

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: November 9, 2015

AGENDA ITEM: 1 st Street Properties – Condemnation Ordinance	
PREPARED BY: Tonya Miranda, Interim Executive Assistant	DIRECTOR APPROVAL:
DEPARTMENT: Executive	
ATTACHMENTS: Ordinance and Exhibit “A” Legal Description	
BUDGET CODE:	AMOUNT: N/A

SUMMARY:

City staff will soon be initiating the acquisition of several parcels of property located on 1st Street for the purpose of future construction of a 1st Street bypass. A future bypass will be necessary to provide additional vehicular capacity on 1st Street.

Fair market value compensation will be offered to the property owners in accordance with a recently completed property appraisal. If the City and the property owners cannot reach a mutually agreeable settlement, the enclosed ordinance will allow the City to exercise eminent domain for the acquisition of property through condemnation proceedings.

RECOMMENDED ACTION:

Staff recommends that Council authorize the Mayor to approve the Ordinance authorizing the condemnation, appropriation and acquisition of the identified properties along 1st Street for the purpose of a 1st Street bypass.

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON
AUTHORIZING THE CONDEMNATION, APPROPRIATION, TAKING,
DAMAGING AND ACQUISITION OF LAND AND OTHER PROPERTY FOR THE
PURPOSE OF WIDENING 1ST STREET

WHEREAS, the City Council of the City of Marysville (hereinafter the "City") finds as follows:

1. Public safety, convenience, use and necessity demand the acquirement of several parcels of property, to wit: 100 State Avenue; 1508, 1510, 1518, 1526, 1604, 1612, 1614, 1624, 1632, and 1702 1st Street, Marysville, Washington.

2. The City has conducted engineering studies and has determined that it will be necessary to acquire the properties, as described in **EXHIBIT "A,"** attached hereto and incorporated herein by this reference, as it is necessary to widen 1st Street to facilitate the City's need for a 1st Street bypass.

3. The entire cost of the acquisition provided by this ordinance shall be paid by the following funds of the City:

GENERAL FUND

or such other general funds of the City as may be provided by law.

4. The City may be unable to agree with the property owners upon the compensation to be paid for the **EXHIBIT "A"** property.

5. The City has authority pursuant to RCW Chapter 8.12 to acquire, if necessary, title to real property for public purposes. Improvement of the City's road system is a public purpose.

6. The proposed improvement is to provide additional vehicular capacity on 1st Street for the 1st Street bypass.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON DO ORDAIN AS FOLLOWS:

1. The City is hereby authorized to condemn, appropriate, take and damage the real properties described in **EXHIBIT A** hereto, together with all rights appurtenant thereto, including access where applicable.

2. The use of the properties described in **EXHIBIT "A"** will be for the widening of 1st Street, which is a permanent public use and is reasonably necessary for the purposes for which it is sought.

3. All lands, rights, privileges and other property lying within the limits of the lands described in **EXHIBIT "A,"** as the legal may be amended, together with all rights appurtenant thereto, including access where applicable, are hereby authorized to be condemned, appropriated, taken and damaged for the purpose of improving and widening a part of the city's road system.

4. All lands, rights, privileges and other properties are to be taken, damaged and appropriated only after just compensation has been made, or paid into the court for the owners thereof in the manner provided by law.

5. The cost of the acquisition provided for by this ordinance shall be paid by the following funds of the City:

GENERAL FUND

or such other general funds of the City as may be provided by law.

6. The City's attorneys should be and hereby are authorized and directed to begin and prosecute the actions and proceedings in a manner provided by law to carry out the provisions of this ordinance, and to enter into settlements to mitigate damages.

PASSED by the City Council and APPROVED by the Mayor this _____ day of October, 2015.

CITY OF MARYSVILLE

By _____
JON NEHRING, Mayor

ATTEST:

By _____
Deputy City Clerk

Approved as to form:

By _____
JON WALKER, City Attorney

Date of Publication: _____

Effective Date (5 days after publication): _____

EXHIBIT "A"

100 State Avenue: Section 33 Township 30 Range 05 Quarter NW - D A QUINNS 1ST ADD TO MARYSVILLE (AKA CORRECTION PLAT OF) BLK 008 D-01 - LOTS 6 & 7 EXC RD R/W TO CITY OF MAR PER SWD REC UND AFN 200303271715

1508 1st Street: D A QUINNS 1ST ADD TO MARYSVILLE (AKA CORRECTION PLAT OF) BLK 008 D-00 - LOT 5

1510 1st Street: D A QUINNS 1ST ADD TO MARYSVILLE (AKA CORRECTION PLAT OF) BLK 008 D-00 - LOT 4

1518 1st Street: D A QUINNS 1ST ADD TO MARYSVILLE (AKA CORRECTION PLAT OF) BLK 008 D-02 - LOT 2 LESS E 10FT

1526 1st Street: D A QUINNS 1ST ADD TO MARYSVILLE (AKA CORRECTION PLAT OF) BLK 008 D-00 LOT 1 TGW E 10FT LOT 2

1604 1st Street: D A QUINNS 1ST ADD TO MARYSVILLE (AKA CORRECTION PLAT OF) BLK 007 D-00 - LOTS 6 & 7

1612 1st Street: D A QUINNS 1ST ADD TO MARYSVILLE (AKA CORRECTION PLAT OF) BLK 007 D-00 - LOT 5

1624 1st Street: D A QUINNS 1ST ADD TO MARYSVILLE (AKA CORRECTION PLAT OF) BLK 007 D-00 - W 40 FT LOT 2

1632 1st Street: D A QUINNS 1ST ADD TO MARYSVILLE (AKA CORRECTION PLAT OF) BLK 007 D-00 - LOT 1 TGW E 10 FT LOT 2

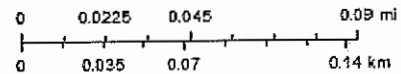
1702 1st Street: SEC 33 TWP 30 RGE 05RT-4-1) BAAP 540 FT S OF 1/4 COR ON N LNSEC TH W 58.2 FT M/L TO E BDY ALDER ST TH S 120 FT TH E 79.4 FT TH N 120 FT TH W 21.2FT TO TPB LESS N 15FT FOR RD



October 26, 2015

1:2,669

- Site addresses
- Parcels
- Railroad
- MUNICIPALITY
- PRIVATE
- RAILROAD
- SNOHOMISH COUNTY
- STATE OF WASHINGTON
- Streets
- Trails
- Arlington airport
- Water bodies



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