

ORDINANCE NO. 727

AN ORDINANCE of the City Council of the City of Lakewood, Washington, vacating the eastern seventy (70) feet of Walnut St SW right-of-way east of the intersection with Langlow St 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 unused right-of-way, located within the city of Lakewood, Washington, requesting that the same be vacated; and

WHEREAS, on October 21, 2019, an application and petition for the vacation of public property was received; and

WHEREAS, in conformity with the legal requirements pursuant to Lakewood Municipal Code 12A.12.070, the Lakewood City Council passed Resolution No. 2019-20 on December 16, 2019, setting a public hearing regarding this proposed vacation on January 6, 2020; and

WHEREAS, in conformity with the legal requirements pursuant to Lakewood Municipal Code 12A.12.090 proper notice of the public hearing was posted and mailed to all required parties; and

WHEREAS, on January 6, 2020, said public hearing was held before the Lakewood City Council with no objections to the proposed vacation; 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

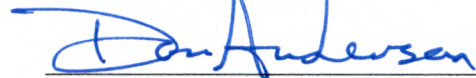
matters presented at the public hearing on the proposed vacation, hearing no objection to this vacation, and does hereby find that the vacation of said property is appropriate and that the transfer of property at issue in this matter in the manner set forth below is in best interests of the public;

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 the eastern seventy (70) feet of Walnut St SW right-of-way east of the intersection with Langlow St SW, located within the city of Lakewood, Washington, legally described as shown in the attachment hereto, marked "Attachment A" and incorporated herein by this reference, subject to the conditions set forth in Sections 2 through 6 of this Ordinance.
- Section 2. The City shall retain an easement or the right to exercise and grant easements in respect to all parts of the vacated land for the construction, repair, and maintenance of existing public utilities and services.
- Section 3. The vacated land shall be partitioned as legally described and shown in the attachment hereto, marked "Attachment B" and incorporated herein by this reference.
- Section 4. Private access easement in favor of parcel #0219103074 across parcel #5015000090 as recorded by Pierce County instrument #200303110588 shall continue and extend to include that portion of the vacation as identified in Attachment B to be vacated to Tax Parcel 5015000090.
- Section 5. The vacation shall be effective upon payment to the City of Lakewood, within 120 days of the date hereof, by an owner of property, or assignee, adjacent thereto and to be benefited by the vacation, in the amount of \$37,800.00, which represents full appraised value of the net amount (4,200 square feet) of right-of-way to be vacated.
- Section 6. This Ordinance shall be in full force and effect thirty (30) days after publication as required by law.

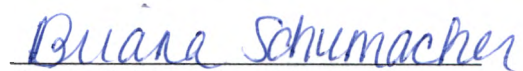
ADOPTED by the City Council this 21st day of January, 2020.

CITY OF LAKEWOOD



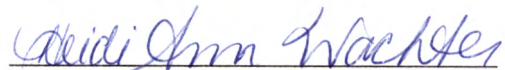
Don Anderson, Mayor

Attest:



Briana Schumacher, City Clerk

Approved as to Form:



Heidi Ann Wachter, City Attorney

ATTACHMENT "A" - Entire area to be vacated

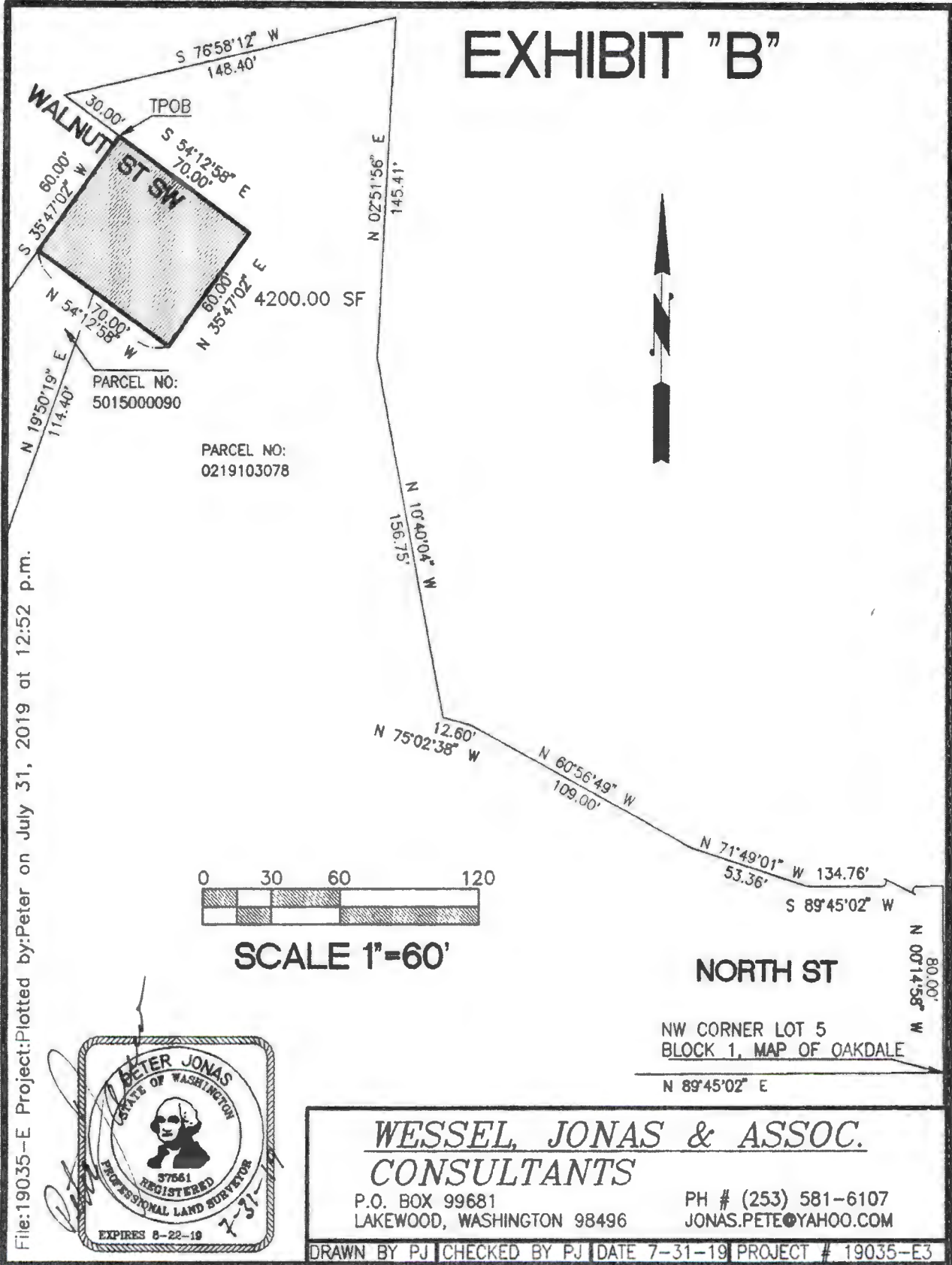
EXHIBIT "A"

COMMENCING AT THE NORTHWEST CORNER OF LOT 5, BLOCK 1, MAP OF OAKDALE;
THENCE NORTH 00°14'58" WEST ON THE PROLONGATION OF THE WEST LINE OF SAID LOT
5 A DISTANCE OF 80 FEET;
THENCE SOUTH 89°45'02" WEST, PARALLEL WITH THE NORTH LINE OF SAID MAP OF
OAKDALE, 134.79 FEET;
THENCE NORTH 71°49'01" WEST, 53.36 FEET;
THENCE NORTH 60°56'49" WEST, 109.00 FEET;
THENCE NORTH 75°02'38" WEST, 12.60 FEET;
THENCE NORTH 10°40'04" WEST, 156.75 FEET;
THENCE NORTH 02°51'56" EAST, 145.41 FEET;
THENCE SOUTH 76°58'12" WEST, 148.40 FEET;
THENCE SOUTH 54°12'58" EAST, 30.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUE SOUTH 54°12'58" EAST, 70.00 FEET;
THENCE SOUTH 35°47'02" WEST, 60.00 FEET;
THENCE NORTH 54°12'58" WEST, 70.00 FEET;
THENCE NORTH 35°47'02" EAST, 60.00 FEET TO THE TRUE POINT OF BEGINNING.
AS GRAPHICALLY DEPICTED IN EXHIBIT "B".

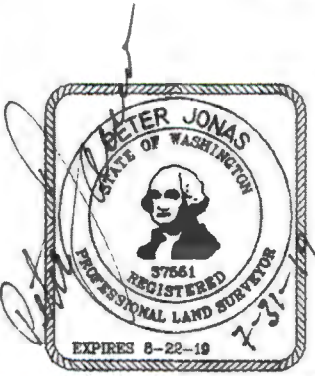
CITY OF LAKEWOOD, COUNTY OF PIERCE, STATE OF WASHINGTON.

ATTACHMENT "A" - Entire area to be vacated

EXHIBIT "B"



File:19035-E Project:Plotted by:Peter on July 31, 2019 at 12:52 p.m.



WESSEL, JONAS & ASSOC. CONSULTANTS

P.O. BOX 99681
LAKEWOOD, WASHINGTON 98496

PH # (253) 581-6107
JONAS.PETE@YAHOO.COM

DRAWN BY PJ | CHECKED BY PJ | DATE 7-31-19 | PROJECT # 19035-E3

ATTACHMENT "B" - To be vacated to Tax Parcel 0219103078
EXHIBIT "A"

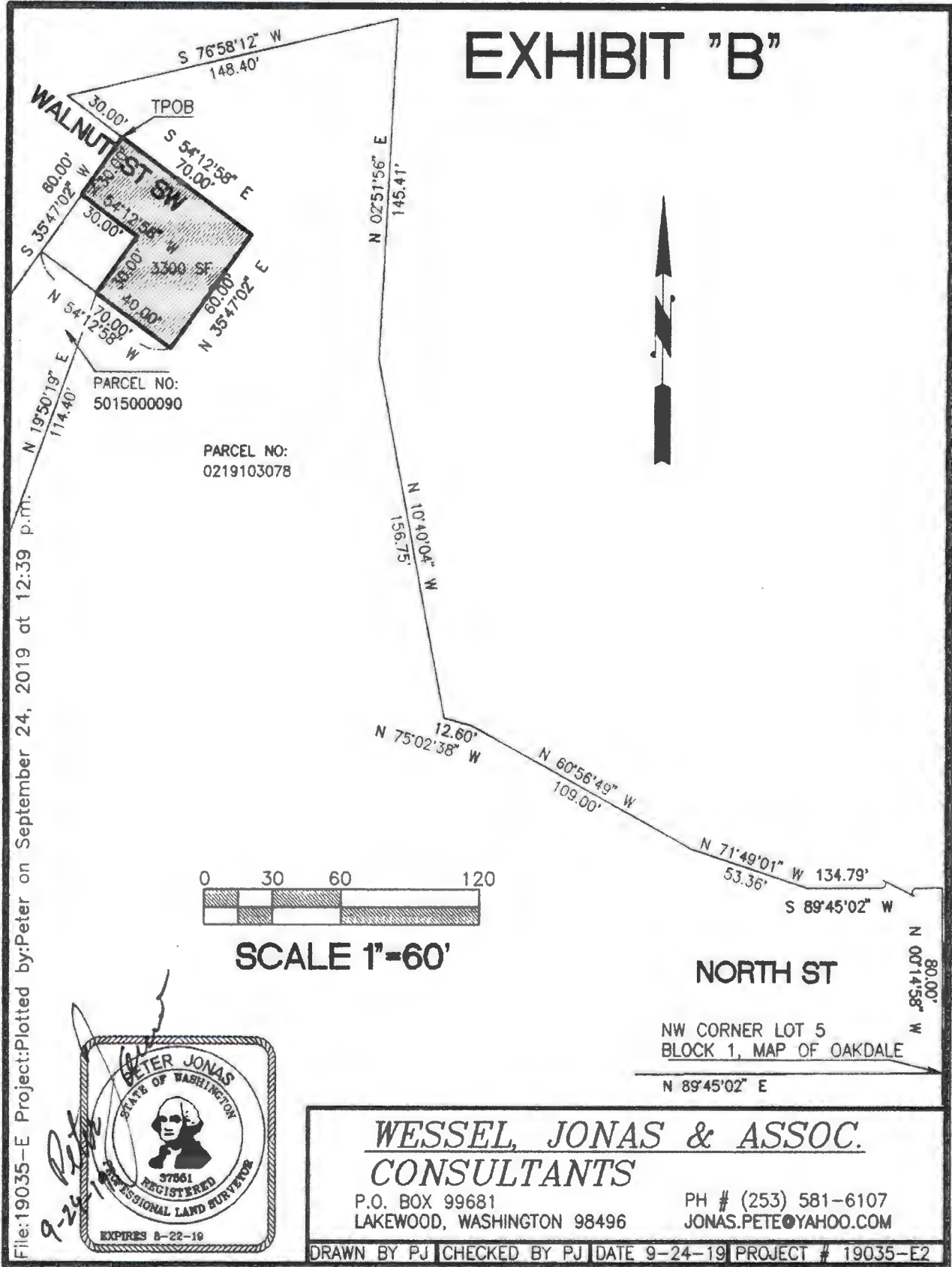
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CITY OF LAKEWOOD, COUNTY OF PIERCE, STATE OF WASHINGTON.

ATTACHMENT "B" - To be vacated to Tax Parcel 0219103078

EXHIBIT "B"



File:19035-E Project:Plotted by:Peter on September 24, 2019 at 12:39 p.m.

9-24-19

ATTACHMENT "B" - To be vacated to Tax Parcel 5015000090
EXHIBIT "A"

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CITY OF LAKEWOOD, COUNTY OF PIERCE, STATE OF WASHINGTON.

ATTACHMENT "B" - To be vacated to Tax Parcel 5015000090

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