



## Legislation Details (With Text)

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

**File created:** 5/20/2002      **In control:** Transportation Committee

**On agenda:**      **Final action:** 5/28/2002

**Enactment date:** 6/5/2002      **Enactment #:** 14370

**Title:** AN ORDINANCE authorizing the condemnation of certain property for the 140th Avenue Southeast - Phase I, Right-of-Way No. 9-1992-001.

**Sponsors:** Rob McKenna

**Indexes:** Condemnations, Property

**Code sections:**

**Attachments:** 1. 2002-0206 Revised Staff Report 140th Ave SE Condemnation 5-22-02.doc, 2. 2002-0206 Staff Report 140th Ave SE Condemnation 5-22-02.doc, 3. 2002-0206 transmittal letter.doc, 4. A. Index - Ordinance, 5. B. Legal Descriptions

Date	Ver.	Action By	Action	Result
5/28/2002	2	Metropolitan King County Council	Hearing Held	
5/28/2002	2	Metropolitan King County Council	Passed	Pass
5/22/2002	2	Transportation Committee	Recommended Do Pass Substitute Consent	Pass
5/20/2002	1	Metropolitan King County Council	Introduced and Referred	

Clerk 05/22/2002

AN ORDINANCE authorizing the condemnation of certain property for the  
140th Avenue Southeast - Phase I, Right-of-Way No. 9-1992-001.

### STATEMENT OF FACTS:

1. The King County council, on November 20, 1990, by Ordinance 9720 did adopt the annual budget and program, and did provide therein for a transportation program that included the 140th Avenue Southeast - Phase I.
2. An environmental checklist under chapter 197-11 WAC was issued on March 29, 1993, as part of the state Environmental Policy Act (SEPA) review procedure. A SEPA determination of nonsignificance was made under chapter 197-11 WAC on November 3, 1993.
3. The King County council on December 20, 2000, by Ordinance 14018 did adopt the 2001

budget and program and did provide therein for a transportation program.

4. The capital budget and program provides for the acquisition of land necessary for the development of the 140th Avenue Southeast - Phase I, Right of Way No. 9-1992-001.

5. In order to acquire the property and property rights required to facilitate construction of the existing two-lane road to four travel lanes and one continuous left-turn lane, curbs, gutters, sidewalks, illumination, Class II bicycle lanes, landscaping and two traffic signals. For Right-of-Way No. 9-1992-001, as provided in this ordinance, it is necessary for King County to condemn certain lands and property rights, and rights in property for road purposes as hereinafter more particularly set forth.

6. The King County council finds that public health, safety, necessity and convenience demand that 140th Avenue Southeast - Phase I, Right-of-Way No. 9-1992-001, be improved within King County in accordance with the capital budget and program, and that certain properties, property rights, and/or rights in property be condemned, appropriated, taken, and damaged for the purpose of construction of four travel lanes, a continuous center left-turn lane, curbs, gutters, sidewalks, illumination, Class II bicycle lanes, landscaping and two traffic signals along 140th Avenue Southeast - Phase I, Right of Way No. 9-1992-001, as provided in this ordinance.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County council has deemed it necessary and in the best interest of the citizens of King County that the lands described in Attachment B to this ordinance and other property rights and/or rights in property be condemned, appropriated, taken, and damaged for the purpose of four travel lanes, a continuous center left-turn lane, curbs, gutters, sidewalks, illumination, Class II bicycle lanes, landscaping and two traffic signals along 140th Avenue Southeast - Phase I, Right-of-Way No. 9-1992-001, subject to the making or paying of just compensation to the owners herein in the manner provided by law.

SECTION 2. Condemnation proceedings are hereby authorized to acquire property and property rights and/or rights in property, together with the right to construct and maintain slopes for cuts and fills on certain abutting properties described in Attachment B of this ordinance for the purpose of the subject road improvements.

SECTION 3. The attorneys for King County are hereby authorized and directed to begin to prosecute the proceedings provided by law to condemn, take, and appropriate

the land and other property, and property rights necessary to carry out the provisions of this ordinance.

none