

ORDINANCE NO. 629

CITY OF LACEY

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY ATTORNEY FOR THE CITY OF LACEY TO PURCHASE AND/OR INSTITUTE AND PROSECUTE TO DETERMINATION IN THE PROPER COURT, OR COURTS, AN ACTION OR ACTIONS IN THE NAME OF THE CITY OF LACEY UNDER THE RIGHT OF EMINENT DOMAIN FOR THE CONDEMNATION AND ACQUISITION IN FEE SIMPLE OF CERTAIN LANDS AND PROPERTY FOR THE PURPOSE OF WIDENING SIXTH AVENUE SOUTHEAST AND THE INTERSECTION OF SIXTH AVENUE SOUTHEAST AND COLLEGE STREET; PROVIDING FOR THE PAYMENT FOR SAID LANDS AND PROPERTY FROM THE CITY'S ARTERIAL STREET FUND; DECLARING A PUBLIC USE AND NECESSITY; AND DECLARING AN EMERGENCY.

THE CITY COUNCIL OF THE CITY OF LACEY DOES ORDAIN AS  
FOLLOWS:

Section 1. That the City Attorney is hereby authorized and directed to purchase and/or institute and prosecute to determination in the proper court, or courts, an action or actions in the name of the City of Lacey under the right of eminent domain for the condemnation and acquisition in fee simple of certain lands and property to be utilized as street right-of-way for the widening of Sixth Avenue Southeast and the intersection of Sixth Avenue Southeast and College Street and the installation of necessary improvements over those lands and property not already owned by the City of Lacey, and situated in the City of Lacey, Thurston County, Washington, legally described in Exhibit "A" attached hereto and by this reference made a part hereof. Said property is sought for the widening of Sixth Avenue Southeast and the intersection of Sixth Avenue Southeast and

College Street, the same all being a part of the Sixth Avenue Southeast-College Street Signalization Project.

Section 2. That the acquisition of said lands and property and property rights for the purposes herein mentioned is for a public use and necessity.

Section 3. That payment for the lands and property and property rights herein ordered to be taken or damaged shall be made from the City's Arterial Street Fund.

Section 4. That nothing in this ordinance shall be construed as a waiver by the City of Lacey of its right to decline to take and pay for said lands, property and property rights after the amount of damage has been ascertained and within the time allowed by law.

Section 5. That this ordinance is a public emergency ordinance necessary for the protection of the public safety and public property and shall take effect immediately upon its adoption.

PASSED BY THE COUNCIL OF THE CITY OF LACEY this 24<sup>th</sup> day of September, 1981.

CITY COUNCIL

By Richard D. Bowers  
Mayor Pro Tem

Attest:

[Signature]  
City Clerk

Approved as to form:

[Signature]  
City Attorney

Passed: September 24, 1981

Published: September 30, 1981

EXHIBIT A

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The South 5 feet of the North 35 feet of the West 30 feet of the East 70 feet, and the South 15 feet of the North 35 feet of the West 150 feet of the East 220 feet of the Southeast quarter of the Southeast quarter of Section 17, Township 18 North, Range 1 West, W.M.

Together with a triangular parcel of land described as follows:

Beginning at the Northeast corner of the Southeast quarter of the Southeast quarter of Section 17, Township 18 North, Range 1 West, W.M.; thence Westerly along the North line of said Southeast quarter of the Southeast quarter of Section 17, 60 feet; thence Southerly parallel to the East line of said Section 17, 35 feet to the true point of beginning of this description; thence Easterly parallel to the North line of said Southeast quarter of the Southeast quarter of Section 17, 20 feet; thence Southerly parallel to the East line of said Section 17, 15 feet; thence Northwesterly 25 feet to the true point of beginning.

Together with the right to make all necessary slopes for cuts and fills upon the abutting property in conformity with standard plans and specifications for highway purposes.

Situate in Thurston County, Washington.