

ORIGINAL

ORDINANCE NO. 350

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AUTHORIZING THE ACQUISITION AND CONDEMNATION OF CERTAIN REAL PROPERTIES AT 14507, 14515, 14525, 14701, 14703, 14705, 14709, 14711, 14713, 14715, 14721, 14725, 14729, 14717, 14727, 14729, 14731, 14817, 14825, 14901, 14915, 14927, 15011, 15005, 15007, 15009, 15011, 15031, 15015, 15017, 15023, 15027, 15029, 15019, 15033, 15201, 15332, 15555, 15565, 16005, 16017, 16037, 16053, 16301, 16357, 16340, 16330, 16300, 16200, 16032, 16048, 16004, 15736, 15740, 15744, 15730, 15526, 15210, 15208, 15216, 15222, 15226, 15230, 15206, 15214, 15214B, 15200A, 15200, 15200B, 15200C, 15202, 15236, 15238, 15240, 15252, 15036, 15030, 15010, 14926, 14910, 14720, 14710, 14700, 14540, 14510, 16503, 16510, AND 15510 AURORA AVENUE NORTH; 15915 WESTMINSTER WAY N; 914 N 145th ST; 826 AND 820 N 145th ST; 15002 MIDVALE AVENUE N; AND 1111 N 157th ST., SHORELINE. WASHINGTON.

WHEREAS, the Shoreline City Council adopted the Aurora Corridor Project Modified Alternative A as a final design for the Aurora Corridor Project N 145th- N. 165th("Project") December 2002 identified in the 2004-2009 Capital Improvement Plan; 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 145th Street to North 165th 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 Shoreline City Council has determined that the property described in Exhibits A, B and C attached hereto is 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

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:

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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, and State of Washington and legally described in Exhibits A, B and C attached hereto and by this reference incorporated herein.

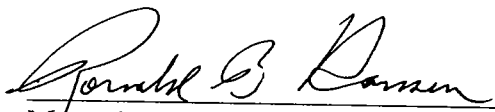
The City Manager or his designee, shall adhere to acquisition guidelines of the Aurora Corridor Real Property Acquisition and Relocation Policy, Procedures and Guidelines ("Guidelines"), and is hereby authorized and directed to execute all documents for the acquisition of said properties and bring proceedings 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. Notwithstanding the general applicability of Guidelines 3.1 for temporary construction easements the easements listed in Exhibit B are necessary for the construction of the project and shall be compensated to the extent the value exceeds special benefit to the property owner.

Section 2. Finding of Public Use and Necessity. The Shoreline City Council finds that the acquisition of the property listed in Exhibit A, B and C is for a public use and purpose, to-wit: to provide road and sidewalk improvement and underground utilities on Aurora Ave. N. from N. 145th to N. 165th. The Council further finds the properties listed in Exhibit A, B, and C 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 2004-2009 Capital Improvement Plan for the Aurora Corridor Project N. 145th to N. 165th shall be made available to carry out the provisions of this Ordinance.

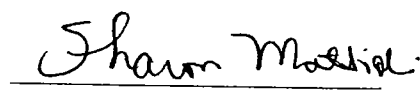
Section 5. Effective Date and Publication. A summary of this Ordinance consisting of the title shall be published in the official newspaper and the Ordinance shall take effect five days after publication.


PASSED BY THE CITY COUNCIL ON April 26, 2004.


Mayor Ronald B. Hansen

ATTEST:

APPROVED AS TO FORM:


Sharon Mattioli, CMC
City Clerk


Ian Sievers
City Attorney

Date of Publication: April 29, 2004
Effective Date: May 4, 2004