



## Legislation Text

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**File #:** 2021-0468, **Version:** 1

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Clerk 12/13/2021

AN ORDINANCE authorizing the condemnation of property interests needed for the Coal Creek Sewer Upgrade project, part of the county's regional wastewater treatment system, located in the city of Bellevue.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. The Coal Creek Sewer Upgrade project will replace the aging Coal Creek Trunk regional sewer pipeline, part of the county's regional wastewater treatment system, that serves the cities of Bellevue and Newcastle. The property rights that are the subject of this ordinance must be acquired for the construction of the Coal Creek Sewer Upgrade project and associated facilities. The acquisition of property rights is for a public purpose.

B. The Coal Creek Sewer Upgrade project is needed in order to provide additional capacity in the Coal Creek Trunk sewer pipeline. The current capacity of the Coal Creek Trunk sewer pipeline is insufficient to convey the County standard twenty-year peak wastewater flow. When complete, the Coal Creek Sewer Upgrade project will provide the Coal Creek Trunk sewer pipeline with the necessary capacity needed to accommodate the projected growth in the region. A secondary benefit of the project is to move the pipeline away from Coal Creek, offering better protection to sensitive environmental areas and access for operation and maintenance.

C. King County Conveyance System Policy CP-1, in K.C.C 28.86.060, directs the county to design and construct wastewater conveyance facilities to meet the twenty-year peak flow standard to avoid sanitary sewer

overflows. The Coal Creek Sewer Upgrade project will meet the twenty-year peak flows standard through 2060 to accommodate projected growth of the area based on King County's Conveyance System Improvement Plan and will be an important part of the King County regional wastewater treatment system.

D. King County is authorized, by chapter 8.12 RCW, chapter 36.56 RCW, chapter 35.58.200 RCW and chapter 35.58.320 RCW, to acquire, damage and condemn real property for public use for sewage treatment and water pollution abatement facilities.

E. In order to construct the Coal Creek Sewer Upgrade Project, it is necessary for King County to condemn and damage certain lands, property rights and rights in property. The acquisition of such property rights and rights in property is for a public purpose.

F. The King County council finds that public health, safety, necessity, convenience and welfare require that the Coal Creek Sewer Upgrade Project be constructed and that certain properties, property rights and rights in property be condemned, appropriated, taken and damaged for the purpose of construction, operation and maintenance of the Coal Creek Sewer Upgrade Project.

SECTION 2. The King County council deems it necessary for the proposed public purpose and in the best interest of the wastewater ratepayers of the King County regional wastewater treatment system that all or any portion of the properties identified by tax parcel numbers 1624059168 (#54-Lim/Kim), 1624059144 (#14-ImperialGroup), 2124059018 (#6-SPU), 1624059156 (#24-SPU), 9559500000 (#21-Woodsong HOA), 9559500010 (21-A101), 9559500020 (21-A102), 9559500030 (21-A103), 9559500040 (21-A104), 9559500050 (21-A201), 9559500060 (21-A202), 9559500070 (21-A203), 9559500080 (21-A204), 9559500090 (21-A301), 9559500100 (21-A302), 9559500110 (21-A303), 9559500120 (21-A304), 9559500130 (21-B105), 9559500140 (21-B106), 9559500150 (21-B107), 9559500160 (21-B108), 9559500170 (21-B109), 9559500180 (21-B110 Barajas), 9559500190 (21-B205), 9559500200 (21-B206), 9559500210 (21-B207), 9559500220 (21-B208), 9559500230 (21-B209), 9559500240 (21-B210), 9559500250 (21-B305), 9559500260 (21-B306), 9559500270 (21-B307), 9559500280 (21-B308), 9559500290 (21-B309) and

9559500300 (21-B310) and other property interests, property rights or rights in the properties be condemned, appropriated, taken, or damaged, or any combination thereof, for the purpose of constructing, installing, operating, maintaining, repairing and replacing facilities for the Coal Creek Sewer Upgrade Project, subject to the making or paying of just compensation to the owners herein in the manner provided by law.

SECTION 3. Condemnation proceedings are hereby authorized to acquire property interests and property rights and rights in property in all or any portion of the properties identified by tax parcel numbers 1624059168 (#54-Lim/Kim), 1624059144 (#14-ImperialGroup), 2124059018 (#6-SPU), 1624059156 (#24-SPU), 9559500000 (#21-Woodsong HOA), 9559500010 (21-A101), 9559500020 (21-A102), 9559500030 (21-A103), 9559500040 (21-A104), 9559500050 (21-A201), 9559500060 (21-A202), 9559500070 (21-A203), 9559500080 (21-A204), 9559500090 (21-A301), 9559500100 (21-A302), 9559500110 (21-A303), 9559500120 (21-A304), 9559500130 (21-B105), 9559500140 (21-B106), 9559500150 (21-B107), 9559500160 (21-B108), 9559500170 (21-B109), 9559500180 (21-B110 Barajas), 9559500190 (21-B205), 9559500200 (21-B206), 9559500210 (21-B207), 9559500220 (21-B208), 9559500230 (21-B209), 9559500240 (21-B210), 9559500250 (21-B305), 9559500260 (21-B306), 9559500270 (21-B307), 9559500280 (21-B308), 9559500290 (21-B309) and 9559500300 (21-B310) for the purpose of the Coal Creek Sewer Upgrade Project.

SECTION 4. The attorneys for King County are hereby authorized and directed 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.