

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1915

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 FREEMAN ROAD 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, the widening and reconstruction of Freeman Road East from 20th Street East to Valley Avenue East (the "Project") is included in the City's 2015-2020 Six Year Transportation Improvement Plan; and

WHEREAS, a portion of the property identified as Tax Parcel No. 0420171046, located at 3910 Freeman Road 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 and property rights 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 developer contributions, 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.

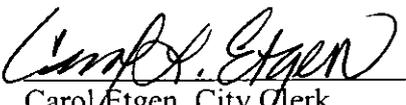
Section 6. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced on the 11th day of August, 2015.

Passed by the City Council on the 11th day of Aug, 2015.


Subir Mukerjee, City Manager

ATTEST:


Carol Etgen, City Clerk

APPROVED AS TO FORM:


Gregory F. Amann, Assistant City Attorney

Published: August 13, 2015
Effective Date: August 18, 2015

EXHIBIT " A "

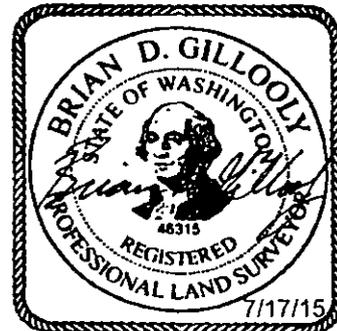
LEGAL DESCRIPTION

RIGHT-OF-WAY ACQUISITION

That portion of the Southwest quarter of the Northeast quarter of Section 17, Township 20 North, Range 4 East, Willamette Meridian, In Pierce County, Washington, more particularly described as follows:

COMMENCING at the Northeast corner of said Southwest quarter of the Northeast quarter;
THENCE South $01^{\circ}40'57''$ West, 1,155.00 feet along the East line of said Southwest quarter of the Northeast quarter;
THENCE North $65^{\circ}14'03''$ West, 21.74 feet to the West margin of Freeman Road East and the TRUE POINT OF BEGINNING;
THENCE CONTINUING North $65^{\circ}14'03''$ West, 19.37 feet;
THENCE South $01^{\circ}35'50''$ West, 48.62 feet;
THENCE South $08^{\circ}43'57''$ East, 10.66 feet;
THENCE Southerly along the arc of a curve to the right, having a radius of 5.48 feet, through a central angle of $09^{\circ}51'11''$, and an arc length of 0.94 feet;
THENCE South $01^{\circ}35'50''$ West, 115.58 feet;
THENCE North $88^{\circ}24'10''$ West, 19.25 feet;
THENCE South $01^{\circ}35'50''$ West, 27.10 feet to South line of said Southwest quarter of the Northeast quarter;
THENCE North $89^{\circ}56'20''$ East, 34.78 feet along said South line to said West margin;
THENCE North $01^{\circ}40'57''$ East, 194.09 feet along said West margin to the TRUE POINT OF BEGINNING.

Containing 3,720 square feet, more or less.



Project Name: FedEx
July 16, 2015

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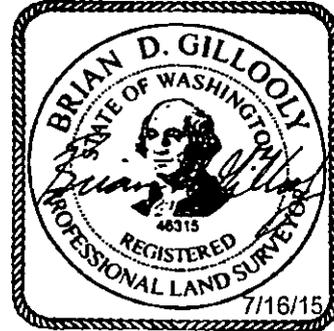
LEGAL DESCRIPTION

PERMANENT SLOPE EASEMENT

That portion of the Southwest quarter of the Northeast quarter of Section 17, Township 20 North, Range 4 East, Willamette Meridian, In Pierce County, Washington, more particularly described as follows:

COMMENCING at the Northeast corner of said Southwest quarter of the Northeast quarter;
THENCE South 01°40'57" West, 1,155.00 feet along the East line of said Southwest quarter of the Northeast quarter;
THENCE North 65°14'03" West, 21.74 feet to the West margin of Freeman Road East;
THENCE CONTINUING North 65°14'03" West, 19.37 feet to the TRUE POINT OF BEGINNING;
THENCE South 01°35'50" West, 48.62 feet;
THENCE South 08°43'57" East, 10.66 feet to a point of tangency;
THENCE southerly along the arc of a curve to the right, having a radius of 5.48 feet, through a central angle of 09°51'11", and an arc length of 0.94 feet;
THENCE South 01°35'50" West, 115.58 feet;
THENCE North 88°24'10" West, 19.25 feet;
THENCE North 27°56'01" East, 11.27 feet;
THENCE North 01°35'50" East, 59.87 feet;
THENCE North 17°39'59" East, 36.13 feet;
THENCE North 01°35'50" East, 71.89 feet to a point which bears North 65°14'03" West from the TRUE POINT OF BEGINNING;
THENCE South 65°14'03" East, 2.45 feet to the TRUE POINT OF BEGINNING.

Containing 1,538 square feet, more or less.

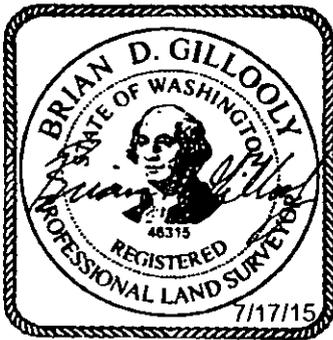
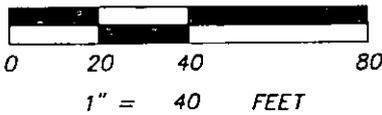


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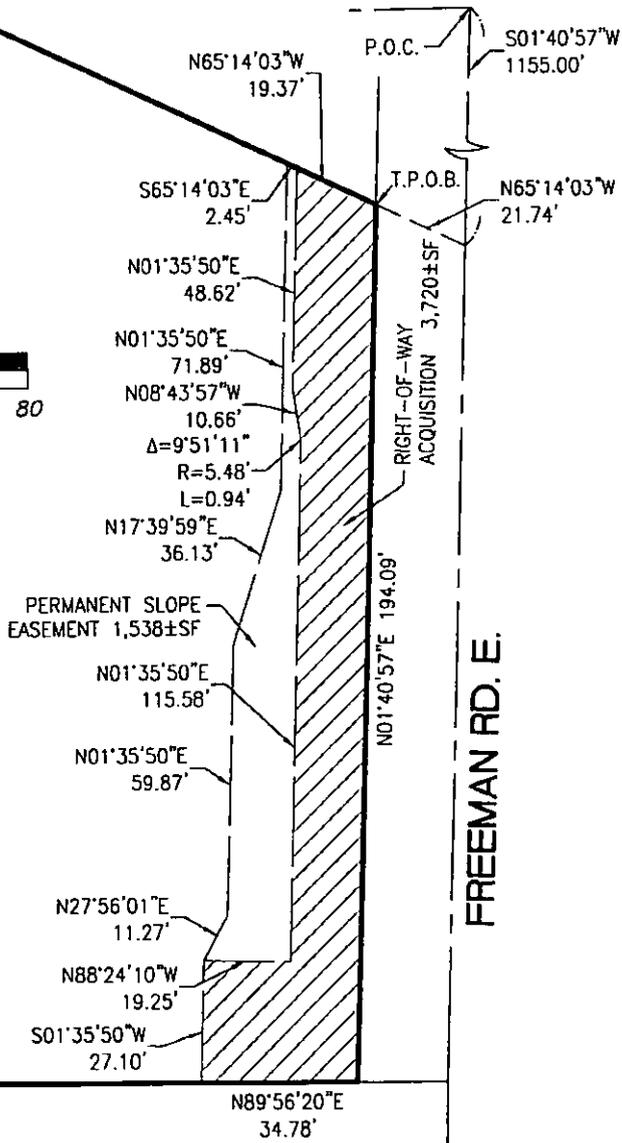
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GRAPHIC SCALE



VALLEY AVE. E.



FREEMAN RD. E.

File:P:\12000s\12770\survey\12770EXH13-dedication.dwg Date/Time:7/17/2015 9:28 AM SCOT MAY

SCALE: HORIZONTAL 1"=250' VERTICAL N/A	For: FED-EX FIFE	JOB NUMBER 12770
 18215 72ND AVENUE SOUTH KENT, WA 98032 (425)251-6222 (425)251-8782 FAX CIVIL ENGINEERING, LAND PLANNING, SURVEYING, ENVIRONMENTAL SERVICES	Title: RIGHT-OF-WAY ACQUISITION	12770L.015.DOC SHEET 1 of 1
DESIGNED <u>XXX</u> DRAWN <u>STM</u> CHECKED <u>BDG</u> APPROVED <u>BDG</u> DATE <u>10-8-2014</u>		