

RESOLUTION NO. 760

**A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, APPROVING
THE PURCHASE OF REAL PROPERTY FOR RIGHT-OF-WAY PURPOSES**

WHEREAS, the improvements for the Bridgeport Phase 5 Roadway Improvement Project is part of the City's approved Transportation Improvement Plan (TIP); and

WHEREAS, in order to construct the street and walkway improvements, it is necessary to purchase the right-of-way from the property owner.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AS FOLLOWS:

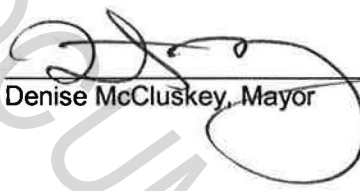
Section 1. Incorporation of Recitals. The recitals are hereby incorporated herein as if set forth in full.

Section 2. Approval of Form of Documents. The City Council hereby approves execution of the documents necessary to complete the purchase in substantially the form of the documents accompanying this Resolution.

Section 3. Completion of Transaction. The City Manager is authorized to take and execute any additional measures or documents that may be necessary to complete this transaction, which are consistent with the approved form of document attached, and the terms of this Resolution.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption by the City Council.

ADOPTED BY THE CITY COUNCIL ON JUNE 2, 2014.


Denise McCluskey, Mayor

ATTEST:


Emelita Genetia, City Clerk

APPROVED AS TO FORM:


Steve Victor, City Attorney

After recording return to:

City of University Place
Attn: City Engineer
2715 Bridgeport Way W
University Place, WA 98466

STATUTORY WARRANTY DEED

Grantor: John and Abby Mishko
Grantee: City of University Place
Abbreviated Legal: Ptn of SW ¼ of NE ¼ of S 10, T 20 N, R 2 E
Assessor's Tax Parcel Number: #022010-1134
Project: Bridgeport Phase 5 Roadway Improvements
Project Parcel #29

THE GRANTOR(S), **John Mishko and Abby Mishko, husband and wife**, 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 University Place, a municipal corporation of the State of Washington, for the use of the public, the following described real estate situated in Pierce County, 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:

Per **Exhibit A** and as depicted in **Exhibit B** attached hereto and made a part hereof by this reference.

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 University Place unless and until accepted and approved hereon in writing for the City of University Place by its City Manager.

The Grantor(s) hereby request(s) the Assessor-Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the real property hereby conveyed, as provided by RCW 84.60.070.

DATED this 8th day of May, 2014.

[Signature]
John Mishko

[Signature]
Abby Mishko

Accepted by the City of University Place

Approved as to form:

By: _____
Printed Name: _____
Title: _____
Date: _____

By: _____
Printed Name: _____
Title: Insert City or County Attorney
Date: _____

STATE OF WASHINGTON

County of _____

}
} SS.
}

I certify that I know or have satisfactory evidence that John Mishko and Abby Mishko (is/are) the person(s) who appeared before me, and said person(s) acknowledged that (he/she/they) signed this instrument and acknowledged it to be (his/her/their) free and voluntary act for the uses and purposes mentioned in this instrument.

DATED: 5-8-14

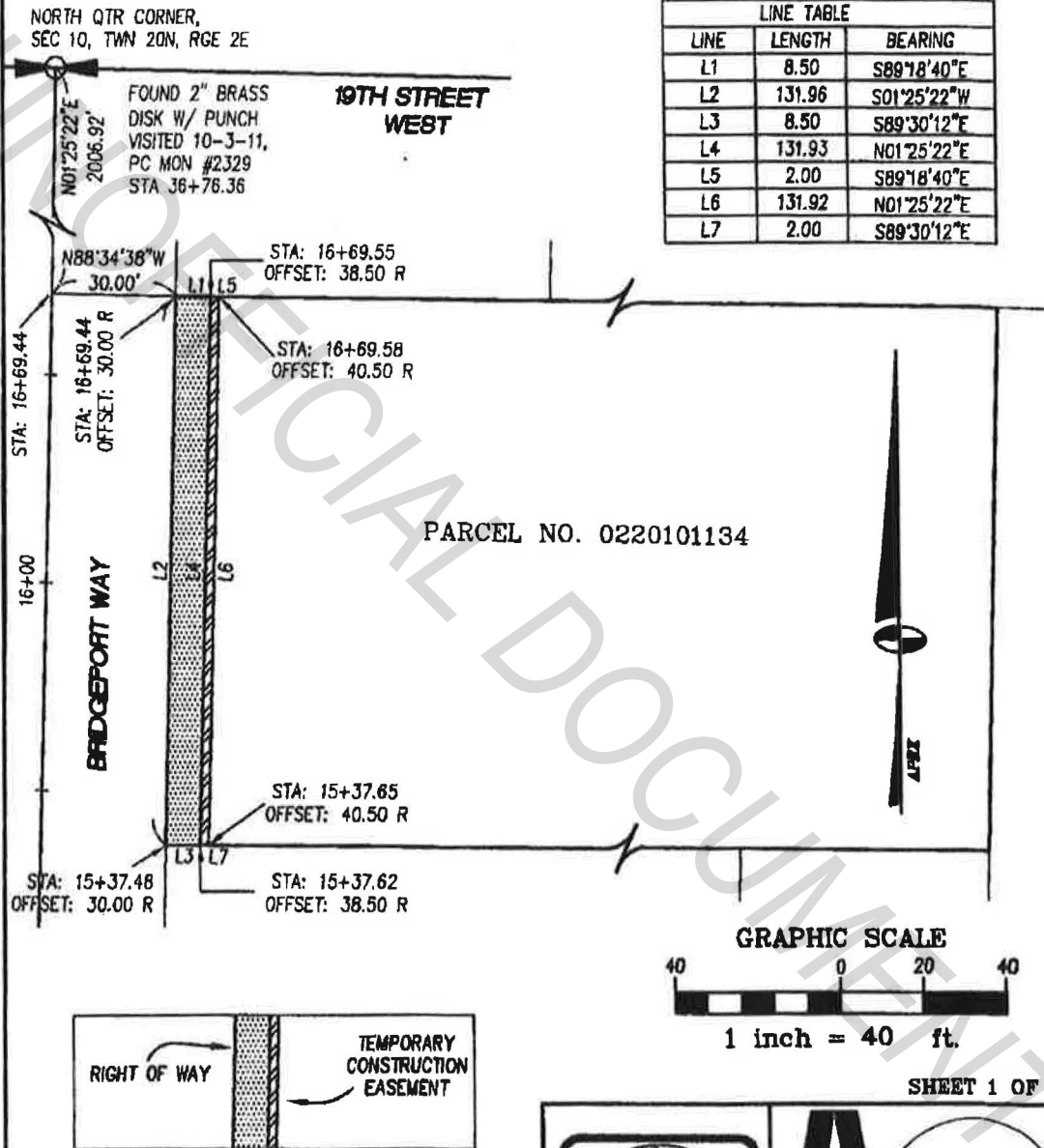


[Signature]
Name (typed or printed): MYLA BURGOS
NOTARY PUBLIC in and for the State of Washington
Residing at SNOHOMISH COUNTY
My appointment expires: 11-19-16

EXHIBIT "B"

PERMANENT RIGHT OF WAY / TEMPORARY CONSTRUCTION EASEMENT EXHIBIT

TAX PARCEL NUMBER 0220101134



APEX JOB NO: 32218	DATE: 07/15/2013
DRAWN BY: SLS	CHECKED BY: MFG
DWG. NO: 32218-PH5-ROW.DWG	SCALE: 1"=40'



Apex
Engineering

2801 South 35th, Suite 200
Tacoma, Washington 98409-7479
(253) 473-4494 FAX: (253) 473-0880

EXHIBIT "A"

**LEGAL DESCRIPTION
PERMANENT RIGHT OF WAY FOR
PIERCE COUNTY TAX PARCEL NUMBER 0220101134**

THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL OF LAND

BEGINNING AT A POINT 30 FEET EAST AND 537 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 2 EAST, WILLAMETTE MERIDIAN; THENCE NORTH ALONG THE EAST LINE OF COUNTY ROAD 125 FEET TO THE SOUTH LINE OF SUNSET TERRACE FOURTH ADDITION, ACCORDING TO PLAT RECORDED IN VOLUME 19 OF PLATS, PAGE 5; THENCE EAST 360 FEET ALONG THE SOUTH LINE OF SAID ADDITION; THENCE SOUTH 125 FEET; THENCE WEST 360 FEET TO THE POINT OF BEGINNING. ALSO KNOWN AS PARCEL A, PIERCE COUNTY BOUNDARY LINE REVISION NO. 8808300274, ACCORDING TO MAP RECORDED AUGUST 30, 1988, BEING RE-RECORDING OF RECORDED MARCH 30, 1988 AND JUNE 13, 1988 UNDER RECORDING NOS. 8803300343 AND 8806130420, RECORDS OF PIERCE COUNTY AUDITOR

DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED PARCEL OF LAND, SAID CORNER BEING OFFSET 30.00 FEET RIGHT FROM ENGINEER STATION (ES) 15+37.48 AS SHOWN ON THE PLANS ON FILE WITH THE CITY OF UNIVERSITY PLACE ENTITLED BRIDGEPORT WAY WEST PHASE 5, RIGHT OF WAY PLAN; THENCE ALONG THE SOUTH LINE THEREOF SOUTH 89°30'12" EAST 8.50 FEET TO ES15+37.62 OFFSET 38.50 FEET RIGHT AND THE POINT OF BEGINNING; THENCE NORTH 01°25'22" EAST 131.93 FEET TO THE NORTH LINE OF SAID PARCEL AND ES16+69.55 OFFSET 38.50 FEET RIGHT; THENCE, ALONG SAID NORTH LINE, NORTH 89°18'40" WEST 8.50 FEET TO ES16+69.44 OFFSET 30.00 FEET RIGHT; THENCE SOUTH 01°25'22" WEST 131.92 FEET TO THE SOUTH LINE OF SAID PARCEL AND ES15+37.65 OFFSET 30.00 FEET RIGHT; THENCE, ALONG SAID SOUTH LINE, SOUTH 89°30'12" EAST 8.50 FEET TO THE POINT OF BEGINNING



MELVIN F. GARLAND, P.L.S.
WASHINGTON STATE REGISTRATION NO. 18902

2601 South 35th Street, Suite 200, Tacoma, Washington 98409
(235) 473-4494 Fax: (253) 473-0599

