

# Ordinance No. 00124

[\(Council Minutes 97/05/05\)](#)

## ORDINANCE NO. 124

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending the provisions of Ordinance No. 122 vacating a portion of Villa Lane regarding the width and location of the utility easement

WHEREAS, the City Council has adopted its Ordinance No. 122, after a public hearing and after determining that the portion of Villa Lane was not needed to meet the City's right-of-way needs; and,

WHEREAS, the provisions of Ordinance No. 122 reserved an easement for utilities in favor of the City; and,

WHEREAS, it would be helpful for the City and for adjacent property owners to have the location of the utility easement restricted and its location identified since the entire width of right-of-way is not needed for the utility easement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON DO ORDAIN as a non-codified ordinance as follows:

1. That the provisions of Ordinance No. 122 be and they are hereby amended to provide specific identification of the limitation and location of the reserved utility easement, as follows: That a portion of Villa Lane, located within the City of Lakewood, Washington, described as follows:

That portion of Villa Lane being located in the southeast quarter of Section 2, Township 19 north, Range 2 east W.M., Pierce County, Washington, more fully described as follows:

Between the south line of Lot 6, Block 1 of the M & M Addition, as recorded in Volume 14 of Plats, Page 69, Records of Pierce County, Washington, extended easterly; and the westerly right-of-way line of Bridgeport Way, if extended across Villa Lane,

and as shown on the map attached hereto, marked Exhibit "A" and incorporated herein by this reference, be, and the same hereby is vacated, provided that the City of Lakewood reserves an easement for utilities over, under and on that portion of the vacated right-of-way described as follows: a utility easement 37 feet in width, together with ingress and egress, lying between lines 13 feet east and 24 feet west of the existing centerline of the vacated villa right-of-way.

2. That this vacation shall be effective upon payment to the City of Lakewood, within 60 days of the date hereof by the owner or owners of property adjacent thereto and to be benefited by the vacation, in an amount of money to be determined and agreed by the City and property owners to represent one half of the appraised value of the property to be vacated, or by satisfactory arrangements being made for street/ public improvements as determined by the City in an amount comparable to one half of the appraised value of the property to be vacated, and that this Ordinance shall be in full force and effect five (5) days after

publication is required by law. If the above described payment or arrangements is not made within the time period provided above, this Ordinance shall be null and void.

3. That a copy of this Ordinance shall be filed with the Office of the Pierce County Assessor.

ADOPTED by the City Council this 5th day of May, 1997.

CITY OF LAKEWOOD

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Bill Harrison, Mayor

Attest:

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Alice M. Bush, CMC, City Clerk

Approved as to Form:

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Daniel B. Heid, City Attorney

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