

ORDINANCE O-4685

AN ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF CONSTRUCTION AND OPERATION OF FIRE STATION NO. 27 AND RELATED PUBLIC FACILITIES WITHIN THE CITY OF KIRKLAND, PROVIDING FOR THE COST OF PROPERTY ACQUISITION, AND AUTHORIZING THE INITIATION OF APPROPRIATE EMINENT DOMAIN PROCEEDINGS IN THE MANNER PROVIDED FOR BY LAW.

1 WHEREAS, the City annexed portions of the Juanita, Finn Hill
2 and Kingsgate neighborhoods on June 1, 2011, which prompted the City
3 to conduct studies regarding best locations for fire stations to better
4 serve the increased population; and

5
6 WHEREAS, these studies identified this property as a suitable
7 location for a new Fire Station 27 and potentially related public facilities,
8 which studies the City Council used in its decision to pursue acquisition
9 of this property through eminent domain; and

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11 WHEREAS, though the City is conducting negotiations with the
12 owner of the property, the City Council believes it to be prudent to adopt
13 this ordinance authorizing condemnation in the event the negotiations
14 are unsuccessful; and

15
16 WHEREAS, the City has provided notice to the affected property
17 owner of this final action authorizing condemnation as required by RCW
18 8.25.290.

19
20 NOW, THEREFORE, the City Council of the City of Kirkland do
21 ordain as follows:

22
23 Section 1. The lands and property rights within the City of
24 Kirkland, King County, Washington, described in Exhibit 1 to this
25 Ordinance and incorporated herein, are necessary for the public use and
26 purpose of construction and operation of a fire station and related public
27 facilities. Such lands and property rights are hereby condemned,
28 appropriated and taken for such public use and purposes, subject to the
29 making or paying of just compensation to the owners thereof in the
30 manner provided by law.

31
32 Section 2. The expense of acquiring said property rights shall
33 be paid using an interfund loan for the purchase, which will be repaid
34 to the fund of origin (likely one of the utility funds) from bond proceeds
35 and other sources within three years.

36
37 Section 3. The City Attorney or designee is authorized and
38 directed to begin and prosecute legal proceedings in the manner
39 provided by the law to purchase, condemn, take, appropriate, and

40 otherwise acquire the lands and other property rights and privileges
41 necessary to carry out the purposes of this Ordinance.

42
43 Section 4. This ordinance shall be in force and effect five days
44 from and after its passage by the Kirkland City Council and publication
45 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary
46 form attached to the original of this ordinance and by this reference
47 approved by the City Council.

48
49 Passed by majority vote of the Kirkland City Council in open
50 meeting this ____ day of _____, 2019.

51 Signed in authentication thereof this ____ day of _____, 2019.
52

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond, City Attorney

EXHIBIT 1

Legal Description

Lot 2, Highbridge, according to the plat thereof recorded in Volume 123 of Plats, Pages 7 and 8, in King County, Washington.

Commonly known as: 13118 121st Way NE, Kirkland, Washington.

PUBLICATION SUMMARY
OF ORDINANCE NO. O-4685

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SECTION 1. Authorizes condemnation of property necessary for the public use and purpose of construction and operation of a fire station and related public facilities.

SECTION 2. Identifies the source of revenue for the acquisition.

SECTION 3. Authorizes the City Attorney to initiate condemnation proceedings to acquire the property necessary for the public purpose.

SECTION 4. Authorizes publication of the Ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2019.

I certify that the foregoing is a summary of Ordinance O-4685 approved by the Kirkland City Council for summary publication.

Kathi Anderson, City Clerk