

Issaquah School District No. 411
Resolution No. 1074
Authorizing Condemnation of Certain Real Property

THIS RESOLUTION of the Board of Directors of the Issaquah School District No. 411 (the “District”) is in accordance with RCW 28A.335.090(1), which provides that “the board of directors of each school district may purchase, lease, receive and hold real and personal property in the name of the district” and RCW 28A.335.220 and Chapters 8.16 and 8.25 RCW, which provide the District with authority to condemn real property for school purposes.

WHEREAS, the District needs to construct additional high school, middle school, and elementary school facilities to accommodate continued enrollment growth in the District; and

WHEREAS, voters within the District approved a \$533,500,000 bond in April 2016 (the “2016 Bond Measure”) that includes funding for the construction of one new comprehensive high school, one new middle school, and two new elementary schools, as well as other capital improvements to the District’s facilities; and

WHEREAS, the District plans to construct a new comprehensive high school and a new elementary school (the “School Project”) as funded by the 2016 Bond Measure within the District’s boundaries in Issaquah, Washington; and

WHEREAS, the District must identify and acquire additional property for construction of the School Project (the “Additional Property”); and

WHEREAS, the District engaged in feasibility analysis to assess appropriate real property for the Additional Property; and

WHEREAS, through its feasibility analysis, the District identified three (3) parcels, described by the property owner/tax payer of record, parcel number and legal description in Exhibit A attached hereto (“the Identified Properties”), located along 228th Avenue Southeast in Issaquah, Washington, which have adequate acreage for the Additional Property; and

WHEREAS, together, the Identified Properties total approximately 40.66 acres; and

WHEREAS, the District is aware that the campus and structures on the Identified Properties have been discussed recently as having potential historic and cultural resources; and

WHEREAS, the District is aware that the nonprofit Washington Trust for Historic Preservation named on April 25, 2016, the Identified Properties on its 2016 Most Endangered Properties list; and

WHEREAS, the District is aware that the Director of the Washington State Department of Archeology and Historic Preservation determined on March 11, 2016, that the Identified

Properties are “eligible” for listing on the state or national register following a reconnaissance level review; and

WHEREAS, the District has reviewed the potential historic and cultural resources related to the Identified Properties as a part of the feasibility analysis; and

WHEREAS, the District finds that the public health, safety, necessity and convenience requires the Additional Property and that it is presently necessary for the District to acquire the interests and rights to the Identified Properties for that purpose; and

WHEREAS, the District obtained an appraisal of the just compensation for the Identified Properties; and

WHEREAS, the District, through its attorney of record, transmitted a written offer to purchase the Identified Properties in lieu of condemnation on June 27, 2016; and

WHEREAS, in order to begin permitting and construction of the School Project, the District needs immediate possession and use of the Identified Properties; and

WHEREAS, on June 27, 2016, the District provided notice pursuant to RCW 8.25.290 to the property owner of record for each of the Identified Properties, as identified through King County tax records, of the planned consideration of final action by the District’s Board of Directors to authorize condemnation of each of the Identified Properties; and

WHEREAS, notice of such planned final action was published on June 29, 2016, and July 6, 2016, in the Seattle Times and on June 30, 2016, and July 7, 2016, in the Issaquah Press, all as consistent with RCW 8.25.290; and

WHEREAS, the School Project does not include any federal funding; and

WHEREAS, the District finds and declares it necessary and in the best interest of the public that interests in the Identified Properties be condemned, appropriated, and taken for public use, subject to the making or paying of just compensation to the owners thereof.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Issaquah School District No. 411 finds and concludes that the land and property rights within the City of Issaquah, King County, Washington, as referred to herein as the Identified Properties and legally described in Exhibit A attached hereto, are necessary and must be acquired for the School Project, including the Additional Property, subject to making or paying just compensation to the owners thereof in the manner provided by law; and

BE IT FURTHER RESOLVED that the Board of Directors of the Issaquah School District No. 411 finds the use of the Identified Properties for the School Project, including for the Additional Property, to be a public use and specifically finds the acquisition of the Identified Properties to be necessary and in the best interests of the citizens; and

BE IT FURTHER RESOLVED that the Board of Directors of the Issaquah School District No. 411 hereby authorizes the Superintendent, or his designee, to take all actions necessary to condemn the Identified Properties; and

BE IT FURTHER RESOLVED that the Board of Directors of the Issaquah School District No. 411 elects not to comply with the provisions of RCW 8.26.035 through 8.26.115 in proceeding with condemnation of the Identified Properties; and

BE IT FURTHER RESOLVED that, in the event the District is able to reach an agreement for acquisition of any of the Identified Properties in lieu of condemnation for just compensation, the Superintendent is authorized pursuant to this Resolution to enter into such agreement.

ADOPTED this ____ day of _____, 2016.

President

Director

Director

Director

Director

Attested to by:

Secretary, Board of Directors

EXHIBIT A
IDENTIFIED PROPERTIES - SITUATED IN ISSAQUAH, WASHINGTON

PROPERTY OWNER/ TAX PAYER OF RECORD	PARCEL NUMBER AND LEGAL DESCRIPTION	ACREAGE
Plateau Campus LLC	<p>162406-9001</p> <p>POR NE 1/4 BEG NE COR SD SUBD TH S ALG E LN 534.69 FT TH N 88-16-03 W 30 FT TO WLY MGN CO RD & TPOB TH CONT N 88-16-03 W 32 FT TO POC TH WLY ALG CRV RGT RAD 328 FT ARC DIST 171.74 FT TH N 58-16-03 W 543.65 FT TH WLY ALG CRV LFT RAD 62 FT ARC DIST OF 75.21 FT TH S 52-13-57 W 714.30 FT TH S 37-46-03 E 1412.55 FT TH ELY ALG CRV LFT RAD 160 FT ARC DIST 217.04 FT TH N 64-30-40 E 90.86 FT TH ALG CRV RGT RAD 190.25 FT ARC DIST OF 87.34 FT TO WLY MGN CO RD TH NLY ALG SD MGN 537.18 FT TH S 88-16-03 E 12 FT TO W LN OF E 30 FT SD SUBD TH N WLY SD W LN 676.23 FT TO TPOB TGW THAT POR OF NE 1/4 16-24-06 DAF - COMM AT NE COR OF SD SEC 16 TH N 88-28-02 W 542.49 FT ALG THE NORTH LN THOF TH S46-34-56 W 270.08 FT TO TPOB TH FR SD TPOB S 71-15-00 W 38.60 FT TH S 52-13-57 W 547.75 FT TH S 36-30-00 W 55.32 FT TH N 52-13-57 E 591.05 FT TO BEG OF A CRV CONCAVE TO SE HAVING A RAD OF 62.00 FT TH NELY 11.43 FT ALG SD CRV THRU A C/A OF 10-33-42 TO A RADIAL LN OF SD CRV WCH BRS N 37-46-04 W TH ALG A NON-TANG LN N 46-34-56E 35.25 FT TO THE TPOB.</p>	28.86
Plateau Campus LLC	<p>162406-9029</p> <p>BEG NE COR OF NE 1/4 TH S ALG E LN 534.69 FT TH N 88-16-03 W 62 FT TH ALG CRV RGT RAD 328 FT ARC DIST 171.74 FT TH N 58-16-03 W 543.65 FT TH ALG CRV LFT RAD 62 FT ARC DIST 75.21 FT TH S 52-13-57 W 714.30 FT TO TPOB TH S 52-13-5 W 300 FT TH S 37-46-03 E 871 FT TH N 52-13-57 E 300 FT TH N 37-46-03 W 871 FT TO TPOB AKA LOT F KC LLA #8602006 AKA LOT A KCLLA #S91L0059 APPROVED 3-19-91.</p>	6.00
Plateau Campus LLC	<p>162406-9031</p> <p>POR OF SE 1/4 OF SE1/4 SEC 9-24-6 TGW POR NE 1/4 OF NE 1/4 SEC 16-24-6 DAF BEG E COR COMMON TO SD SUBDS TH N 88-28-02 W 30 FT TO W MGN 228TH AVE SE TH S 01-27-13 W ALG SD MGN 32.65 FT TO TPOB TH N 88-04 W 232.84 FT TH N 78-53 W 174 FT TH N 67-10-08 W 5.66 FT TO N LN SD NE 1/4 SEC 16-24-6 TH CONT N 67-10-08 W 79.27 FT TH S 46-34-56 W 40.75 FT TO SD N LN NE 1/4 SEC 16 TH CONT S 46-34-56 W 305.33 FT TAP ON CRV CTR BRS S 27-12-21 E 62 FT TH NELY ALG SD CRV RGT DIST 63.78 FT TH S 58-16-03 E 543.65 FT TAP ON CRV LFT RAD 328FT TH ALG SD CRV DIST 171.74 FT TH S88-01-03E 32 FT TO W MGN SD 228 SE TH N ALG SD MGN 501.93 FT TO TPOB AKA LOT E KC LLA #8602006.</p>	5.80