

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

**AGENDA TITLE:** Authorization for Property Acquisition at 17030 Aurora Ave. N. for the Aurora Project 165<sup>th</sup> – 185<sup>th</sup>  
**DEPARTMENT:** City Attorney's Office; Public Works  
**PRESENTED BY:** Ian Sievers, City Attorney

**PROBLEM/ISSUE STATEMENT:**

The City has completed design, received right of way certification from the Department of Transportation, and recently awarded the construction contract for the Aurora Project 165<sup>th</sup> -185<sup>th</sup>. The City needs to acquire 1,750 square feet from the parcel at 17030 Aurora Ave. N. for roadway improvements, amenity zone and sidewalk and 580 square feet for a temporary construction easement.

The owner granted the City possession and use in March 2009 so the Project could proceed. The City agreed to pre-litigation mediation after both parties prepared appraisals and reached an impasse in negotiations with the City's right of way agents. Mediation was held on December 16<sup>th</sup> with the owner, his attorney, his appraiser and a local real estate agent. The City was represented by Ian Sievers, City Attorney; Kris Overleese, Project Manager; and Ken Barnes, the City's appraiser. A tentative settlement of \$420,000 was reached settling all claims for compensation, damages, fees and costs. This settlement amount exceeds the City Manager's property acquisition authority of \$325,000 and requires approval of the Council.

Based on the analysis in the confidential memorandum to the council discussing this acquisition, staff recommends the Council approve the settlement as a fair resolution of this case given the risks of litigation and costs avoided.

**FINANCIAL IMPACT:**

The funds to pay the proposed settlement are available in the Project Budget.

**RECOMMENDATION**

Staff recommends that the City Council approve payment of \$420,000 for all property interests and damages to property owned by Elsia, LLC at 17030 Aurora Ave. N. needed to complete the final design of the Aurora Project 165<sup>th</sup>-185<sup>th</sup>.

Approved By:

City Manager 

City Attorney 

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