

## ORDINANCE 464

AN ORDINANCE vacating a portion of Fennimore Street, located in the City of Gig Harbor and abutting

Lot 5, Block 3, WOODWORTH'S ADDITION to Gig Harbor City, Pierce County, Washington, according to the plat recorded in Volume 5 of Plats, Page 66, records of Pierce County, Washington.

WHEREAS, it has been determined that it would benefit the public for the City of Gig Harbor to vacate the northerly five feet of that portion of Fennimore Street, abutting Lot 5, Block 3, Woodworth's Addition to Gig Harbor City, Pierce County, Washington, according to the plat recorded in Volume 5 of Plats, Page 66, records of Pierce County, Washington, in that said vacation:

a. Benefits the tax base of the City of Gig Harbor;

b. Limits the liability of the City of Gig Harbor by removing real property from the public domain over which the City has no substantive control;

c. Results in compensation to the City of Gig Harbor in an amount equal to one-half of the appraised value of the are to be vacated, as authorized by state statute;

WHEREAS, all steps and procedures required by law and by resolution of the Council to vacate that portion of said street have been duly taken and performed; to-wit, a petition signed by the owners of the property abutting the part of the street sought to be vacated was filed with the town clerk, pursuant to state law; that the City Council on March 11, 1985, fixed Monday, April 8, 1985, at the hour of 7:00 p.m. in the City Hall of the City of Gig Harbor as the time and place at which the petition would be heard; that said hearing was continued in accordance with local rules to April 13, 1985, and to June 24, 1985, for the first and second reading of the subject ordinance; that pursuant to state statute notice of said hearing was properly given by posting on the street to be vacated and in three prominent public places in the City of Gig Harbor, NOW, THEREFORE,

The City Council of the City of Gig Harbor, DO ORDAIN, as follows:

Section 1 -- The northerly five feet of Fennimore Street abutting Lot 5, Block 3, Woodworth's Addition to Gig Harbor City, Pierce County, Washington, according to the plat recorded in Volume 5 of plats, page 66, records of Pierce County, Washington, be and same are hereby vacated, and the land so vacated be and is hereby surrendered and attached to said Lot 5, Block 3, Woodworth's Addition to Gig Harbor City, Pierce County, Washington, according to the plat recorded in Volume 5 of Plats, Page 66, records of Pierce County, Washington, as a part thereof and all right or title of said City of Gig Harbor and the public in and to the portion of said street so vacated shall and does hereby vest in the owner of said property abutting thereon all in the manner provided by law.

Section 2 -- In consideration of said vacation, compensation of \$669.00 shall be paid by the property owner to whom a private benefit accrues, namely the owners of the property abutting said portion of

Fennimore Street in which the vacated portion now vests.

This ordinance shall not become effective and shall not be recorded in the office of the County Auditor until such time as such compensation has been paid, and upon publication as provided by law.

PASSED by the Council of the City of Gig Harbor at a regular meeting and approved by the Mayor this 24th day of June, 1985.

Ruth M. Bogue  
RUTH M. BOGUE, Mayor

ATTEST:

Karin L. Ashbraner  
CLERK, Asst.

STATE OF WASHINGTON )  
                          ) ss.  
County of Pierce    )

On this day personally appeared before me RUTH M. BOGUE to me known to be the Mayor of the City of Harbor, and the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 10 day of July, 1985.

Jacklyn L. Teppe  
NOTARY PUBLIC in and for the State  
of Washington, residing at  
Gig Harbor.

STATE OF WASHINGTON )  
                          ) ss.  
County of Pierce    )

On this day personally appeared before me KARIN L. ASHBRANER to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 10 day of July, 1985.

Jacklyn L. Teppe  
NOTARY PUBLIC in and for the State  
of Washington, residing at  
Gig Harbor.

35 JUL 16 A10:33

Ruth M. BOGUE  
PIERCE COUNTY WASH  
1108 DEPUTY of 2