

ORDINANCE

763

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 CONSTRUCTING WATER STORAGE FACILITIES; PROVIDING FOR THE PAYMENT FOR SAID LANDS AND PROPERTY FROM THE CITY'S WATER/SEWER REVENUE FUND AND SUCH STATE OR FEDERAL FUNDS WHICH MAY BE AVAILABLE FOR SAID PURPOSES 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 for the construction, operation and maintenance of water storage facilities and other necessary improvements which lands and property are situated in Thurston County, Washington, and legally described in Exhibit "A" attached hereto and by this reference made a part hereof. Said property is sought for the purpose of placement of water storage facilities and other necessary improvements related to such facilities for use by the City in providing water services.

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 Water/Sewer Revenue Fund and such other funds as are available through the state or federal governments.

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 5th day of December, 1985.

Attest:

Mami L. Mauter
City Clerk

CITY COUNCIL

By [Signature]
Mayor

Approved as to form:

[Signature]
City Attorney

Published: 12-11-85

Posted:

EXHIBIT "A"

The North 626.70 feet of the East 239.36 feet of the Northeast quarter of the Southwest quarter of Section 13, Township 18 North, Range 1 West, Willamette Meridian. Situate in Thurston County, Washington.