

ORDINANCE 2021-2

AN ORDINANCE OF THE TOWN OF EATONVILLE, WASHINGTON, APPROVING THE TOWN OF EATONVILLE'S PURCHASE OF LAND FROM MILL HAUS, LLC FOR FUTURE STREET RIGHT OF WAY AND AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS

WHEREAS, Mill Haus LLC will pay the Town of Eatonville \$11,700 to vacate a portion of unopened right-of-way adjacent to Adams Avenue South as more fully set forth in Ordinance 2021-1; and

WHEREAS, in accordance with RCW 35.79.030 and EMC 12.06.040, one-half of the revenue received by the Town as compensation for the area vacated is not subject to any limitations on its expenditure; and

WHEREAS, pursuant to RCW 35.27.370, the Town Council is authorized to purchase real property for municipal purposes; and

WHEREAS, a long term goal of the Town is to widen Adams Avenue South, which will necessitate the purchase of land from adjacent property owners; and

WHEREAS, Mill Haus LLC is willing to sell to the Town a strip of unimproved real property 5 feet in width and 120 feet in length adjacent to Adams Avenue South for the appraised amount of \$5,400, as legally described and depicted on the attached Exhibit A; and

WHEREAS, the Town proposes to purchase said real property with a portion of the funds the Town received from the aforementioned right-of-way vacation and reserve said land for the future widening of Adams Avenue South; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE AS FOLLOWS:

Section 1. The purchase of unimproved real property from Mill Haus LLC in the appraised amount of \$5,400, as legally described and depicted on Exhibit A attached hereto and incorporated by this reference, is approved and the Mayor is authorized to execute such purchase and sale documents as are necessary to complete the purchase of said real property.

Section 2. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or

regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. This ordinance shall take effect after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

1ST READING: 01/11/2021
2ND READING: 01/25/2021

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this 25th day of January 2021.

Mike Schaub
Mayor

ATTEST:

Miranda Doll
Town Clerk

APPROVED AS TO FORM:

Gregory A. Jacoby
Town Attorney

IN THE TOWN OF EATONVILLE
 RIGHT-OF-WAY DEDICATION
 MAP

IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER
 SECTION 14 TOWNSHIP 16 NORTH RANGE 4 EAST WILLAMETTE MERIDIAN
 PIERCE COUNTY WASHINGTON

PROPERTY INFORMATION:

PIERCE COUNTY PARCEL Nos.: 041614-4099
 PROPERTY OWNER: MILL HAUS, LLC
 SITE ADDRESSES: 303 CENTER ST E
 EATONVILLE WA 98328
 ZONING: C2 (COMMERCIAL DISTRICT)
 WATER PURVEYOR: TOWN OF EATONVILLE
 SEWER: TOWN OF EATONVILLE
 ACCESS: PUBLIC STREET

BASIS OF DATUM:

THE HORIZONTAL DATUM IS NAD83/2011 BASED ON GPS DERIVED POSITIONS.
 THE COMBINED SCALE FACTOR IS 0.99989181964 FOR THIS PROJECT.
 DIMENSIONS SHOWN ARE GROUND DIMENSIONS.

COMBINED USAGE OF GPS EQUIPMENT (LEICA SMARTROVER AND THE WASHINGTON STATE REFERENCE NETWORK) AND CONVENTIONAL SURVEY METHOD, MEETS OR EXCEEDS THE STANDARDS WAC 332-130-090

DEDICATION DESCRIPTION:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 16 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SECTION 14, SOUTH 88° 20' 34" EAST, 216.67 FEET FROM THE INTERSECTION OF THE EAST LINE OF THE TOWN OF EATONVILLE, AS PER THE PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 41, RECORDS OF THE PIERCE COUNTY AUDITOR AND SAID SOUTH LINE OF SECTION 14; THENCE ALONG THE EAST LINE OF ADAMS AVENUE SOUTH, SHOWN AS MILL STREET ON THE UNRECORDED PLAT OF THE MARTI TRACTS DATED FEBRUARY 1922, NORTH 1° 7' 16" EAST, 618.70 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE EAST LINE OF SAID ADAMS AVENUE, NORTH 1° 7' 16" EAST 120.09 FEET TO THE SOUTH LINE OF AN ALLEY; THENCE SOUTH 64° 44' 31" EAST 5.48 FEET, ALONG THE SOUTH LINE OF SAID ALLEY TO A POINT 5.00 FEET PERPENDICULAR TO THE EAST LINE OF SAID ADAMS AVENUE; THENCE SOUTH 1° 7' 16" WEST PARALLEL WITH THE EAST LINE OF SAID ADAMS AVENUE, 118.95 FEET TO THE NORTHERLY LINE OF A TRACT OF LAND CONVEYED TO U. R. LEWIS BY DEED RECORDED SEPTEMBER 23, 1922 UNDER RECORDING NUMBER 643214; THENCE NORTH 78° 27' 44" WEST 5.12 FEET ALONG THE NORTH LINE OF SAID LEWIS TRACT, TO THE POINT OF BEGINNING

MILL HAUS LLC PROPERTY DESCRIPTION:

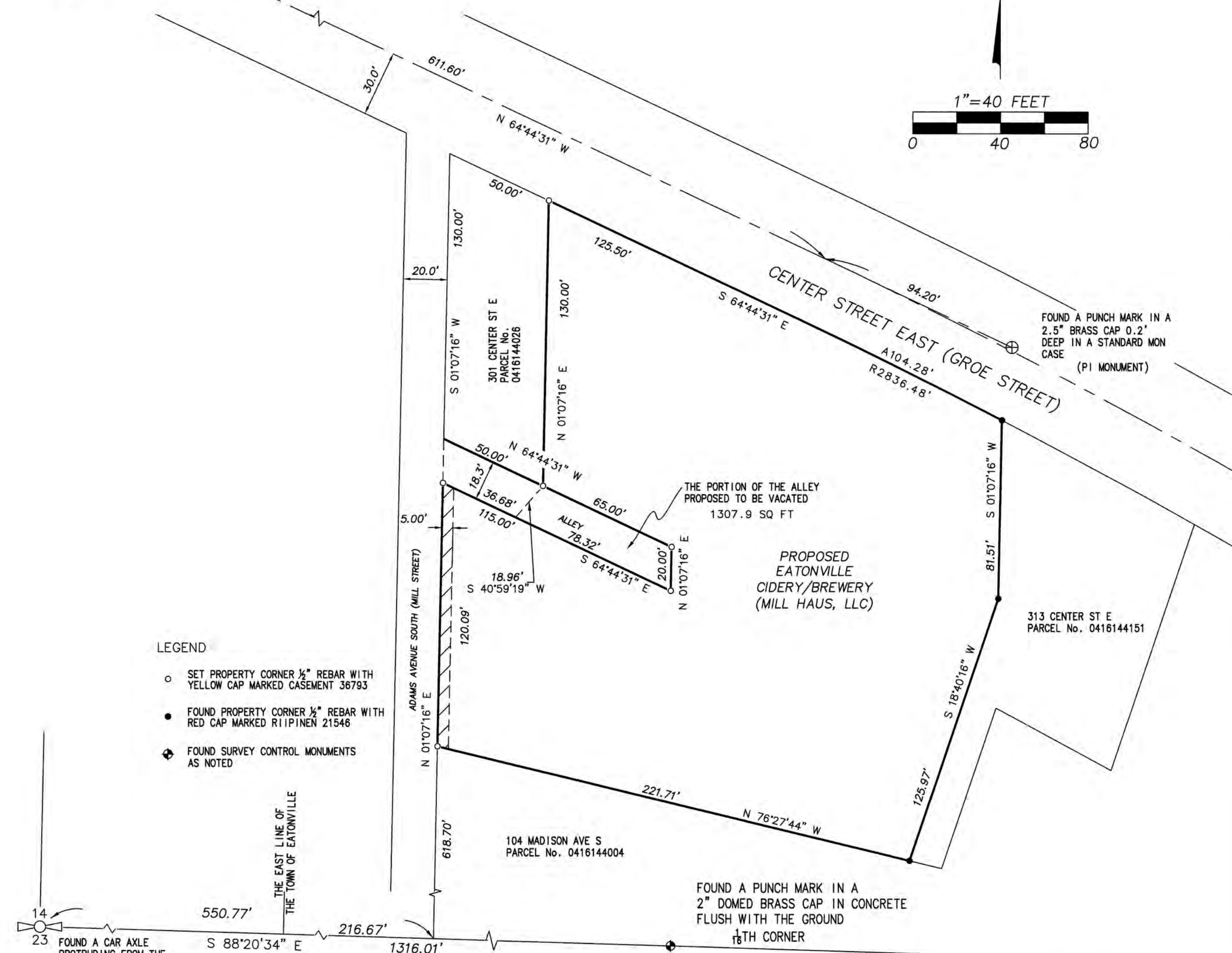
THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 16 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SECTION 14, SOUTH 88° 20' 34" EAST, 216.67 FEET FROM THE INTERSECTION OF THE EAST LINE OF THE TOWN OF EATONVILLE, AS PER THE PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 41, RECORDS OF THE PIERCE COUNTY AUDITOR AND SAID SOUTH LINE OF SECTION 14; THENCE ALONG THE EAST LINE OF ADAMS AVENUE SOUTH, SHOWN AS MILL STREET ON THE UNRECORDED PLAT OF THE MARTI TRACTS DATED FEBRUARY 1922, NORTH 1° 7' 16" EAST, 618.70 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 76° 27' 44" EAST, 221.71 FEET ALONG THE NORTHERLY LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO GUGLIEMO BUTI, RECORDED FEBRUARY 27, 1942 UNDER AUDITOR'S FILE No. 1294488, TO THE WESTERLY LINE OF A 15 FOOT WIDE ALLEY, SAID ALLEY BEING SHOWN ON UNRECORDED PLAT OF THE MARTI TRACTS DATED FEBRUARY, 1922; THENCE ALONG SAID WESTERLY LINE OF ALLEY, NORTH 18° 40' 16" EAST 125.97 FEET TO THE WESTERLY LINE OF LOT 17, UNRECORDED PLAT OF THE MARTI TRACTS; THENCE ALONG SAID WESTERLY LINE OF LOT 17, NORTH 1° 7' 16" EAST 81.51 FEET, TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CENTER STREET EAST, AKA GROE STREET, AS SHOWN ON THE PIERCE COUNTY ENGINEER PLAN FOR ALDER CUTOFF ROAD DATED SEPTEMBER 1932; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, ALONG THE ARC OF A 2,836.48 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS SOUTH 27° 21' 52" WEST, AN ARC DISTANCE OF 104.28 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 64° 44' 31" WEST 125.50 FEET; THENCE SOUTH 1° 7' 16" WEST 130.00 FEET TO THE NORTHERLY LINE OF AN ALLEY; THENCE ALONG SAID NORTHERLY LINE OF AN ALLEY, SOUTH 64° 44' 31" EAST 65.00 FEET TO THE EASTERLY END OF SAID ALLEY; THENCE ALONG THE END OF SAID ALLEY, SOUTH 1° 7' 16" WEST 20.00 FEET; THENCE ALONG THE SOUTHERLY LINE OF SAID ALLEY, NORTH 64° 44' 31" WEST 115.00 FEET TO THE EASTERLY LINE OF SAID ADAMS AVENUE SOUTH; THENCE SOUTH 1° 7' 16" WEST 120.09 FEET ALONG SAID EASTERLY LINE OF ADAMS STREET, TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS, RESTRICTIONS, COVENANTS AND CONDITIONS OF RECORD, IF ANY.

THIS SURVEY COMPLIES WITH ALL STANDARDS AND GUIDELINES OF CHAPTER 332-130 WAC

FOUND AN X IN A 3" FLAT BRASS DISK 0.4' DEEP IN A STANDARD MONUMENT CASE



- LEGEND**
- SET PROPERTY CORNER 1/2" REBAR WITH YELLOW CAP MARKED CASEMENT 36793
 - FOUND PROPERTY CORNER 1/2" REBAR WITH RED CAP MARKED RIIPINEN 21546
 - ⊕ FOUND SURVEY CONTROL MONUMENTS AS NOTED

FOUND A CAR AXLE PROTRUDING FROM THE GROUND 0.5' THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER

FOUND A PUNCH MARK IN A 2" DOMED BRASS CAP IN CONCRETE FLUSH WITH THE GROUND 1/8" CORNER



CASEMENT LAND SURVEYORS
 2606 EAST MAIN AVE.
 PUYALLUP, WA 98372
 (253) 576-7328

PREPARED FOR:
 MILL HAUS LLC
 44077 161ST AVE E
 EATONVILLE, WA 98328-9468

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|-----------------|-------------------|------------------------|
| DWN. BY DJC | DATE 1/29/2020 | JOB NO. 18-1352-001 |
| CHKD. BY DJC | SCALE AS SHOWN | SHEET 1 OF 1 |