

TOWN OF GRANITE FALLS, WASHINGTON

ORDINANCE NO. 452

AN ORDINANCE AUTHORIZING CONDEMNATION OF LAND FOR WIDENING OF STREETS AND ADJACENT PUBLIC IMPROVEMENTS.

WHEREAS, the Town of Granite Falls has allowed Granite Falls School District No. 332 to construct an elementary school northwest of the intersection of Granite Avenue and Alpine Avenue, north of the Town Center of Granite Falls, Washington; and

WHEREAS, as a condition of said construction, certain road improvements are required to North Granite Avenue; and

WHEREAS, the Town does not now have sufficient right-of-way so as to complete said road improvements; and

WHEREAS, RCW 8.12.030 provides that every city and town in the State of Washington is authorized and empowered to condemn land and property for, among other things, to open, widen, extend and alter any street or avenue within its corporate limits; and

WHEREAS, an emergency exists and that it is immediately necessary to appropriate public right-of-way for the property described below;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Granite Falls as follows:

SECTION 1:

It is hereby determined that North Granite Avenue be widened and that the following described parcels of real estate be appropriated for the public purpose of street use, which properties should include the following:

Parcel No. 1 - ONGARO PROPERTY. Tax lots 4026, 4039, and 4024, Section 133006E.W.M., owned by MICHAEL and SALLY ONGARO, more particularly described as :

Beginning at a point 660 feet South of the Northeast corner of the Northeast quarter of the Southeast quarter of Section 13, Township 30 North, Range 6 East, W.M., in Snohomish County, Washington; thence West to intersect the Northerly projection of the East right-of-way of Anderson Street; thence Southerly along said projection of the East right-of-way of Anderson Street, to the North line of the former Northern Pacific Railroad right-of-way; thence Easterly along the North line of said railroad right-of-way to the East line of said Northeast quarter of the Southeast

quarter; thence North along said East line to the point of beginning; more particularly described as follows:

THE EASTERLY THIRTY (30) FEET

Situated in the Town of Granite Falls, County of Snohomish, State of Washington.

Parcel No. 2 - AFFLECK PROPERTY: Tax Lot No. 183007-3-105-0005. Owned by ROBERT J. AFFLECK and the Estate of VIVIAN AFFLECK, more particularly described as:

Commencing at the Northwest corner of Lot 3 in Section 18, Township 30 No., Range 7 East W.M., thence running South 16 rods; thence east 10 rods; thence North 16 rods; thence West 10 rods to the place of beginning, situate in the County of Snohomish, State of Washington, more particularly described as follows:

THE WESTERLY FIFTEEN (15) FEET

Situated in the Town of Granite Falls, County of Snohomish, State of Washington.

#### SECTION II:

The Town Council of the Town of Granite Falls finds that the appropriation of the property described herein is necessary for street widening and is for the public good and benefit, and meets the public purpose as defined by state law, and that the Town has been unable to agree with the owners of said properties regarding the acquisition or price for the acquisition of said property.

#### SECTION III:

The Town Attorney is hereby authorized and directed to file a Summons and Petition for Condemnation in the Snohomish County Superior Court to secure a Court's adjudication that the acquisition of said property is for a legal public use, and for a determination by a judge or jury as to the value of said property.

#### SECTION IV:

The expenditure of \$12,300 for parcel No. 1 (Ongaro property), and the expenditures of \$4,100 for parcel No. 2 (Affleck property), or so much thereof as may be necessary, is hereby authorized.

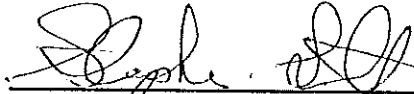
SECTION V:

Because of the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance shall be declared an emergency measure and shall take effect and be in force upon passage as provided by law.

PASSED this 13 day of March, 1991.

1st Reading: March 13, 1991  
2nd Reading:  
3rd Reading:

TOWN OF GRANITE FALLS, WASHINGTON



Published:

STEVE SMITH, Mayor

ATTEST:

Gerry James  
Town Clerk

APPROVED AS TO FORM:

DONALD J. LYDERSON  
Town Attorney