

**HIGHLINE WATER DISTRICT  
KING COUNTY, WASHINGTON**

**RESOLUTION 14-12-17A**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF HIGHLINE WATER 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 ANGLE LAKE WATER MAIN REPLACEMENT PROJECT**

**WHEREAS**, Highline Water 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 water utility service to the geographic area in King County known as the Highline area; and

**WHEREAS**, the District Board of Commissioners has previously authorized and approved the District's Comprehensive Water Plan ("Comprehensive Plan"), and the Comprehensive Plan addresses water system improvements including the replacement of asbestos cement ("AC") pipeline, undersized 4-inch pipelines (where fire flow is required), and pipelines near or beyond their service life; and

**WHEREAS**, the District Board of Commissioners has previously authorized and approved the District's Capital Improvement Program ("Capital Program"); and the Capital Program, contemplates the replacement of certain AC water main and other facilities installed in the 1950s and 1960s in the Angle Lake area of the District with new water main and related facilities to increase system reliability, provide increased fire flow and enhance water quality in connection with the Angle Lake Water Main Replacement Project (the "Project"); and

**WHEREAS**, District staff have reviewed and analyzed various alternative locations for the water facilities to be constructed as part of the Project and have recommended that the District acquire an easement over, upon, across and through certain real property located in King County, Washington, such real property being identified as King County Tax Lot No. 024000-0045, and legally described on **Exhibit A** attached hereto and incorporated herein by this reference ("Real Property") for the purpose of constructing the required water facilities in connection with the Project; and

**WHEREAS**, in order to construct and install the water facilities as part of the Project, it will be necessary to acquire, condemn, appropriate and take a permanent easement over, upon, across and through the Real Property, such permanent easement being legally described on **Exhibit B** and depicted on **Exhibit C** attached hereto and incorporated herein by this reference ("Easement"), and a temporary construction easement over, upon, across and through the Real Property, such temporary construction easement being legally described on **Exhibit D** and depicted on **Exhibit E** attached hereto and incorporated herein by this reference ("Temporary Construction Easement"); and

**HIGHLINE WATER DISTRICT  
KING COUNTY, WASHINGTON**

**RESOLUTION 14-12-17A**

**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 Easement and the Temporary Construction Easement by negotiation and/or eminent domain proceedings as deemed appropriate, subject to the District paying the owner(s) of such Real Property just compensation for such takings; now, therefore,

**BE IT RESOLVED**, by the Board of Commissioners of Highline Water District, King County, Washington, as follows:

1. The recitals set forth above are hereby adopted as if set forth in full herein.
2. The Easement and Temporary Construction Easement described and contained in this Resolution are for a public use and are necessary for the construction of the Project, and such Easement and Temporary Construction Easement are 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. District staff, District legal counsel, and appraisers are authorized to enter into any and all negotiations and agreements necessary to acquire the Easement and Temporary Construction Easement as described and depicted on **Exhibits B, C, D, and E**, provided that if such negotiations fail to acquire the Easement and the Temporary Construction Easement 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 said Easement and Temporary Construction Easement through an action in eminent domain and to carry out the provisions of this Resolution.

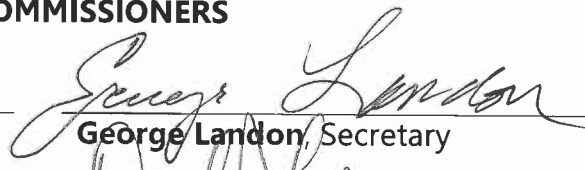
**HIGHLINE WATER DISTRICT  
KING COUNTY, WASHINGTON**

**RESOLUTION 14-12-17A**

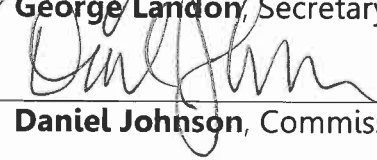
**ADOPTED by the Board of Commissioners** of Highline Water District, King County, Washington, at a regular open public meeting held on the **17th** day of **December 2014**.

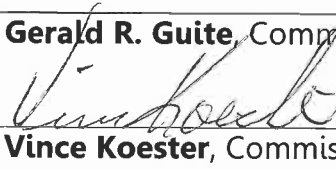
**BOARD OF COMMISSIONERS**

  
Kathleen Quong-Vermeire, President

  
George Landon, Secretary

  
Gerald R. Guite, Commissioner

  
Daniel Johnson, Commissioner

  
Vince Koester, Commissioner

**ATTEST:**

I, the undersigned Secretary of the Board of Commissioners of Highline Water District, do hereby certify that the attached and foregoing is a true and correct copy of Resolution No. 14-12-17A adopted at the regular open public meeting thereof held on the 17th day of December 2014.

  
George Landon, Secretary  
Board of Commissioners

## EXHIBIT A

### LEGAL DESCRIPTION OF REAL PROPERTY

**TAX PARCEL NUMBER:** 024000-0045  
**Property Mailing address:** 19709 Military Road South  
SeaTac, Washington 98188

#### **LEGAL DESCRIPTION:**

##### Parcel A:

That portion of Government Lot 5, Section 3, Township 22 North, Range 4 East, W.M., in King County, Washington, described as follows:

Commencing at the southeast corner of said Government Lot 5;

Thence North 1°53'00" West along the east line thereof, 991.85 feet to the northerly line of Military Road;

Thence along said northerly line South 52°43'30" West 359.66 feet;

Thence North 1°10'00" West, 190.00 feet;

Thence South 88°50'00" West, 5.00 feet to the true point of beginning of this description;

Thence continuing South 88°50'00" West, 75 feet;

Thence North 1°10'00" West, 120.00 feet;

Thence North 88°50'00" East, 75 feet;

Thence South 120.00 feet to the true point of beginning;

(Also known as a portion of Tract 112 and 111, Angle Lake Shore Acres, Division No.3, according to the unrecorded plat thereof).

##### Parcel B:

A non-exclusive easement for ingress and egress as described in instrument recorded March 15, 1965, under Recording Number 5851416.

## EXHIBIT B

### LEGAL DESCRIPTION OF EASEMENT

THAT PORTION OF HEREINAFTER DESCRIBED TRACT, LYING WITHIN A STRIP OF LAND 15.00 FEET WIDE, 7.50 FEET WIDE ON EACH SIDE OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A MONUMENT IN CASE IN THE CENTERLINE OF MILITARY ROAD AT THE ENGINEER'S STATION 124+39.0 AS SHOWN ON SHEET 4 OF 7, WSDOT PLANS DATED MARCH 24, 1959, PRIMARY STATE HIGHWAY NO.1 (JCT. S.S.H. NO.5-A TO SO. 178TH ST);

THENCE NORTH 56° 51' 46" EAST ALONG SAID CENTERLINE, TO A MONUMENT IN CASE AT ENGINEER'S STATION 131+91.5;

THENCE NORTH 53° 24' 27" EAST, 827.08 FEET TO A POINT ON THAT WATER EASEMENT CENTERLINE AS GENERALLY DEPICTED ON CONSTRUCTION RECORD DRAWINGS ON FILE AT THE OFFICES OF THE HIGHLINE WATER DISTRICT AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 35° 47' 09" WEST, 24.79 FEET;

THENCE NORTH 89° 40' 19" WEST, 585.82 FEET;

THENCE SOUTH 00° 59' 23" WEST, 75.55 FEET;

THENCE SOUTH 89° 56' 49" WEST, 88.46 FEET;

THENCE SOUTH 00° 29' 07" EAST, 26.81 FEET;

THENCE SOUTH 89° 58' 15" WEST, 84.46 FEET;

THENCE SOUTH 00° 01' 45" EAST, 34.53 FEET;

THENCE SOUTH 89° 58' 15" WEST, 122.99 FEET;

THENCE SOUTH 00° 30' 03" WEST, 76.28 FEET;

THENCE SOUTH 89° 56' 48" WEST, 65.45 FEET;

THENCE SOUTH 00° 02' 07" WEST, 60.54 FEET;

THENCE SOUTH 89° 56' 44" WEST, 175.13 FEET TO POINT "A";

THENCE NORTH 00° 02' 07" EAST, 64.23 FEET;

THENCE SOUTH 82° 30' 48" WEST, 38.33 FEET;

THENCE SOUTH 89° 56' 49" WEST, 111.58 FEET;

THENCE SOUTH 01° 01' 02" WEST, 328.50 FEET TO THE TERMINUS OF SAID LINE DESCRIPTION, SAID TERMINUS BEING NORTH 00° 00' 31" EAST, 384.32 FEET FROM THE POINT OF BEGINNING.

## EXHIBIT B

### LEGAL DESCRIPTION OF EASEMENT (Continued)

TOGETHER WITH A STRIP OF LAND 15.00 FEET WIDE, 7.50 FEET ON EACH SIDE OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT ABOVE DESCRIBED POINT "A";

THENCE SOUTH 00° 02' 07" WEST, 269.97 TO THE TERMINUS OF SAID LINE;

THE SIDELINES OF SAID 15.00 FEET STRIP ARE TO BE SHORTENED AND LENGTHENED TO COMMENCE AND TERMINATE AT THE EXISTING PROPERTY LINES.

#### TRACT:

(PER FIRST AMERICAN TITLE COMPANY, ORDER NO. 2101757, DATED JUNE 26, 2013)

#### **PARCEL A:**

THAT PORTION OF GOVERNMENT LOT 5, SECTION 3, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 5;

THENCE NORTH 1° 53' 00" WEST ALONG THE EAST LINE THEREOF, 991.85 FEET TO THE NORTHERLY LINE OF MILITARY ROAD;

THENCE ALONG SAID NORTHERLY LINE SOUTH 52° 43' 30" WEST 359.66 FEET;

THENCE NORTH 1° 10' 00" WEST, 190.00 FEET;

THENCE SOUTH 88° 50' 00" WEST, 5.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE CONTINUING SOUTH 88° 50' 00" WEST, 75 FEET;

THENCE NORTH 1° 10' 00" WEST, 120.00 FEET;

THENCE NORTH 88° 50' 00" EAST, 75 FEET;

THENCE SOUTH 120.00 FEET TO THE TRUE POINT OF BEGINNING;

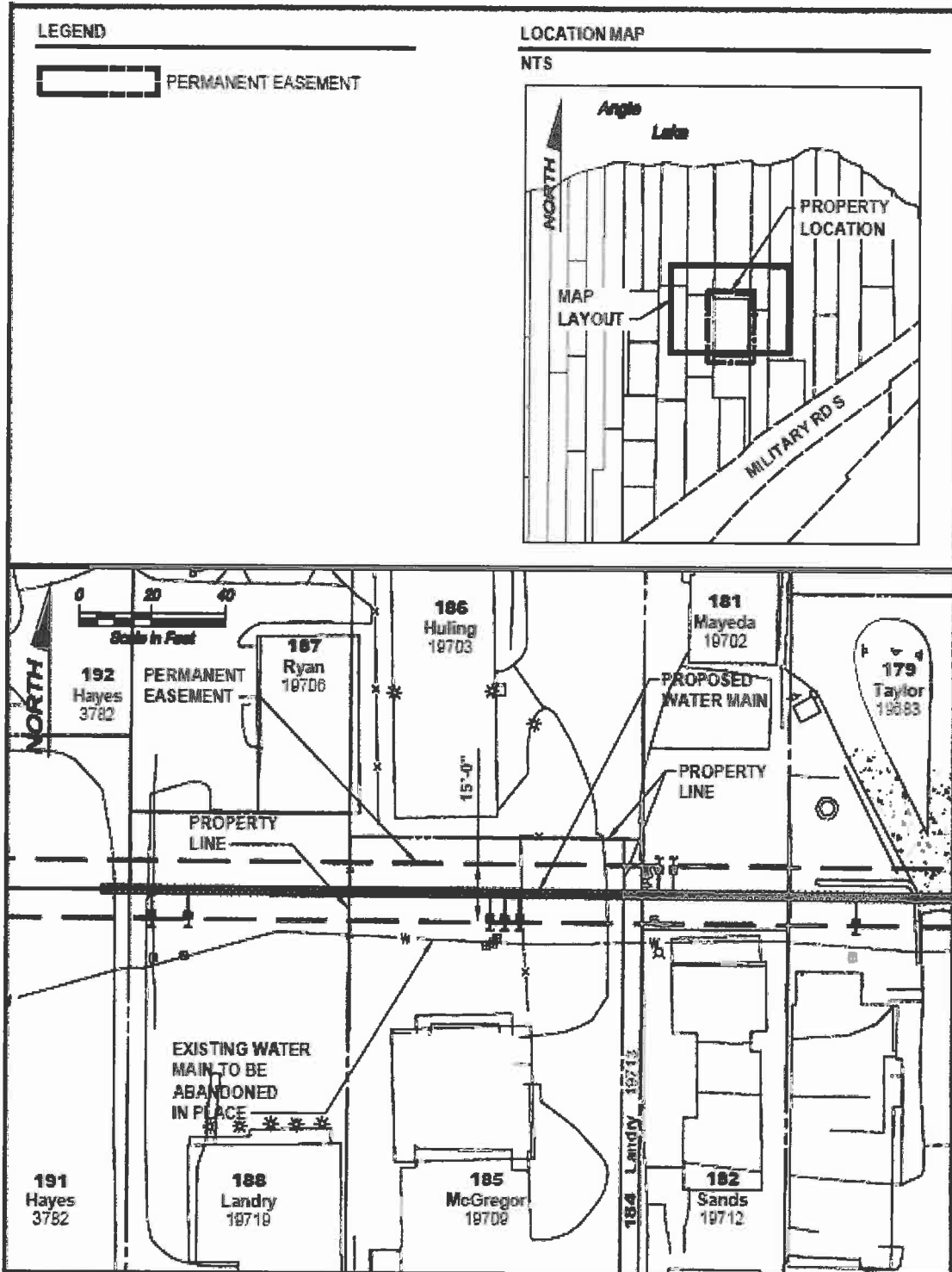
(ALSO KNOWN AS A PORTION OF TRACT 112 AND 111, ANGLE LAKE SHORE ACRES, DIVISION NO. 3, ACCORDING TO THE UNRECORDED PLAT THEREOF).

#### **PARCEL B:**

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AS DESCRIBED IN INSTRUMENT RECORDED MARCH 15, 1965, UNDER RECORDING NUMBER 5851416.

# EXHIBIT C

## DEPICTION OF EASEMENT



## EXHIBIT D

### LEGAL DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF HEREINAFTER DESCRIBED TRACT, LYING SOUTH OF A LINE THAT IS 7.5 FEET SOUTH OF AND PARALLEL WITH THE FOLLOWING DESCRIBED CENTERLINE, AND NORTH OF A LINE THAT IS 22.5 FEET SOUTH OF AND PARALLEL WITH SAID CENTERLINE.

BEGINNING AT A MONUMENT IN CASE IN THE CENTERLINE OF MILITARY ROAD AT THE ENGINEER'S STATION 124+39.0 AS SHOWN ON SHEET 4 OF 7, WSDOT PLANS DATED MARCH 24, 1959, PRIMARY STATE HIGHWAY NO.1 (JCT. S.S.H. NO.5-A TO SO. 178TH ST);

THENCE NORTH 56° 51' 46" EAST ALONG SAID CENTERLINE, TO A MONUMENT IN CASE AT ENGINEER'S STATION 131+91.5;

THENCE NORTH 53° 24' 27" EAST, 827.08 FEET TO A POINT ON THAT WATER EASEMENT CENTERLINE AS GENERALLY DEPICTED ON CONSTRUCTION RECORD DRAWINGS ON FILE AT THE OFFICES OF THE HIGHLINE WATER DISTRICT AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 35° 47' 09" WEST, 24.79 FEET;

THENCE NORTH 89° 40' 19" WEST, 585.82 FEET;

THENCE SOUTH 00° 59' 23" WEST, 75.55 FEET;

THENCE SOUTH 89° 56' 49" WEST, 88.46 FEET;

THENCE SOUTH 00° 29' 07" EAST, 26.81 FEET;

THENCE SOUTH 89° 58' 15" WEST, 84.46 FEET;

THENCE SOUTH 00° 01' 45" EAST, 34.53 FEET;

THENCE SOUTH 89° 58' 15" WEST, 122.99 FEET;

THENCE SOUTH 00° 30' 03" WEST, 76.28 FEET;

THENCE SOUTH 89° 56' 48" WEST, 65.45 FEET;

THENCE SOUTH 00° 02' 07" WEST, 60.54 FEET;

THENCE SOUTH 89° 56' 44" WEST, 175.13 FEET TO POINT "A";

THENCE NORTH 00° 02' 07" EAST, 64.23 FEET; THENCE SOUTH 82° 30' 48" WEST, 38.33 FEET;

THENCE SOUTH 89° 56' 49" WEST, 111.58 FEET;

THENCE SOUTH 01° 01' 02" WEST, 328.50 FEET TO THE TERMINUS OF SAID LINE DESCRIPTION,



**EXHIBIT D**

**LEGAL DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT  
(continued)**

SAID TERMINUS BEING NORTH 00° 00' 31" EAST, 384.32 FEET FROM THE POINT OF BEGINNING.

TOGETHER WITH A STRIP OF LAND 15.00 FEET WIDE, 7.50 FEET ON EACH SIDE OF A LINE DESCRIBED AS FOLLOWS:

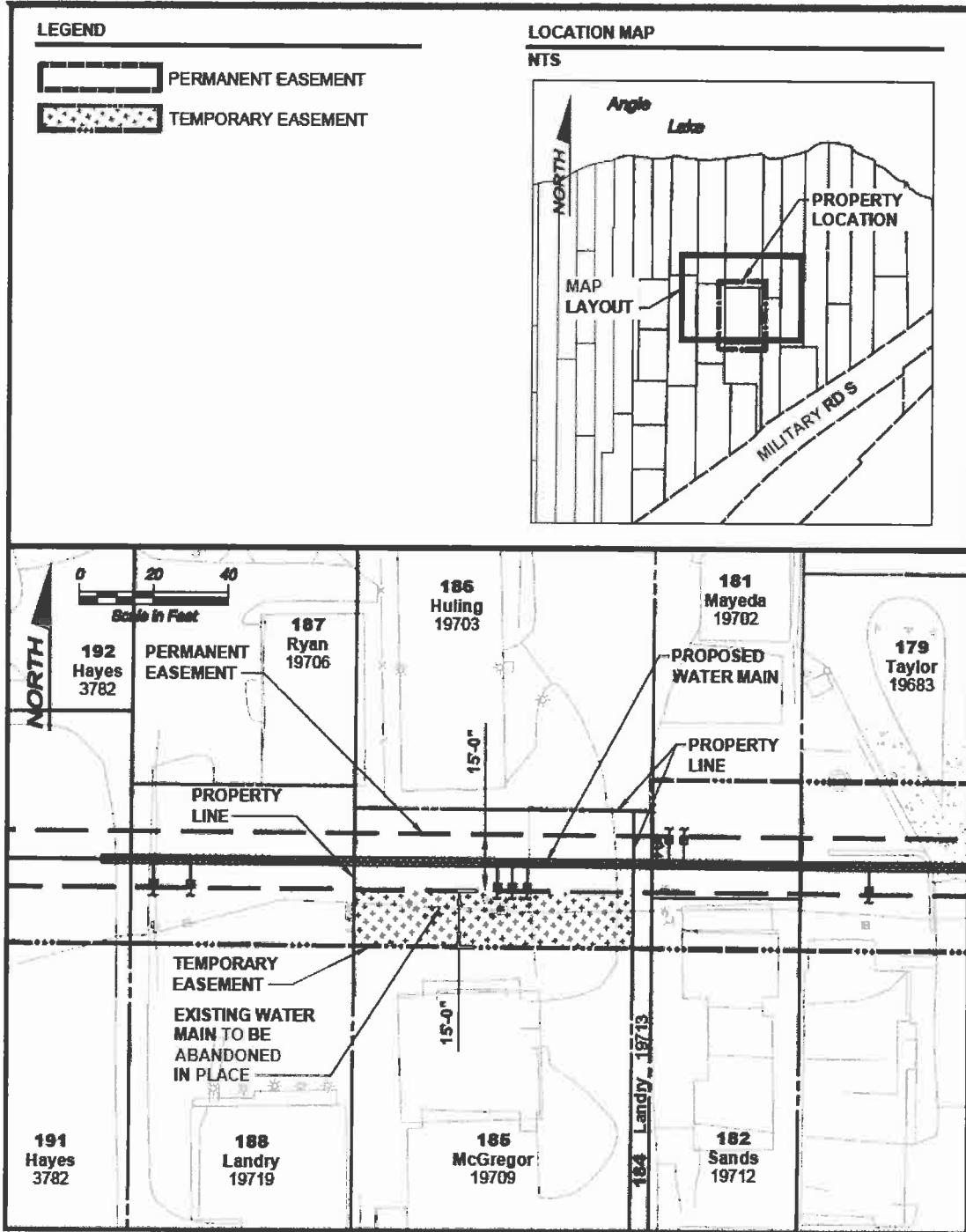
BEGINNING AT ABOVE DESCRIBED POINT "A";

THENCE SOUTH 00° 02' 07" WEST, 269.97 TO THE TERMINUS OF SAID LINE;

THE SIDELINES OF SAID 15.00 FEET STRIP ARE TO BE SHORTENED AND LENGTHENED TO COMMENCE AND TERMINATE AT THE EXISTING PROPERTY LINES.

# EXHIBIT E

## DEPICTION OF TEMPORARY CONSTRUCTION EASEMENT



Agenda Item No.: 5.1

Agenda Date: 12/17/14

Reviewed By: BD/M.E.

Subject: Authorize and Approve Acquisition by Negotiation or Condemnation of Certain Interests in Real Property for use by the District relating to the Angle Lake Water Main Replacement Project

CATEGORY	
<i>Executive</i>	<input type="checkbox"/>
<i>Administrative</i>	<input type="checkbox"/>
<i>Engineering/Operations</i>	<input checked="" type="checkbox"/>

FINANCIAL			
<i>Expenditures?</i>	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>Budgeted?</i>	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>Amount:</i> \$ _____			

**ATTACHMENTS:**

1. Resolution 14-12-17A w/ Exhibit(s):
  - A Legal Description of Real Property
  - B Legal Description of Easement
  - C Depiction of Easement
  - D Legal Description of Temporary Construction Easement
  - E Depiction of Temporary Construction Easement

**COMMENTS:**

In order to construct and install the water facilities as part of the Project, it will be necessary to acquire, condemn, appropriate and take an easement over, upon, across and through the Real Property.

District staff have reviewed and analyzed various alternative locations for the water facilities to be constructed as part of the Project and have recommended that the District acquire an easement over, upon, across and through certain real property located in King County, Washington, such real property being identified as King County Tax Lot No. 024000-0045.