

ORDINANCE NO. 06-1004

AN ORDINANCE of the City Council of the City of SeaTac, Washington declaring public use and necessity for land and property to be condemned as required for the Military Road South Project, and authorizing payment therefore from the City's 307-Transportation CIP Fund.

WHEREAS, the City is preparing to begin the Military Road South improvements which will consist of reconstruction of Military Road South from South 176th Street southward to South 188th Street, specifically to include widening the road from two to three lanes with landscaped median, curbs, gutters, sidewalks, storm drainage, conversion of utilities to underground, utility lines, street lighting, signalization, and paving and consolidation of driveways; and

WHEREAS, certain lands and properties must be acquired in order to provide the necessary rights-of-way for construction and operation of the aforesaid improvements; and

WHEREAS, efforts shall soon commence to acquire the property necessary for this public use by negotiation and agreement; and

WHEREAS, in the event that negotiated acquisition is not fully successful well in advance of the anticipated commencement of construction, it is essential that the City be prepared to initiate condemnation proceedings; and

WHEREAS, payment of just compensation and costs of litigation should be made from the City's 307-Transportation Capital Improvement Program (CIP) Fund;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. Acquisition of the properties identified and legally described on Exhibit "A" and generally located on the drawing attached as Exhibit "B", which are incorporated herein by this reference, is necessary to the public use for the City's Military Road South project.

Section 2. The City's Legal Department is hereby authorized to commence condemnation proceedings, pursuant to law.

Section 3. Compensation to be paid to the owners of the aforesaid property, and costs of litigation, shall be paid from the City's 307-Transportation CIP Fund.

Section 4. This Ordinance shall not be codified in the SeaTac Municipal Code.

Section 5. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 14th day of February, 2006, and signed in authentication thereof on this 14th day of February, 2006.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante-Bartolo, City Attorney

[Effective Date: _____]

[Military Road South Project]