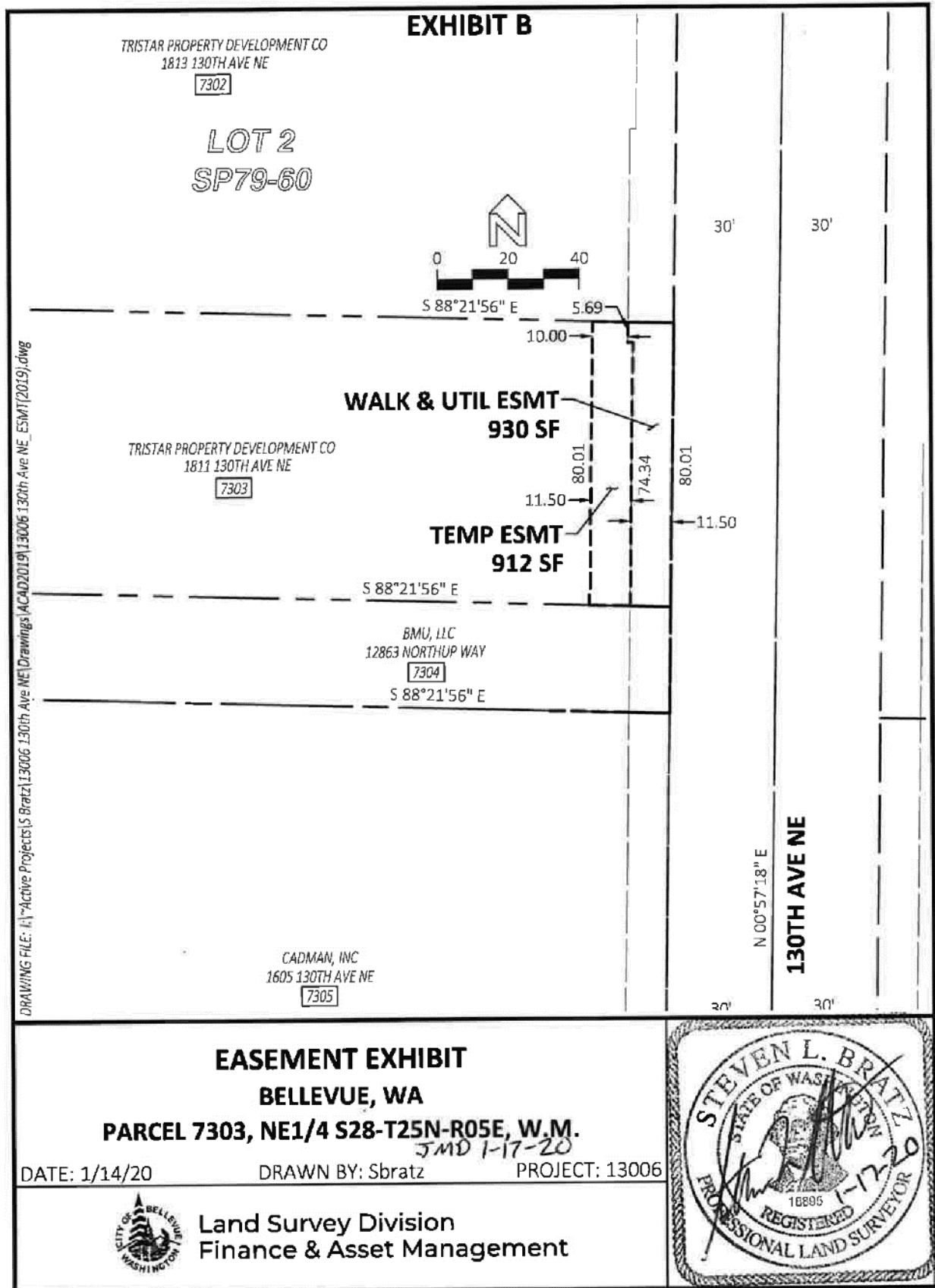


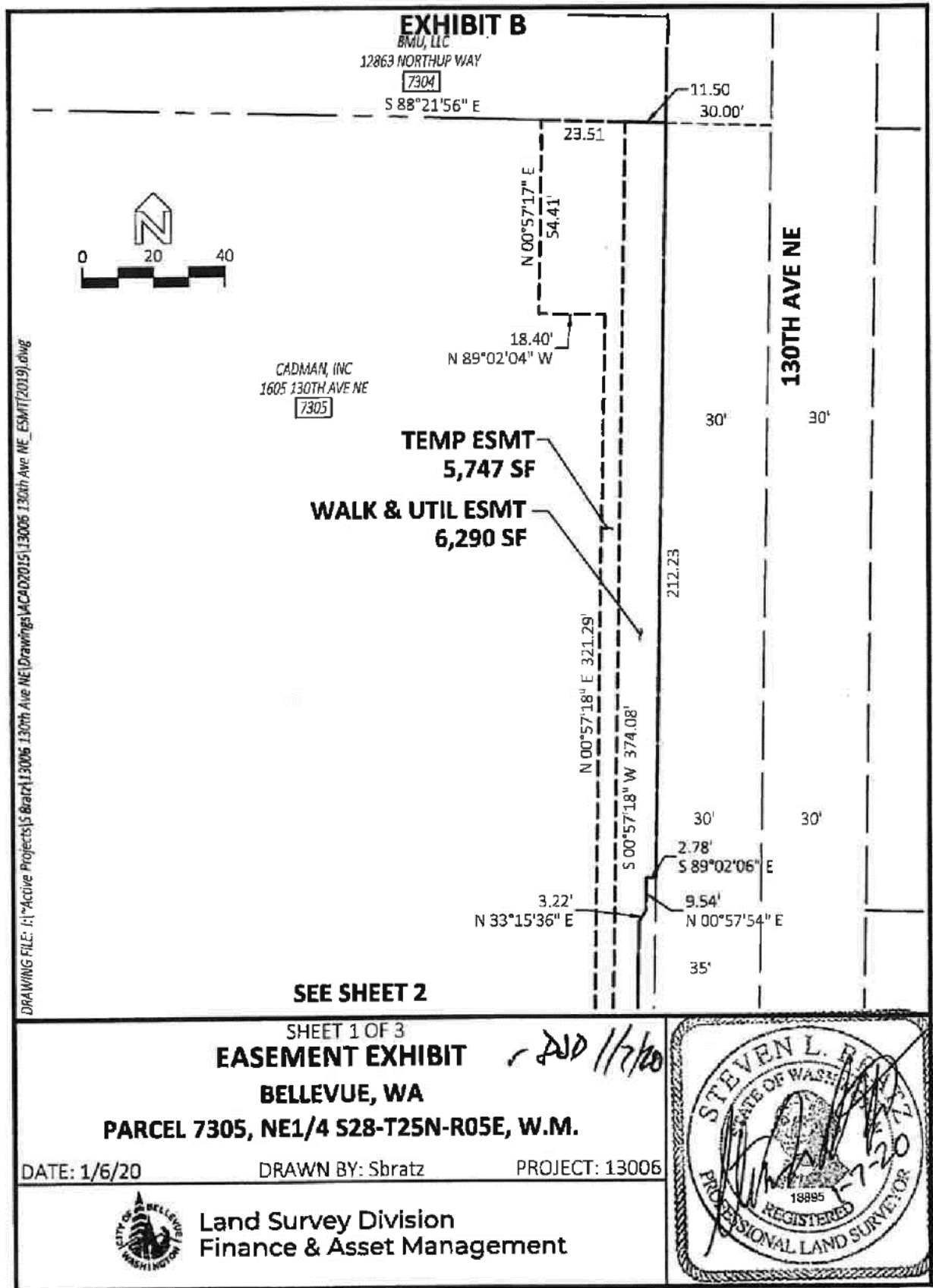


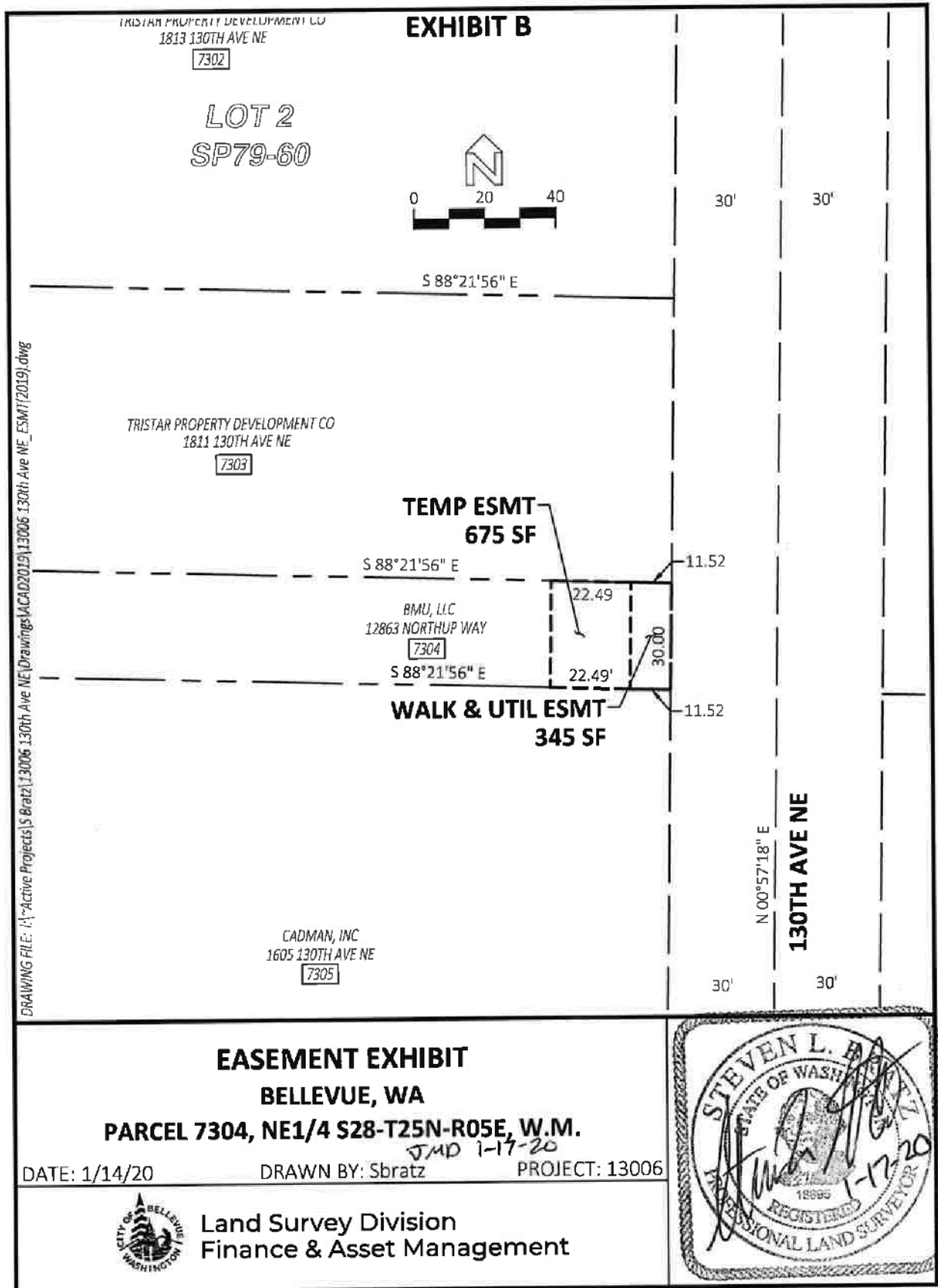




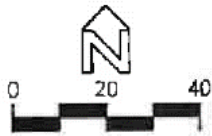






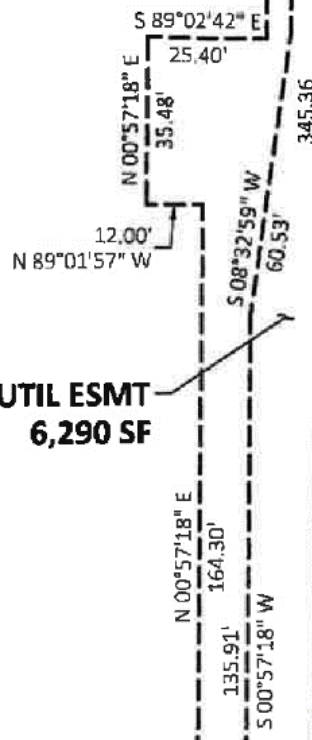


SEE SHEET 1 EXHIBIT B



DRAWING FILE: I:\Active Projects\Sbratz\13006 130th Ave NE\Drawings\ACAD2019\13006 130th Ave NE_ESMT(2019).dwg

CADMAN, INC
1605 130TH AVE NE
7305



**WALK & UTIL ESMT
6,290 SF**

N 00°57'18" E
130TH AVE NE

35' 30'

N 00°57'18" E
130TH AVE NE

SEE SHEET 3

SHEET 2 OF 3
EASEMENT EXHIBIT ✓ DDD 1/7/20

BELLEVUE, WA

PARCEL 7305, NE1/4 S28-T25N-R05E, W.M.

DATE: 1/6/20

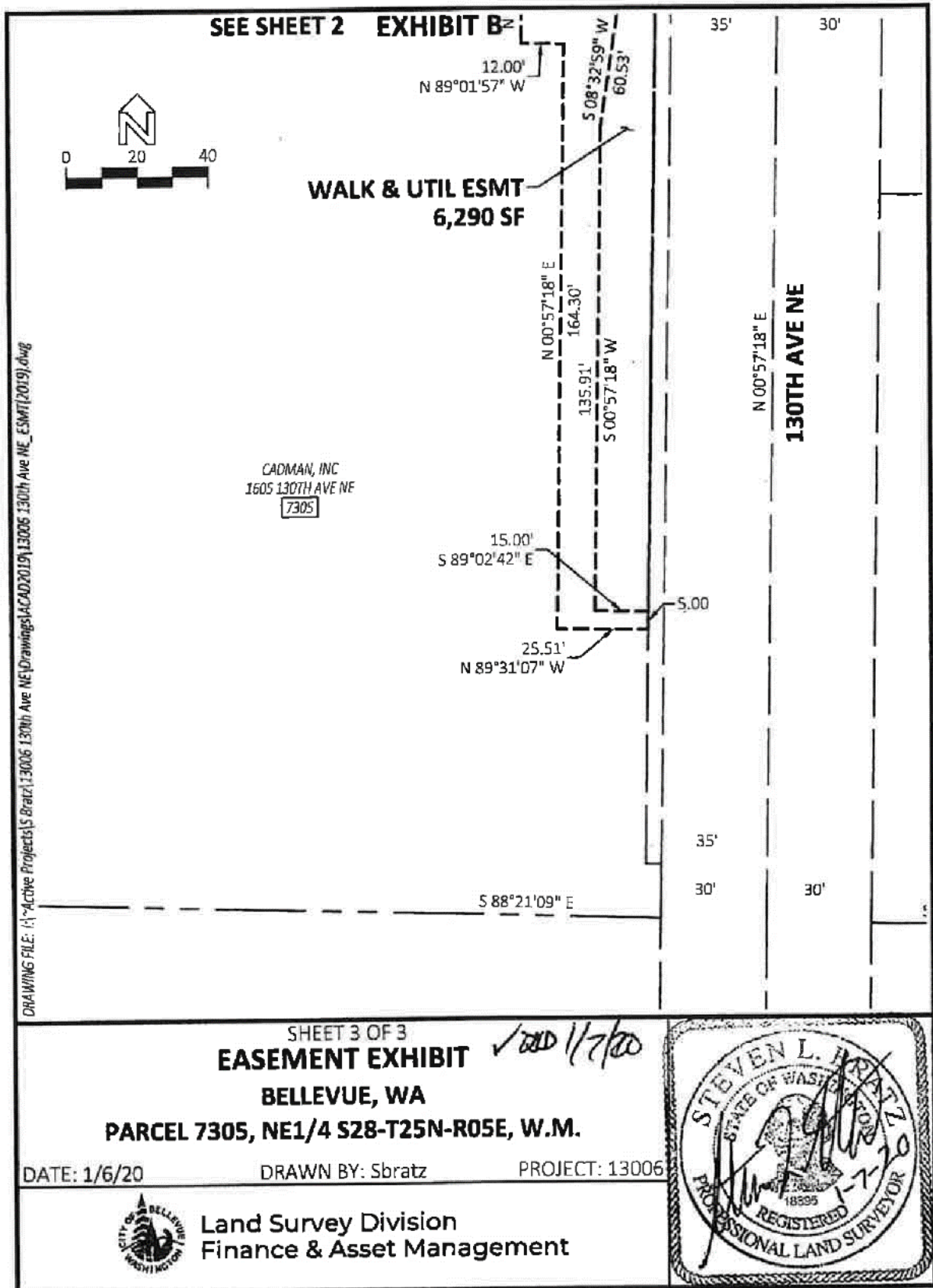
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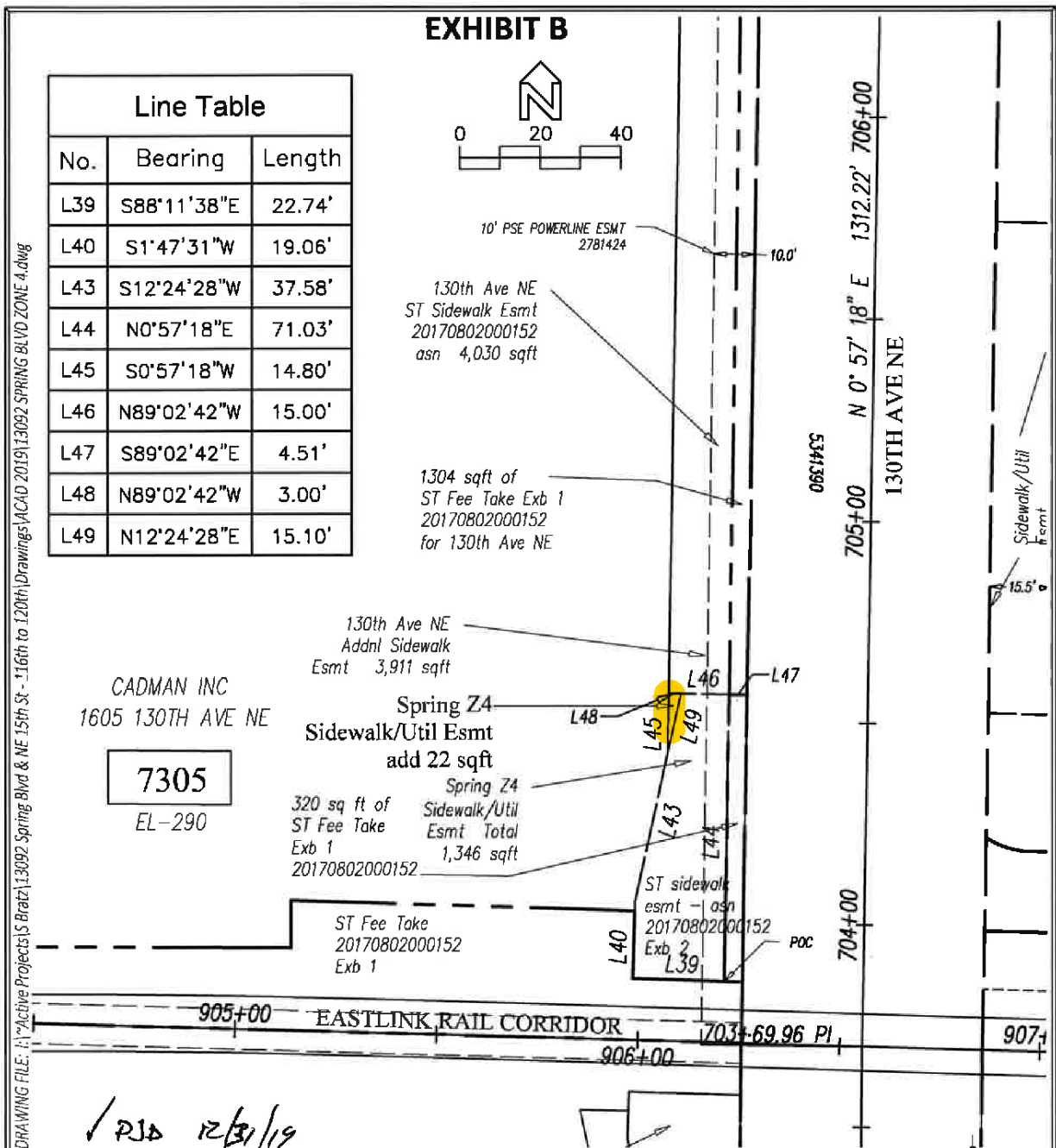
PROJECT: 13006



**Land Survey Division
Finance & Asset Management**







EASEMENT EXHIBIT

BELLEVUE, WA

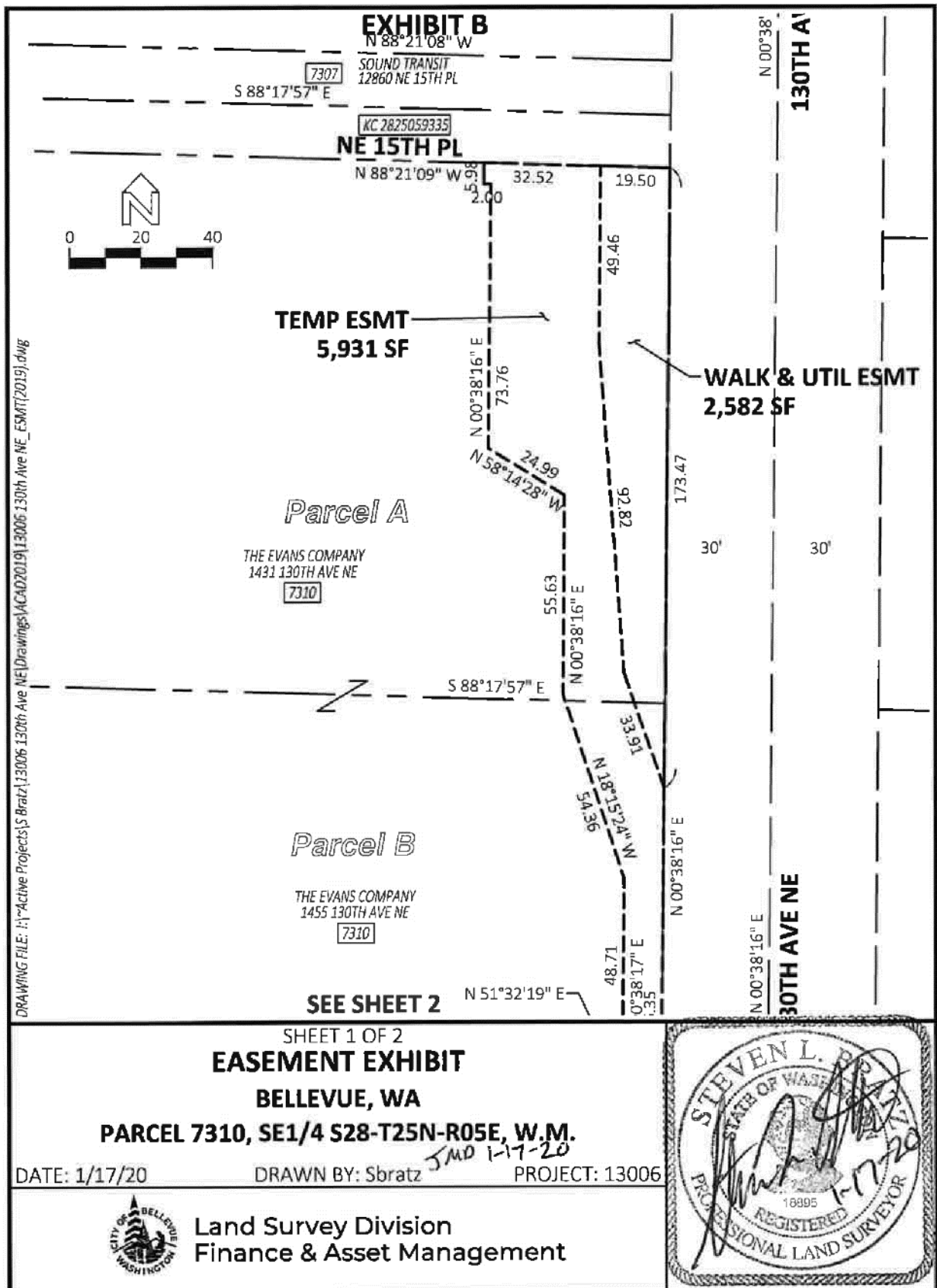
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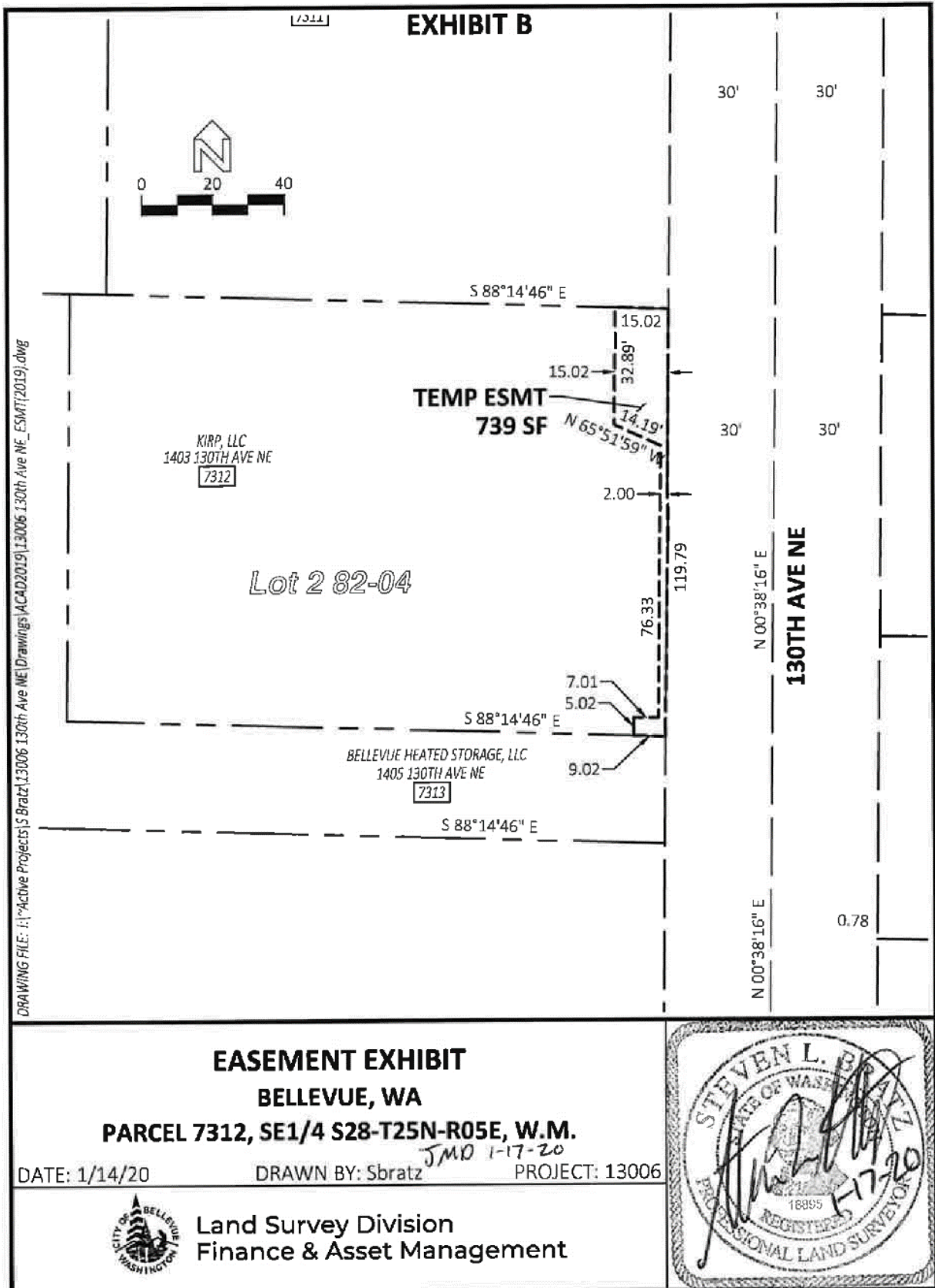
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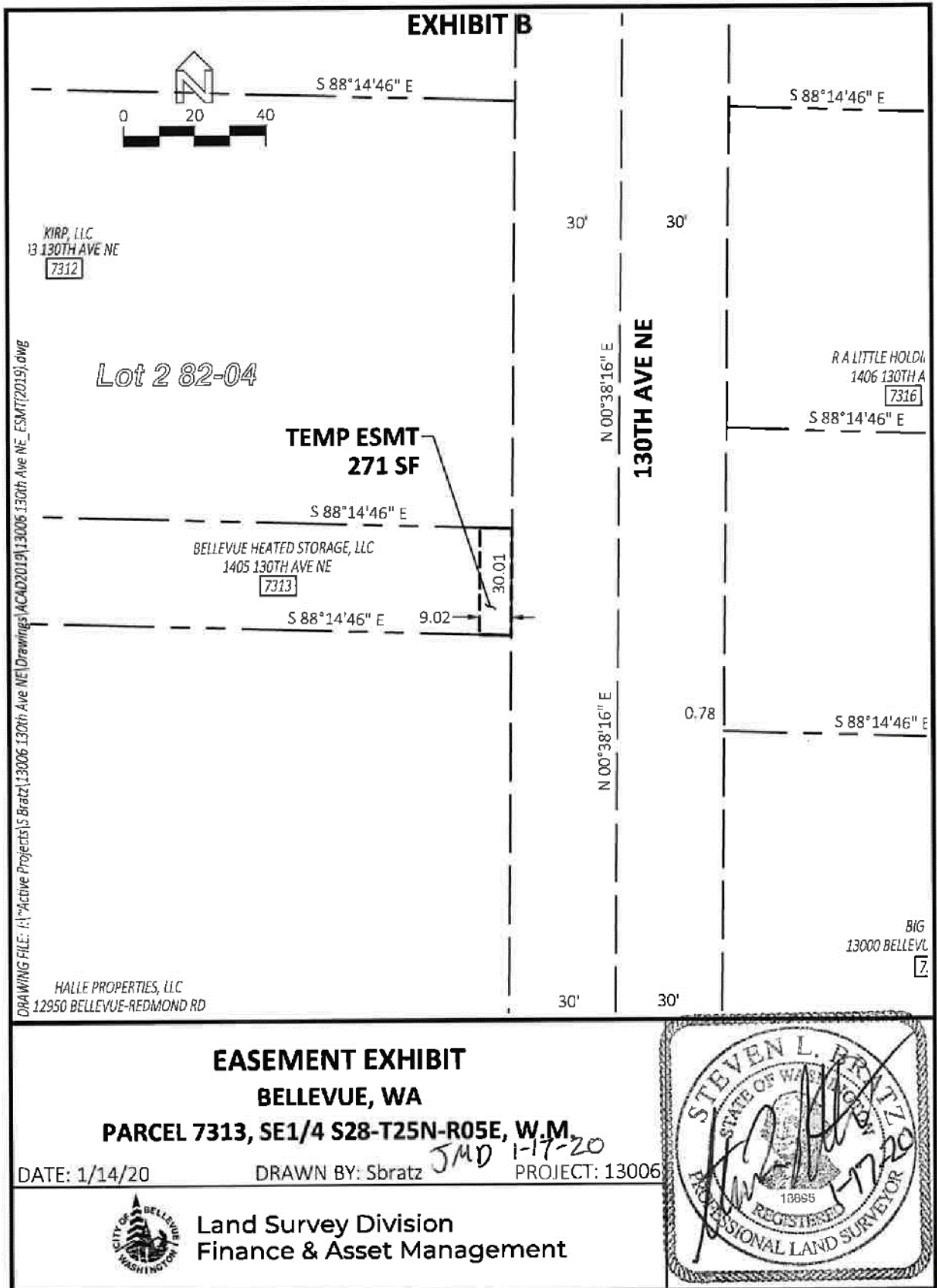


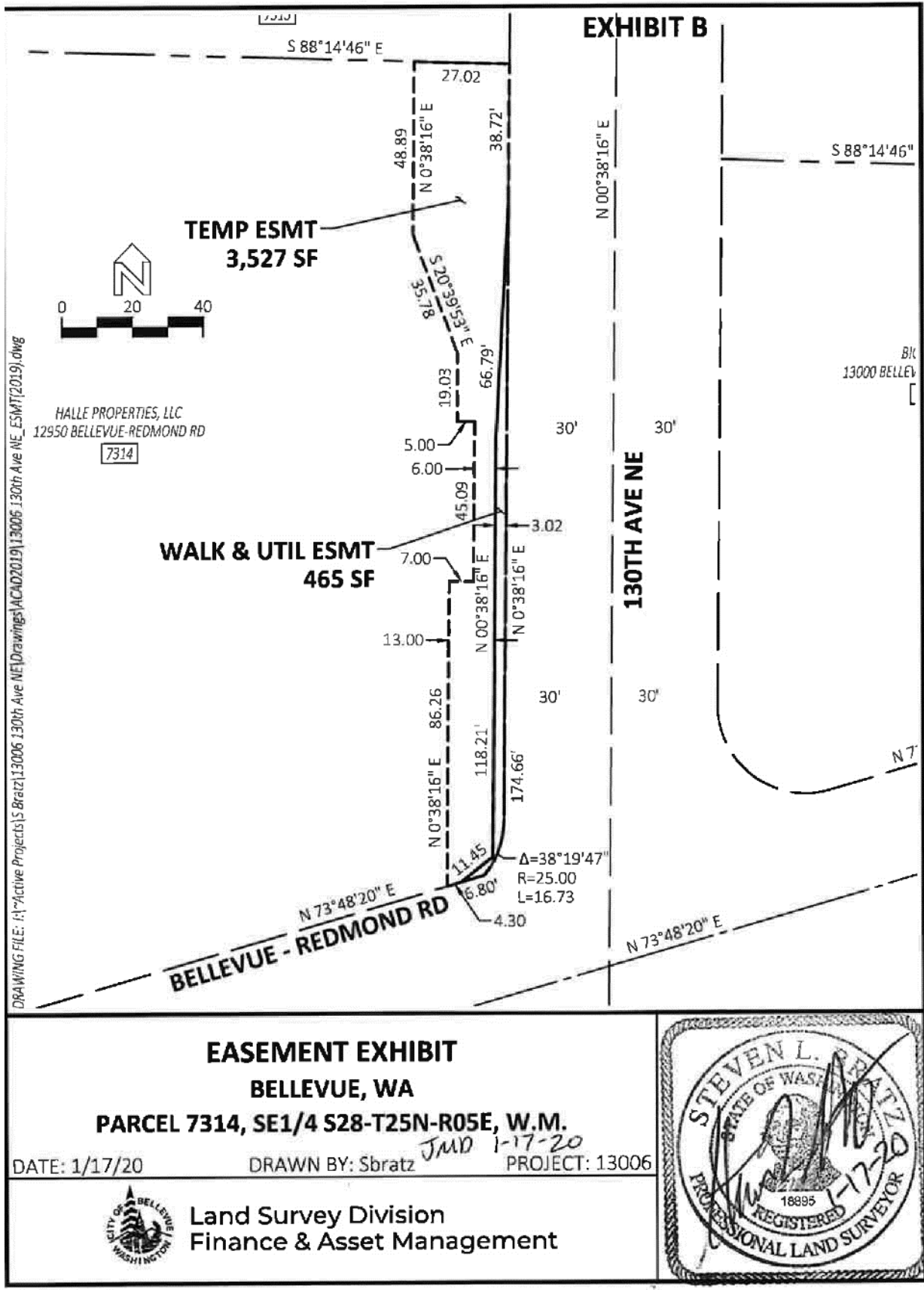
Land Survey Division
Finance & Asset Management

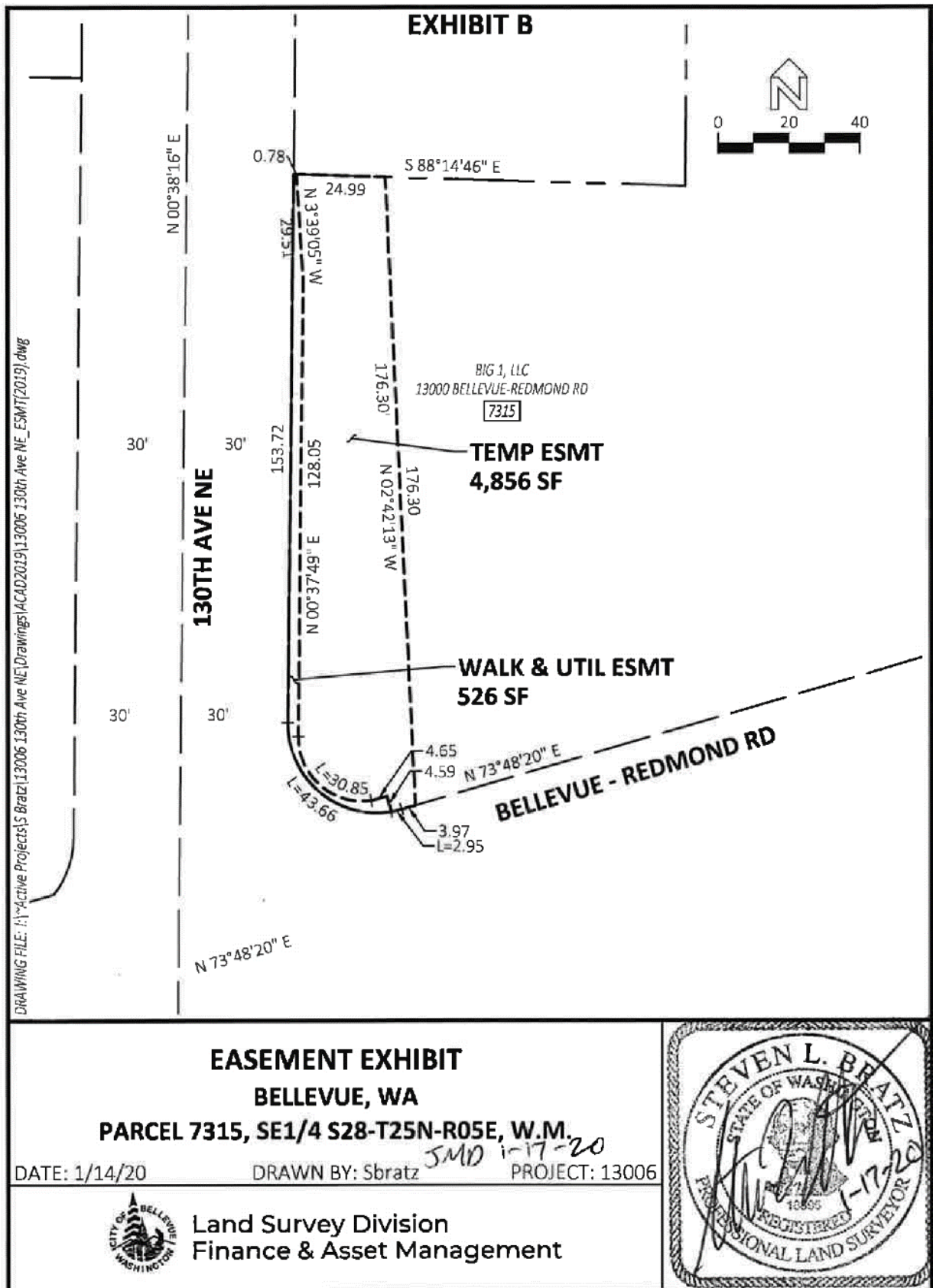


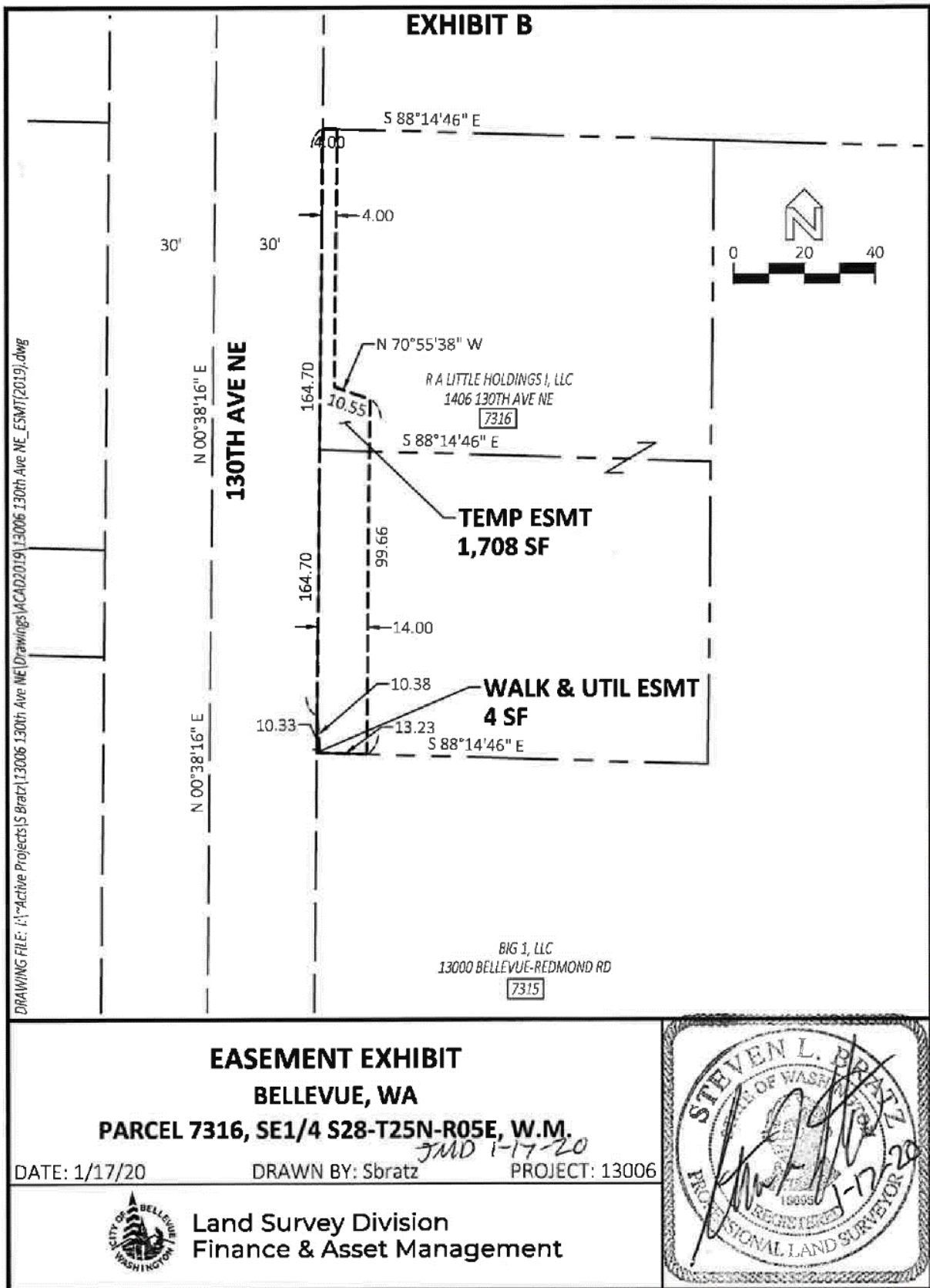


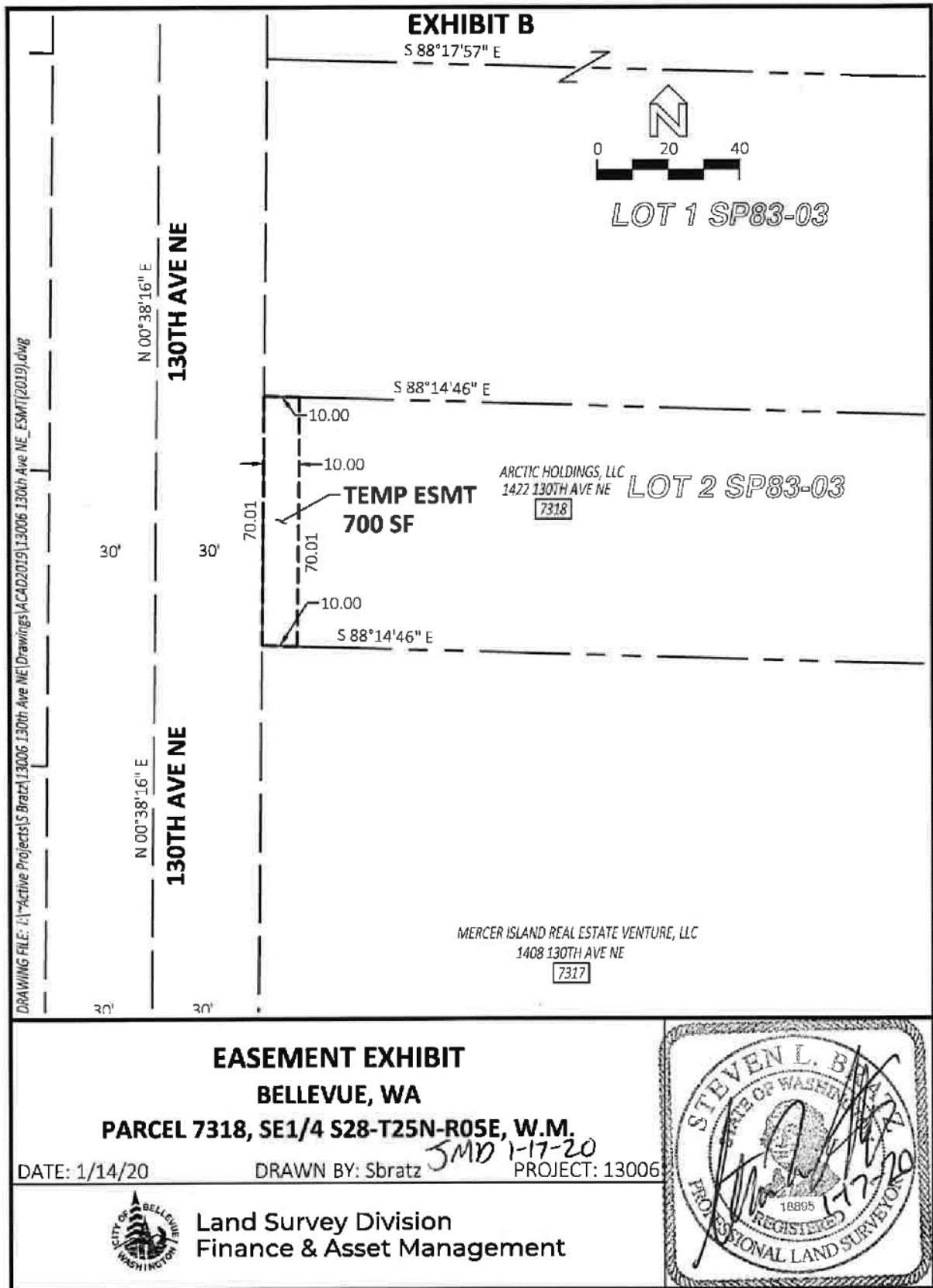


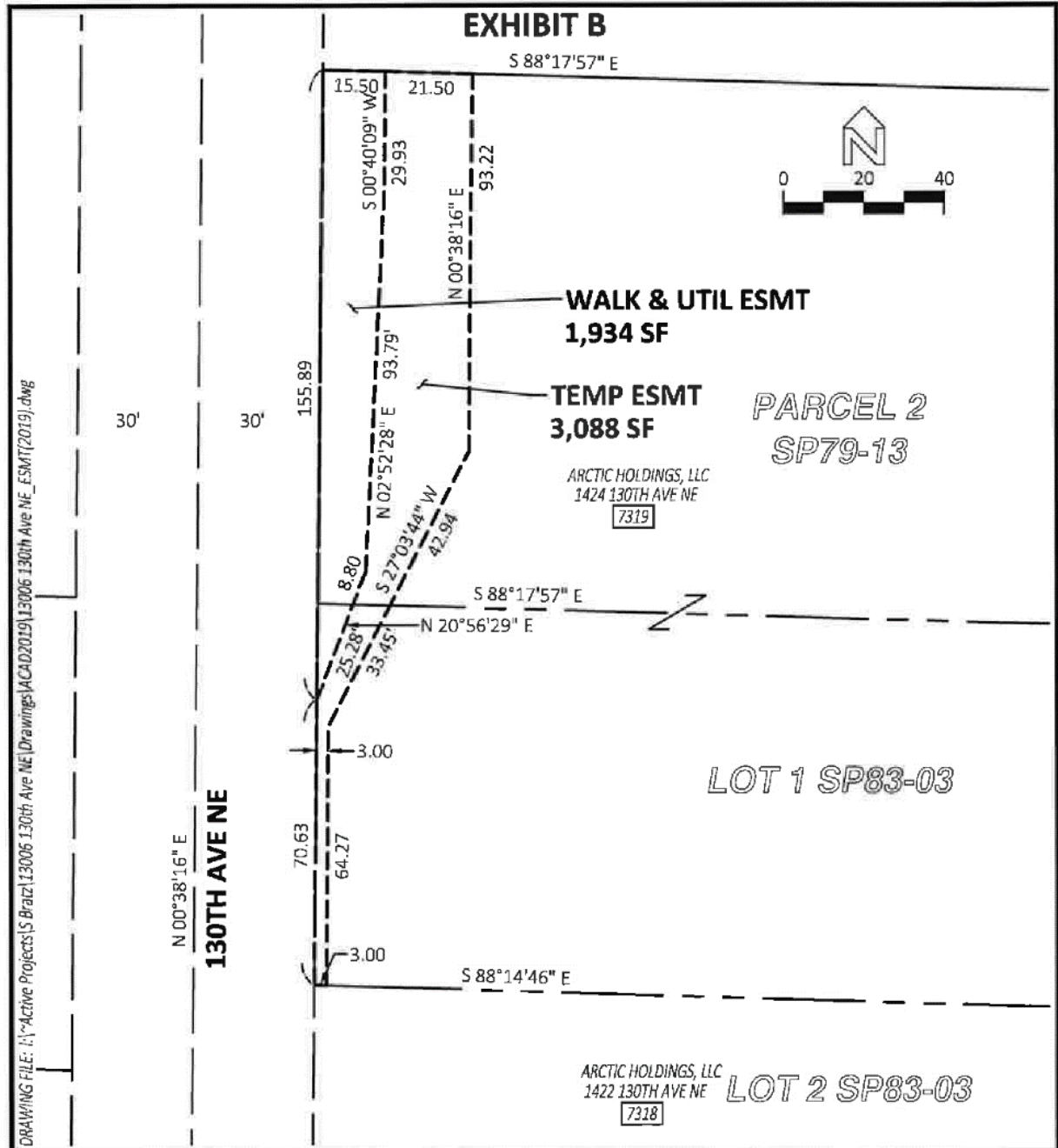














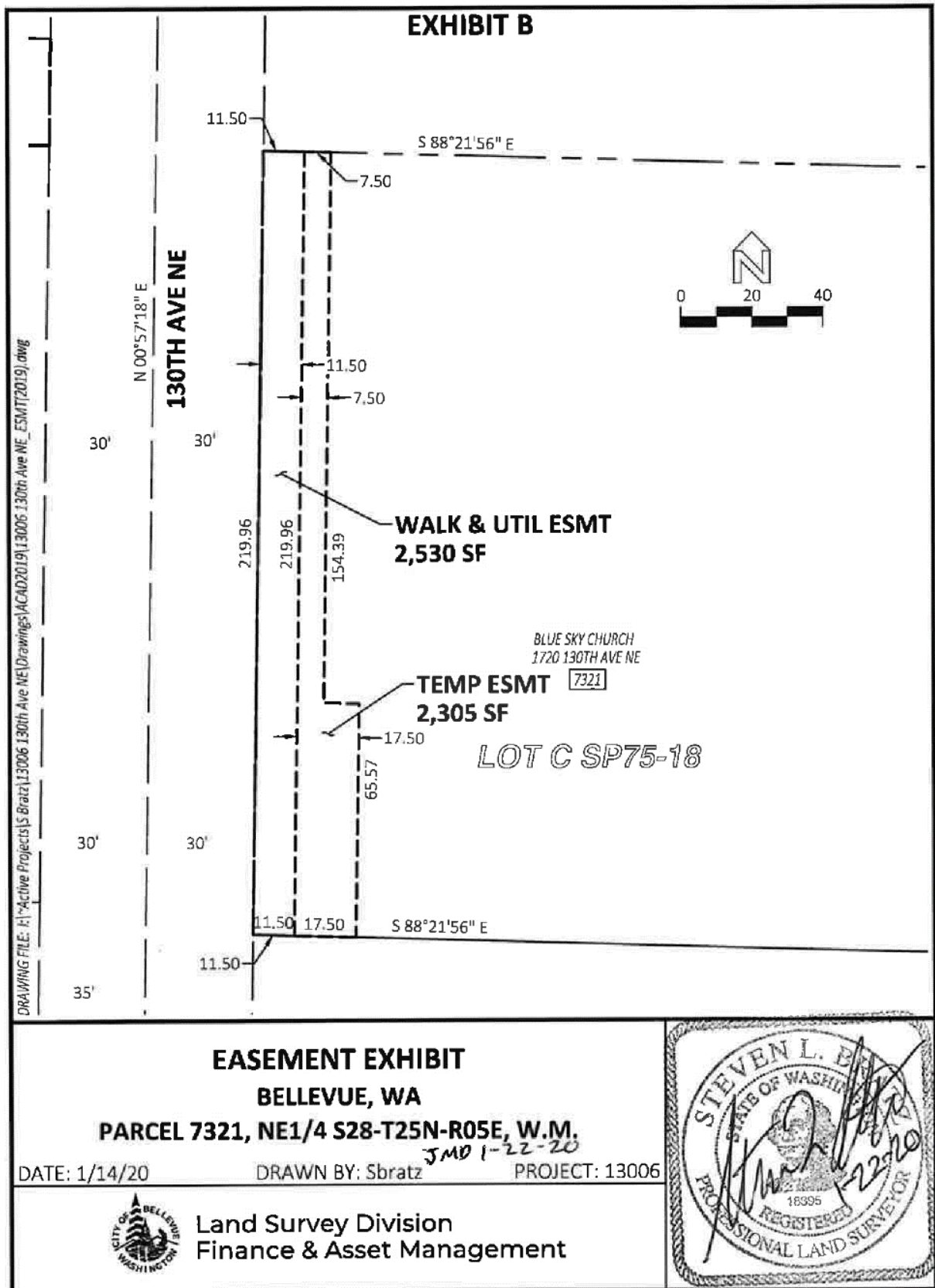
EASEMENT EXHIBIT
BELLEVUE, WA
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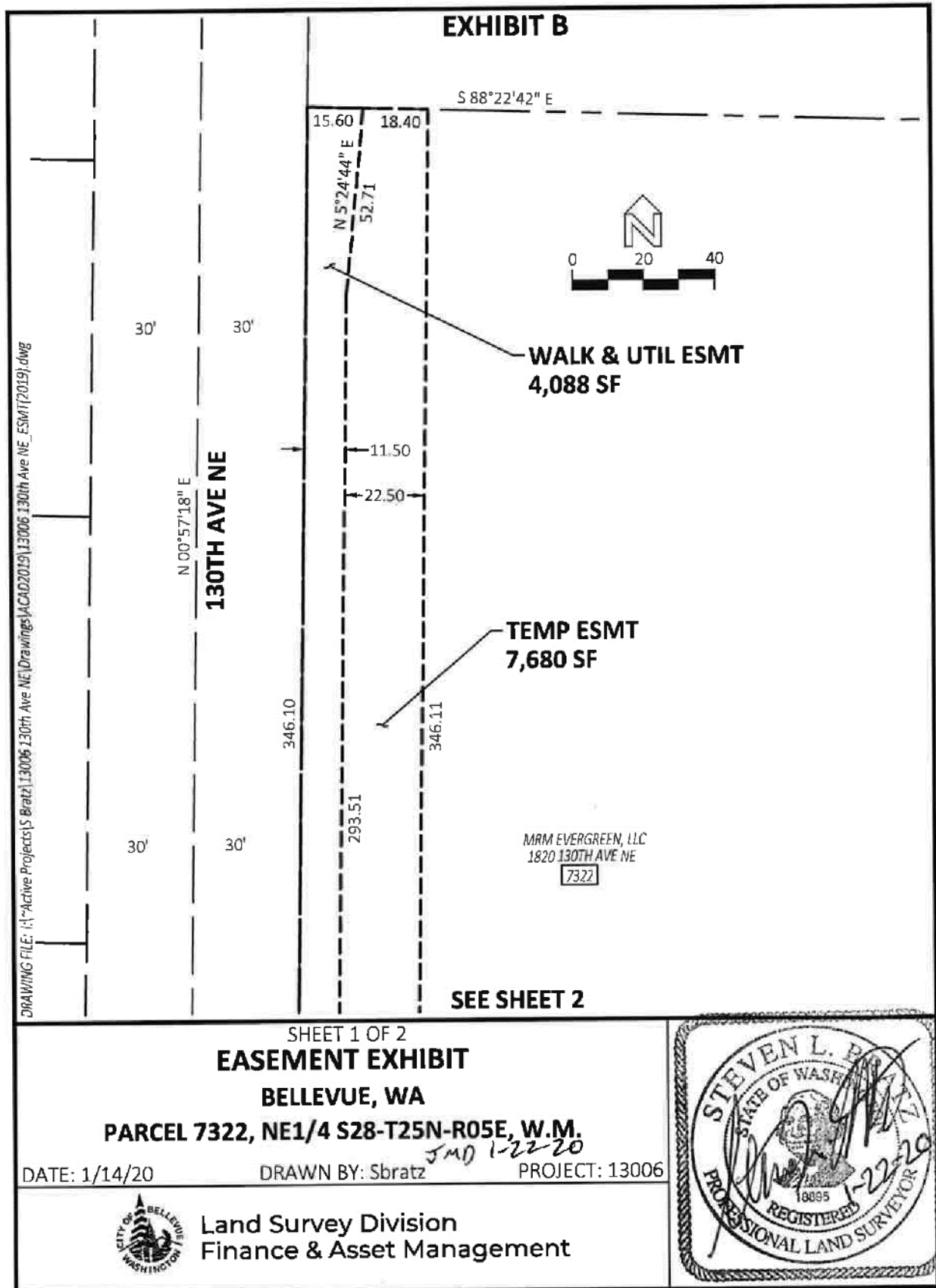
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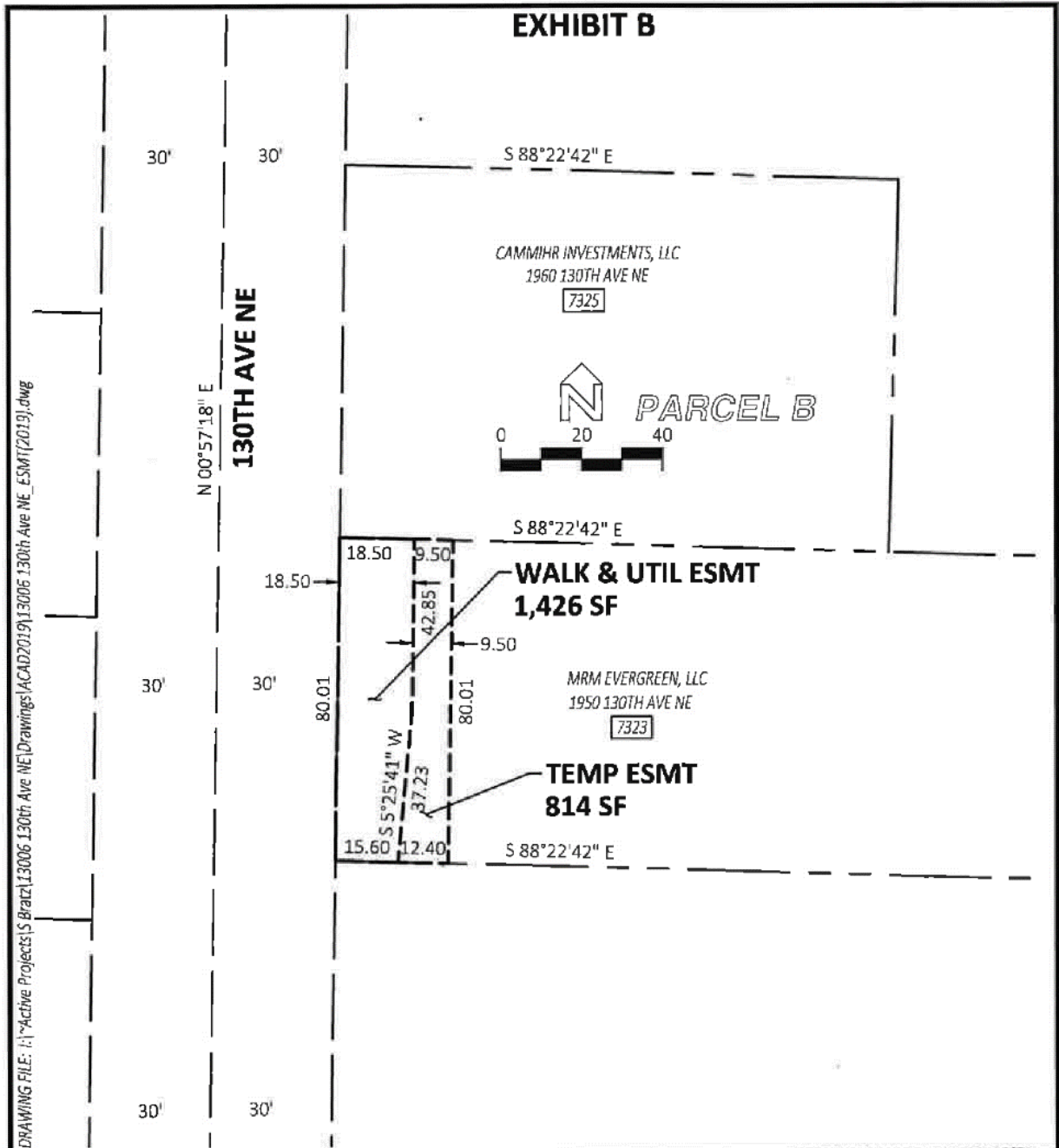


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EASEMENT EXHIBIT

BELLEVUE, WA

PARCEL 7323, NE1/4 S28-T25N-R05E, W.M.

DATE: 1/14/20

DRAWN BY: Sbratz

PROJECT: 13006



Land Survey Division
Finance & Asset Management

