

RESOLUTION NO. 1535

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON AUTHORIZING THE PURCHASE OF A WATER UTILITY EASEMENT ON TAX PARCEL NOS. 0420173016 AND 0420173026 IN LIEU OF CONDEMNATION

WHEREAS, "looping" of water lines adds system redundancy and improves system maintainability because it allows water to be provided from different directions if a segment of main is closed; and

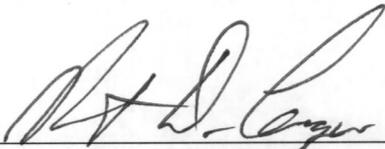
WHEREAS, in order to provide water system "looping" in the LID 08-2 service area (45th Street Court East) it is necessary for the City to obtain an easement on the east 16.5 feet of the property owned by Gerry G. Gregory located at 7723 48th Street East (tax parcel numbers 0420173016 and 0420173026), for water lines and appurtenances; and

WHEREAS, in lieu of condemnation the City Attorney's office has negotiated a purchase of the easement for \$17,850, which constitutes just compensation; now, therefore

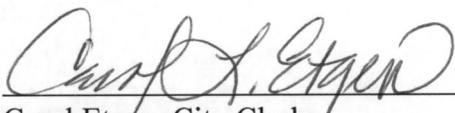
BE IT RESOLVED that the City Council hereby authorizes and approves the purchase by the City of Fife of the Water Utility Easement attached hereto as Exhibit A from Gerry G. Gregory, for the sum of \$17,850, and authorizes the City Manager to execute on behalf of the City the documents necessary to effectuate the transaction.

BE IT FURTHER RESOLVED that this purchase is being made under immediate threat of the City's exercise of the right of eminent domain.

ADOPTED by the City Council at an open public meeting held on the 12th day of February, 2013.


Robert D. Cerqui, Mayor

Attest:


Carol Etgen, City Clerk

After Recording Please Return To:
Public Works Director
City of Fife
5411 23rd Street East
Fife, WA 98424

EXHIBIT
" A "

WATER UTILITY EASEMENT

Grantor: GERRY G. GREGORY, as his separate estate
Grantee: CITY OF FIFE, a municipal corporation
Abbreviated Legal Description: SE of SW of Sec. 17 T. 20 N, R 4 E, W.M.
Complete legal description is attached as Exhibits A of document
Tax Parcel No.: 0420173016, 0420173026

Gerry G. Gregory, as his separate estate ("Grantor"), record owner of the property hereinafter described, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00), and other valuable consideration, hereby grants to the City of Fife, a Washington municipal corporation ("Grantee") its successors and assigns, under the imminent threat of the Grantee's exercise of its rights of Eminent Domain, a perpetual easement to install, construct, operate, inspect, maintain, repair, remove, and replace water mains, water lines, and appurtenances, over, under, upon and across the property legally described in Exhibit A attached hereto and graphically depicted in Exhibit B attached hereto (the "Easement"), which is a portion of Pierce County Assessor's Parcel Numbers 0420173016 and 0420173026

Grantee, its employees, agents, and contractors shall have the right at such times as may be reasonably necessary to enter upon Grantor's property to access the Easement area for the purposes of installing, constructing, operating, inspecting, maintaining, repairing, removing, or replacing water mains, water lines, fire hydrants, and appurtenances. The Grantor shall retain the right to use the surface of the Easement if such use does not unreasonably interfere with the rights granted to Grantee herein. However, the Grantor shall not erect buildings or structures on or over the Easement.

EXHIBIT A
PARCEL NO. 0420173016 & 0420173026
WATER LINE EASEMENT

THE EAST 16.50 FEET OF THE HEREINAFTER DESCRIBED PARCEL "A";

CONTAINING 7,922 SQUARE FEET, MORE OR LESS.

PARCEL "A":

(PER QUIT CLAIM DEED 200510181246, DATED OCTOBER 17, 2005, PIERCE COUNTY, WASHINGTON RECORDS)

THE EAST 209 FEET OF THE SOUTH 495 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE W.M., IN PIERCE COUNTY, WASHINGTON.

EXCEPT GALE COUNTY ROAD ON THE SOUTH BOUNDARY.

ALL SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.



6-26-12

SW 1/4 SEC. 17, T. 20 N., R. 4 E., W.M.



TAX LOT NUMBER
0420173049

TAX LOT NUMBER
0420174707

E. LINE SW 1/4 SECTION 17

PROPERTY LINE

TAX LOT NUMBER
0420173036

WATER LINE EASEMENT
16.50' WIDE
EASEMENT AREA
= 7,922 S.F.±

TAX LOT NUMBER
0420173035

TAX LOT NUMBER
0420173016

TAX LOT NUMBER
0420178007

PROPERTY LINE

480.13'

480.13'

PROPERTY LINE

TAX LOT NUMBER
0420173033

PARCEL LINE

TAX LOT NUMBER
0420173026

EXIST. ROW

EXIST. ROW

15'

16.5'

N 89° 29' 55" W
48th STREET EAST

S. LINE SECTION 17

JUNE 26, 2012

FILE: 0420173016 ESMT.DWG

KPG

753 9th Ave N
Seattle, WA 98109
(206) 266-1640
www.kpg.com

2502 Jefferson Ave
Tacoma, WA 98402
(253) 627-0720

EXHIBIT B

PARCEL 0420173016 & 0420173026
WATER LINE EASEMENT