

AFTER RECORDING RETURN TO:

The City of Gig Harbor  
Attn: City Clerk  
3510 Grandview St.  
Gig Harbor, WA 98335

**WASHINGTON STATE COUNTY AUDITOR/RECORDER'S INDEXING FORM**

**Document Title(s) (or transactions contained therein):**

ORDINANCE NO. 1143 OF THE CITY COUNCIL OF THE CITY OF GIG  
HARBOR, WASHINGTON, VACATING TO THE CITY A 20 FOOT PORTION OF  
HARBORVIEW DRIVE ABUTTING 4214 HARBORVIEW DRIVE AND  
IMMEDIATELY IN FRONT OF THE CITY'S WASTEWATER TREATMENT  
PLANT ALONG HARBORVIEW DRIVE, GIG HARBOR, WASHINGTON.

**Grantor(s) (Last name first, then first name and initials)**

City of Gig Harbor

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**Grantee(s) (Last name first, then first name and initials)**

City of Gig Harbor

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**Legal Description (abbreviated: i.e., lot, block, plat or section, township, range)**

That portion of the Northwest Quarter of the Southeast Quarter Section 6, Township 21  
North, Range 2 East of the W.M., in the City of Gig Harbor, Pierce County, Washington

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**Assessor's Property Tax Parcel or Account number:** 0221068009

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**Reference number(s) of documents assigned or released:** \_\_\_\_\_

## ORDINANCE NO. 1143

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, VACATING TO THE CITY A 20 FOOT PORTION OF HARBORVIEW DRIVE ABUTTING 4214 HARBORVIEW DRIVE AND IMMEDIATELY IN FRONT OF THE CITY'S WASTEWATER TREATMENT PLANT ALONG HARBORVIEW DRIVE, GIG HARBOR, WASHINGTON.

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WHEREAS, on July 14, 2008, the Gig Harbor City Council initiated a street vacation for a twenty foot strip of property located at 4214 Harborview Drive belonging to the City immediately in front of the Waste Water Treatment Plant in Gig Harbor which is legally described in Exhibit A, and shown on the map in Exhibit B, both of which are attached hereto and incorporated herein by this reference; and

WHEREAS, on August 11, 2008, the City Council passed Resolution No. 763, establishing a Public Hearing Date of September 22, 2008, as the date for a public hearing on this vacation petition.

WHEREAS, as a requirement for the Wastewater Treatment Plant Expansion Project (CSSP-0702) a 20 foot strip of land is required for setback purposes for the construction of a new clarifier; and

WHEREAS, after the required public notice had been given, the City Council conducted a public hearing on the matter on September 22, 2008, and at the conclusion of such hearing determined that the aforementioned right-of-way was necessary for the expansion of the Wastewater Treatment Plant; and

WHEREAS, after considering any and all such testimony, the Council decided to vacate the right-of-way as requested, now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON,  
HEREBY ORDAINS AS FOLLOWS:

Section 1. Adoption of Findings and Conclusions. Pursuant to Section 12.14.012 of the Gig Harbor Municipal Code, the Council makes the following findings and conclusions in support of vacation:

A. The portion of right of way that is proposed to be vacated was dedicated to the City from the State of Washington on September 30, 1934 as described in Deed Record No. 545 (Auditors File Number 1123987).

B. There are no public utilities located on the portion of right-of way that is proposed to be vacated.

C. The portion of right of way proposed to be vacated is not improved.

D. The proposed 20 foot portion of Harborview Drive to be vacated does not conflict with the City's Six Year Transportation Plan or the Transportation section (Chapter 11) of the City's Comprehensive Plan.

E. The portion of right of way proposed to be vacated does not abut any body of water.

Section 2. The City Clerk is hereby directed to record a certified copy of this ordinance with the office of the Pierce County Auditor.

Section 3. This ordinance shall take effect five days after passage and publication as required by law.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 13<sup>th</sup> day of October, 2008.

CITY OF GIG HARBOR

By: \_\_\_\_\_  
Charles L. Hunter, Mayor

ATTEST/AUTHENTICATED:

By: \_\_\_\_\_  
Molly M. Towslee, City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney:

By: \_\_\_\_\_  
Carol A. Morris

FILED WITH THE CITY CLERK: 09/17/08  
PASSED BY THE CITY COUNCIL: 10/13/08  
PUBLISHED: 10/22/08  
EFFECTIVE DATE: 10/27/08  
ORDINANCE NO. 1143

**EXHIBIT A  
PROPERTY LEGAL DESCRIPTION**

**EXHIBIT 'A'  
VACATION LEGAL DESCRIPTION**

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE W.M., IN THE CITY OF GIG HARBOR, PIERCE COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTHWESTERLY LINE OF HARBORVIEW DRIVE AS SHOWN ON SHORT PLAT NO. 79-365, RECORDS OF THE PIERCE COUNTY AUDITOR, AT THE INTERSECTION OF THE NORTH LINE OF SAID LOT 1 AND ALSO BEING THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTHEASTERLY ALONG SAID ROAD RIGHT OF WAY AS SHOWN ON SAID SHORT PLAT A DISTANCE OF 107 FEET, MORE OR LESS, TO A POINT OPPOSITE STATE ENGINEERS STATION 6100, AS SHOWN ON THE MAP OF DEFINITE LOCATION FILED IN THE OFFICE OF THE DIRECTOR OF HIGHWAYS AT OLYMPIA BEARING A DATE OF APPROVAL OF JULY 17, 1934; THENCE NORTHEASTERLY TOWARDS SAID ENGINEERS STATION 25 FEET; THENCE NORTHWESTERLY PARALLEL WITH AND 50 FEET SOUTHWESTERLY FROM SAID CENTER LINE OF SAID ROAD 82 FEET, MORE OR LESS TO THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE WEST ALONG SAID NORTH LINE 35 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION THEREOF DEEDED TO THE CITY OF GIG HARBOR BY QUIT CLAIM DEED RECORDED UNDER PIERCE COUNTY AUDITOR'S FEE NUMBER 200807070057.

SITUATE IN THE CITY OF GIG HARBOR, COUNTY OF PIERCE, STATE OF WASHINGTON.



**JOB NO. 2007-114**

**EXHIBIT B**  
**PROPERTY LEGAL DESCRIPTION MAP**

**EXHIBIT 'B'**  
**VACATION EXHIBIT MAP**

