

ORDINANCE NO. 774

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, PROVIDING FOR THE ACQUISITION OF CERTAIN PROPERTY FOR THE PURPOSE OF CONSTRUCTING THE PROJECT COMMONLY KNOWN AS THE GIG HARBOR MUNICIPAL CAMPUS AND PARK PROJECT, TOGETHER WITH ALL NECESSARY AND RELATED WORK TO MAKE A COMPLETE IMPROVEMENT IN ACCORDANCE WITH APPLICABLE CITY STANDARDS, PROVIDING FOR THE CONDEMNATION, APPROPRIATION, TAKING AND DAMAGING OF LAND OR OTHER PROPERTY NECESSARY THEREFORE, AND DIRECTING THE CITY ATTORNEY TO PROSECUTE THE APPROPRIATE ACTION AND PROCEEDINGS IN THE MANNER PROVIDED BY LAW FOR SAID CONDEMNATION.

WHEREAS, the acquisition of property for the construction of the Gig Harbor Municipal Campus and Park Project is an important part of the City's long-range capital facilities planning; and

WHEREAS, the City has attempted to negotiate the purchase of all necessary property and/or property rights for the Project from the School District, as the property owner in possession of the Henderson Bay Alternative School Property (hereinafter the "Property"), but there is uncertainty regarding the interests of others in the property, which cannot easily be determined without a judicial proceeding designed to allow for the payment to all persons who can demonstrate to the Court that they have a compensable interest in the property; and

WHEREAS, in view of these difficulties, the City Council has determined to condemn the property and/or property rights necessary for completion of the Project; now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON,

ORDAINS AS FOLLOWS:

Section 1. Need for Property. The public health, safety, necessity and convenience demand that the Gig Harbor Municipal Campus and Park Project, including acquisition of property and the construction of municipal structures and park improvements, and that certain property, as described in Exhibit B, attached hereto and by this reference incorporated herein, be condemned, appropriated, taken and damaged for the construction of said Project and improvements.

Section 2. Declaration of Necessity. The City Council of the City of Gig Harbor, after hearing the report of the City Staff, and reviewing the plan for the municipal campus structures and park improvements contemplated for the Project, hereby declares that the property described in Exhibit B, is necessary for public use, i.e., for the construction of the Gig Harbor Municipal Campus and Park Project.

Section 3. Authority of the City Attorney. The City Attorney is hereby authorized and directed to begin and prosecute the condemnation proceedings provided by law to condemn, take and appropriate the Property necessary to carry out the provisions of this ordinance.

Section 4. Effective date. 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 full force five (5) days after publication of the attached summary, which is hereby approved.

Section 5. Ordinance Passed Under Procedure in GHMC 1.08.020. Pursuant to GHMC 1.08.020, the City Council may take action on this ordinance on the day of its introduction, upon the affirmative vote of a majority plus one of the whole membership of the Council. On October 27, 1997, this ordinance was passed by at least a majority plus one of the whole membership of the City Council.

APPROVED:

MAYOR GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

CITY CLERK, MOLLY TOWSLEE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 10/23/97
PASSED BY THE CITY COUNCIL: 10/27/97
PUBLISHED: 11/5/97
EFFECTIVE DATE: 10/27/97
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SUMMARY OF ORDINANCE NO. 774

of the City of Gig Harbor, Washington

On the 27th day of October, 1997, the City Council of the City of Gig Harbor, Washington, passed Ordinance No. 774. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, PROVIDING FOR THE ACQUISITION OF CERTAIN PROPERTY FOR THE PURPOSE OF CONSTRUCTING THE PROJECT COMMONLY KNOWN AS THE GIG HARBOR MUNICIPAL CAMPUS AND PARK PROJECT, TOGETHER WITH ALL NECESSARY AND RELATED WORK TO MAKE A COMPLETE IMPROVEMENT IN ACCORDANCE WITH APPLICABLE CITY STANDARDS, PROVIDING FOR THE CONDEMNATION, APPROPRIATION, TAKING AND DAMAGING OF LAND OR OTHER PROPERTY NECESSARY THEREFORE, AND DIRECTING THE CITY ATTORNEY TO PROSECUTE THE APPROPRIATE ACTION AND PROCEEDINGS IN THE MANNER PROVIDED BY LAW FOR SAID CONDEMNATION.

The full text of this Ordinance will be mailed upon request.

DATED this 28th day of October, 1997.

MOLLY M. TOWSLEE, CITY CLERK