

Ordinance No. 00315

[Council meeting minutes of Aug 4 2003](#)

ORDINANCE NO. 315

AN ORDINANCE of the City Council of the City of Lakewood, Washington, providing for the acquisition of property for improvements to Gravelly Lake Drive SW, Steilacoom Boulevard SW and Lakewood Drive SW, declaring public use and necessity, and providing for the condemnation, appropriation, taking and damaging of land and other property rights necessary therefore

WHEREAS, the City of Lakewood has identified a road project, the Realignment of the intersection of Gravelly Lake Drive and Steilacoom Boulevard Project, that is necessary to reduce traffic congestion, to improve traffic safety, to allow a safe and signalized access to a public middle school, and to make improvements compliant with federal requirements for Americans with Disabilities Act accessibility; and

WHEREAS, the City has attempted to obtain property necessary to commence this project, including having property appraised and attempting to negotiate just compensation to be paid to the property owners for necessary property; and,

WHEREAS, those efforts have not been successful in securing the acquisition of the property for this project; and,

WHEREAS, due to the importance of the improvements to be made and for the fulfillment of the public purposes attendant to the project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON DO ORDAIN as follows:

Section 1. Public use and necessity require that the properties identified on the list attached hereto, marked as Exhibit "A" and incorporated herein by this reference, be condemned for the purpose of the Realignment of Steilacoom Boulevard and Gravelly Lake Drive Project.

Section 2. In the condemnation of the property generally described in "Exhibit A," the City shall acquire the fee interests or such easement interest in the property as necessary for the commencement and completion of said project.

Section 3. Nothing in this ordinance limits the City in its identification and acquisition of property and property rights necessary for this public purpose. The City reserves the right to acquire additional or different properties as needed for the realignment project.

Section 4. The City Manager, by and through his designees, is authorized and directed to begin and prosecute actions and proceedings in the manner provided by law to condemn, take, damage and appropriate the lands and other property necessary to carry out the provisions of this ordinance. In conducting said condemnation proceedings, the Lakewood City Attorney is hereby authorized to enter into stipulations and negotiations for the purpose of acquiring lands and property interests and minimizing damages.

Section 5. The compensation to be paid to the owners of property acquired through this condemnation action shall be paid from the General Fund of the City or from such other monies that the City may have available or attain for the acquisition.

Section 6. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of this Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 7. To the extent practicable and allowable by law, the City Council elects not to comply with the provisions of Chapter 8.26 RCW for the purpose of acquiring the property. Section 8. Because the authority to condemn property for public purposes is granted to the municipal jurisdiction rather than to its citizens, initiative and referendum do not apply to this Ordinance, and therefore this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary, as required by law.

ADOPTED by the City Council this 4th day of August, 2003.

CITY OF LAKEWOOD

Bill Harrison, Mayor

Attest:

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

Exhibit A to Ordinance No. 315

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"EXHIBIT A" TO ORDINANCE NO. 315

Properties condemned and necessary to the Realignment of the intersection of Gravelly Lake Drive and Steilacoom Boulevard
Project:

1. Pierce County Parcel No. 0220354016

Property Owner(s): Andrew E. Balstad

Legal Description: All that part of the Northwest quarter of the Southeast quarter of section 35, township 20 North, range 2 East of the W.M., in Pierce County, Washington, described as follows: Beginning at the Northeast corner of said Northwest quarter of the Southeast quarter of section 35, township 20 North, range 2 East of the W.M., in Pierce County, Washington; thence

running West 100 feet; thence South parallel to the East line of the Northwest quarter of the Southeast Quarter of section 35, township 20 North, range 2 East of the W.M., 296 feet to the North line of Steilacoom Boulevard; thence East along said North line 100 feet; thence North 296 feet to the point of beginning; said tract being known as tract No. 1 of Steilacoom Lake Boulevard tracts, an unrecorded plat; except the East 30 feet, thereof; situate in the County of Pierce, State of Washington.

Physical Address: 5433-5435 Steilacoom Boulevard

Approx. Sq. Footage to be acquired: 251

2. Pierce County Parcel No. 0220354010

Property Owner(s): James Siler and Cynthia Gay Yutani

Legal Description: Beginning at the intersection of the South line of Steilacoom Boulevard with the Northerly line of Gravelly Lake Drive in Government lot 6, in the Southeast quarter of section 35, township 20 North, range 2 East of the W.M., in Pierce County, Washington; thence West on said South line of Steilacoom Boulevard, 416.70 feet to the true point of beginning; thence South 209.22 feet to a point on the Northerly line of said Gravelly Lake Drive; thence North 63° 26' 30" East along said Northerly line 150 feet; thence North 06° 26' 30" East 142.85 feet to a point on said aforementioned South line of Steilacoom Boulevard; thence West along said South line 150 feet to the true point of beginning.

Physical Address: 8908 Gravelly Lake Drive SW, Lakewood, WA

Approx. Sq. Footage to be acquired: 24,673

3. Pierce County Parcel No. 0220354004

Property Owner(s): James Siler and Cynthia Gay Yutani

Legal Description: Commencing at the intersection of the South line of Steilacoom Boulevard with the Northerly line of Gravelly Lake Drive in the Southeast quarter of section 35, township 20 North, Range 2 East of the W.M., in Pierce County, Washington; thence West along the South line of Steilacoom Boulevard, 191.70 feet to the point of beginning; thence continue West along the South line of Steilacoom Boulevard 75 feet; thence South 06° 26' 30" West 142.85 feet to the Northerly line of Gravelly Lake Drive; thence Northeasterly along the Northerly line of Gravelly Lake Drive, North 63° 20' East 101.73 feet; thence North 96.27 feet to the point of beginning; situate in the County of Pierce, state of Washington.

Physical Address: 5408 Steilacoom Boulevard

Approx. Sq. Footage to be acquired: 1,061

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