

**HIGHLINE WATER DISTRICT  
King County, Washington**

**RESOLUTION NO. 16-10-19A**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HIGHLINE WATER DISTRICT, KING COUNTY, WASHINGTON, AUTHORIZING AND APPROVING THE ACQUISITION BY NEGOTIATION OR CONDEMNATION OF CERTAIN REAL PROPERTY FOR USE BY THE DISTRICT RELATING TO THE CONSTRUCTION OF A NEW BOOSTER PUMP STATION AND APPURTENANCES.**

**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 areas located within its water service area; and

**WHEREAS**, the District Board of Commissioners has previously authorized and approved the District's Comprehensive Water Plan ("Comprehensive Plan"); and

**WHEREAS**, the District's Comprehensive Plan contemplates the need for the construction of a new booster pump station and appurtenances in order to improve emergency supply reliability for the District's 560 pressure zone, which new booster pump station is referred to as Pump Station No. 8; and

**WHEREAS**, construction of Pump Station No. 8 and appurtenances will allow the District's largest storage reservoir (Crestview Reservoir) to provide water to customers in the 560 pressure zone in the event the existing Pump Station No. 6 becomes inoperable; and

**WHEREAS**, District staff and consultants have reviewed and analyzed various alternative locations for the construction of Pump Station No. 8 and have recommended that the District acquire certain real property being identified as King County Tax Lot No. 537980-0009 located at 16032 42<sup>nd</sup> Ave. S., Tukwila, Washington (the "Real Property"); and

**WHEREAS**, the Real Property to be acquired by the District is legally described in **Exhibit A** and depicted in **Exhibit B**, which Exhibits are attached hereto and incorporated herein by this reference; and

**WHEREAS**, in order to construct Pump Station No. 8 and appurtenances, it is necessary for the District to acquire, condemn, appropriate and take the Real Property; and

**WHEREAS**, the District is authorized by Chapter 57.08 RCW to institute eminent domain proceedings under Chapter 8.12 RCW; and

**WHEREAS**, District staff and consultants have requested that the Board of Commissioners authorize District staff, legal counsel and appraisers to proceed with the acquisition of the required and necessary Real Property by negotiation and/or eminent domain proceedings as deemed appropriate, subject to the District paying the owner(s) of the Real Property just compensation for such taking.

**HIGHLINE WATER DISTRICT  
King County, Washington**


**RESOLUTION NO. 16-10-19A**

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

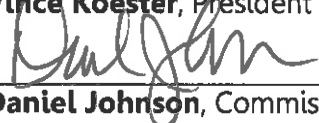
1. Recitals Incorporated. The recitals set forth above are hereby adopted as if set forth in full herein.
2. Public Use and Necessity of Real Property. The Real Property described in this Resolution is needed for a public use and is necessary for the construction of Pump Station No. 8 and appurtenances, and such Real Property is being condemned, appropriated and taken for public purposes, subject to the making or paying of just compensation to the owner(s) thereof in the manner provided by law.
3. Acquisition of Real Property. District staff, District legal counsel, and appraisers are authorized to enter into any and all negotiations and agreements necessary to acquire the Real Property as legally described and depicted on **Exhibits A and B**, provided that if such negotiations fail to acquire the Real Property 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 the Real Property through an action in eminent domain and to carry out the provisions of this Resolution.

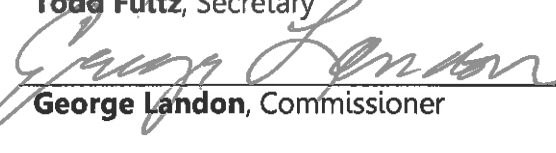
**ADOPTED BY THE BOARD OF COMMISSIONERS** of Highline Water District at a regular open public meeting held on the **19th** day of **October 2016**.

**BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
**Vince Koester**, President

  
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**Todd Fultz**, Secretary

  
\_\_\_\_\_  
**Daniel Johnson**, Commissioner

  
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**George Landon**, Commissioner

\_\_\_\_\_  
**Kathleen Quong-Vermeire**, Commissioner

**EXHIBIT A**  
**LEGAL DESCRIPTION**

Real property in the County of King, State of Washington, described as follows:

BEGINNING AT A POINT ON THE NORTH LINE OF SECTION 27, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, DISTANT NORTH 89°59'10" WEST 2456.10 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 27;

THENCE SOUTH 0°15'50" EAST 310.01 FEET TO POINT OF BEGINNING;

THENCE CONTINUING SOUTH 0°15'50" EAST 66.66 FEET;

THENCE NORTH 89°59'10" WEST 150 FEET;

THENCE NORTH 0°15'50" WEST 66.66 FEET;

THENCE SOUTH 89°59'10" EAST 150 FEET TO THE POINT OF BEGINNING;

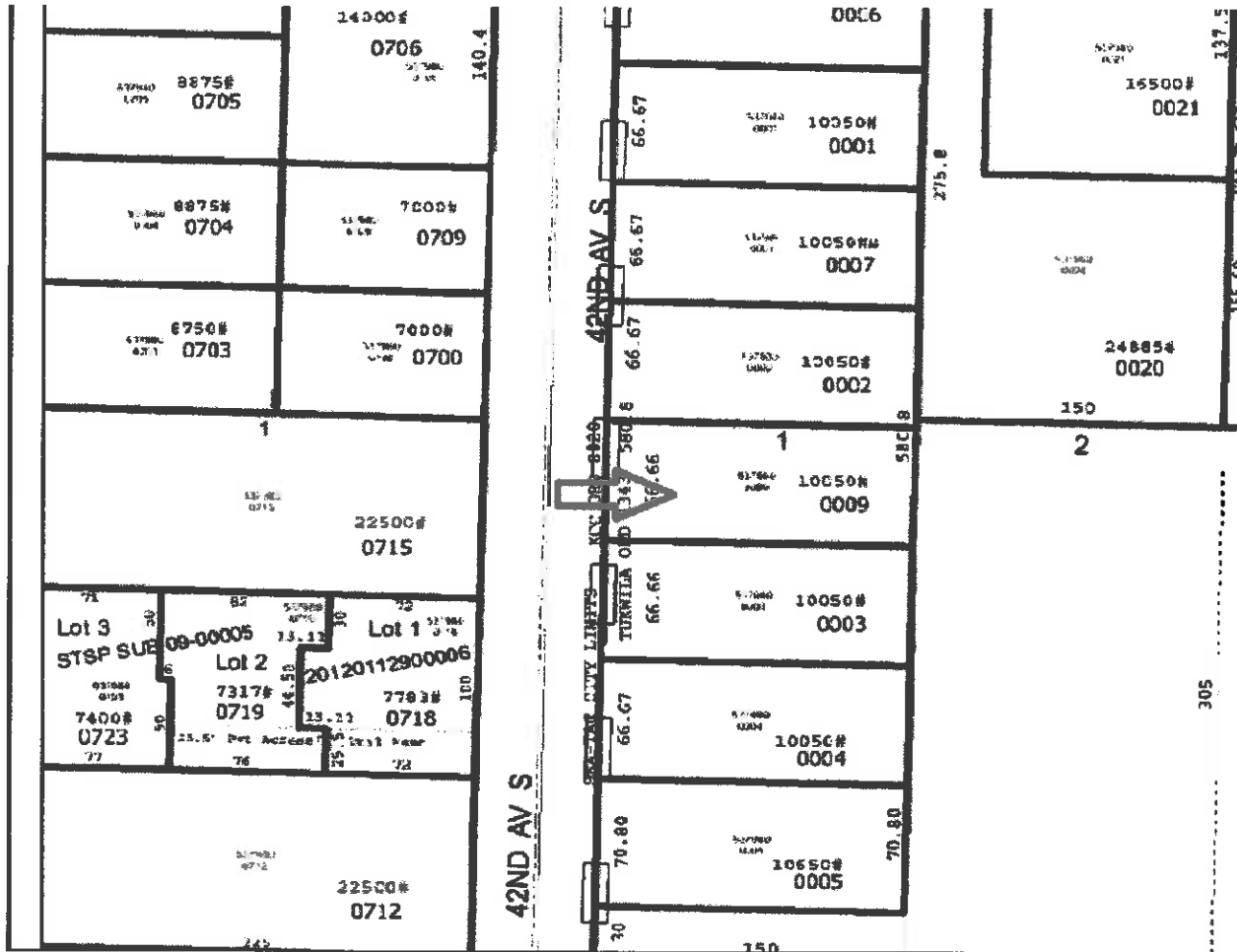
(ALSO KNOWN AS THE SOUTH 66.66 FEET OF THE NORTH 346.67 FEET OF LOT 1, BLOCK 5, MCMICKEN HEIGHTS DIVISION NUMBER 2, ACCORDING TO THE UNRECORDED PLAT THEREOF);

SITUATE IN THE CITY OF TUKWILA, COUNTY OF KING, STATE OF WASHINGTON.

Tax Parcel Number: 537980000906

Situs Address: 16032 42nd Avenue S, Tukwila, WA 98188

# EXHIBIT B DEPICTION OF REAL PROPERTY



**Certificate**

I, Todd Fultz, Secretary of the Board of Commissioners of Highline Water District, King County, Washington, do hereby certify that the foregoing resolution is a true and correct copy of Resolution No. 16-10-19A of such Board, duly adopted at a regular meeting thereof held on the 19<sup>th</sup> day of October, 2016, signed by the members of such Board in attendance at such meeting and attested by myself in authentication of such adoption.



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Todd Fultz, Secretary  
Board of Commissioners  
Highline Water District  
King County, Washington

Agenda Item No.: 5.1  
Agenda Date: 10/19/16  
Reviewed By: M.E.

Subject: Authorize and Approve Acquisition by Condemnation of Real Property  
Location: 16032 42nd Ave S, Tukwila, WA 98188

CATEGORY	
<i>Executive</i>	<input type="checkbox"/>
<i>Administrative</i>	<input checked="" type="checkbox"/>
<i>Engineering/Operations</i>	<input 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 type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
<i>Amount:</i> \$ _____						

**ATTACHMENTS:**

1. Resolution 16-10-19A  
Exhibit A – Legal Description  
Exhibit B – Real Property Depiction

**COMMENTS:**

The Real Property described in this Resolution is needed for a public use and is necessary for the construction of Pump Station No. 8 and appurtenances, and such Real Property is being condemned, appropriated and taken for public purposes, subject to the making or paying of just compensation to the owner(s) thereof in the manner provided by law.

Staff recommends approval of this resolution.