

RESOLUTION NO. 1585

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 NO. 0320011103 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

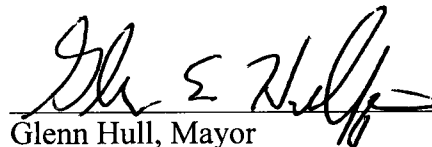
WHEREAS, in order to provide water system “looping” in the Benthien Loop service area it is necessary for the City to obtain an easement on the north 15 feet of the property owned by Chong Rhee located at 3811 Taylor Way E (tax parcel number 0320011103), for water lines and appurtenances; and

WHEREAS, in lieu of condemnation the City Attorney’s office has negotiated a purchase of the easement for \$47,000, which constitutes just compensation; now, therefore

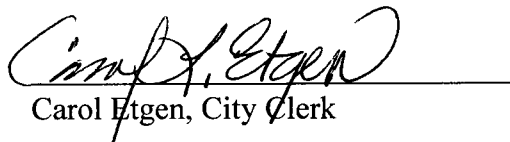
BE IT RESOLVED that the City Council hereby authorizes and approves the purchase by the City of Fife of the Water Utility Easement attached hereto as Exhibit A from Chong Rhee, for the sum of \$47,000, and authorizes the City Manager to execute on behalf of the City the documents necessary to effectuate 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 28th day of January, 2014.


Glenn Hull, Mayor

Attest:


Carol Etgen, City Clerk

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

UTILITY EASEMENT

Grantor: CHONG WON RHEE, an unmarried individual as his separate estate
Grantee: CITY OF FIFE, a municipal corporation
Abbreviated Legal Description: NE of NE of Sec. 1 T. 20 N, R 3 E W.M.
Complete legal description is attached as Exhibit A of document
Tax Parcel No.: 0320011103

Chong Won Rhee 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 underground water mains, water lines, and other public utilities and underground and on-ground 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 Number 0320011103.

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, or other public utilities 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 permanent buildings or structures on or over the Easement.

EXHIBIT 'A'

Pierce County Tax Parcel 0320011103

The North 15.00 feet of the following described lands:

BEGINNING on a line parallel with and 231 feet west of the East line of the Northeast quarter of the Northeast quarter (Government Lot 1), Section 1, Township 20 North, Range 3 East, W.M., In Fife, Pierce County, Washington, at a point 350 feet south of the North line of said subdivision; thence parallel with the North line of said subdivision, West 231 feet; thence parallel with said East line of subdivision, South 9.10 feet to the Northeasterly line of the right of way of Taylor Way; thence on said line of Taylor Way, Southeasterly 302.1 feet to said line parallel with and 231 feet west of said line of subdivision; thence North 203.8 feet to the Point of Beginning. EXCEPT that portion conveyed to the State of Washington by deeds recorded under Recording Nos. 9312230295 and 9312230296.

TOGETHER WITH the North 15.00 feet of the following described lands:

Lot 3 and the South 38.11 feet of Lot 2 of LYON'S TIDE LAND ACRES, according to the plat thereof recorded in Volume 8 of Plats, page 59, in Fife, Pierce County, Washington. EXCEPT the South 52.00 feet of Lot 3 thereof. ALSO EXCEPT the portion described as follows:

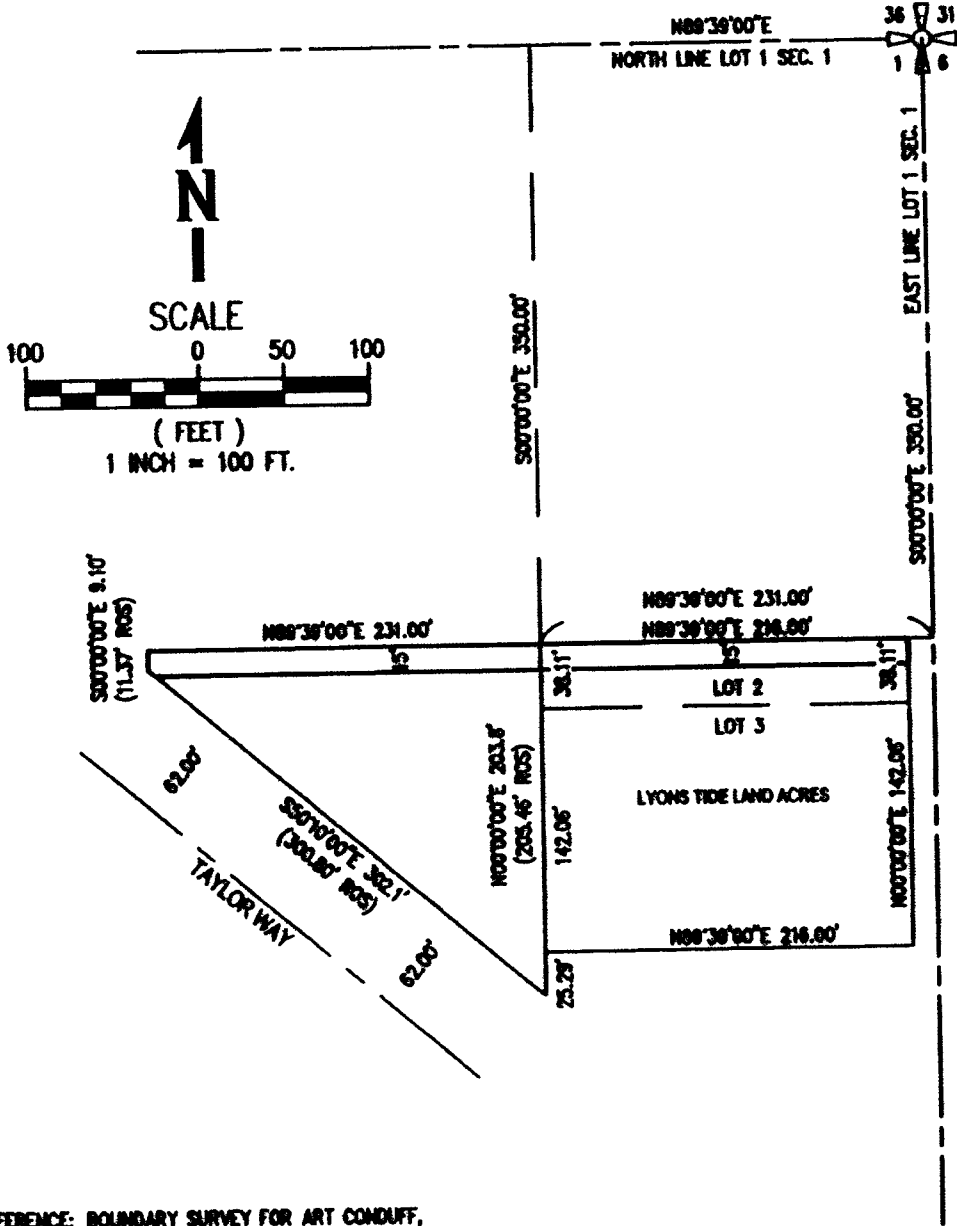
BEGINNING at the intersection of the East line of said Lot 3 and the North line of the South 52.00 feet thereof; thence North, along said East line of Lot 3, a distance of 10.30 feet; thence South $89^{\circ}39'00''$ West, a distance of 0.60 feet to a board fence, that was in existence on February 18, 1980; thence continue South $89^{\circ}39'00''$ West, along said board fence a distance of 82.00 feet to the Northeast corner of a frame building in existence on February 18, 1980; thence continue South $89^{\circ}39'00''$ West, along the side of said building, a distance of 19.10 feet; thence South $89^{\circ}39'00''$ West 36.10 feet to a point; thence South $00^{\circ}15'00''$ West to said North line of the South 52.00 feet of Lot 3; thence North $89^{\circ}39'00''$ East, along said North line, a distance of 137.80 feet to the POINT OF BEGINNING.



11/11/13

WHPacific, Inc.
12100 NE 195th Street Suite 300
Bothell, WA 98011
425-951-4800
Project No. 209.037397

GOV'T LOT 1, SEC. 1, T20N, R03E, W.M.
PIERCE COUNTY, WA



REFERENCE: BOUNDARY SURVEY FOR ART CONDUFF,
TOWNSEND-CHASTAIN & ASSOC., INC., AF#2785,
RECORDS OF PIERCE COUNTY, WASHINGTON, MARCH 1979.

SHEET NUMBER 1 OF 1	EXHIBIT B TAX PARCEL 0320011103 CITY OF FIFE, PIERCE COUNTY	DRAWING INFO	SHEET INFO	WHPacific
		37397	DRAWN AND	
37397-SURV-EX03	CHECKED			
1" = 100'	LAST DATE PLOTTED			
		PLAT DATE 11/08/2010		