

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1911

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, WASHINGTON, AUTHORIZING THE CONDEMNATION AND ACQUISITION OF REAL PROPERTY FOR TRANSPORTATION AND UTILITY IMPROVEMENTS FOR 66TH AVENUE EAST; PROVIDING FOR PAYMENT OF THE COST AND EXPENSE OF ACQUIRING THE PROPERTY; AND DIRECTING THE INITIATION OF APPROPRIATE CONDEMNATION PROCEEDINGS IN THE MANNER PROVIDED BY LAW

WHEREAS, construction of a new public street between 62nd Avenue East and 70th Avenue East, running north to south connecting 20th Street East and 26th Street East (to be known as 66th Avenue East) is included in the City's 2015-2020 Six Year Transportation Improvement Plan; and

WHEREAS, on April 28, 2016, the Council adopted Ordinance No. 1909, ordering the construction of the new 66th Avenue East from the south boundary of Pierce County Assessor's Parcel No. 0420071705 to 26th Street East (the "Project"), and forming Local Improvement District 14-1 in order to pay for a portion of the cost of the Project; and

WHEREAS, a portion of the property identified as Tax Parcel No. 0420074044, located at 2400 70th Avenue East, Fife, WA, and legally described in Exhibit A attached hereto (the "Property") is necessary in order to construction the Project; and

WHEREAS, the City Council finds that the public health, safety, necessity and convenience demand that the Project referenced above be undertaken and that in order to carry out the Project it is necessary for the City to acquire the Property; and

WHEREAS, notice of this action was properly given in accordance with RCW 8.25.290; now therefore,

THE CITY COUNCIL OF THE CITY OF FIFE, WASHINGTON
DO ORDAIN AS FOLLOWS:

Section 1. The City Council finds and declares that the public necessity and convenience demand that the real property described in Exhibit A be condemned, appropriated, and taken for public road, transportation and utility purposes.

Section 2. The land and property described in the attached Exhibit A is hereby condemned, appropriated, taken, and damaged for public road, transportation and public park purposes, subject to the payment of just compensation to the owners, or payment into court for the owners, in the manner provided by law.

Section 3. The cost and expense of acquiring the Property shall be paid from LID 14-1 assessments, general funds of the City and from other monies the City may have available or obtain.


Section 4. The City Attorney is hereby authorized and directed to commence condemnation proceedings in Pierce County Superior Court against the owners or reputed owners of the Property, as provided by law.

Section 5. The City Council elects not to comply with the provisions of Chapter 8.26 RCW for the purpose of acquiring the property.

Section 6. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced on the 26th day of May, 2015.

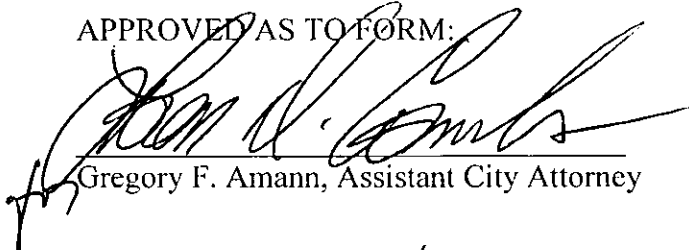
Passed by the City Council on the 26th day of May, 2015.


Subir Mukerjee, City Manager

ATTEST:


Carol Etgen, City Clerk

APPROVED AS TO FORM:


Gregory F. Amann, Assistant City Attorney

Published: 5/28/15
Effective Date: 6/2/15

EXHIBIT A

LEGAL DESCRIPTION

THE WEST 60 FEET OF PARCEL B OF CITY OF FIFE LOT LINE ADJUSTMENT
LLA 96-0008 RECORDED APRIL 21, 1997 UNDER RECORDING NO. 9704210252,
RECORDS OF PIERCE COUNTY AUDITOR.

Tax Parcel No. 0420074044, located at 2400 70th Avenue East, Fife, WA.
Record owner: Teachers Insurance and Annuity Association