

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1965

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, WASHINGTON, AUTHORIZING THE CONDEMNATION AND ACQUISITION OF TAX PARCEL NO. 0320015001 FOR TRANSPORTATION AND UTILITY IMPROVEMENTS; PROVIDING FOR PAYMENT OF THE COST AND EXPENSE OF ACQUIRING THE PROPERTY; AND AUTHORIZING THE INITIATION OF APPROPRIATE CONDEMNATION PROCEEDINGS IN THE MANNER PROVIDED BY LAW.

WHEREAS, the 8th Street East/54th Avenue East Intersection Improvement Project is included in the City's 2017-2022 Six Year Transportation Improvement Plan; and

WHEREAS, the Sewer Pump Station No. 4 Renovation and Improvement Project is included in the 2017-22 Capital Facilities Plan; and

WHEREAS, widening and improvement to 8th Street between the Port of Tacoma's "Parcel 14" and 54th Avenue East are a continuation of development of the Prologis project on Parcel 14; and

WHEREAS, the projects will improve public safety, ease traffic congestion, improve freight mobility, and improve storm drainage and sewer service in the area; and

WHEREAS, in order to construct the projects, it is necessary for the City to acquire the property located at the northwest corner of 8th Street East and 54th Avenue East, identified as Tax Parcel No. 0320015001 and legally described as Lot 2 of Iselin Short Plat recorded September 1, 1995 under Recording No. 9509150258, in Pierce County, Washington (the Property); and

WHEREAS, the public health, safety, necessity, convenience, and interest require that the projects 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 adopts the above recitals as findings and further finds and declares that the public necessity and convenience demand that the real property

legally described as follows be condemned, appropriated, and taken for public transportation purposes and utility purposes:

Lot 2 of Iselin Short Plat recorded September 15, 1995 under Recording No. 9509150258, in Pierce County, Washington.
Pierce County Assessor's Parcel No. 0320015001
(the "Property").

Section 2. The Property is hereby condemned, appropriated, taken, and damaged for public transportation 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 to acquire the Property as provided by law.

Section 5. The City Council elects not to comply with the provisions of RCW 8.26.035 through 8.26.115 in connection with acquiring the Property.

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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 10th day of October, 2017.

Passed by the City Council on the ____th day of October, 2017.

Hyun K. City Manager

ATTEST:

Angela Woods, City Clerk

APPROVED AS TO FORM:

Gregory F. Amann, Assistant City Attorney

Published: _____

Effective Date: _____