

ORDINANCE NO. 956

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AUTHORIZING ACQUISITION OF CERTAIN REAL PROPERTIES LOCATED ALONG THE N 175TH STREET CORRIDOR, BY NEGOTIATED VOLUNTARY PURCHASE, UNDER THREAT OF CONDEMNATION, BY CONDEMNATION, OR BY SETTLING CONDEMNATION LITIGATION, FOR THE PURPOSE OF SECURING ADDITIONAL LAND FOR CONSTRUCTION OF THE NORTH 175TH STREET, STONE AVENUE N TO INTERSTATE 5 PROJECT; FINDING PUBLIC USE AND NECESSITY; AUTHORIZING JUST COMPENSATION FROM THE GENERAL FUND; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 35.67 RCW and Chapter 35.92 RCW, the City has the authority to provide for a multimodal transportation system that serves its citizens in a safe and efficient manner; and

WHEREAS, the City has been planning for alteration to the N 175th Street Corridor to address a variety of known problems along the corridor including safety concerns, increasing traffic congestion, narrow sidewalks with numerous obstructions, and lack of bicycle facilities; and

WHEREAS, the City Council finds that acquisition of the properties located within the City generally depicted and described in Exhibit A, attached hereto (the "Acquired Properties"), is necessary for the construction of the N 175th Street, Stone Avenue N to Interstate 5 Project; and

WHEREAS, just compensation for the Acquired Properties can be funded with Transportation Impact Fees; and

WHEREAS, there will be sustained efforts to negotiate with the owners of the Acquired Properties, and eminent domain action will be taken judiciously after reasonable efforts to reach a negotiated settlement with the owners; and

WHEREAS, in the event that negotiated acquisition of the Acquired Properties is not fully successful, it is essential that the City be prepared to initiate condemnation proceedings; and

WHEREAS, the owners of the Acquired Properties were given notice according to state statute that this condemnation Ordinance was included for discussion by the City Council at its April 18, 2022 meeting and for final action at its May 2, 2022 meeting, and were afforded an opportunity to submit comment at or for those meetings; and

WHEREAS, the City has provided notice of the adoption of this Ordinance in the manner set forth in RCW 8.12.005 and 8.25.290; and

WHEREAS, the City of Shoreline has the power to acquire lands through eminent domain for the purpose of providing for the widening, extending, altering of any street, avenues, and highway; and

WHEREAS, acquisition of the Acquired Properties 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 Manager is hereby authorized to take necessary steps to acquire all necessary property interests in the land located within the City of Shoreline, County of King, State of Washington, depicted and legally described in Exhibit A attached hereto and by this reference incorporated herein (the “Acquired Properties”) which is necessary for the public use of the widening, extending, and altering of N 175th Street, Stone Avenue N to Interstate 5 Project, and is hereby condemned, appropriated and taken for such public use, subject to the making or paying of just compensation to the owners thereof in the manner provided by law.

The City Manager or designee is hereby authorized and directed to execute all documents for the acquisition of all interests in the Acquired Properties and bring proceedings in the manner provided for by law to condemn, take, damage, and appropriate the Acquired Properties described in this Ordinance pursuant to the powers granted to the City of Shoreline including RCW 35A.64.200 and Chapters 8.12 and 8.25 RCW. This authorization includes the right to condemn all reversionary interests, easements, and options in said Acquired Properties.

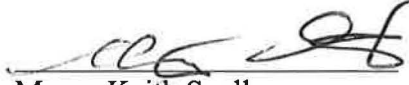
The City Attorney is authorized to begin and prosecute legal proceedings in the manner provided by the law to purchase, condemn, take, appropriate, and otherwise acquire the land and all other interests and property rights and privileges necessary to carry out the purposes of this Ordinance. The City Attorney is also authorized to make minor amendments to any property descriptions or maps of the properties, generally depicted on the attached Exhibit A, as may become necessary to correct scrivener’s errors or to conform the legal description to the precise boundaries of the Acquired Properties.

Section 2. Finding of Public Use and Necessity. The Shoreline City Council finds that the acquisition of the Acquired Properties is for a public use and purpose, to-wit: to provide for the widening, extending, and altering of N 175th Street, Stone Avenue N to Interstate 5 Project. The City Council further finds the properties generally depicted in Exhibit A are necessary for the proposed public use and for the benefit of the public. The Whereas clauses set forth above are hereby incorporated into and made part of the Council’s findings.

Section 3. Compensation. Compensation to be paid to the owners of the Acquired Properties identified in Section 1, above, and costs and expenses of litigation authorized by this Ordinance, shall be paid from the City’s Transportation Impact Fee Funds.

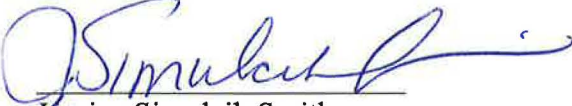
Section 4. Effective Date and Publication. A summary of this Ordinance consisting of the title shall be published in the official newspaper and the Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON MAY 2, 2022.




Mayor Keith Scully

ATTEST:



Jessica Simulcik Smith
City Clerk

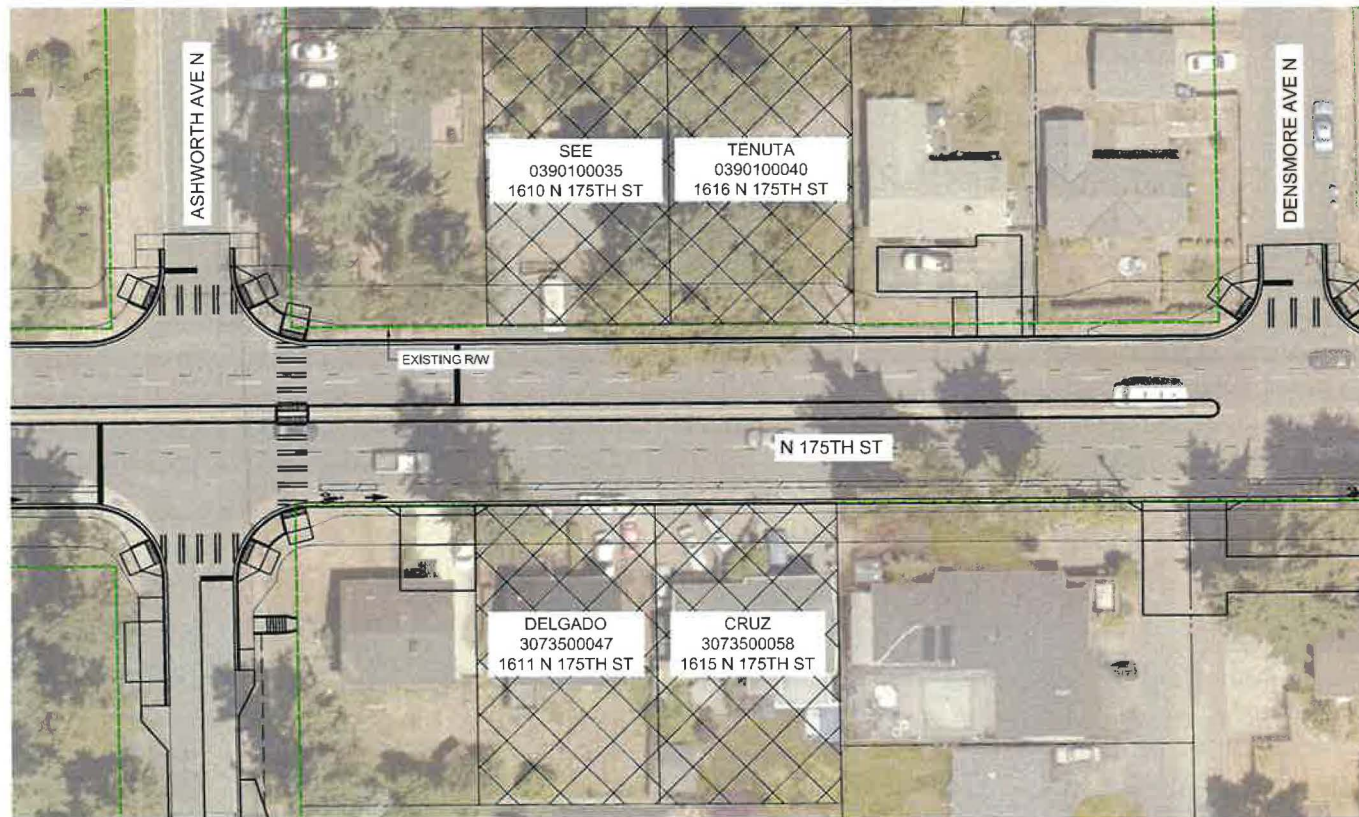
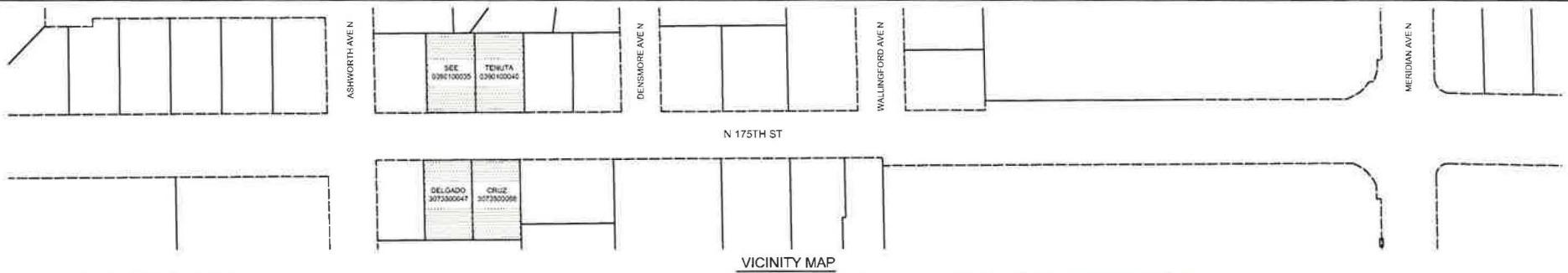
APPROVED AS TO FORM:



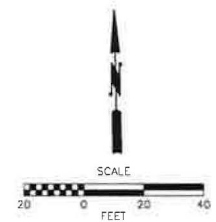
Julie Ainsworth-Taylor,
Assistant City Attorney
on behalf of Margaret J. King
City Attorney

Publication Date: May 5, 2022
Effective Date: May 10, 2022

Ordinance No. 956 - Exhibit A



LEGEND	
	EXISTING RIGHT-OF-WAY
	ROW ACQUISITION AREA



 **PERITEET**
505 FIFTH AVENUE S, SUITE 300
SEATTLE, WA 98104
206.436.0955 | 800.619.9900



175TH ST - STONE AVE TO I-5 IMPROVEMENTS
FULL ACQUISITION PARCELS
JANUARY 2022