



## **INFORMATIONAL MEMORANDUM**

TO: **Transportation and Infrastructure Committee**  
 FROM: **Pete Mayer, Interim Public Works Director**  
 BY: **Cyndy Knighton, Senior Program Manager – Transportation**  
 CC: **Thomas McLeod, Mayor**  
 DATE: **January 24, 2025**  
 SUBJECT: **Southcenter Boulevard/65th Ave S Signal Project**  
**Project No. 91610411**  
**Right-of-Way Acquisition**

### **ISSUE**

Briefing on Right-of-Way acquisition for the Southcenter Boulevard/65<sup>th</sup> Avenue S Signal Project.

### **BACKGROUND**

Final design for the new signal at Southcenter Boulevard at 65<sup>th</sup> Avenue S is underway. During the design, it was discovered that the existing sidewalks on 65<sup>th</sup> Avenue S (the north side of the intersection) have minor incursions into the privately owned parcels. Staff were unable to determine when the sidewalks were constructed or who built them. The two parcels are owned by Gerald Schneider and the Cowlitz Indian Tribe. The oldest buildings on the parcels were constructed in the 1970s and it is possible that the sidewalks were constructed as part of the frontage improvements during the initial development. It is known that the current sidewalks have existed since at least 1998 in their current configuration.

### **DISCUSSION**

The purchase of the land for Right-of-Way (ROW) as well as the temporary easement rights are both compensable. Staff plans to approach the two property owners with offers to purchase the slivers of land where the current sidewalk exists as well as additional areas where a temporary easement during construction is needed.

<b>Property Owner</b>	<b>ROW Area</b>	<b>Temporary Easement Area</b>
Cowlitz Indian Tribe	40sf	127sf
Schneider Homes	22sf	101 sf

It is hoped that both property owners will be amenable to the administrative offers as the impact on the properties is negligible. However, should one or both property owners be unwilling to sell, the City has the right to pursue other avenues to acquire the property up to and including condemnation. The attached draft ordinance would then be moved forward to Council for consideration.

### **FINANCIAL IMPACT**

Once a purchase price has been negotiated and accepted, the funds will come out of the CIP project budget. The current estimated value of the ROW acquisition and temporary easement compensation is around \$2,300.

### **RECOMMENDATION**

Discussion Only.

### **ATTACHMENTS**

Draft Ordinance for Acquisition

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF COMPLETING THE SOUTHCENTER BOULEVARD/65TH AVENUE S SIGNAL PROJECT; PROVIDING FOR CONDEMNATION, APPROPRIATION, TAKING OF LAND AND PROPERTY RIGHTS NECESSARY THEREFORE; PROVIDING FOR PAYMENT THEREOF AND DIRECTING THE INITIATION OF APPROPRIATE PROCEEDINGS IN THE MANNER PROVIDED BY LAW AND FOR SAID CONDEMNATION; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, on November 15, 2016, the City awarded Contract 16-164 to Perteet, Incorporated to conduct a safety analysis and develop conceptual engineering for improvements at the Southcenter Boulevard/65<sup>th</sup> Avenue S intersection; and

**WHEREAS**, on February 16, 2017, the City was presented with a technical memorandum, known as a Signal Warrant Analysis, for two intersections on Southcenter Boulevard, 65<sup>th</sup> Avenue S and 62<sup>nd</sup> Avenue S, indicating that signalization at both intersections was warranted, with a recommendation to signalize the 65<sup>th</sup> Avenue S intersection; and

**WHEREAS**, on December 7, 2020, the City Council adopted the 2021-2026 Capital Improvement Program (CIP), by Resolution No. 2010, which added the Southcenter Boulevard/65<sup>th</sup> Avenue S Intersection project; and

**WHEREAS**, on December 4, 2023, the City Council awarded design Contract 23-180 to KPG Psomas Inc., to begin design on the Southcenter Boulevard/65<sup>th</sup> Avenue S Intersection for design of a new traffic signal; and

**WHEREAS**, the City Council has found that the public health, safety, necessity and convenience demand that the Southcenter Boulevard/65<sup>th</sup> Avenue S Intersection Project be undertaken at this time, and that in order to carry out the Project it is necessary at this time for the City to acquire interests and rights to the property described herein; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:**

**Section 1.** A portion of the land and property rights within the City of Tukwila, King County, Washington, commonly known as 6510 Southcenter Boulevard, Tukwila, Washington 98188, and further described in the attached Exhibits A and B, are necessary for construction of the Southcenter Boulevard/65<sup>th</sup> Avenue S Signal Project (“the Project”) described above, subject to making or paying just compensation to the owners thereof in the manner provided by law.

**Section 2.** A portion of the land and property rights within the City of Tukwila, King County, Washington, commonly known as 15455 65<sup>th</sup> Avenue S, Tukwila, Washington 98188, and further described in the attached Exhibits C and D are necessary for construction of the Project described above, subject to making or paying just compensation to the owners thereof in the manner provided by law.

**Section 3.** The City of Tukwila specifically finds construction of the Project to be a public use, specifically the construction of a new traffic signal to control vehicles entering the intersection in a safe and efficient manner, and to provide a safe crossing for transit riders using the bus stop at the south side of intersection. The City Council specifically finds construction of the Project to be necessary, and in the best interests of its citizens.

**Section 4.** The cost and expense of acquiring said property rights shall be paid from the general funds of the City of Tukwila and from other monies applicable thereto that the City may have available or may obtain. The Director of the Public Works Department or designee is hereby authorized to negotiate with and make offers to the owners of said land or property for the purposes of making or paying just compensation, and to approve the payment of just compensation as negotiated with said owners or as ordered by the Court.

**Section 5.** In the absence of negotiated purchases with the affected property owners, the City Attorney is hereby authorized and directed to undertake proceedings provided by law to condemn, appropriate, and take the property necessary to carry out the provisions of this ordinance. The City Attorney is further authorized to approve and enter into any and all such agreements, stipulations, and orders necessary to carry out the provisions of this ordinance, including for the payment of just compensation as agreed to with the property owners, or as ordered by the Court.

**Section 6. Corrections by City Clerk or Code Reviser Authorized.** Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

**Section 7. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such

invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

**Section 8. Effective Date.** This ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force five days after passage and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Special Meeting thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Andy Youn-Barnett, CMC, City Clerk

\_\_\_\_\_  
Thomas McLeod, Mayor

APPROVED AS TO FORM BY:

Filed with the City Clerk: \_\_\_\_\_

Passed by the City Council: \_\_\_\_\_

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Ordinance Number: \_\_\_\_\_

\_\_\_\_\_  
Office of the City Attorney

- Attachments: Exhibit A – Parcel No. 000320-0010 Legal Description  
Exhibit B – Parcel No. 000320-0010 Map – Right of Way Acquisition  
Exhibit C – Parcel No. 000320-0004 Legal Description  
Exhibit D – Parcel No. 000320-0004 Map – Right of Way Acquisition

**EXHIBIT A**  
**PARCEL NO. 000320-0010**  
**RIGHT OF WAY ACQUISITION**

ALL THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY MARGIN OF 65<sup>TH</sup> AVE SOUTH AND THE NORTHERLY MARGIN OF SOUTHCENTER BOULEVARD;  
THENCE NORTH 11° 14' 15" WEST ALONG SAID EASTERLY MARGIN, 15.00 FEET;  
THENCE SOUTH 22° 32' 51" EAST, 15.30 FEET TO SAID NORTHERLY MARGIN OF SOUTHCENTER BOULEVARD, THENCE SOUTH 78° 45' 45" WEST ALONG SAID NORTHERLY MARGIN 3.00 FEET TO THE POINT OF BEGINNING;

CONTAINING 22 SQUARE FEET, MORE OR LESS.

PARCEL "A":  
(PER CHICAGO TITLE INSURANCE COMPANY ORDER NO. 0278057-16, DATED AUGUST 13, 2024)

THAT PORTION OF THE WILLIAM H. GILLIAM DONATION LAND CLAIM NO. 40 IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING WESTERLY OF THE WESTERLY MARGIN OF BLUFF STREET (65<sup>TH</sup> AVENUE SOUTH), AS CONVEYED TO KING COUNTY, WASHINGTON, BY DEED RECORDED UNDER RECORDING NO. 480377, AND LYING WESTERLY OF THE SOUTHERLY EXTENSION OF SAID WESTERLY MARGIN EXTENDED TO AN INTERSECTION WITH THE SOUTHWESTERLY MARGIN OF MACADAM ROAD (NOW VACATED) AND LYING WESTERLY OF THE SOUTHWESTERLY MARGIN OF SAID MACADAM ROAD, AND LYING NORTHERLY OF THE NORTHERLY MARGIN OF THE RENTON-THREE TREE POINT ROAD NO. 2649 (SOUTHCENTER BOULEVARD), AND LYING EASTERLY OF THE EASTERLY MARGIN OF A STRIP OF LAND 50 FEET IN WIDTH AS AWARDED TO THE CITY OF TUKWILA BY DECREE OF APPROPRIATION ENTERED IN KING COUNTY SUPERIOR COURT CASE NO. 739211 AND AS CONVEYED TO THE CITY OF TUKWILA BY DEED RECORDED UNDER RECORDING NO. 7201070395, AND LYING SOUTHERLY OF THE NORTHERLY LINE OF THAT PORTION OF THE SAID WILLIAM H. GILLIAM DONATION LAND CLAIM NO. 40, AS CONVEYED TO FOREMOST DAIRIES, INC., BY DEED RECORDED UNDER RECORDING NO. 5088181;

TOGETHER WITH THAT PORTION OF VACATED MACADAM ROAD ADJOINING, WHICH WOULD ATTACH BY OPERATION OF LAW.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.



Exhibit B

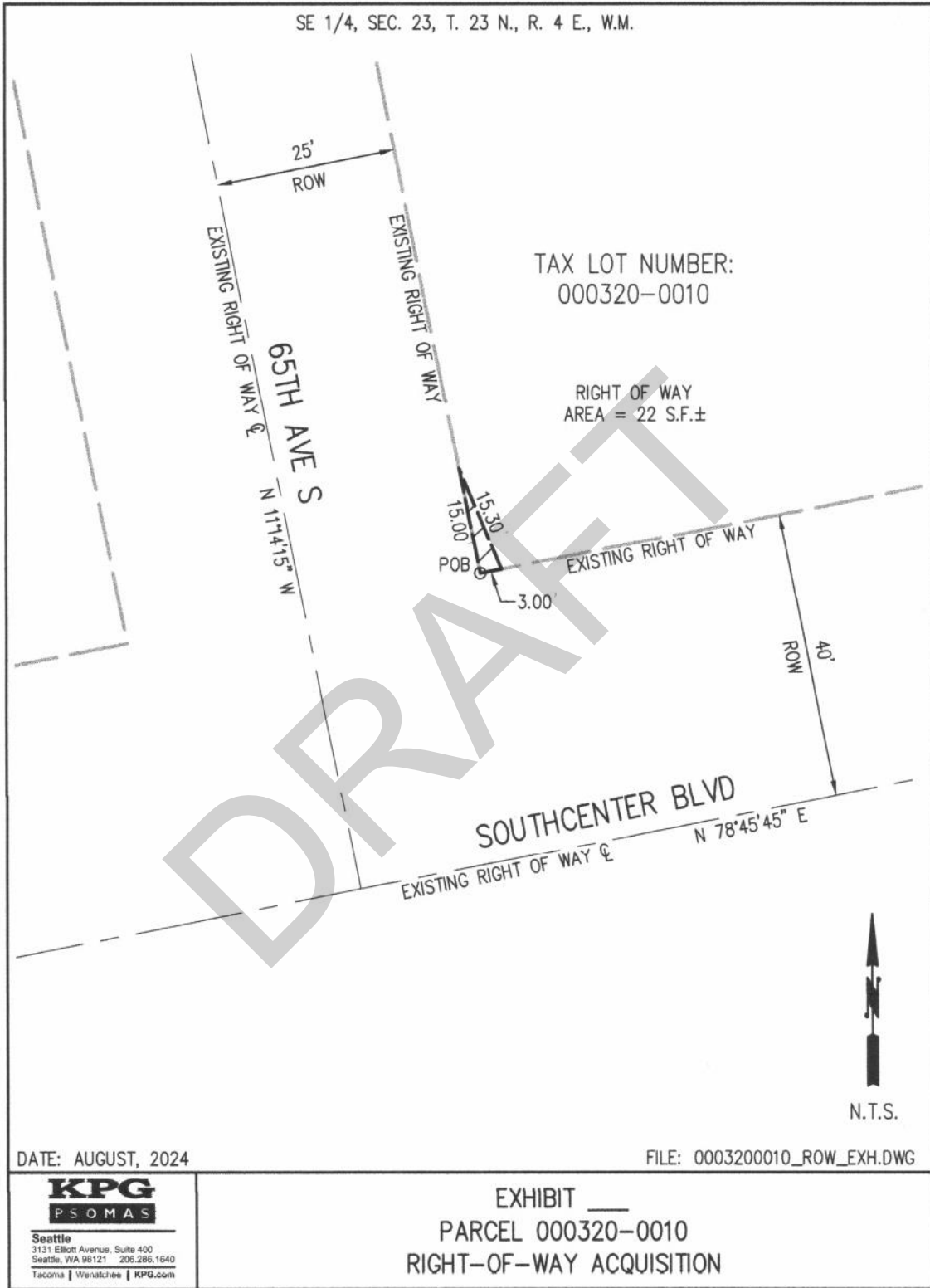


EXHIBIT C

**PARCEL NO. 000320-0004  
RIGHT OF WAY ACQUISITION**

ALL THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY MARGIN OF SOUTHCENTER BOULEVARD AND THE WESTERLY MARGIN OF 65<sup>TH</sup> AVE SOUTH;  
THENCE NORTH 11° 14' 15" WEST ALONG SAID WESTERLY MARGIN, 20.00 FEET;  
THENCE SOUTH 00° 04' 21" WEST, 20.40 FEET TO SAID NORTHERLY MARGIN OF SOUTHCENTER BOULEVARD;  
THENCE NORTH 78° 45' 45" EAST ALONG SAID NORTHERLY MARGIN, 4.00 FEET TO THE POINT OF BEGINNING;

CONTAINING 40 SQUARE FEET, MORE OR LESS.

PARCEL "A":  
(PER CHICAGO TITLE INSURANCE COMPANY ORDER NO. 0278056-16, DATED AUGUST 13, 2024)

THAT PORTION OF THE WM. H. GILLIAM DONATION CLAIM NO. 40 IN TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF THE RENTON-THREE TREE POINT ROAD NO. 2649 AT ITS INTERSECTION WITH THE WEST LINE OF SECTION 23, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, SAID POINT BEING ENGINEER'S STATION 135+29.92 FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 23 BEARS SOUTH 00°11'42" EAST 2044.06 FEET;  
THENCE SOUTH 84°51'48" EAST 1647.24 FEET;  
THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 955.37 FEET, 360.00 FEET;  
THENCE SOUTH 63°15'48" EAST 359.18 FEET;  
THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 5729.65 FEET, 370.00 FEET;  
THENCE SOUTH 66°57'48" EAST 1162.53 FEET;  
THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 716.34 FEET, 442.40 FEET;  
THENCE NORTH 77°38'42" EAST 201.68 FEET;  
THENCE LEAVING SAID CENTERLINE OF SAID ROAD AND RUNNING NORTH 01°14'00" EAST 272.03 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 00°14'00" WEST 87.94 FEET, MORE OR LESS, TO THE NORTHWESTERLY MARGIN OF VACATED MACADAM ROAD;  
THENCE SOUTH 49°00'00" WEST ALONG SAID NORTHWESTERLY ROAD MARGIN 106.38 FEET;  
THENCE NORTH 00°14'00" EAST 312.55 FEET, MORE OR LESS, TO THE SOUTH LINE OF LOT 17 OF THE INTERURBAN ADDITION TO SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 10 OF PLATS, PAGE 55, RECORDS OF KING COUNTY, WASHINGTON;  
THENCE SOUTH 89°09'00" EAST ALONG SAID SOUTH LINE OF SAID LOT 17, 219.27 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY MARGIN OF 65TH AVENUE SOUTH AS CONVEYED TO THE CITY OF TUWILA BY DEED RECORDED UNDER RECORDING NO. 7105100426;  
THENCE SOUTHEASTERLY ALONG SAID ROAD MARGIN 96.31 FEET, MORE OR LESS, TO A POINT FROM WHICH THE TRUE POINT OF BEGINNING BEARS SOUTH 69°59'00" WEST;  
THENCE SOUTH 69°59'00" WEST 175.52 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH THAT PORTION OF VACATED MACADAM ROAD ADJOINING, WHICH WOULD ATTACH BY OPERATION OF LAW;

TOGETHER WITH THAT PORTION OF LOT 17 OF THE INTERURBAN ADDITION TO SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 10 OF PLATS, PAGE(S) 55, RECORDS OF KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE CENTERLINE OF RENTON-THREE TREE POINT ROAD NO. 2649 AND THE WEST LINE OF SAID SECTION 23, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, SAID POINT BEING ENGINEER'S STATION 135+29.92 FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 23 BEARS SOUTH 00°11'42" EAST, 2044.06 FEET;  
THENCE SOUTH 84°51'48" EAST 1647.24 FEET;  
THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 955.37 FEET, 360 FEET;  
THENCE SOUTH 63°15'48" EAST 359.18 FEET;  
THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 5729.65 FEET, 370 FEET;  
THENCE SOUTH 66°57'48" EAST 1162.53 FEET;  
THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 716.34 FEET, 442.40 FEET; THENCE NORTH 77°38'42" EAST, 201.68 FEET;  
THENCE LEAVING SAID CENTERLINE OF SAID ROAD AND RUNNING NORTH 00°14'00" EAST 272.03 FEET;  
THENCE SOUTH 00°14'00" WEST, 87.94 FEET, MORE OR LESS, TO THE NORTHWESTERLY MARGIN OF VACATED MACADAM ROAD (ALSO KNOWN AS JAMES CLARK ROAD NO. 2);  
THENCE SOUTH 49°00'00" WEST ALONG SAID NORTHWESTERLY MARGIN 106.38 FEET;  
THENCE NORTH 00°14'00" EAST, 312.55 FEET, MORE OR LESS, TO THE SOUTH LINE OF LOT 17 IN SAID INTERURBAN ADDITION AND THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING NORTH 00°14'00" EAST, 150 FEET;  
THENCE SOUTH 88°24'47" EAST PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 17, 170 FEET, MORE OR LESS, TO THE SOUTHWESTERLY MARGIN OF 65TH AVENUE SOUTH;  
THENCE SOUTHEASTERLY ALONG SAID MARGIN TO THE SOUTHEAST CORNER OF SAID LOT 17;  
THENCE NORTH 89°09'00" WEST ALONG THE SOUTH LINE OF LOT 17 TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH THAT PORTION OF THE WM. H. GILLIAM DONATION CLAIM NO. 40 IN SECTION 23, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING NORTHERLY OF THE RENTON THREE TREE POINT ROAD NO. 2649 (SOUTHCENTER BOULEVARD) AND LYING SOUTHERLY AND SOUTHEASTERLY OF VACATED MACADAM ROAD AND LYING WESTERLY OF 65TH AVENUE SOUTH AS CONVEYED TO THE CITY OF TUKWILA BY DEED RECORDED UNDER RECORDING NO. 7105100426, RECORDS OF KING COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF THE SOUTHERLY HALF OF SAID VACATED MACADAM ROAD ADJOINING OR ABUTTING THEREON, AS VACATED BY THE CITY OF TUKWILA ORDINANCE NO. 671, RECORDED UNDER RECORDING NO. 7108120429, WHICH UPON VACATION ATTACHED TO SAID PREMISES BY OPERATION OF LAW;

TOGETHER WITH THAT PORTION OF THE WM. H. GILLIAM DONATION CLAIM NO. 40 IN SECTION 23, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF THE RENTON-THREE TREE POINT ROAD NO. 2649 (SOUTHCENTER BOULEVARD) AT ITS INTERSECTION WITH THE WEST LINE OF SAID SECTION 23, SAID POINT BEING ENGINEER'S STATION 135+29.92 FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 23 BEARS SOUTH 00°11'42" EAST 2044.06 FEET;  
THENCE SOUTH 84°51'48" EAST 1647.24 FEET;  
THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 955.37 FEET, A DISTANCE OF 360.00 FEET;  
THENCE SOUTH 63°15'48" EAST 359.18 FEET;  
THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 5729.65 FEET, A DISTANCE OF 370.00 FEET;  
THENCE SOUTH 66°57'48" EAST 1162.53 FEET;  
THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 716.34 FEET, A DISTANCE OF 442.40 FEET;  
THENCE NORTH 77°38'42" EAST 201.68 FEET;  
THENCE LEAVING SAID CENTER LINE OF ROAD, NORTH 00°14'00" EAST 272.03 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE NORTH 69°59'00" EAST 165.00 FEET, MORE OR LESS, TO THE WESTERLY MARGIN OF 65TH AVENUE SOUTH AS CONVEYED TO THE CITY OF TUKWILA BY DEED RECORDED UNDER RECORDING NO. 7201070395;  
THENCE SOUTHEASTERLY, ALONG SAID WESTERLY MARGIN, TO THE NORTHERLY MARGIN OF VACATED MACADAM ROAD;  
THENCE WESTERLY AND SOUTHWESTERLY, ALONG SAID NORTHERLY MARGIN, 200.00 FEET, MORE OR LESS, TO A POINT FROM WHICH THE TRUE POINT OF BEGINNING BEARS NORTH 00°14'00" EAST;  
THENCE NORTH 00°14'00" EAST 96.21 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING;



Exhibit B

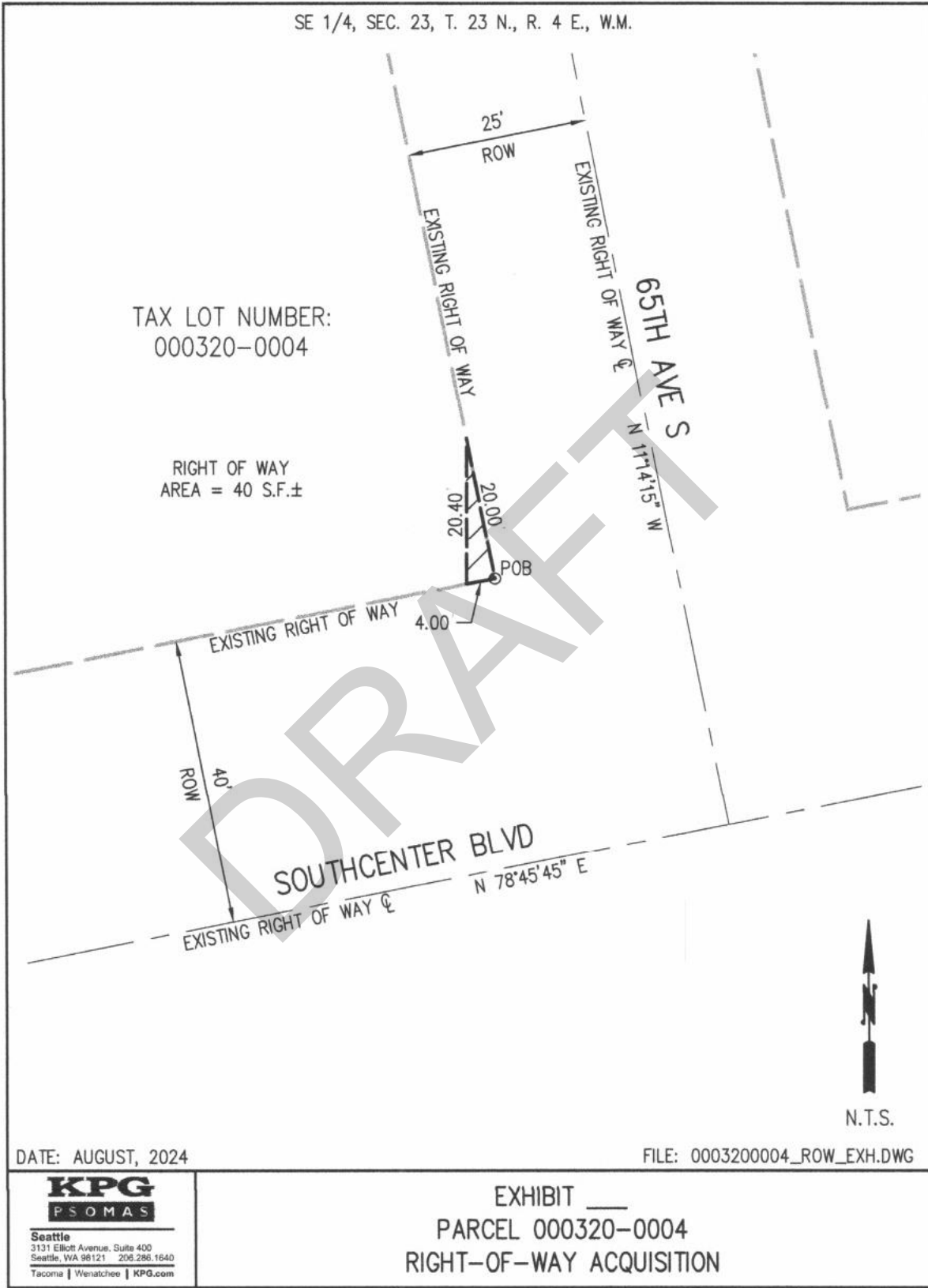
TOGETHER WITH THAT PORTION OF THE NORTHERLY HALF OF SAID VACATED MACADAM ROAD ADJOINING OR ABUTTING THEREON, AS VACATED BY THE CITY OF TUKWILA ORDINANCE NO. 671, RECORDED UNDER RECORDING NO. 7108120429, WHICH UPON VACATION ATTACHED TO SAID PREMISES BY OPERATION OF LAW;

(BEING ALSO KNOWN AS THE "NEW PARCEL" OF CITY OF TUKWILA BOUNDARY LINE ADJUSTMENT NO. L22-0025, RECORDED UNDER RECORDING NO. 20230417900005, RECORDS OF KING COUNTY, WASHINGTON).

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.



EXHIBIT D



# EXHIBIT B

