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SUPERIOR COURT OF WASHINGTON FOR *[INSERT NAME OF COUNTY]* COUNTY

IN THE MATTER OF THE PETITION OF THE CITY OF *[INSERT NAME OF CITY]*, TO ACQUIRE BY CONDEMNATION CERTAIN REAL PROPERTY FOR PUBLIC USE AS AUTHORIZED BY ORDINANCE NO. *[INSERT NUMBER OF ORDINANCE AUTHORIZING CONDEMNATION]*

*[In re City of \_\_\_\_\_]*

Honorable \_\_\_\_\_

No. \_\_\_\_\_

DECLARATION OF \_\_\_\_\_  
IN SUPPORT OF ENTRY OF ORDER OF PUBLIC USE AND NECESSITY

**Hearing Date:** \_\_\_\_\_

*[insert name of declarant]* declares:

1. I am the *[insert title of declarant]* for the City of \_\_\_\_\_ (“City”), which is building the *[insert name of project]*. I am over the age of eighteen, have personal knowledge of the facts stated herein and am competent to be a witness in this proceeding.

2. The City requires the acquisition of certain real property for the construction of *[insert name of project]*. Construction of the *[insert name of project]* is scheduled to begin by the end of the year 200\_\_.

3. The property at issue in this case, as described more particularly in Exhibit A to the Petition for Condemnation, is located at *[insert address of property]* in \_\_\_\_\_, Washington (“Property”). The *[insert name of project]* will construct a *[insert type of facility]* on the property currently owned by Respondents *[insert names of property owners]*. The Property will also be used for *[insert description of how property will be used]*.

1           4.       In order to meet the *[insert name of project]*'s construction schedule, many  
2 properties may be cleared and ready for construction by *[insert date]*. This schedule requires  
3 that the Property be available for demolition and clearing.

4           5.       The City has determined that a possession date of \_\_\_\_\_ for all  
5 properties along the *[insert name of project]*'s alignment is essential for the *[insert name of*  
6 *project]* to proceed without costly project delays and to otherwise keep the costs of construction  
7 to taxpayers reasonable.

8           6.       To prepare for construction by *[insert estimate date for commencement of*  
9 *construction]*, the contractor for the Project is to have access to any and all properties along the  
10 alignment for purposes of staging, demolition, clearing and construction immediately upon  
11 award of the contract.

12           7.       The City Council plans to make the final contract award in *[insert estimated date*  
13 *of contract award]*. The contractor must be given access to all properties on the date that the  
14 contract is awarded.

15           8.       If the City is not able to grant access to any property along the Project, and that  
16 property is one of those on which the contractor needs to commence demolition immediately,  
17 the cost to the City, and therefore the taxpayers, may be up to \$\_\_\_\_ per day of delay. Because  
18 taxpayer money is involved, it is essential to keep any such delays to a minimum. Thus, a  
19 timely order on public use and necessity is critical to completing the Project in an efficient and  
20 cost-conscious manner.

21           9.       The City has determined that the land and property rights sought by the City in  
22 this condemnation action are those reasonably necessary and required for the construction,  
23 operation and maintenance of the Project and for related construction staging and development  
24 of the Project.

25           I declare under penalty of perjury under the laws of the State of Washington that the  
26 foregoing is true and correct to the best of my knowledge.

DECLARATION OF *[insert name of declarant]* - 2

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EXECUTED at \_\_\_\_\_, Washington this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_.

\_\_\_\_\_  
*[insert name of declarant]*

DECLARATION OF *[insert name of declarant]* - 3