

ORDINANCE 673

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 COLLEGE STREET AND THE INTERSECTION OF COLLEGE STREET AND MARTIN WAY; 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.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, 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 College Street and the intersection of College Street and Martin Way 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 College Street and the intersection of College Street and Martin Way, the same all being a part of the College Street at Martin Way Street Widening 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 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 24<sup>th</sup> day of February, 1983.

CITY COUNCIL

By McBrown

Mayor

Attest:

Timothy McGuire  
City Clerk

Approved as to Form:

[Signature]  
City Attorney

Passed: 2-24-83

Published: 3-1-83

LEGAL DESCRIPTION OF RIGHT-OF-WAY  
Taking from Parcel No. 23-01 (HULCO)

The West 20 feet of the following described real estate situate in Thurston County, State of Washington and recorded in Volume 896, pages 703 and 704, records of Thurston County, to wit:

That part of the southwest quarter of the northwest quarter of Section 16, Township 18 North, Range 1 West, W.M., described as the West 160 feet (as measured along the South line of Martin Way) of the North 211 feet (as measured along the East line of College Street), lying southerly of Martin Way and easterly of College Street.

Together with a triangular parcel of land described as follows:

Beginning at the Northwest corner of Parcel No. 23-01 described above, thence Northeasterly along the North line of said property, said line also being the South right-of-way of Martin Way, bearing N 86°14'25" E 20.09 feet, to the true point of beginning of this description; thence Northeasterly along the South right-of-way of Martin Way, 30 feet; thence S 36° 54' 31" W, 52.45 feet, to a point which is on the proposed new West property line of said property; thence Northerly 40 feet, along said West line to the true point of beginning.

PROP2(21)  
2/15/83

EXHIBIT "A"