

City of Lynnwood  
DEC 22 2000  
SCANNED

CITY OF LYNNWOOD  
ORDINANCE NO. 2251

AN ORDINANCE RELATING TO AND PROVIDING FOR THE ACQUISITION BY CONDEMNATION OF TEMPORARY CONSTRUCTION EASEMENTS IN THE CITY OF LYNNWOOD, CITY OF EDMONDS, AND SNOHOMISH COUNTY RELATING TO THE SR 99 PROJECT

THE CITY COUNCIL OF THE CITY OF LYNNWOOD DO ORDAIN AS FOLLOWS:

Section 1: Public necessity and convenience deems that the City of Lynnwood acquire temporary construction easements or other property rights to parcels of real property located in Snohomish County, Washington, more particularly described on the attached Exhibits.

**See Attached Exhibit A.**


Section 2: The acquisition of said parcels is hereby declared to be necessary for a public use in the improvement of SR 99 and vicinity. All costs are to be paid from general funds or by State or Federal grants and contributions as available, including from the State of Washington Transportation Improvement Account and Washington State Department of Transportation.

Section 3: The City Attorney is authorized and directed to take any actions and proceedings necessary in the manner provided by law to carry out the provisions of this ordinance, including, but not limited to, filing condemnation proceedings for the purpose of determining just compensation and damage, if any, to be paid to all parties interested in said lands, real estate, premises, and other property rights as described in Exhibit A, for the taking and appropriation thereof, and the injury, if any, caused by such taking and appropriation to the remainder of the lands, real estate, premises, or to the property from which the same is to be taken and appropriated, and including the acquisition of remainder lands, real estate, premises, or property interests if necessary to mitigate damages for any taking or appropriation.

Section 4: Severability. If any section, subsection, sentence, clause, phrase, or word of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this Ordinance.

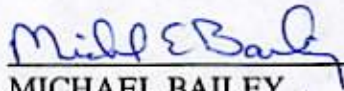
Section 5: Effective Date. This Ordinance shall take effect and be in full force five (5) day after its passage, approval and publication.


PASSED this 28th day of June, 1999, and signed in authentication of its passage this 29th day of June, 1999.

  
TINA ROBERTS, MAYOR

ATTEST:

APPROVED AS TO FORM:

  
MICHAEL BAILEY,  
Finance Director

  
JOHN P. WATTS  
Lynnwood City Attorney

PUBLISHED:

## EXHIBIT A

Temporary construction easements, for a term of one year, ten (10) feet in width adjacent to and parallel with SR 99, across the following described parcels (the legal descriptions of which may be substituted by the Administration):

1. 21904 HWY 99, a Mr. Ken Woo (Edmonds Pet and Feed).  
Tax Parcel ID #: 5807-000-040-06-00
2. 22304 HWY 99, a Mr. Tom Foulds (being leased by the Frontline Auto dealers). Tax Parcel ID #: 2927-043-065-00
3. 22800 76th Ave. W., a Mr. and Mrs. Michlitch (Monogram Custom Cabinets). Tax Parcel ID #: 5767-000-001-02
4. 23303 HWY 99, a Dr. Virgil Anderson (99 Edmonds Center).  
Tax Parcel ID #: 5807-000-007-05
5. 8025 234th St. SW Morton Enterprises (Alpenhaus Apartments).  
Tax Parcel ID #: 5767-000-021-03
6. 23303 HWY 99, a Dr. Virgil Anderson (99 Edmonds Center)  
Tax Parcel ID #: 5767-000-020-01-07, 5767-000-020-05-03
7. 21729 HWY 99, a Rolene Hardy (a single family residence, owner occupied). Tax Parcel ID #: 5807-000-031-01
8. 21303 HWY 99, Eagle Point Corporation (Dwight & Betty Anderson), Wesco. Tax Parcel ID #: 5807-000-007-05.