

SUPERIOR COURT OF WASHINGTON IN AND FOR _____ COUNTY

In the Matter of the Petition of the City of _____
to acquire by condemnation certain property and
property rights for the improvement of the City's
_____ facilities, as
contemplated by City of _____ Ordinance
No. _____

No.

PETITION FOR CONDEMNATION

Petitioner, the City of _____ (“City”), respectfully submits as follows:

1. PETITIONER

The City is a municipal corporation of the State of Washington and is authorized by the laws of the State of Washington, including, without limitation, RCW 8.12.030 and Chapter 8.12 RCW to appropriate, condemn and damage real estate for public use.

2. PUBLIC USE

The object and use for which the property and property rights described herein are sought to be taken or damaged is a public object and a public use, *i.e.*, acquisition of real property to enable the City to construct and improve _____,
and for the purpose of _____, as elaborated more fully below:

[if necessary, add a more detailed description of the public use here]

Following planning and study, the City has determined to construct a _____ to improve its _____, including property identified in City

1 Ordinance No. _____ (the “Ordinance”). Accordingly, the City Council has determined that
2 certain properties and property rights be condemned, appropriated, taken and damaged for the
3 improvement of the _____, as provided in the Ordinance.

4 **3. NECESSITY**

5 It is necessary that the City acquire [fee or easement] interests in the real property
6 identified in the Ordinance in order to make the improvements to the _____ as
7 outlined above. This proceeding is brought to obtain an adjudication of public use and
8 necessity for the taking or damaging of the property or property rights listed herein and to
9 ascertain the just compensation to be paid for such taking or damaging.

10 **4. NECESSITY OF DECREE AS TO COMPENSATION**

11 The City and the interested parties listed below have been unable to agree upon the
12 compensation to be paid by the City for the property rights or interest in the necessary
13 portions of the respective parcels.

14 **5. THE ORDINANCE**

15 The City Council of _____ adopted the Ordinance on _____,
16 200___. A certified copy of the Ordinance is attached to this Petition as Exhibit A and is
17 incorporated herein by this reference. The Ordinance authorizes and directs the City Attorney
18 to begin and prosecute the necessary proceedings provided by law to condemn, take and
19 appropriate the land and other property rights necessary to carry out the provisions of the
20 Ordinance.

21 **6. INTERESTED PARTIES**

22 The public records of _____ County disclose that the following persons have
23 interests in the real property to be taken by the City. That real property is described more
24 fully in Exhibit B, which is attached to this Petition and incorporated herein by this reference,
25 upon which the construction will be necessary to provide for the _____
26

1 improvements described above. The parenthetical references are for information only, and do
2 not constitute an admission or acknowledgement of a party's interest in the property.

3 Parcel No. 100

4 John and Jane Doe;

5 XYZ Power & Light Company (utility easement);

6 _____ County (as taxing authority for general taxes, liens or assessments);

7 Also all other persons or parties unknown claiming any right, title, estate, lien, or
8 interest in the real estate described in the Petition herein, pursuant to RCW 4.28.150.

9 **7. RELIEF REQUESTED**

10 Wherefore, the City prays that the Court enter an order:

11 1. Adjudicating that the use for which the property sought is a public use, that the
12 public interest requires the prosecution of this action; and that the acquisition of the property
13 described in this petition is for a public use;

14 2. Directing that a jury be summoned and called in the manner provided by law to
15 ascertain the just compensation to be paid for the property and property rights described
16 herein, unless a jury be waived, in which case the same determination shall be made by the
17 Court, sitting without a jury;

18 3. Assigning the first reasonably available trial date for the ascertaining of such
19 compensation; and

20 4. For such other and further relief as the Court deems just and equitable.

21 Respectfully submitted this _____ day of _____ 200__.

22 _____ CITY ATTORNEY

23
24 _____, WSBA # _____
25
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