

ORDINANCE 808

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 CLEARBROOK DRIVE; PROVIDING FOR THE PAYMENT FOR SAID LANDS AND PROPERTY FROM THE CITY'S ARTERIAL STREET FUND AND THE URBAN ARTERIAL FUNDS PROVIDED BY THE URBAN ARTERIAL BOARD OF THE STATE OF WASHINGTON; AND DECLARING A PUBLIC USE AND NECESSITY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. 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 Clearbrook Drive and the installation of necessary improvements over those lands and property not already owned by 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 Clearbrook Drive, the same being a part of the Clearbrook Drive Street Improvement Project.

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

Section 3. 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, Urban Arterial Funds provided by the Urban Arterial Board of the State of Washington, or such other funds as shall be determined by the city.

Section 4. 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 within the time allowed by law.

Section 5. This ordinance is a public emergency ordinance necessary for the protection of the public safety and shall be effective upon its adoption.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,  
WASHINGTON, this 23rd day of July, 1987.

CITY COUNCIL

BY Kay M. Boyd  
Mayor

Attest:

Timothy McGuire  
City Clerk

Approved as to form:

[Signature]  
City Attorney

Published: 7-30-87

A portion, described as follows, of a parcel of land as described in Volume 246, Pages 17, 18 and 19, records of Thurston County Auditor, State of Washington, to-wit:

The West 47.05 feet of the East 227.05 feet together with a triangular shaped parcel described as follows:

Beginning at a point on the North right-of-way line of Lacey Boulevard, said point being South 77°12'13" West, 234.68 feet from the intersection of said line and the South line of the Burlington Northern Railroad right-of-way; thence South 77°12'13" West, 14.77 feet; thence North 42°55'28" East, 21.74 feet; thence South 1°50'48" West, 12.66 feet to the point of beginning.

Situate in Thurston County, Washington.

EXHIBIT "A"