

RESOLUTION NO. 2520

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, RATIFYING THE PURCHASE OF A PARCEL OF REAL ESTATE FOR THE EXTENSION OF 186TH AVENUE E (PARCEL 5640001335)

WHEREAS, the City Council authorized the Public Works Department to acquire the right-of-way needed to improve and extend the 186th corridor from 90th Street to Veterans Memorial Drive in accordance with the Downtown Plan, and

WHEREAS, the services of Cascade Right of Way Service, LLC were retained to obtain the needed right-of-way, and

WHEREAS, the needed right-of-way included, in part, the acquisition of Pierce County Parcel #5640001335, a single-family residence located at 18602 88th St E, Bonney Lake; and

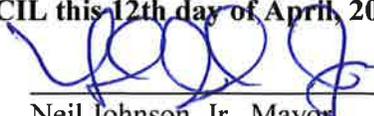
WHEREAS, Cascade Right of Way Service, LLC proceeded to obtain said parcel on behalf of the City; and

WHEREAS, the City Council desires to ratify the actions of the Public Works Department and Cascade Right Of Way Service, LLC in acquiring this parcel;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON HEREBY RESOLVES AS FOLLOWS:

1. The City Council ratifies the acquisition of Pierce County Parcel # 5640001335, a single-family residence located at 18602 88th St E, Bonney Lake as shown on Exhibit "A";
2. The City Council acknowledges that no state or federal funds were used to acquire said property, and accordingly the City was not required to provide any relocation benefits per RCW 8.26.020(2).

PASSED BY THE CITY COUNCIL this 12th day of April, 2016.



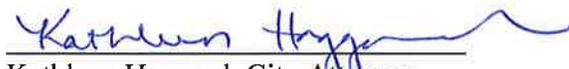
Neil Johnson, Jr., Mayor

AUTHENTICATED:



Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:



Kathleen Haggard, City Attorney

① PST-207836

201512310126 KYOHN 3 PGS
12/31/2015 09:22:07 AM \$75.00
AUDITOR, Pierce County, WASHINGTON

After recording return to:

City of Bonney Lake Public Works
PO Box 7380
Bonney Lake, WA 98391-0944
Attention: John Woodcock, P.E.

STATUTORY WARRANTY DEED

Grantor(s): Kelly, Ralph W.
Grantee: City of Bonney Lake, a Municipal Corporation
Abbreviated Legal: W 80' of S 150' of Tr 20 McDonald Fruit Tracts
Tax Parcel No.: 564-000-1335

THE GRANTOR(S), **Ralph W. Kelly, as a separate estate**, for and in consideration of mutual benefits and in further consideration of the general public welfare and of the peculiar and special benefits to accrue to us therefrom, do(es) by these presents warrant, grant, and convey to the **City of Bonney Lake , a Municipal Corporation**, for the use of the public, the following described real estate situated in the City of Bonney Lake, Washington, to the same extent and purposes as if the rights granted had been acquired under the Eminent Domain Statute of the State of Washington, together with any after-acquired title therein, to wit:

See Attached Exhibit "A"

It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Bonney Lake unless and until accepted and approved hereon in writing for the City of Bonney Lake, by its authorized agent.

12/31/2015 09:22:07 AM KYOHN 4387106 2 PGS
EXCISE COLLECTED: \$0.00 PROC FEE: \$5.00
AUDITOR
Pierce County, WASHINGTON TECH FEE: \$5.00

Ralph Wm. Kelly 11/30/2015
Owner

Laurie Kelly 11/30/15
Owner

State of WA)
County of PIERCE)

On this 30 day of November, 2015 before me personally appeared Ralph W. Kelly
and Laurie Kelly to me known to be the individuals
described in and who executed the foregoing instrument, and acknowledged that he/she/they signed and
sealed the same as his/her/their free and voluntary act and deed, for the uses and purposes therein
mentioned.

GIVEN under my hand and official seal the day and year last above written.

NOTARY PUBLIC
State of Washington
BRIAN R. FAGERNES
Commission Expires **MAY 27, 2016**

Brian Fagneres
(Print Name)

Brian Fagneres
(Signature)

Notary Public in and for the State of WA

Residing at Rochester

My Appointment Expires: 5/27/16

Accepted by:

[Signature]
City of Bonney Lake

Exhibit "A"

**Parcel No. 564-000-1335
Legal Description**

**The West 80 feet of the South 150 feet of Tract 20, McDonald's Fruit Tracts,
according to the Plat recorded in Book 11 of Plats at page 31, in Bonney Lake,
Pierce County, Washington.**

Situate in the County of Pierce, State of Washington.

TRANSMITTAL

To: Mr. John Woodcock, P.E.
Bonney Lake Public Works
19306 Bonney Lake Blvd.
Bonney Lake, WA 98391

Date: 12-1-15

Project No.:

RE: 186th R/W Project (Kelly)

WE ARE SENDING YOU THE FOLLOWING ITEMS:		
COPIES	DATE	DESCRIPTION
1	12-1-15	Offer Letter, Real Property Payment Voucher, , Statutory Warranty Deed, W-9, Escrow Agreement, Real Estate Excise Tax Affidavit,

REMARKS:

Hi John,
Please circulate the attached documents for review/signature. When signed, I will pick them up and deliver to escrow who will conduct the closing and requests funds from the City.

Please note that I need the signed documents back as soon as possible so we can get the transaction closed before the end of the year.

Thank you,

Brian



Real Property Payment Voucher

**City of Bonney Lake
Public Works Department
PO Box 7380
Bonney Lake, WA 98391-0944**

Claimant(s)

Ralph W. Kelly
20006 106th Street Court E.
Sumner, WA 98391-5902

Title, Project, Parcel

186th Ave – 88th Street – 188th Ave. Improvements
County Assessor No. 564-000-1335

A full, complete, and final payment for settlement for the title or interest conveyed or released as fully set forth in the Statutory Warranty Deed dated 11/30/15.

12,071 SF in Fee Simple Title	\$55,000.00
Improvements (dwelling, carport, yard contribute)	\$110,000.00
<u>Administrative Settlement</u>	<u>50,625.00</u>
TOTAL JUST COMPENSATION:	\$215,625.00

I/we hereby certify under penalty of perjury that the items and amounts listed herein are proper charges against the City of Bonney Lake, that the same or any part thereof has not been paid, and that I/we am/are authorized to sign for the claimant.

Ralph Wm. Kelly 11/30/2015
Owner

Laurie Kelly 11/30/15
Owner

[Signature]
City of Bonney Lake

22-1-15
Date

ESCROW AGREEMENT

Attn: Corinne Johnson, LPO / Escrow Manager
Puget Sound Title Company
5350 S. Orchard St,
Tacoma, WA 98467

Title Company: Rainier Title Insurance Company
Reference No. 677162
Project Parcel No. 564-000-1335
Project Title. 186th Ave – 88th Street – 188th Ave. Improvements

DATE: _____

The City of Bonney Lake Public Works and the undersigned mutually agree and direct you to close this escrow in accordance with the following instructions:

1. The undersigned grantors hereby authorize the issuance of a City warrant payable solely to the above-named Escrow Agent, for our benefit.
2. Receive the Statutory Warranty Deed handed herewith from me/us as grantor(s) to the City of Bonney Lake as grantee, conveying the lands described in your above-referenced Preliminary Commitment.
3. Receive the sum of \$215,625.00 in the form of a City warrant that you are instructed to distribute as follows:

Pay and eliminate of record all encumbrances on said premises shown in Rainier Property Information Certificate 677162, and supplements dated _____ together with any other encumbrances appearing of record against said premises, on statement of holder or holder's representative prior to closing, except those noted in paragraph _____
4. Note: All escrow and recording fees shall be paid by the City.
5. The City of Bonney Lake, at its discretion, reserves the right to withdraw the funds for this transaction from escrow and close this transaction independently or deposit said funds with the Clerk of the Court if deemed necessary.
6. When ready to vest title in the City of Bonney Lake, record instrument shown in instruction 2 above and prepare CLOSING DETAIL STATEMENT as explained on the reverse hereof.
7. Remit the balance by your check to: Wire transfer instructions to follow with your CLOSING DETAIL STATEMENT.
8. Issue standard form Owner's policy of title insurance in the sum of \$215,625.00 insuring the City of Bonney Lake as owner of the estate conveyed.
9. Upon closing, mail recorded instruments, title policy, and copy of CLOSING DETAIL STATEMENT to the City of Bonney Lake, Public Works Department, PO Box 7380, Bonney Lake, WA 98391-0944

Ralph W. Kelly 11/30/2015
Ralph W. Kelly

Louise Kelly 11/30/15

CITY OF BONNEY LAKE
Public Works Department

By: [Signature]
Name

City Administrator
Title

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 12 April 2016	Agenda Bill Number: AB16-52
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2520	Councilmember Sponsor: McKibbin, Watson

Agenda Subject: Ratification of Acquisition of Real Estate Parcel for Extension of 186th Ave. E

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Ratifying The Purchase Of A Parcel Or Real Estate For The Extension Of 186th Avenue E. .

Administrative Recommendation: Approve

Background Summary: The City Council authorized the Public Works Department to acquire the right-of-way needed to improve and extend the 186th corridor from 90th Street to Veterans Memorial Drive in accordance with the Downtown Plan. The services of Cascade Right of Way Service, LLC were retained to help obtain the needed right-of-way. This included, in part, the acquisition the small single-family residence located at 18602 88th St E. Cascade Right of Way Service, LLC proceeded to obtain this parcel on behalf of the City. To close the loop on the transaction, the City Council should ratify the actions of the Public Works Department and Cascade Right Of Way Service, LLC in acquiring this parcel for the City.

Attachments: Exhibit "A"

BUDGET INFORMATION

Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
\$2,000,000 (Biennial Project Budget)	\$1,992,082	\$215,225	\$1,706,857	<input type="checkbox"/> General <input type="checkbox"/> Utilities <input checked="" type="checkbox"/> Other

Budget Explanation: Fund 301 - Street Improvement

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:	<i>Approvals:</i>	Yes	No
Date:	Chair/Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
Forward to:	Consent Agenda:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION

Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS

Director:	Mayor:	Date Reviewed by City Attorney: (if applicable)
------------------	---------------	---