

ORDINANCE NO. 615

AN ORDINANCE of the City Council of the City of Lakewood, Washington, vacating a portion of Bridgeport Way SW and Lakewood Drive SW.

WHEREAS, the City of Lakewood, Washington, has received a petition signed by owners of at least two-thirds (2/3) of the property abutting a portion of the Bridgeport Way SW & Lakewood Drive SW right-of-way, located within the City of Lakewood, Washington, requesting that the same be vacated; and,

WHEREAS, in conformity with the legal requirements applicable for the vacation of public property, the Lakewood City Council passed Resolution No. 2015-17, setting a public hearing regarding this proposed vacation on August 3, 2015; and,

WHEREAS, pursuant to Lakewood Municipal Code section 12A.12.120, the City Council must consider certain factors prior to authorizing a vacation of public property; and,

WHEREAS, it is the finding of the City Council of the City of Lakewood that vacation is appropriate in this instance after full consideration of the factors stated in LMC 12A.12.120 in that vacation will benefit the public by returning the property to the tax rolls, in that the right of way is not needed for public use or access, and in that conditions are not likely to change in the future as to provide a greater use or need for the right-of-way than presently exists; and,

WHEREAS, the City Council of the City of Lakewood, Washington, has considered all matters presented at the public hearing on the proposed vacation, hearing no objection to this vacation, and does hereby find that the vacation of said property is appropriate and that the transfer of property at issue in this matter in the manner set forth below is in best interests of the public.

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

- Section 1. The City vacates that portion of Bridgeport Way SW & Lakewood Drive SW right-of-way, located within the City of Lakewood, Washington, legally described as shown in the exhibit attached hereto, marked "Exhibit A" and incorporated herein by this reference, subject to the conditions set forth in Sections 2 through 4 of this Ordinance.
- Section 2. The City shall retain an easement or the right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of existing public utilities and services.
- Section 3. The vacation shall be effective upon payment to the City of Lakewood, within 120 days of the date hereof, by the owner of property or assignee adjacent thereto and to be benefited by the vacation, in the amount of \$25,327.00, which represents full appraised value of the net amount (1,178 square feet) of right-of-way to be vacated.
- Section 4. This Ordinance shall be in full force and effect thirty (30) days after publication as required by law. If the condition of transfer as stated in Section 3 is not completed within one hundred twenty (120) days of the effective date of this Ordinance, this Ordinance shall be null and void.

ADOPTED by the City Council this 17th day of August 2015.

CITY OF LAKEWOOD


Don Anderson, Mayor

Attest:


Alice M. Bush, MMC, City Clerk

Approved as to Form:


Heidi Ann Wachter, City Attorney

Exhibit "A"

Legal description of the Bridgeport Way and Lakewood Drive right-of-way to be vacated:

THAT PORTION OF LAKEWOOD DR AND BRIDGEPORT WAY ADJOINING LOT 24 OF THE PLAT OF M & M SECOND ADDITION, AS RECORDED IN VOLUME 14 OF PLATS AT PAGES 88 AND 89, RECORDS OF PIERCE COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERLY CORNER OF SAID LOT 24; THENCE SOUTH $47^{\circ} 57' 38''$ WEST ALONG THE NORTHWESTERLY LINE THEREOF 125.23 FEET TO THE MOST WESTERLY CORNER THEREOF AND THE TRUE POINT OF BEGINNING, SAID CORNER BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH $47^{\circ} 50' 32''$ WEST 3,860.00 FEET; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY RIGHT OF WAY OF BRIDGEPORT WAY AND CURVE THROUGH A CENTRAL ANGLE OF $00^{\circ} 26' 57''$ AN ARC LENGTH OF 30.26 FEET THE TRUE POINT OF BEGINNING, SAID POINT BEING THE BEGINNING OF A TANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH $48^{\circ} 47' 00''$ EAST 30.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $85^{\circ} 07' 30''$ AN ARC LENGTH OF 44.57 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH $36^{\circ} 50' 01''$ EAST 255.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $11^{\circ} 00' 42''$ AN ARC LENGTH OF 49.01 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH $63^{\circ} 31' 02''$ WEST 693.95 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $02^{\circ} 14' 35''$ AN ARC LENGTH OF 27.17 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH $61^{\circ} 16' 27''$ EAST 25.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $44^{\circ} 36' 35''$ AN ARC LENGTH OF 19.46 FEET; THENCE SOUTH $73^{\circ} 20' 08''$ WEST 31.53 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH $17^{\circ} 35' 03''$ EAST 44.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $31^{\circ} 11' 57''$ AN ARC LENGTH OF 23.96 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS SOUTH $48^{\circ} 47' 00''$ WEST 3856.50 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $00^{\circ} 09' 59''$ AN ARC LENGTH OF 11.21 FEET; THENCE NORTH $35^{\circ} 19' 57''$ EAST 30.45 FEET TO THE TRUE POINT OF BEGINNING

CONTAINING APPROXIMATELY 1,178 SQUARE FEET.

