

Ordinance No. 00495

[Council meeting minutes of July 20 2009](#)

ORDINANCE NO. 495

AN ORDINANCE authorizing the City Manager to grant an easement to Integra Telecom Holdings, Inc., for use of a portion of City Hall parcel property for buried and aerial communications systems.

WHEREAS, the Lakewood City Council acts on behalf of the citizens of the City in determining how public property may be used and what rights, if any, may be sold or transferred to others; and,

WHEREAS, Integra Telecom Holdings, Inc., has communicated with City staff toward obtaining an easement that will allow buried and aerial communications lines on a portion of the Lakewood City Hall property; and,

WHEREAS, Integra desires this easement to connect its existing utility lines with a cell phone tower located adjacent to the City Hall parcel; and,

WHEREAS, it is in the interest of the public to foster a competitive environment for telecommunications services and the land sought for this purpose is appropriate for said easement.

NOW, THEREFORE, for and in consideration of the mutual benefits and the terms and conditions of the easement agreement, a copy of which is attached hereto, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON DO ORDAIN, AS FOLLOWS:

Section 1. Easement Authorized. The Lakewood City Council does authorize the City Manager to enter into the easement agreement, in the form attached hereto and incorporated herein by this reference, granting Integra Telecom Holdings, Inc., an easement for use of City property for buried and aerial communications systems.

Section 2. Severability. If any sections, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not effect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance or its application to any other person, property or circumstance.

Section 3. Effective Date. That this Ordinance shall be in full force and effect upon passage and signatures hereon.

ADOPTED by the City Council this 20th day of July, 2009.

CITY OF LAKEWOOD

_____ Douglas G. Richardson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi Wachter, City Attorney