

ORDINANCE NO. 445

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AUTHORIZING THE ACQUISITION OF VACANT PROPERTIES AT 15031 25TH AVE. N.E., SHORELINE, WASHINGTON BY EMINENT DOMAIN FOR PARK USE

WHEREAS, the Shoreline City Council authorized a bond proposition for acquisition of certain park capital acquisitions and improvements including a property located at 15031 25th Ave. N.E., Shoreline, Wa. owned by the Shoreline Water District; and the bond measure was approved by the Shoreline voters at a special election held May 16, 2006; and

WHEREAS, the City has the power under RCW 8.12.030 to acquire lands through eminent domain for the public parks; and

WHEREAS, the Shoreline City Council has determined that the property described in Section 1 of this ordinance is necessary for the City's park system; and

WHEREAS, City Council wishes to authorize the City Manager to file eminent domain proceedings should the City Manager determine that direct negotiations for voluntary acquisition of the property for fair market value have been unsuccessful; 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 the real properties situated in the City of Shoreline, County of King, State of Washington, consisting of approximately 7.794 acres and legally described as follows:

Lots 3 & 4, Shoreline Short Plat No. SHSP 2006-03, recorded under recording number 20060324900002, records of King County, Washington.

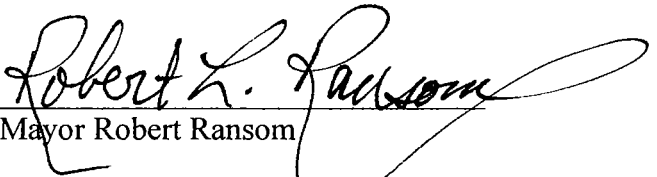
To the extent practicable, the City Manager or his designee shall adhere to acquisition guidelines of RCW Chapter 8.26 and is hereby authorized and directed to execute all documents for the acquisition of said properties and bring proceedings in the manner provided for by law to condemn, take, damage, and appropriate the lands and property interest described in this section pursuant to the powers granted to the City of Shoreline, including Chapters 8.12 and 8.25 RCW. The city may base its offers on an appraisal completed within six months of the offer.

Section 2. Finding of Public Use and Necessity. The Shoreline City Council finds that the acquisition of the property listed in Section 1 is for a public use and purpose, to-wit: to developed, maintain and operate a public park under RCW 35.22.280(11). The Council further finds the properties listed in Section 1 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 2006-2012 Capital Improvement Plan shall be made available to carry out the provisions of this Ordinance.

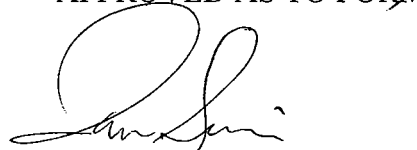
Section 4. Effective Date and Publication. A summary of this Ordinance consisting of the title shall be published in the official newspaper, and the Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON October 16, 2006.



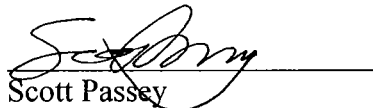
Mayor Robert Ransom

APPROVED AS TO FORM:



Ian Sievers
City Attorney

ATTEST:



Scott Passey
City Clerk

Date of Publication: October 19, 2006
Effective Date: October 24, 2006