

ORDINANCE 659

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 AND FOR THE PURPOSE OF PROVIDING UNINTERRUPTED TRAFFIC FLOW ON SAID STREETS; PROVIDING FOR THE PAYMENT FOR SAID LANDS AND PROPERTY FROM SUCH FUNDS AS MAY BE DETERMINED BY THE CITY MANAGER; AND DECLARING A PUBLIC USE AND NECESSITY.

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 in part as street right-of-way for the widening of Sixth Avenue Southeast and the intersection of Sixth Avenue Southeast and College Street and to provide for the uninterrupted flow of traffic 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 shall be made from such funds of the City as shall be determined by the City Manager.

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.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,  
WASHINGTON, this 28<sup>th</sup> day of October, 1982.

CITY COUNCIL

Attest:

Timothy McGuire  
City Clerk

By MOBSON  
Mayor

Approved as to Form:

Passed: 10/28/82

[Signature]  
City Attorney

Published: 11/3/82

EXHIBIT "A"

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The North 220 feet of the East 220 feet of the Southeast one-quarter of the Southeast one-quarter of Section 17, Township 18 North, Range 1 West W.M., EXCEPTING that portion of said described property dedicated or appropriated for street purposes prior to 1981, in Thurston County, Washington.