

Issaquah School District No. 411
Resolution No. 1114
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 elementary school (the “School Project”) as funded by the 2016 Bond Measure within the District’s boundaries; 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 Issaquah-Pine Lake Road Southeast in Sammamish, Washington, which have adequate acreage for the Additional Property; and

WHEREAS, together, the Identified Properties total approximately 13.3 acres; 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 a market value appraisal of the just compensation for the Identified Properties; and

WHEREAS, the District, through its Chief of Finance and Operations, transmitted a written offer to purchase the Identified Properties on November 7, 2017; and

WHEREAS, the Board adopted Resolution Nos. 1107, 1108, and 1109 on November 8, 2017, authorizing the Superintendent, or his designee, to enter into a Real Estate Purchase Agreement with the property owner of record for each of the Identified Properties for purchase of the same and to take any and all actions necessary to consummate and close the transaction set forth in the Purchase Agreement; 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 March 16, 2018, 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 March 21, 2018, and March 28, 2018, in the Seattle Times and on March 23, 2018, and March 30, 2018, in the Issaquah-Sammamish Reporter, all as consistent with RCW 8.25.290; 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 Sammamish, 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, 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 2nd day of April, 2018.

President

Director

Director

Director

Director

Attested to by:

Secretary, Board of Directors

EXHIBIT A
IDENTIFIED PROPERTIES - SITUATED IN SAMMAMISH, WASHINGTON

PROPERTY OWNER/ TAX PAYER OF RECORD	PARCEL NUMBER AND LEGAL DESCRIPTION	ACREAGE
<p>Vincent M. Volpe and Marla M. Volpe</p>	<p>152406-9026</p> <p>POR OF SE 1/4 OF NW 1/4 STR 15-24-06 DAF - BEG AT SW COR SD SE 1/4 TH S 87-57-37 E ALG S LN SD SE 1/4 790.57 FT TO TPOB TH N 02-02-23 E 315.15 FT TH S 87-57-37 E 107.46 FT TH S 58-03-42 E 406.71 FT TAP ON WLY MGN OF ISSAQUAH-PINE LAKE RD SD PT LY ON A CRV HAVING A RAD OF 985.37 FT AND HAVING A RADIAL BEARING OF N 84-40-06 W TH SLY ALG SD CRV THRU A C/A OF 06-32-24 AN ARC DIST OF 112.47 FT TO S LN OF SD SE 1/4 TH N 87-57-37 W ALG SD LN 460 FT TO TPOB - LESS C/M RGTS - (AKA LOT A OF KC LLA # S90M0352 APPROVED 05/20/91) LESS POR THOF DAF -- COMM AT SW COR OF SD SE 1/4 TH S 87-57-47 E 790.57 FT ALG SOUTH LN THOF TO TPOB TH N 02-02-13 E 315.15 FT TH S 87-57-47 E 107.46 FT TH S 58-03-52 E 1.01 FT TH N87-34-30 W 29.76 FT TH S 77-32-25 W 51.12 FT TH S 10-34-17 W 22.41 FT TH N 78-53-58 W 26.08 FT TH S 01-55-36 W 284.00 FT TO SD SOUTH LN TH N 87-57-47 W 0.55 FOOT ALG SD SOUTH LN TO TPOB - AKA "NEW LOT D" OF SAMMAMISH BDRY LN ADJUST NO. BLA 001023 REC NO 20011114900003.</p>	<p>2.48</p>
<p>Vincent M. Volpe</p>	<p>152406-9086</p> <p>LOT B SAMMAMISH BLA #BLA-2000-014 REC #20000508900004 & CORRECTEDBY REC #20000802000984 SD BLA BEING A POR OF STR 15-24-06-LESS THAT POR THOF DAF - BEG AT MOST ELY COR OF SD LOT B TH S 21-39-39 W 30.91 FT ALG THE ELY LN THOF TH N 68-20-21 W 20.00 FT TH N 12-08-14 E 30.19 FT TO NLY LN OF SD LOT B TH S 70-56-21 E 25.02 FT ALG SD NLY LN TO POB ALSO LESS POR THOF DAF - BEG AT MOST WLY COR OF SD LOT B TH N 23-19-36 E 249.31 FT ALG WLY LN THOF TO MOST NLY COR OF SD LOT B TH S 23-05-55 W 249.47 FT TO SLY LN OF SD LOT B TH N 53-03-52 W 1.01 FOOT ALG SD SLY LN TO POB - AKA "NEW LOT C" OF SAMMAMISH BDRY LN ADJUST NO. BLA 001023 REC NO 20011114900003.</p>	<p>2.61</p>
<p>Gilberte Volpe Living Trust</p>	<p>152406-9008</p> <p>LOT A SAMMAMISH BLA #BLA 2000-014 REC #20000508900004 &CORRECTED BY REC #20000802000984 SD BLA BEING A POR OF STR 15-24-06 TGW POR OF LOT C OF SD BLA 2000-014 DAF - BEG A SW COR OF LOT A SD BLA 2000-014 BEING A PT ON SOUTH LN OF NW 1/4 OF SD SEC 15 TH N 07-38-48 W 384.68 FT ALG THE LN COMMON TO SD LOTS A & C TO AN ANGLE PT THEREIN TH LEAVING SD COMMON LN S 38-01-</p>	<p>8.21</p>

	<p>55 W 468.69 FT TO SD SOUTH LN TH S 87-57-47 E 340.16 FT ALG SD SOUTH LN TO POB ALSO TGW POR OF SE 1/4 OF NW1/4 DAF - COMM AT SW COR OF SD SE 1/4 TH S 87-57-47 E 790.57 FT ALG THE SOUTH LN THOF TO TPOB TH N 02-02-13 E 315.15 FT TH S 87-57-47 E 107.46 FT TH S 58-03-52 E 1.01 FT TH N 87-34-30 W 29.76 FT TH S 77-32-35 W 51.12 FT TH S 10-34-17 W 22.41 FT TH N 78-53-58 W 26.08 FT TH S 01-55-36 W 284.00 FT TO SD SOUTH LN TH N 87-57-47 W 0.55 FOOT ALG SD SOUTH LN TO TPOB AND ALSO TGW POR OF LOT B SD BLA 2000-014 DAF BEG AT MOST WLY COR OF SD LOT B TH N 23-19-36 E 249.31 FT ALG THE WLY LN THOF TO MOST NLY COR OF SD LOT B TH S 23-05-55 W 249.47 FT TO SLY LN OF SD LOT B TH N 53-03-52 W 1.01 FOOT ALG SD SLY LN TO POB - AKA "NEW LOT B" OF SAMMAMISH BRY LN ADJUST NO. BLA 001023 REC NO. 20011114900003.</p>	
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