

ORDINANCE NO. 729

AN ORDINANCE OF THE CITY OF LAKEWOOD, WASHINGTON, TERMINATING A UTILITY EASEMENT ON LAKEWOOD DRIVE WEST BETWEEN 75<sup>TH</sup> STREET WEST AND 76<sup>TH</sup> STREET WEST

WHEREAS, on May 19, 1997, the Lakewood City Council adopted Ordinance 127 vacating a portion of Lakewood Drive West between 75th West and 76th Street West; and

WHEREAS, as standing operating procedure for vacations, the City of Lakewood reserved an easement for utilities, under and on the vacated right-of-way; and

WHEREAS, in 2019, an application for retail development had been proposed at 7410 Lakewood Drive SW (LU-19-00230); and

WHEREAS, the locations of a building and other site-related features are proposed within the boundaries of the easement; and

WHEREAS, the project applicant and property owner, LDG Architects and Lakewood, Incorporated, respectively, have requested that the City of Lakewood extinguish the easement; and

WHEREAS, the request was reviewed by the Community and Economic Development and Public Works Engineering Departments; and

WHEREAS, neither Community and Economic Development, nor the Public Works Engineering Department object to the termination of the easement; and

WHEREAS, Community and Economic Development Department sought comments from utility providers and other public agencies; and

WHEREAS, Community and Economic Development Department determined there are no utilities presently in the easement; and

WHEREAS, there are no objections from utility providers or other public agencies; and

WHEREAS, the proposed development will reserve the right-of-way including a five (5) foot dedication for utilities as part of the project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON DOES ORDAIN as follows:

Section 1. Findings. The foregoing recitals are adopted as findings of the City Council.

Section 2. City Council hereby approves the termination of the utility easement.

Section 3. In consideration of ten (10) dollars conveys and quitclaims to Lakewood Incorporated, all interest in the following described real estate City of Lakewood Utility Easement as created by Lakewood City Ordinance 127, AFN 9706270362, located upon that part of Government Lot 3 in Section 26, Township 20 North, Range 2 East of the Willamette Meridian, Pierce County Washington described as follows:

Commencing at the intersection of the south line of South 74th Street (as existing prior to March 16th, 1970) with the west line of Hannah Pierce County Road (54th Avenue West) (as existing prior to March 16th, 1970); Thence North  $87^{\circ}55'13''$  West along the south line of said South 74th Street a distance of 50.00 feet to the west line of Lakewood Drive as it existed October 15, 1996; Thence South  $01^{\circ}53'23''$  West along said west line 181.00 feet to the True Point of Beginning;

Thence continuing South  $01^{\circ}53'23''$  West 198.32 feet to a point on a 25.00 foot radius non-tangent curve, concave to the northwest, the radial center of which bears North  $13^{\circ}27'07''$  West; Thence easterly along said 25.00 foot radius curve 34.34 feet, through a central angle of  $78^{\circ}41'35''$ ; Thence North  $02^{\circ}08'42''$  West 172.88 feet; Thence North  $88^{\circ}06'37''$  West 6.16 feet to the True Point of Beginning.

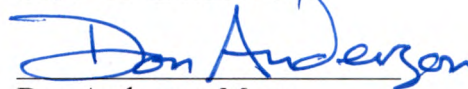
And as shown on the map attached hereto, marked Exhibit "A" and incorporated herein by this reference.

Situated in the county of Pierce, state of Washington.

Section 4: Effective Date. This Ordinance shall take place thirty (30) days after its publication or publication of a summary of its intent and contents.


ADOPTED by the City Council this 18th day of February, 2020.

CITY OF LAKEWOOD



Don Anderson, Mayor

Attest:

  
Briana Schumacher, City Clerk

Approved as to Form:


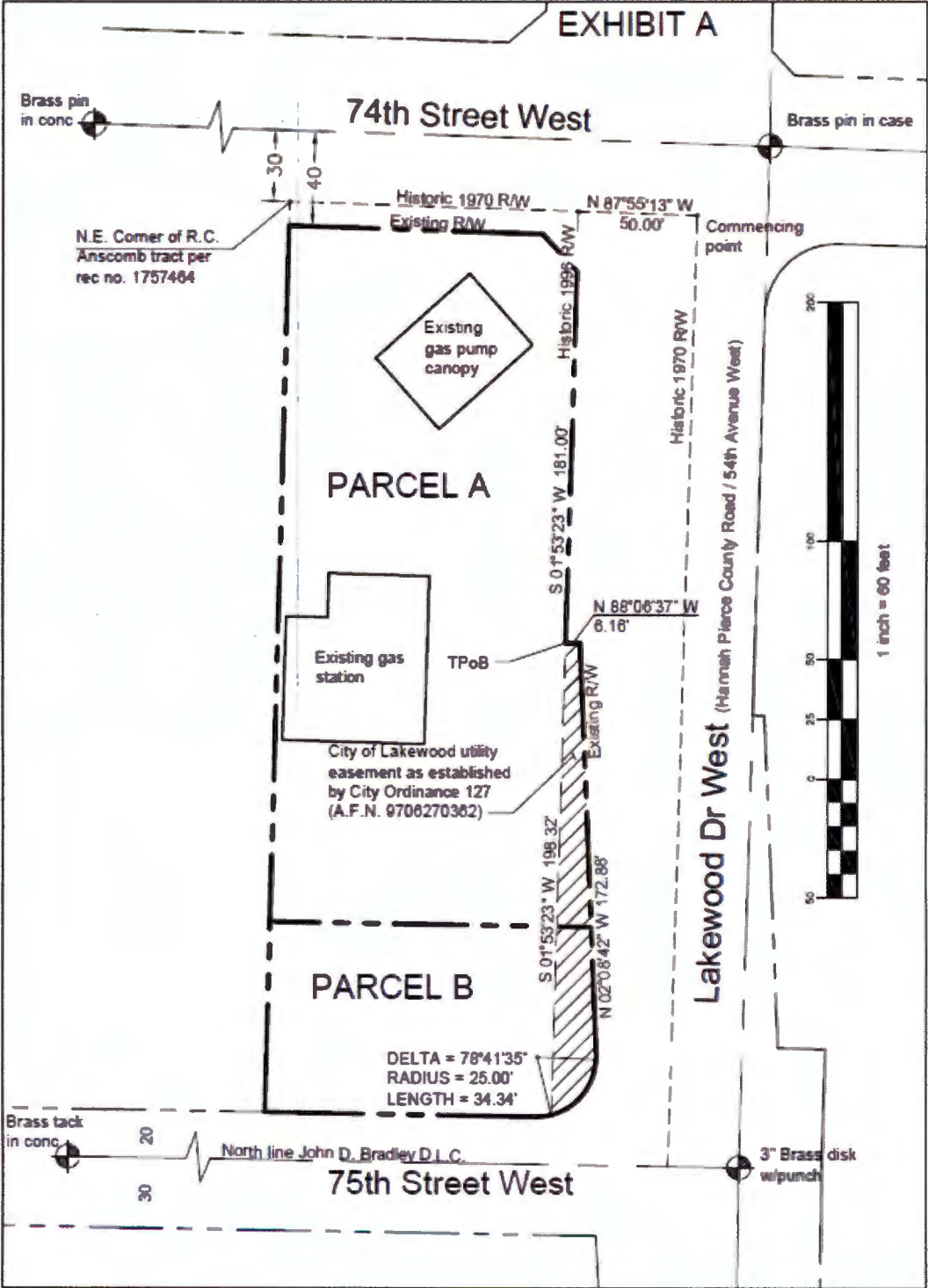
  
Heidi Ann Wachter, City Attorney

EXHIBIT A



Brass pin in conc

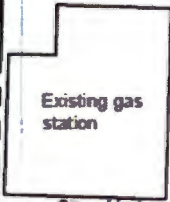
74th Street West

Brass pin in case

N.E. Corner of R.C. Anscomb tract per rec no. 1757464



PARCEL A



TPoB

City of Lakewood utility easement as established by City Ordinance 127 (A.F.N. 9706270362)

PARCEL B

DELTA = 78°41'35"  
RADIUS = 25.00'  
LENGTH = 34.34'

Commencing point

Lakewood Dr West (Hannah Pierce County Road / 54th Avenue West)



Brass tack in conc

20  
30

North line John D. Bradley D.L.C.

75th Street West

3" Brass disk w/punch