



## Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed

**File created:** 10/2/2017      **In control:** Budget and Fiscal Management Committee

**On agenda:**      **Final action:** 1/29/2018

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**Title:** AN ORDINANCE relating to the condemnation of certain property required for expansion of the south transit base, located in King County council district eight, and authorizing the condemnation of the property.

**Sponsors:** Joe McDermott

**Indexes:** Condemnations, Property, transit

**Code sections:**

**Attachments:** 1. 18651.pdf, 2. A. Legal description and illustration of property to be condemned for South Base Expansion, 3. 2017-0356 legislative review form, 4. 2017-0356 transmittal-letter.doc, 5. 2017-0356 Attachment A. to transmittal letter South Base Property Summary for condemnation Revised 8\_15.docx, 6. 2017-0356\_SR\_South Base Condemnation.docx, 7. 2017-0356\_SR\_dated\_01102018\_South Base Condemnation.docx, 8. 2017-0356 Affidavit of Pub - Seattle Tims 1/17, 24/18, 9. 2017-0356 notice to Seattle Times.doc

| Date       | Ver. | Action By                              | Action                  | Result |
|------------|------|--|-------------------------|--------|
| 1/29/2018  | 1    | Metropolitan King County Council       | Hearing Held            |        |
| 1/29/2018  | 1    | Metropolitan King County Council       | Passed                  | Pass   |
| 1/10/2018  | 1    | Budget and Fiscal Management Committee | Recommended Do Pass     | Pass   |
| 11/21/2017 | 1    | Budget and Fiscal Management Committee | Deferred                |        |
| 10/2/2017  | 1    | Metropolitan King County Council       | Introduced and Referred |        |

Clerk 08/24/2017

AN ORDINANCE relating to the condemnation of certain property required for expansion of the south transit base, located in King County council district eight, and authorizing the condemnation of the property.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. In November 2016, Ordinance 18409 provided funding for certain capital projects to support the comprehensive system of transportation services operated and maintained by the transit division of the

department of transportation in furtherance of its duties under K.C.C. 2.16.140.C.

B. One of the capital projects funded in Attachment A to Ordinance 18409 is the expansion of the existing south metro transit base under capital improvement project number 1129642 ("the South Base Expansion").

C. The south base expansion furthers King County's long-range transit service and capital plan, entitled METRO CONNECTS, adopted in Ordinance 18449. The project will be constructed in the city of Tukwila.

D. In order to construct, operate, and maintain the South Base Expansion, it is necessary for King County to condemn and damage certain lands, property rights and rights in property. The acquisition of such lands, property rights and rights in property is for a public purpose.

E. The property to be condemned for the construction of the South Base Expansion is zoned MIC/L which allows for approved commercial, industrial and manufacturing uses, as well as automotive services, heavy equipment repair and salvage, truck terminals, warehouse storage, and other uses.

F. The transit division of the department of transportation has initiated discussions with the property owner for the voluntary acquisition of the property necessary for the south base expansion. If the property owner and the transit division cannot reach an agreement on voluntary acquisition of the property, condemnation proceedings will be necessary so King County can obtain the property needed for the south base expansion. The transit division will continue to negotiate with the property owner and pursue condemnation only in the event that negotiations reach an impasse.

G. The capital budget for project 1129642 in Attachment A to Ordinance 18409 provides for the acquisition of real property, property rights and rights in property necessary for the construction, operation and maintenance of the south base expansion.

H. King County is authorized by chapters 8.12 and 36.56 RCW, RCW 35.58.240 and RCW 35.58.320, to acquire, damage and condemn real property for public use for metropolitan transportation systems and facilities.

I. The public health, safety, necessity, convenience and welfare require that certain property and rights in property be condemned, appropriated, taken and damaged for the purpose of constructing, operating and maintaining the south base expansion and associated facilities.

SECTION 2. The metropolitan King County council deems the south base expansion to be a public use and for county purposes and for metropolitan transportation purposes. Further, the metropolitan King County council deems it necessary in the best interest of the citizens of King County for the property described in Attachment A to this ordinance, together with other appurtenant property interests, property rights, or rights in property, be condemned, appropriated, taken or damaged in fee, or in easements where applicable, subject to the making or paying of just compensation to the owner of the property in the manner provided by law.

SECTION 3. Condemnation proceedings are hereby authorized to acquire the property, property rights, and rights in property in all or any portion of the property described in Attachment A to this ordinance for purposes of the south base expansion.

SECTION 4. The attorneys of King County are hereby authorized to begin to prosecute the proceedings provided by law to condemn, take, damage and appropriate the land and other property interests, property rights, and rights in property necessary to carry out this ordinance.

SECTION 5. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.