

Ordinance No. 00166

ORDINANCE NO. 166

AN ORDINANCE of the City Council of the City of Lakewood, Washington, vacating portions of Stanley Street and Woodlawn Avenue

Stanley Street and Woodlawn Avenue

WHEREAS, the City of Lakewood, Washington, has received a petition by not less than two-thirds (2/3) of the owners of property adjacent to portions of Stanley Street and Woodlawn Avenue, requesting vacation of the same; and,

WHEREAS, a public hearing was held in connection with the possible vacation, with notice having been provided pursuant to statute; and,

WHEREAS, a public hearing was held in connection with the possible vacation, with notice having been provided pursuant to statute; and,

WHEREAS, the City Council of the City of Lakewood, Washington, has considered all matters presented at the public hearing on the proposed vacation, held on the 4th day of May, 1998, at the Lakewood City Council Meeting held on that day, in Lakewood, Washington.

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

SECTION ONE. That those portions of Stanley Street and Woodlawn Avenue, located within the City of Lakewood, Washington, described more particularly hereinbelow, 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 the vacated right-of-way, and further reserves the right to grant easements for utilities over, under and on that portion of the vacated right-of-way described hereinbelow:

Legal Description of Right-of-Way to be Vacated

A portion of the Northwest Quarter of Section 21, Township 19 North, Range 2 East, W.M., in the City of Lakewood, Pierce County, State of Washington, described as follows:

BEGINNING at the intersection of the northerly margin line of Woodlawn Avenue and the westerly margin line of Stanley Street, as per recorded Plat of American Lake in Volume 9 of Plats, page 28, records of Pierce County Auditor; thence North 48E06'15" East along said northerly margin line of Woodlawn Avenue, a distance of 299.04 feet to the beginning of a non-tangent curve concave to the northeast having a radius of 50.00 feet and to which beginning a radial line bears South 48E06'15" West; thence easterly along said curve through a central angle of 78E26'50", an arc distance of 68.46 feet to a northwesterly extension of the westerly margin line of Boundary Street, as established by deed in Volume 469 of Deeds, page 581, records of Pierce County Auditor; thence South 41E52'48" East along said extension of the westerly margin line of Boundary Street, a distance of 1.01 feet to the southerly margin line of said Woodlawn Avenue; thence South 48E06'15" West along said southerly margin line of Woodlawn Avenue, a distance of 279.53 feet to the easterly margin line of Stanley Street additional right-of-way as established by deed in Volume 445 of Deeds, page 137, records of Pierce County Auditor; -thence South 41E18'47" East along said easterly margin line of Stanley Street, a distance of 310.02 feet to the northerly margin line of Military Avenue, as per said recorded plat of American Lake; thence South 48E06'15" West along said northerly margin line of Military Avenue as extended, a distance of 60.00 feet to the westerly margin line of said Stanley Street; thence North

41E18'47" West along said westerly margin line of Stanley Street, a distance of 360.02 feet to the point of beginning, containing approximately 34,099 square feet, and as shown on the map attached hereto, marked as Exhibit AA@and incorporated herein by this reference.

Legal Description of Reserved Utility Easement

A portion of the Northwest Quarter of Section 21, Township 19 North, Range 2 East, W.M., in the City of Lakewood, Pierce County, State of Washington, described as follows: The Northeasterly fifteen (15) feet of the Right-of-Way of Stanley Street, per the recorded Plat of American Lake in Volume 9 of Plats, page 28, records of Pierce County Auditor, from the Northwesterly Right-of-Way line of Military Avenue extended to the Northwesterly Right-of-Way line of Woodlawn Avenue, and as shown on the attached Exhibit AA.@

SECTION TWO. That this vacation shall be effective upon (1) payment to the City of Lakewood, within sixty (60) days of the date hereof by the owner or owners of property adjacent thereto and to be benefited by the vacation, in the total amount of Eleven Thousand, Nine Hundred, Eighty-nine and 21/100 Dollars (\$11,989.21), and (2) completion of construction of the cul-de-sac at the end of Boundary Street to City standards by American Lake L.L.C., or delivery of a performance bond to the City to insure completion of the construction of the cul-de-sac, which bonding shall be acceptable and satisfactory to the City, and which shall be provided to the City within sixty (60) days of the date hereof, and (3) dedication for right-of-way purposes of that area of property adjacent to the end of Boundary Street necessary to complete the cul-de-sac at the end of Boundary Street to City standards, with the dedication being completed within sixty (60) days of the date hereof, and (4) granting an easement for an existing pole anchor guy wire to Puget Sound Energy as approved by the City Engineer, and (5) that this Ordinance shall be in full force and effect five (5) days after publication is required by law. It is provided, however, that if the above described payment and dedication are not made, and if the cul-de-sac improvements are not made or the performance bond is not provided, within the time periods stated above, this Ordinance shall be null and void.

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

ADOPTED by the City Council this 18th day of May, 1998.

CITY OF LAKEWOOD

Attest:

Bill Harrison, Mayor

Alice M. Bush, CMC, City Clerk

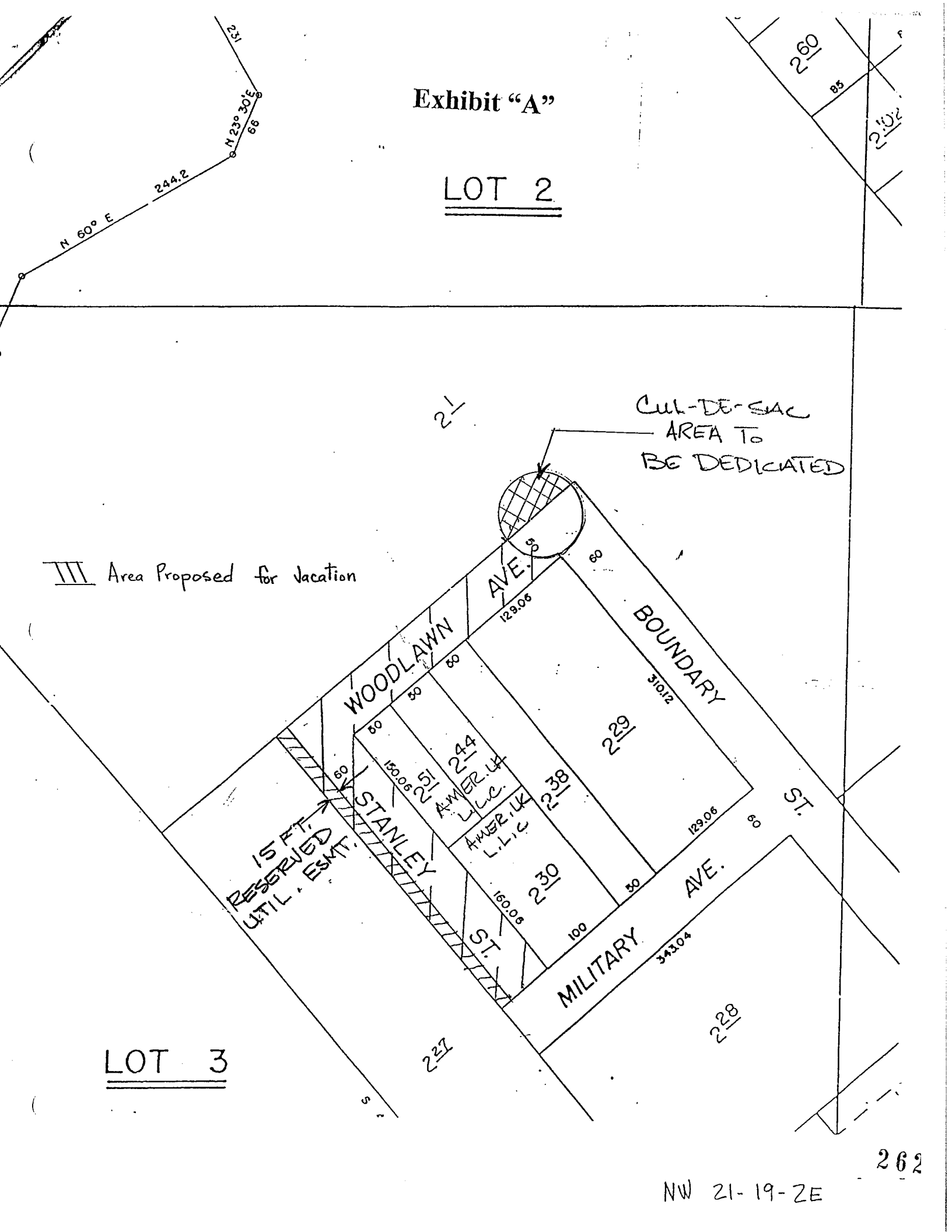
Approved as to Form:

Daniel B. Heid, City Attorney

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Exhibit "A"

LOT 2



III Area Proposed for Vacant

CUL-DE-SAC
AREA TO
BE DEDICATED

LOT 3