

# ORIGINAL

## ORDINANCE NO. 527

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AUTHORIZING THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PORTIONS OF REAL PROPERTY IDENTIFIED AS TAX PARCELS 0726049042, 7286500020, 7285900005, 0726049156, 0726049155, 0726049154 , 0626049028, 0726049083, 0318100005 AND PROPERTY LOCATED AT 16523, 16549, 16610, 16622, 16707, 16708, 16715, 16716, 16725, 16723, 16731, 16737, 16743, 16748, 16755, 17001, 17010, 17012, 17020, 17030, 17037, 17202, 17203, 17209, 17219, 17244, 17255, 17504, 17505, 17545, 17550, 17560, 17935, 18005, 18207, 18325, 18217, 18405, 18413, 18510, 18528, 18551 AURORA AVENUE NORTH, 1111 NORTH 175<sup>th</sup> STREET, 1130 NORTH 185<sup>th</sup> STREET, 18400 MIDVALE AVENUE NORTH AND 18502 AND 18514 FIRLANDS WAY NORTH, SHORELINE WASHINGTON**

WHEREAS, on January 14, 2008, the Shoreline City Council adopted the final design for the Aurora Corridor Project N. 165<sup>th</sup> - N. 205<sup>th</sup> ("Project") which has been identified in the 2009-2014 Capital Improvement Plan ("CIP"); and

WHEREAS, the purpose of the Project is to improve the safety and mobility of pedestrians, transit users, people with disabilities, and drivers along Aurora Avenue from North 165<sup>th</sup> Street to North 205<sup>th</sup> Street; and

WHEREAS, this Project will improve the economic development potential of the corridor, enhance the livability of adjacent communities, and support the City's Comprehensive Plan; and

WHEREAS, the CIP calls for the right-of-way acquisition in 2008 for Aurora Avenue N. 165<sup>th</sup> - N. 185<sup>th</sup> with construction of Aurora Avenue N. 165<sup>th</sup> - N. 185<sup>th</sup> to begin in 2009; and

WHEREAS, the Shoreline City Council has determined that the properties depicted in Exhibit A and described in Exhibit B attached hereto are affected by this Project and that portions of those properties, as described and depicted in Exhibit B, are necessary to complete the Project including the construction of BAT lanes, medians, sidewalks and underground utilities; and

WHEREAS, the City of Shoreline has the power to acquire lands through eminent domain for the establishment, construction, enlargement, improvement, and maintenance of public streets; and

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WHEREAS, sustained effort to contact property owners and interested parties has been made and will continue, and eminent domain action will be taken judiciously after reasonable efforts such as offering possession and use agreements; and

WHEREAS, acquisition of property is categorically exempt from SEPA review under WAC 197-11-800(5)(a); now, therefore,

**THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1. Condemnation Authorized.** The City of Shoreline shall acquire by negotiation or by condemnation, portions of the real properties situated in the City of Shoreline, County of King, and State of Washington depicted in Exhibit A and legally described in Exhibit B attached hereto and by this reference incorporated herein. Those portions of the properties to be acquired by negotiation or by condemnation are legally described and depicted in Exhibit B.

The City Manager or his designee shall adhere to the City of Shoreline Right of Way Procedures and Resolution No. 270, and is hereby authorized and directed to execute all documents for the acquisition of said properties and bring proceedings in the manner provided for by law to condemn, take, damage, and appropriate the lands and property interests described in this section pursuant to the powers granted to the City of Shoreline including RCW 35A.64.200 and Chapters 8.12 and 8.25 RCW. In conducting said condemnation proceedings, the City Attorney, and any Special Counsel designated by the City Attorney, is hereby authorized to enter into stipulations for the purpose of minimizing damages, including the reduction in area of land or modification of property interests to be acquired for the Project.

The City Attorney is also authorized to make minor amendments to the legal descriptions or maps of properties described in the attached Exhibit B as may become necessary to correct scrivener's errors or to conform the legal description to the precise boundaries of the property required for the project.

**Section 2. Finding of Public Use and Necessity.** The Shoreline City Council finds that the acquisition of the property described and depicted in Exhibit B is for a public use and purpose, to-wit: to provide road and sidewalk improvement and underground utilities on Aurora Ave. N. from N. 165<sup>th</sup> to N. 185<sup>th</sup>. The Council further finds the properties described and depicted in Exhibit B are necessary for the proposed public use and for the benefit of the public.

**Section 3. Purchase Funds.** Funds allocated in the City of Shoreline 2009-2014 Capital Improvement Plan for the Aurora Corridor Project N. 165<sup>th</sup> to N. 185<sup>th</sup> shall be made available to carry out the provisions of this Ordinance.

**Section 5. Effective Date and Publication.** A summary of this Ordinance consisting of the title shall be published in the official newspaper and the Ordinance shall take effect five days after publication.

**PASSED BY THE CITY COUNCIL ON NOVEMBER 17, 2008.**

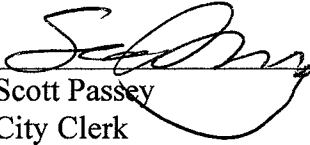
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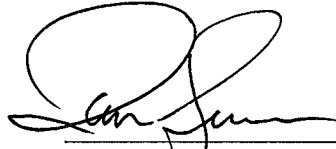
\_\_\_\_\_  
Mayor Cindy Ryu

ATTEST:

APPROVED AS TO FORM:



\_\_\_\_\_  
Scott Passey  
City Clerk



\_\_\_\_\_  
Ian Sievers  
City Attorney

Date of Publication: November 20, 2008  
Effective Date: November 25, 2008

07260490580726049201

17209  
0726049272  
219

17255 0726049271 218

0726049263

17219 0726049110 217

0726049109 17225 216

0726049082 215 17209

0726049085 214

0726049079 17203 213

17037 0726049032 212

17001 0726049098 211

0726049134

0726049291

0726049292

**N 170TH ST**

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9371700054 9371700038

9371700062

9371700060 9371700045

9371700064 9371700045

9371700065

0726049124 210

9372300065

9372300070 16743 9372300092

9372300075 209

9372300085 208

9371700025 0726049088 207

9371700025 9371700010 206

9371700025 9371700005

9371700027 205

9371700030 9371700015 16715

204

9371700034 9371700020 16707

203

**LINDEN AVE N**

**WHITMAN AVE N**

**N 167TH ST**

0726049153

0726049127

0726049129

0726049254 0726049284 0726049260

0726049282 0726049267

0726049239

0726049113

0726049225

0726049313

0726049204 0726049203

0726049312

16549 0726049061 202

0726049127 0726049075

0726049129

16523 0726049137 200

0726049278

0726049319

0726049128

0726049301 0726049068

7708400000

**N 167TH ST**

17244 0726049038 266

17248 0726049083 268

1201 0318100005 270 0318100008

0726049281

0726049066

0726049144

0726049042 17212 263

0726049198 17202 262

17038 0726049089 261

0726049182 17020 260

0726049105 17012 259

0726049092 17010 258

17004 0726049043 257

18040

16730 0726049104 256

16708 0726049081 255

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5666300230

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5666300275

5666300280

5666300285

5666300050 5666300045 5666300040 5666300055

5666300060 5666300065 5666300070 5666300075

5666300165 5666300160 5666300155 5666300150

5666300170 5666300175 5666300180 5666300185

7819000040 7819000050 7819000030 7819000020 7819000010

6368500050 6368500060 6368500070 6368500080

**RONALD PL N**

**MIDVALE AVEN**

**N 173RD ST**

**N 172ND ST**

**N 171ST ST**

0726049108

0726049310

0726049308

0726049178 0726047777

0726049175

5668500005

5668500010

5668500015

5668500020

5668500025

0726049067

0726049048

0726049175

**AURORA AVE N**

**N 167TH ST**

5254300025 16622 254

5254300020 16610 253

5254300015

5254300006

5254300005

5254500040

5254500030

5254500050

5254307777

5254300034

5254300035

5254300036

5254300040

5256200005 5256200010 5256200020 5256200015

5254300006

5256200035 5256200040 5256200025 5256200030

5253300036

5253300037

5253300047

5253300039

5253300035

5253300025

5253300026

5253300015

5253307777

5253300005

**STONE AVE N**

**N 166TH ST**

**N 165TH ST**

