

**VALLEY VIEW SEWER DISTRICT
KING COUNTY, WASHINGTON**

RESOLUTION NO. 2018-2

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF VALLEY VIEW SEWER DISTRICT, KING COUNTY, WASHINGTON, AUTHORIZING AND APPROVING THE ACQUISITION BY NEGOTIATION OR CONDEMNATION OF CERTAIN INTERESTS IN REAL PROPERTY FOR USE BY THE DISTRICT RELATING TO THE S 127th STREET SEWER CONSTRUCTION PROJECT.

WHEREAS, Valley View Sewer District (“District”) is a special purpose municipal corporation authorized and existing under the laws of the State of Washington, Title 57 RCW, and is authorized by law to provide sewer utility service to areas located within its sewer service area; and

WHEREAS, the District Board of Commissioners has previously authorized and approved the District’s Comprehensive Sewer Plan (“Comprehensive Plan”); and

WHEREAS, the Comprehensive Plan contemplates the construction and installation of additional sewer facilities in connection with The S 127th St Sewer Construction Project (the “Sewer Project”); and

WHEREAS, the Sewer Project will help address public health issues by making public sewer facilities available to property owners in the area of the Sewer Project in the event those property owners choose to connect to the District’s public sewer system; and

WHEREAS, District staff have reviewed and analyzed various alternative locations for the sewer facilities to be constructed as part of the Sewer Project and have recommended that the District acquire easements over, upon, across and through certain real property located in King County, Washington, such real property being generally identified below:

Property Addresses		Parcel Nos.
2828 S 128 th St, Burien, WA	092304-9455	Imelda Miles
Vacant Property, Burien, WA	092304-TRCT	Darwin Bosteder(1)
Vacant Property, Burien, WA	092304-TRCT	Vanesa D Halen(2)
Vacant Property, Burien, WA	092304-TRCT	Charlie Daryl Brown(3)
Vacant Property, Burien, WA	092304-TRCT	Lisa M White De Calderon Prudencio Calderon(4)

(1) Located near or adjacent to Parcel No. 092304-9339 (2827 S 127th St, Burien, WA.)

(2) Located near or adjacent to Parcel No. 092304-9340 (2825 S 127th St, Burien, WA.)

- (3) Located near or adjacent to Parcel No. 092304-9305 (2822 S 127th St, Burien, WA.)
(4) Located near or adjacent to Parcel No. 092304-9228 (2815 S 127th St, Burien, WA.)

(referred to collectively as “The S 127th St Properties”); and

WHEREAS, in order to construct and install the sewer facilities as part of the Sewer Project, it is necessary for the District to acquire, condemn, appropriate and take easements for sewer facilities and appurtenances, including the right of access, over, upon, across and through all of the S 127th St Properties in the locations legally described and depicted in the attached **Exhibits A, B, and C**, which exhibits are attached hereto and incorporated herein by this reference (referred to collectively as the “Sewer Easements”); and

WHEREAS, the District, as a municipal corporation, is authorized by Chapter 57.08 RCW to institute eminent domain proceedings under Chapter 8.12 RCW; and

WHEREAS, District staff have requested that the Board of Commissioners authorize District staff, legal counsel and appraisers to proceed with the acquisition of the required and necessary Sewer Easements by negotiation and/or eminent domain proceedings as deemed appropriate, subject to the District paying the owner(s) of the S 127th St Properties just compensation for such taking; now, therefore,

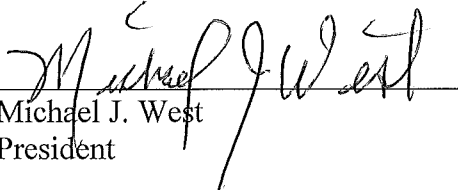
BE IT RESOLVED, by the Board of Commissioners of Valley View Sewer District, King County, Washington, as follows:

1. Recitals Incorporated. The recitals set forth above are hereby adopted as if set forth in full herein.


2. Public Use and Necessity of Easements. The Sewer Easements identified and described in this Resolution are for a public use and are necessary for the construction of the referenced Sewer Project, and such Sewer Easements are being condemned, appropriated and taken for public purposes, subject to the making or paying of just compensation to the owners thereof in the manner provided by law.

3. The Sewer Easements. District staff, District legal counsel, and appraisers are authorized to enter into any and all negotiations and agreements necessary to acquire the Sewer Easements legally described and depicted in **Exhibits A, B, and C**, provided that if such negotiations fail to acquire all of the Sewer Easements in a timely manner, as determined by the District General Manager, District legal counsel is authorized to file and prosecute proceedings provided by law to condemn, appropriate and take any of the Sewer Easements through an action in eminent domain and to carry out the provisions of this Resolution.

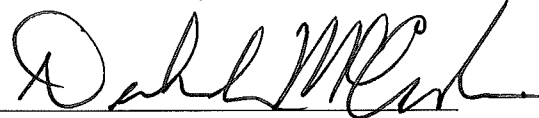
ADOPTED by the Board of Commissioners of Valley View Sewer District, King County, Washington, at a regular open public meeting held on the 2nd day of January, 2018.



Michael J. West
President



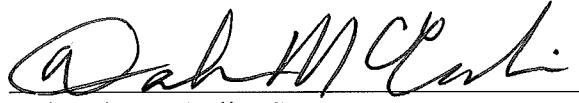
Pam Carter
Vice-President



Deborah McCaslin
Secretary

ATTEST:

I, the undersigned Secretary of the Board of Commissioners of Valley View Sewer District, do hereby certify that the attached and foregoing is a true and correct copy of Resolution No. 2018-2 adopted at the regular open public meeting thereof held on the 2nd day of January, 2018.

A handwritten signature in black ink, appearing to read "Deborah McCaslin", written over a horizontal line.

Deborah McCaslin, Secretary
Board of Commissioners

EXHIBIT A

DESCRIPTION OF GRANTOR PARCEL

(TL – 092304TRCT)

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS:

A STRIP OF LAND 48 FEET IN WIDTH, THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS:
BEGINNING IN THE EAST LINE OF MILITARY ROAD AT A POINT WHICH BEARS THENCE NORTH $1^{\circ}28'58''$ EAST 296.71 FEET AND NORTH $89^{\circ}12'50''$ WEST 189.28 FEET FROM THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 9, AND RUNNING THENCE SOUTH $89^{\circ}12'50''$ EAST 189.55 FEET; AND THENCE SOUTH $89^{\circ}08'02''$ EAST 363.30 FEET.

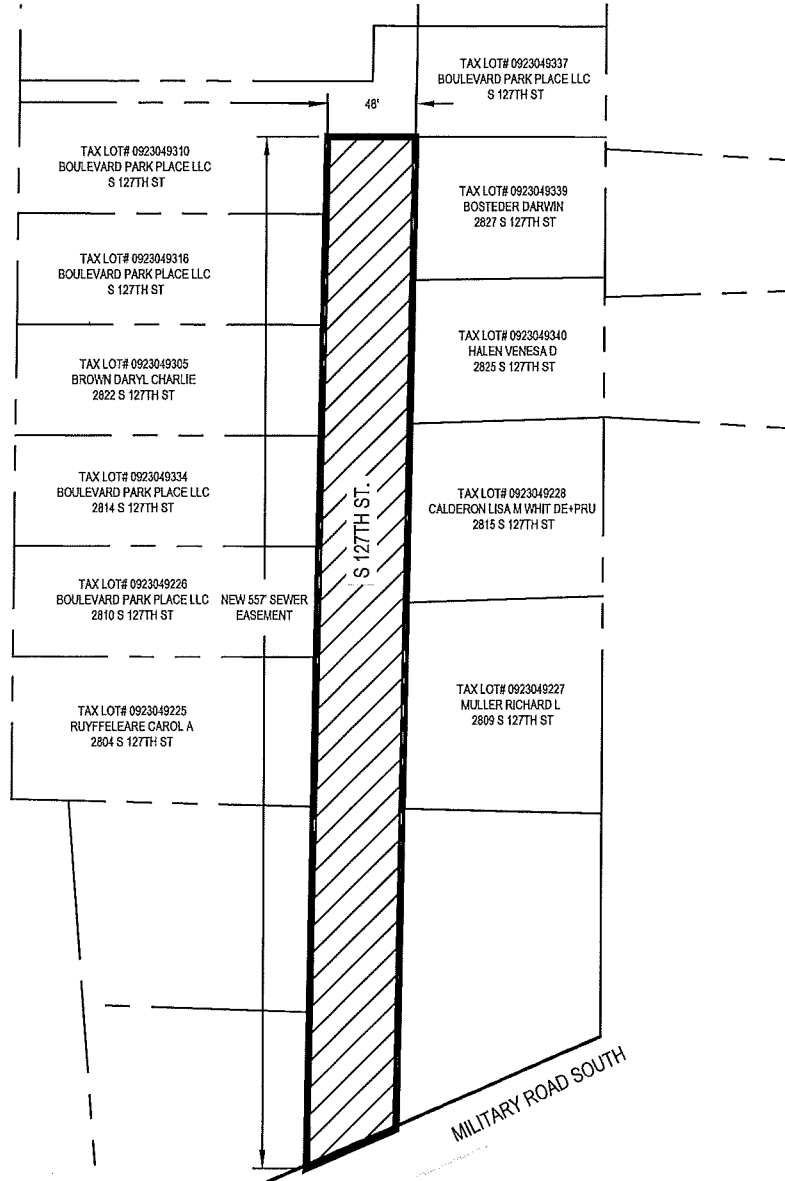
SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

CONTAINING APPROXIMATELY 26,224 SQUARE FEET.



EXHIBIT C

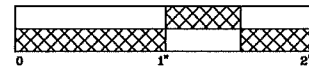
SCALE: 1" = 100'



LOT# 092304TRCT
TRACT LOT
S 127TH ST



RH2 ENGINEERING, INC.
www.rh2.com 1.800.720.8052
BOTHELL, WA
22722 29th Drive SE, Suite 210



DRAWING IS NOT TO SCALE
IF BAR IS NOT 2" LONG

\\DATA\115-005\CAD\LOOP-ESMT-EXHIBIT

EXHIBIT B

LEGAL DESCRIPTION OF THE EASEMENT AREA

(TL – 0923049455)

SUBJECT PROPERTY

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SUBDIVISION;
THENCE ALONG THE SOUTH LINE OF SAID SECTION SOUTH 89°38'26" EAST 608.74 FEET TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 3°27'25" EAST 161.53 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION;
THENCE ALONG SAID NORTH LINE NORTH 89°38'59" WEST 162.73 FEET;
THENCE SOUTH 3°27'25" WEST 161.60 FEET TO THE SOUTH LINE OF SAID SECTION;
THENCE SOUTH 89°38'26" EAST 162.73 FEET TO THE TRUE POINT OF BEGINNING;
EXCEPT THE EASTERLY 50.01 FEET.

EASEMENT AREA

A STRIP OF LAND 15.00 FEET IN WIDTH, LYING 7.50 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE:

COMMENCING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL;
THENCE NORTH 3°26'53" EAST ALONG THE EAST LINE OF SAID PARCEL 62.30 FEET TO THE POINT OF BEGINNING OF THIS CENTER LINE DESCRIPTION;
THENCE NORTH 27°50'37" WEST 118.18 FEET TO THE NORTH LINE OF SAID PARCEL AND THE TERMINUS.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

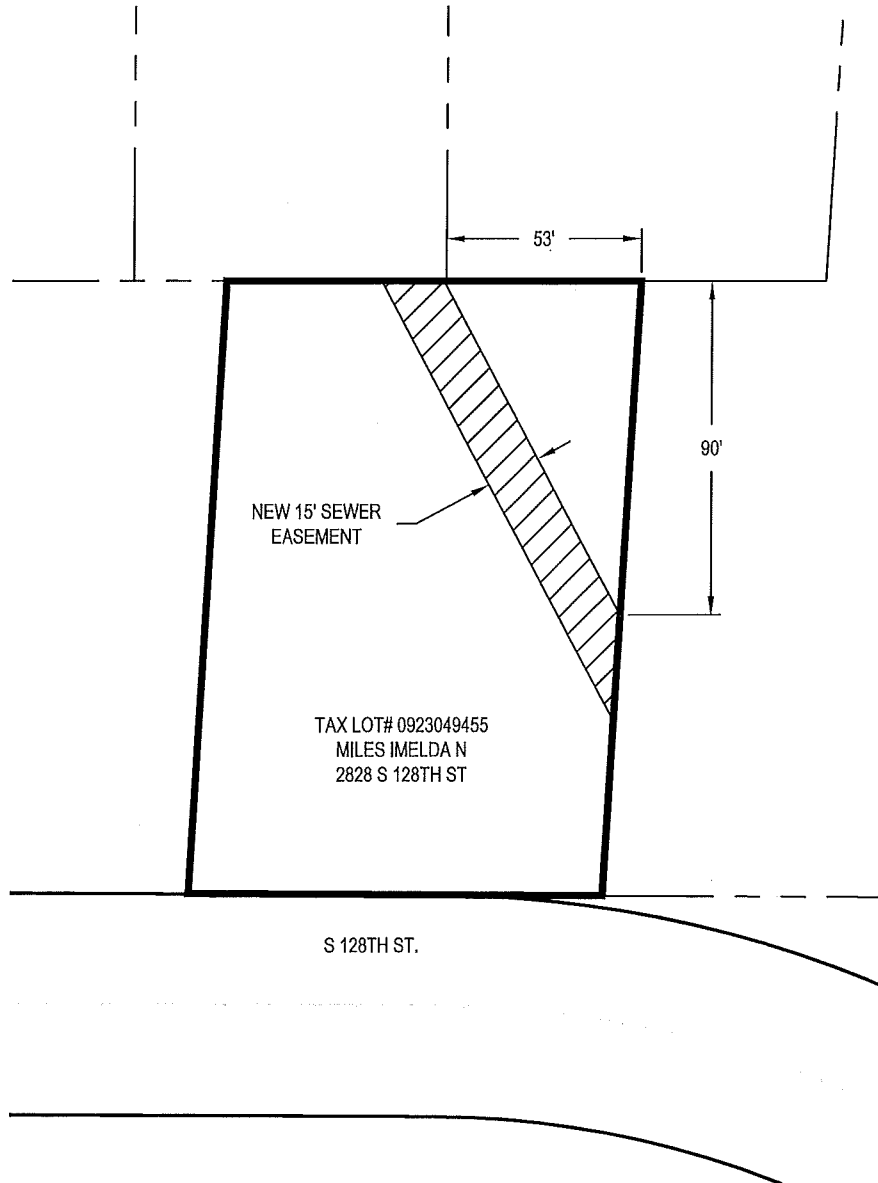
CONTAINING APPROXIMATELY 1,773 SQUARE FEET.

IT IS THE INTENT OF THIS DESCRIPTION TO COINCIDE WITH THE CONSTRUCTED LOCATION OF A SEWER MAIN. THE EASEMENT CENTERLINE LOCATION SHALL REVERT TO THE CONSTRUCTED LOCATION IF THERE ARE DISCREPANCIES.

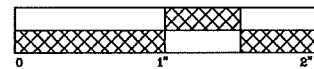
SIDELINES OF SAID EASEMENT SHALL BE SHORTENED OR LENGTHENED SO AS TO COMMENCE AND TERMINATE UPON THEMSELVES AND THE CORRESPONDING PROPERTY LINES.

EXHIBIT C

SCALE: 1" = 50'



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