

Ordinance No. 00448

[City Council meeting minutes of April 16 2007](#)

ORDINANCE NO. 448

AN ORDINANCE of the City Council of the City of Lakewood, Washington, vacating a portion of Gravelly Lake Drive SW right-of-way.

WHEREAS, the City of Lakewood has obtained certain right-of-way necessary to effect the Gravelly Lake Drive and Steilacoom Boulevard improvements through an Agreement with Swan Properties; and

WHEREAS, in exchange for that right-of way the City of Lakewood has agreed to vacate other right-of-way that, as of a consequence of other development, is of no public benefit; and

WHEREAS, Swan has fulfilled their part of the Agreement by dedicating needed right-of-way to the City of Lakewood; and,

WHEREAS, Swan's performance obliges the City to proceed with vacation of right-of-way pursuant to the Agreement; and

WHEREAS, on April 16, 2007, 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, and does hereby find that the vacation of said property is appropriate, that the right of way is not needed for public use or access, and that vacation of the right of way will enable the property to be developed under the current zoning requirements applicable to the property; and,

WHEREAS, based upon the findings stated herein, and founded upon the discretion vested in the City Council under state and local law, it is the determination of the City Council that the petition be granted upon the conditions previously detailed in the Agreement.

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

Section 1. That the portion of Gravelly Lake Drive SW, located within the City of Lakewood, Washington, and as shown on the exhibit attached hereto, marked Exhibit "A" and incorporated herein by this reference, be vacated.

Section 2. This vacation shall be effective upon certain conditions as stated herein. Swan having performed in accordance with the Agreement, the property shall be legally transferred to the petitioner for vacation and the vacation will be recorded with the office of the Pierce County Auditor.

Section 3. This Ordinance shall be in full force and effect five (5) days after public as required by law.

PASSED by the City Council this 16th day of April, 2007.

CITY OF LAKEWOOD

_____ Claudia B. Thomas, Mayor

Attest:

_____ Alice M. Bush, MMC, City Clerk

Approved as to form:

_____ Heidi Ann Wachter, City Attorney

EXHIBIT ?A?

COMMENCING AT THE SOUTHWEST CORNER OF THE FOLLOWING DESCRIBED PARCEL ?A?;

THENCE NORTH 00?57?39? WEST 18.65 FEET ALONG THE WEST LINE OF SAID PARCEL ?A? TO THE **POINT OF BEGINNING**; SAID POINT BEING ON A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 185.50 FEET, AND WHOSE RADIAL LINE BEARS NORTH 46?08? 08? WEST;

THENCE NORTHEASTERLY 138.90 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 42?54?13?;

THENCE NORTH 00?57?39? EAST 24.78 FEET;

THENCE NORTH 89?02?21? WEST 2.83 FEET;

THENCE NORTH 44?01?30? WEST 30.67 FEET;

THENCE NORTH 00?57?39? EAST 2.83 FEET TO A LINE PARALLEL WITH AND 15.00 FEET SOUTHERLY OF AS MEASURED PERPENDICULAR THERETO, THE SOUTH LINE OF STEILACOOM BOULEVARD;

THENCE NORTH 89°02'49" WEST 25.11 FEET TO THE WEST LINE OF SAID PARCEL ?A?;

THENCE SOUTH 00°57'39" WEST 175.57 FEET ALONG THE WEST LINE OF SAID PARCEL ?A? TO THE **POINT OF BEGINNING**.

PARCEL A:

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 209.23 FEET TO A POINT ON THE NORTHERLY LINE OF SAID GRAVELLY LAKE DRIVE;

THENCE NORTH 63°20'30" EAST ALONG SAID NORTHERLY LINE 150.00 FEET;

THENCE NORTH 06°26'30" EAST 142.85 TO A POINT ON SAID SOUTH LINE OF STEILACOOM BOULEVARD;

THENCE WEST ALONG SAID SOUTH LINE 150.00 FEET TO THE TRUE POINT OF BEGINNING;

SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.

APPROXIMATE AREA: 6385 SF