

ORDINANCE NO. 190

AN ORDINANCE OF THE TOWN OF GIG HARBOR, WASHINGTON authorizing the town attorney for the town of Gig Harbor to purchase and/or institute and prosecute an action in the Superior Court of the State of Washington in and for Pierce County, under the right of eminent domain for the condemnation and acquisition of certain easement rights for the construction, installation, operation and maintenance of a sanitary sewer system, and providing for the taking and/or damaging of said lands and directing that the compensation of said land shall be payable from the funds created by Utility Local Improvement District No. 1.

BE IT ORDAINED BY THE TOWN OF GIG HARBOR:

Section 1. That the Town Attorney of the Town of Gig Harbor be and he is hereby authorized and directed to purchase and/or institute and prosecute to determination in the Superior Court of the State of Washington in and for Pierce County an action in the name of the Town of Gig Harbor for the condemnation and acquisition for easement rights of certain lands hereinafter described for the construction, installation, operation and maintenance of a sewer system and relative purposes, said lands being more particularly described as follows, to wit:

EXHIBIT "A"

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

Section 3. That nothing in this ordinance shall be construed as a waiver by the Town of Gig Harbor of its rights to decline to take and pay for said land should it so elect after the amount of damages has been ascertained and within the time allowed by law.

Section 4. That the compensation for the lands herein to be taken and/or damages shall be payable from the Utility Local Improvement District No. 1 and if said fund shall be insufficient then from the General Fund, all in the manner provided by law.

Passed 13 - May 14

John B. Murphy  
M A Y O R

Attest:

John B. Murphy  
Town Clerk

# 6-90

A temporary construction easement over the E 10 feet of the W 20 feet of the following described property:

Lot 3 Bay Ridge 1st Addition, Section 6, Township 21 N, R 2 E, W.M.  
# 6-90

Easement over the W 10 Ft of L 3 Bay Ridge 1st Add., Sec.6,Twp 21N, R2E, W.M.  
# 2-2

The W 10 feet of the following described property:

Beginning at the SE corner of the SW 1/4 of the SW 1/4; thence W 165 feet; thence N 230 feet; thence E 165 feet; thence S 230 feet to the beginnnng; less road. Sec 32, Twp 22 N, R 2 E, W.M.

# 2-12

Easement over the W 10 feet and the S 10 feet of the W 28 feet of the following described property:

Beginning 366 feet N of the SE cor of the SW 1/4 of the SW 1/4; thence W 183 feet to the SW property corner; thence N 238 feet; thence E 183 feet; thence S 238 feet to the beginning; EXCEPT E 30 feet for street easement of record; and EXCEPT the N 108 feet thereof; Sec.32,Twp 22 N, R2E, W.M.

Temporary construction easement over the E 10 feet of the W 20 feet of the N 120 feet and the S 20 feet of the West 38 feet EXCEPT The W 10 feet and the S 10 feet of the W 28 feet of the above description.

# 2-3

Easement over the W 10 feet of the following:

The N 108 feet of the following: Beg 366 feet N of the SE coerner of the SW 1/4 of the SW 1/4; thence W 183 Ft; thence N 238 Ft; th E 183 ft; thence S 238 feet to the beginning; EXCEPT E 30 ft for street ease of record. Sec 32,TWP 22 N, R 2 E, W. M.

# 2-9A

Temp construction easement over the E 10 ft of the following desc. property:  
Beg at the SE corner of the SW 1/4 of the SW 1/4 :of Sec 32,TWP 22 N, R2E of the W.M.; thence along the S boundary of said sec.32, S 89 Deg 43 Min 40 Sec W 165.00 Ft; thence N 0 Deg 03 Min 38 Sec E 120.00 Ft to the true POB; thence continuing N 0 Deg 03 Min 38 Sec E 100.00 Ft; thence S 89 Deg 43 Min 40 Sec W 70.00 Ft; thence S 0 Deg 03 Min 38 Sec E 100.00 Ft; thence N 89 Deg 43 Min 40 Sec E 70.00 Ft to the true POB.

# 2-6

Temporary construction easement over the E 10 Ft of the following:  
Beg at the SE corner of the SW 1/4 of the SW 1/4; thence N 604 feet; thence W 183 feet to the true POB; thence S 158 feet; thence W 127 feet; thence N 158 feet; thence E 127 feet to the true POR; Easements of record. Sec. 32, Twp 22 N, R2E, W.M.

EXHIBIT "A"

# 13-44B

Easement over the N 15 feet of the following:

The East 173 feet of the following described property:

Commencing at the Northeast corner of the South half of the NE 1/4 of the SW 1/4 of Sec.8, Twp 21N, R2E of the W.M.; thence along the N line of said subdivision S 89 deg. 56 min 05 Sec W 30 Feet to the W line of Wickersham County Road and the true POB; thence continuing S 89 Deg.56 Min.05 Sec W along the N line of said subdivision 313.00 feet; thence S 1 Deg 00 Min 51 Sec W parallel with the East line of said subdivision 95.00 feet; thence N 89 Deg 56 Min 05 Sec E, parallel with the N line of said subdivision, 313.00 feet to the W line of said Wickersham County Road; thence N 1 Deg 00 Min 51 Sec E along said E line, 95.00 feet to POB.

# 10-29

Easement over the W 20 feet of the following:

Beg 821 Feet E of the NW corner of Sec 8; thence E 123.20 feet; thence S 180 feet; thence W 123.20 feet, more or less, to a point 180 feet S of the N line of Sec 8; thence N 180 feet to the beginning; EXCEPT the road including easement. Sec.8, Twp 21 N, R 2E, W.M.

#13-44A

Easement over the N 15 feet of the following:

The W 140 feet of the following described property: Com at the NE corner of the S half of the NE 1/4 of the SW 1/4 of Sec 8, Twp 21N, R2E of the W.M.; thence along the N line of said subdivision S 89 Deg 56 Min 05 Sec W 30 feet to the W line of Wickersham County Road and the true POB; thence continuing S 89 Deg 56 Min 05 Sec W along the N line of said subdivision, 313.00 feet; thence S 1 Deg 00 Min 51 Sec W parallel with the E line of said subdivision, 95.00 feet; thence N 89 Deg 56 Min 05 Sec E, parallel with the N line of said subdivision, 313.00 feet to the W line of said Wickersham County Road; thence N 1 Deg 00 Min 51 Sec E along said E line, 95.00 feet to the POB

# 2-21

Temp. construction easement over the E 10 feet of the following:

Beg at a point on the S line of the Section which is S 89 Deg 43 Min 40 Sec W 412.92 feet from the SE corner of the SW 1/4 of the SW 1/4; thence N 89 Deg 43 Min 40 Sec E 152.19 feet to the true POB; thence N 00 Deg 03 Min 38 Sec E 120 feet; thence E parallel to the S line of Section 95 feet; thence S 00 Deg 03 Min 38 Sec W 120 feet; thence S 89 Deg 43 Min 40 Sec W along the S line of the Section 95 feet to the true POB; except road, Sec 32, Twp 22 N, R2E, W.M.

# 13-12

Easement over the following:

Beg 360 feet W of the NE corner of the SW 1/4; thence S 255 feet; thence W 30 feet; thence N 255 feet; thence E 30 feet to the beginning; EXCEPT road.

# 10-30

Temp construction easement over the East 10 feet of the following:

Beg 30 feet S of the NW corner of the W half of the E half of the NW 1/4 of the NW 1/4; thence S 245 feet; thence E 158-1/5 feet; thence N 245 feet; thence W 158-1/5 feet to the beginning. Sec. 8, Twp 21N, R2E, W.M.

# 6-91

Temporary construction easement over the E 10 Ft of Lot 4 Bay Ridge  
1st Add., Sec. 6, Twp 21N, R2E, W.M.

# 2-9

Temporary construction easement over the E 10 feet of the foll. Desc. Prop:

Beg at the SE cor of the SW 1/4 of the SW 1/4; th West 165 feet; thence  
N 120 feet to the true POB; thence W 70 feet; thence N 139.50 feet;  
thence W 75 feet; thence N 106.50 feet; thence E 145 feet; thence S  
246 feet to the true POB. Sec. 32, TWP 22N, R2E, W.M.

# 6-22

Easement over the Easterly 50 feet and Southerly 20 feet of the following:

Commencing at the intersection of North Harbor View Drive and Uddenberg Street  
being Town Monument #26, thence South  $37^{\circ} 30' 20''$  East along the centerline of  
said Uddenberg Street for a distance of 113.79 feet to the true point of  
beginning; thence a permanent easement being 50 feet in width measured at right  
angles Easterly of the following line North  $48^{\circ} 35' 25''$  East for a distance of  
88.75 feet; thence a permanent easement being 20 feet in width measured at right  
angles Southerly of the following line, South  $52^{\circ} 31' 06''$  East for a distance of  
440.58 feet to the inner Harbor line as established in January of 1974 by the  
Department of Natural Resources and the terminus point of this easement, situate  
in Sections 5 and 6, Township 21 North Range 2 East, W. M.

DAVIS, TEMP. # 3-6 ✓  
BORGST, TEMP # 2-9A ✓  
MASHBURN, TEMP # 2-9  
PEABODY, TEMP # 2-8 ✓  
PEABODY, TEMP # 2-12 ✓  
PEABODY, TEMP # 2-2 ✓  
SHANSI, TEMP # 6-90 ✓  
SHANSI, TEMP # 6-90 ✓  
SHANSI, TEMP # 6-91 ✓  
SHANSI, TEMP # 10-30 ✓  
VALZER, TEMP # 13-12, ✓  
BORGST, TEMP # 2-21 ✓  
CHENEY, TEMP # 13-44A. ✓  
THIBOCHIS, ~~TEMP~~ # 10-29 ✓  
MCCARTY, TEMP # 344B ✓