

Ordinance No. 00072

[Council Minutes 96/05/06](#)

ORDINANCE NO. 72

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AN ORDINANCE of the City Council of the City of Lakewood, Washington, vacating portions of 100th Street S.W. and Hemlock Road S.W. (91st Avenue S.W.) within the City of Lakewood

WHEREAS, the City of Lakewood, Washington has received a petition signed by not less than two-thirds (2/3) of the owners of property adjacent to those portions of 100th Street S.W. and 91st Avenue S.W., in the City of Lakewood, proposed to be vacated; 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 15th day of April, 1996, at the Clover Park School District Board Room, 10903 Gravelly Lake Drive S.W., Lakewood, Washington.

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

Section 1. That those portions of 100th Street S.W. and Hemlock Road S.W. (91st Avenue S.W.) located within the City of Lakewood, Washington, and described more particularly as follows:

100th Street SW: That portion of 100th Street Southwest lying adjacent to Lots 4 and 5, Block 2, Crestwood Estates, as per map thereof recorded in Volume 18 of Plats at page 96, and that portion of 100th Street Southwest lying adjacent to Lot 1, Block 2, Crestwood Estates Second Addition, as per map thereof recorded in Volume 20 of Plats at page 55 all as recorded in the office of the Auditor in Pierce County, Washington.

That portion of 100th Street Southwest lying adjacent to Lots 4 and 5, Block 2, Crestwood Estates, as per map thereof recorded in Volume 18 of Plats at page 96, and that portion of 100th Street Southwest lying adjacent to Lot 1, Block 2, Crestwood Estates Second Addition, as per map thereof recorded in Volume 20 of Plats at page 55 all as recorded in the office of the Auditor in Pierce County, Washington.

Hemlock Road SW (91st Avenue SW): That portion of Hemlock Road Southwest (91st Avenue Southwest) lying North of the North right-of-way line, extended West, of 101st Street Southwest and lying South of the North right-of-way line, extended West, of 100th Street Southwest.

That portion of Hemlock Road Southwest (91st Avenue Southwest) lying North of the North right-of-way line, extended West, of 101st Street Southwest and lying South of the North right-of-way line, extended West, of 100th Street Southwest.

All being in the North Half of Section 4, Township 19 North, Range 2 East of the Willamette Meridian in the City of Lakewood, Pierce County, Washington,

be, and the same hereby is, vacated subject to the following terms and conditions:

A. 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 the vacated right-of-way;

B. That the vacation shall be effective upon payment to the City of Lakewood by the owner or owners of property adjacent thereto and to be benefited by the vacation, in the total amount of Twenty-three Thousand Four Dollars (\$23,004); and upon completion of improvements by the Lakewood Water District and/or abutting property owners, as follows: cement, concrete, curb, gutter and sidewalk to be constructed on the North side of 101st Street S.W. across the vacated Hemlock Road S.W. (91st Avenue S.W.) right-of-way. The above referenced payments must be made and the improvements must be completed within two (2) years of the date hereof. The curb and gutter shall be constructed on an alignment 14 feet North of the center line of the 101st Street right-of-way. The construction of curb and gutter may also require paving between the existing edge of pavement and the new curb and gutter. Any such paving shall consist of a minimum of three (3) inches of asphalt concrete, Class B over five (5) inches of crushed surfacing top course. These public improvements shall also be reflected in engineering drawings provided to the City of Lakewood in advance of commencing any project, which drawings shall show the proposed grades for the new curb and gutter, and the standards involved in such improvements shall be as approved by the City of Lakewood.

Section 2. If the above-described payment and improvements are not made within two (2) years as provided above, this Ordinance shall be null and void.

Section 3. This Ordinance shall, otherwise, be in full force and effect five (5) days after publication of the Ordinance Summary as required by law.

Section 4. A copy of this Ordinance shall be filed with the Office of the Pierce County Assessor.

ADOPTED by the City Council this 6th day of May, 1996.

CITY OF LAKEWOOD

Bill Harrison, Mayor

Attest:

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

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