

CITY OF GRANITE FALLS

ORDINANCE NO. 723-06

AN ORDINANCE of the City Council of the City of Granite Falls, Washington, providing for the acquisition of real property and/or property rights located at the northwest corner of the Stanley Street (SR 92) and Granite Avenue intersection. This action is being taken in order to construct intersection widening and improvements. This Ordinance provides for the condemnation, appropriation, taking, and damaging of such property and/or property rights as are necessary for that purpose and provides for the payment thereof out of the Granite Falls Arterial Street Fund and a grant from the Transportation Improvement Board (Grant No. 6-P-820(002)-1). This Ordinance directs the City Mayor to prosecute the appropriate legal proceedings, together with the authority to enter into settlements, stipulations, or other agreements; and acknowledges that all of the real property affected is located within Snohomish County, Washington.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

ORDINANCE

SECTION 1. After hearing the report of the City Engineer and after reviewing the planned improvements for the Stanley Street and Granite Avenue Intersection Widening and Improvement Project (the "Project"), the City Council finds and declares that the public convenience, use, health, safety, and necessity demand that the City of Granite Falls condemn, appropriate, take, and damage portions of certain real properties located in Snohomish County, Washington, in order to acquire the necessary real property and/or property rights for the construction of the Project, including all necessary appurtenances. The properties affected by this ordinance are legally described in Exhibit A, attached and incorporated by this reference (collectively the "Property"). The purposes for which this condemnation is authorized shall include, without limitation, all acts necessary to complete the construction, extension, improvement, widening,

alteration, maintenance, reconstruction, and restoration of the Project, and any other municipal purpose that may be necessary from time to time on the Property.

SECTION 2. The City authorizes the acquisition by condemnation of a portion of the Property for the construction, extension, improvement, widening, alteration, maintenance, and reconstruction of the Project, together with all necessary appurtenances and related work to make a complete improvement according to City standards.

SECTION 3. The City shall condemn the Property only upon completion of all steps and procedures required by applicable federal or state law or regulations.

SECTION 4. The City shall pay for the entire cost of the acquisition by condemnation provided for in this ordinance through the City's Arterial Street Fund and through a grant from the Transportation Improvement Board (Grant No. 6-P-820(002)-1) or from any of the City's general funds, if necessary, as may be provided by law.

SECTION 5. The City authorizes and directs the City Mayor to commence those proceedings provided by law that are necessary to condemn the Property. In commencing these condemnation procedures, the City Council authorizes the City Mayor to enter into settlements, stipulations, or agreements in order to minimize damages. These settlements, stipulations, or agreements may include, but are not limited to, the amount of just compensation to be paid, the size and dimensions of the property condemned, and the acquisition of temporary construction easements and other property interests.

SECTION 6. Any acts consistent with the authority and prior to the effective date of this ordinance are ratified and confirmed.

SECTION 7. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or

portion of this ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

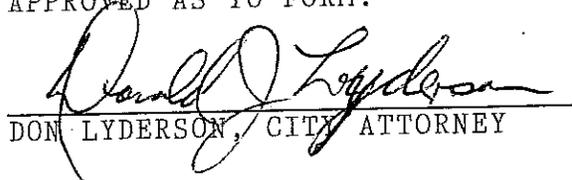
SECTION 8. This ordinance, being the exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect and be in force five (5) days after its publication as provided by law.


LYLE ROMACK, MAYOR

ATTEST:


GERRY JAMES, CITY CLERK

APPROVED AS TO FORM:


DON LYDERSON, CITY ATTORNEY

READING: 5-17-06
PUBLISHED: 6-2-06
EFFECTIVE DATE: 6-7-06

EXHIBIT A

Order No.: 161723-1

All that portion of the Northeast quarter of the Southeast quarter of Section 13, Township 30 North, Range 6 East, W.M. in Snohomish County, Washington, described as follows:

Beginning at a point 70 feet North and 25 feet West of the Southeast corner of said Northeast quarter of the Southeast quarter;
thence West 120 feet;
thence North parallel to the East line of said Northeast quarter of the Southeast quarter 45 feet;
thence East parallel to the South line of said Northeast quarter of the Southeast quarter 120 feet;
thence South 45 feet to the Point of Beginning;

A

TOGETHER WITH the following described property:

Beginning at the Southeast corner of said Northeast quarter of the Southeast quarter;
thence North 25 feet;
thence West 26 feet to the True Point of Beginning;
thence West along the North line of Stanley Street 154 feet;
thence North parallel to the East line of said Northeast quarter of the Southeast quarter 70 feet;
thence East parallel to the South line of said Northeast quarter of the Southeast quarter 34 feet;
thence South parallel to the East line of said Northeast quarter of the Southeast quarter 25 feet;
thence East parallel to the South line of said Northeast quarter of the Southeast quarter 120 feet;
thence South 45 feet to the Point of Beginning;

B

AND TOGETHER WITH the following described tract:

...Legal Continued...

Beginning at a point 180 feet West and 95 feet North of the Southeast corner of the Northeast quarter of the Southeast quarter of Section 13 Township 30 North, Range 6 East, W.M. in Snohomish County, Washington, said point being the Point of Beginning;

thence East 29 feet;

thence North 20 feet;

thence West to a point 20 feet North of the True Point of Beginning;

thence South 20 feet to the True Point of Beginning;

AND TOGETHER WITH the following described property:

All that portion of the Northeast quarter of the Southeast quarter of Section 13, Township 30 North, Range 6 East, W.M. in Snohomish County, Washington, described as follows:

Beginning at a point 115.00 feet North and 30.00 feet West of the Southeast corner of said subdivision;

thence West for 95.00 feet;

thence North 31.58 feet;

thence East for 95.00 feet;

thence South for 31.58 feet to the Point of Beginning.

Abbreviated legal

A portion of the SE quarter of 13-30-6.

Ordinance No. 723-06

CERTIFICATION

I, Gerry James, being first duly appointed, qualified and Clerk of the City of Granite Falls, Washington, a municipal corporation, do hereby certify that the foregoing Ordinance No. 723-06 is a full, true and correct copy of the original Ordinance passed on the 17 day of May, 2006, as said Ordinance appears in the Ordinance Book of the City and said Ordinance became effective on the 7 day of June, 2006, five (5) days from date of publication.