

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.

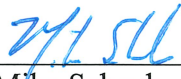
Section 2. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or

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.

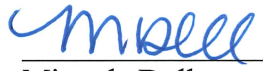
1ST READING: 01/11/2021
2ND READING: 01/25/2021

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.



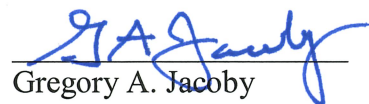
Mike Schaub
Mayor

ATTEST:



Miranda Doll
Town Clerk

APPROVED AS TO FORM:



Gregory A. Jacoby
Town Attorney

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

BASIS OF DATA:

THE HORIZONTAL DATUM IS NAD83/2011 BASED ON GPS DERIVED PROJECTIONS. THE COMBINED SCALE FACTOR IS 0.93699516764 FOR THIS PROJECT. DIMENSIONS SHOWN ARE GROUND DIMENSIONS.

COMBINED USE OF GPS EQUIPMENT (LEICA SMARTROWER AND THE WASHINGTON STATE REFERENCE NETWORK) AND CONVENTIONAL SURVEY TECHNIQUE MEETS OR EXCEEDS THE STANDARDS MAC 332-150-090

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, COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SECTION 14, SOUTH 68' 20" 34" EAST, 216.87 FEET FROM THE INTERSECTION OF THE EAST LINE OF THE TOWN OF ETAWANVILLE, 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, COMMENCING AT A POINT ON THE WEST LINE OF SAID SECTION 14, SOUTH 71° 16' EAST, 616.70 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE EAST LINE OF SAID ADAMS AVENUE, THENCE S 89° 10' E, 150.00 FEET TO THE POINT OF BEGINNING; THENCE S 60° 44' 31" EAST, 5.48 FEET ALONG THE SOUTH LINE OF SAID ALLEY TO A POINT 6.00 FEET PERPENDICULAR TO THE EAST LINE OF SAID ADAMS AVENUE; SOUTH 1° 17' 05" WEST PARALLEL WITH THE EAST LINE OF SAID ADAMS AVENUE, 118.95 FEET TO THE NORTHERLY LINE OF A TRACT OF LAND CONVERTED TO U. R. LEWIS BY DEED RECORDED SEPTEMBER 23, 1922 UNDER RECORDING NUMBER 12423; NORTH 78° 27' 44" WEST 5.12 FEET ALONG THE NORTH LINE OF SAID LEWIS TRACT; TO THE POINT OF BEGINNING.

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, EAST 1/4 OF THE SOUTHWEST QUARTER OF SAID SECTION 14, AND SOUTHERLY 27° 16' 16" EAST 291.70 FEET FROM THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 14 AND THE WESTERLY LINE OF SAID SECTION 14, IN VOLUME 7 OF PLATS, PAGE 41, RECORDS OF THE PENCE COUNTY AUDITOR AND SAID SOUTH LINE OF SECTION 14;

THENCE SOUTHERLY ALONG THE UNRECORDED PLAT OF THE SURVEY SHOWN AS BEING THE UNRECORDED PLAT OF THE MARY TRACTS DATED FEBRUARY 1922, NORTH 1° 16' 16" EAST, 618.70 FEET TO THE POINT OF BEGINNING;

THENCE SOUTHERLY 27° 16' 16" EAST 291.71 FEET ALONG THE NORTHERLY LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO GLENDALE BUELL, RECORDED FEBRUARY 27, 1942 UNDER AUDITOR'S FILE NO. 1294-488, TO THE WESTERLY LINE OF A 1/4 SECTION 14 OF SAID TOWNSHIP 16 NORTH, RANGE 4 EAST ON AN UNRECORDED PLAT OF THE MARY TRACTS DATED FEBRUARY, 1922;

THENCE ALONG SAID WESTERLY LINE OF ALLEY, NORTH 18° 40' 16" EAST 15.70 FEET TO THE WESTERLY LINE OF LOT 17, UNRECORDED PLAT OF SAID TOWNSHIP 16 NORTH, RANGE 4 EAST;

THENCE ALONG SAID WESTERLY LINE OF LOT 17, UNRECORDED PLAT OF SAID TOWNSHIP 16 NORTH, RANGE 4 EAST 181.51 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CENTER HIGHWAY NUMBER 10, ALONG SAID RIGHT-OF-WAY LINE TO THE PENCE COUNTY AUDITOR'S PLAT OF SAID TOWNSHIP 16 NORTH, RANGE 4 EAST;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY, ALONG THE ARC OF A 2,858.48 FOOT RADIUS CURVE TO THE LEFT, THE RADIAL DISTANCE OF 114.28 FEET, BEARS SOUTH 27° 21' 52" WEST, AN ARC DISTANCE OF 114.28 FEET, THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, THENCE 64° 44' 31" WEST 125.50 FEET;

THENCE ALONG THE WESTERLY LINE OF LOT 17, 161° 16' 16" WEST 130.00 FEET TO THE NORTHERLY LINE;

THENCE ALONG SAID NORTHERLY LINE OF AN ALLEY, SOUTH 64° 44' 31" WEST 65.00 FEET TO THE EASTERN END OF SAID ALLEY;

THENCE EAST 1/4 OF SECTION 14, TOWNSHIP 16 NORTH, RANGE 4 EAST, 115.00 FEET TO THE EASTERN END OF SAID ALLEY, SOUTH 1° 16' 16" WEST 20.00 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE SOUTHERLY LINE OF SAID ALLEY, NORTH 64° 44' WEST 115.00 FEET TO THE EASTERN LINE OF SAID ADAMS AVENUE OF THE ADAMS STREET, 1° 16' 16" WEST 123.09 FEET ALONG SAID EASTERN LINE OF ADAMS STREET, TO THE POINT OF BEGINNING.

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

GROUND 0.5'
THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER




 EASEMENT 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		JOB NO. 16-1552-001	1 OF 1
DWN. BY DJC	DATE 1/29/2020	SHEET SCALE AS SHOWN	