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, Skagit County Auditor

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COVER SHEET FOR RECORDING DOCUMENTS

Return to: City of Mount Vernon
Post Office Box 809
Mount Vernon, Washington 98273

DOCUMENT TITLE: Ordinance No. 3039
Condemnation of Real Property

GRANTORS: Hinton Family LLC
Gregory T. Hinton
Estate of Susan R. Hinton

GRANTEES: City of Mount Vernon

ABBREVIATED LEGAL DESCRIPTION: Ptn of NW 1/4 Section 17, Township 34
North, Range 4 East, w.m.

COMPLETE LEGAL DESCRIPTIONS ON PAGES: 3, 4, 5, 7, 8

ASSESSOR'S PARCEL/TAX ID NUMBER: 340417-2-008-0005 / P25918

ORDINANCE NO. 3039

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON, AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF CERTAIN INTEREST IN REAL PROPERTY FOR THE PURPOSE OF REPLACEMENT OF RIVERSIDE BRIDGE AND ALIGNMENT CHANGE WITHIN THE CITY OF MOUNT VERNON; PROVIDING FOR CONDEMNATION, APPROPRIATION, TAKING AND DAMAGING OF LAND AND PROPERTY RIGHTS AS NECESSARY THEREFORE; PROVIDING FOR THE COST THEREOF; AND DIRECTING THE INITIATION OF APPROPRIATE PROCEEDINGS IN THE MANNER PROVIDED BY LAW FOR SAID CONDEMNATION

WHEREAS, the City Council hereby finds that the public health, safety, necessity and convenience demand that said project be undertaken and that in order to carry out the project it is necessary at this time for the City to acquire interest and rights to the properties described herein; and

WHEREAS, the City Council hereby finds and declares it necessary, and in the best interest of the public, that interest in the land and property rights hereinafter described be condemned, appropriated, taken and damaged for public use, subject to the payment of just compensation to the owners thereof in the manner provided by law

Now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON, AS FOLLOWS:

SECTION 1. That the City Council hereby recognizes and finds that the public necessity and convenience demand and require that the real property described in the attached EXHIBIT "A," which exhibit is hereby made a part of this ordinance as though fully set forth, is necessary for the accomplishment of the project herein described, and that the real property described above be condemned, appropriated and taken in fee simple for the public purpose and use, to wit: the replacement of the Riverside Bridge and modifications to its approaches; the construction of pedestrian sidewalks; and/or the construction and extension of public sewers and drains.

SECTION 2. That the City Attorney is hereby authorized and directed to commence condemnation proceedings against the owners or reputed owners of the above described lands and improvements as provided by law, to prepare the necessary petition in condemnation and to commence and prosecute such action in the Superior Court of Washington in and for the County of Skagit against all of the owners or reputed

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owners of the above described property and to acquire title thereof for the City of Mount Vernon, and in such proceedings to ascertain the just compensation for taking or damaging such property.

SECTION 3. That compensation for the acquisition of said lands shall be made from Riverside Bridge Relocation Grant funds, together with such other funds or other grant monies as may be available therefor.

SECTION 4. Nothing in this Ordinance shall be construed as a waiver by the City of Mount Vernon of its right to decline to take and pay for said land and properties after the amount of damages has been ascertained and within the time allowed by law.

SECTION 5. This Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

PASSED AND ADOPTED this 13th day of December, 2000.


MARK S. KNOWLES, Finance Director

SIGNED AND APPROVED this 14th day of December, 2000.


SKYE RICHENDRER, Mayor


Approved as to form: -


SCOTT G. THOMAS, City Attorney

Published Summary. March 2, 01

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October 14, 1999

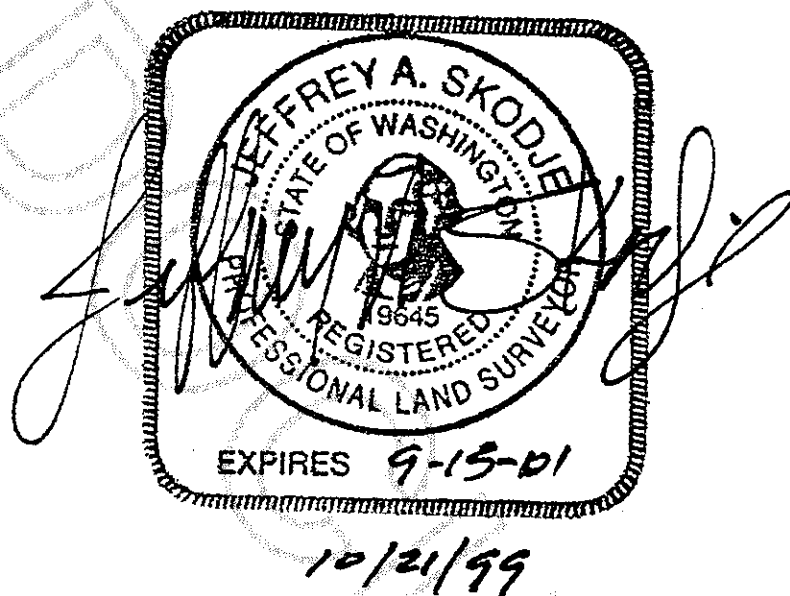
LEGAL DESCRIPTION FOR: Lot 3 of P-25758, Gregory and Susan Hinton

That portion of Lot 3 of Short Plat No. MV-11-84, approved October 23, 1984 and recorded October 25, 1984, in Volume 6 of Short Plats, page 186, under Auditor's File No. 8410250011, records of Skagit County, Washington, being in a portion of the Northwest Quarter of the Northwest Quarter of Section 17, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Northwest corner of said Lot 3; **thence** South $87^{\circ} 57' 04''$ East, along the North line of said Lot 3, a distance of 220.00 feet to the Northeast corner thereof; **thence** south $0^{\circ} 46' 59''$ West, along the East line of said Lot 3, a distance of 21.43 feet; **thence** North $51^{\circ} 06' 09''$ West, 27.39 feet to a point which lies five feet, when measured at a right angle from the North line of said Lot 3; **thence** North $87^{\circ} 57' 04''$ West, parallel with said North line, a distance of 198.45 feet to the West line of said Lot 3; **thence** North $0^{\circ} 46' 59''$ East, along the West line thereof, 5.00 feet to the **POINT OF BEGINNING**.

Containing 1,277 square feet.

See Attached Exhibit "A".

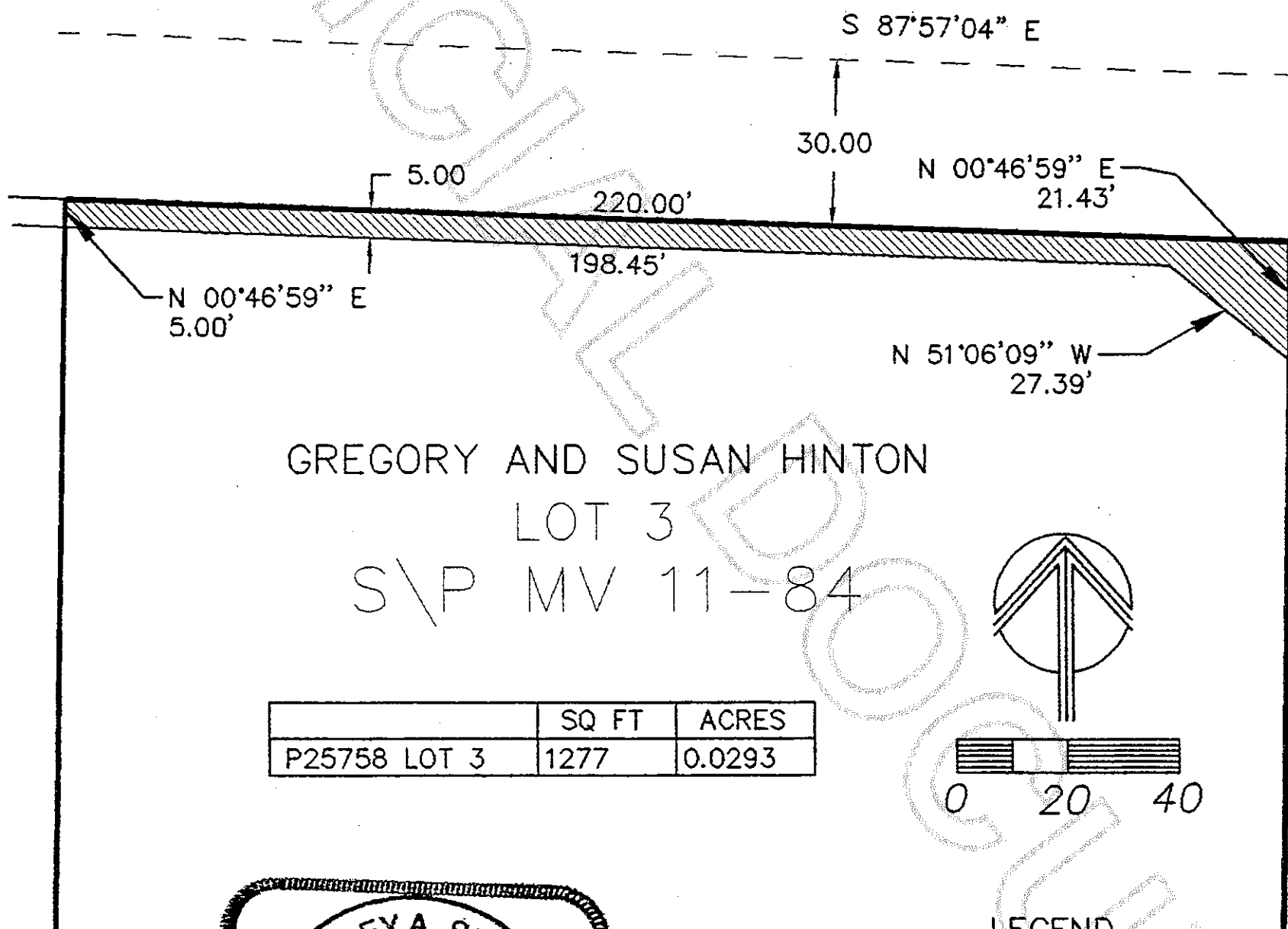


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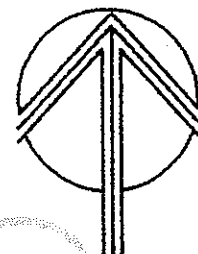
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EXHIBIT A

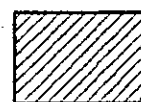
PACIFIC PLACE



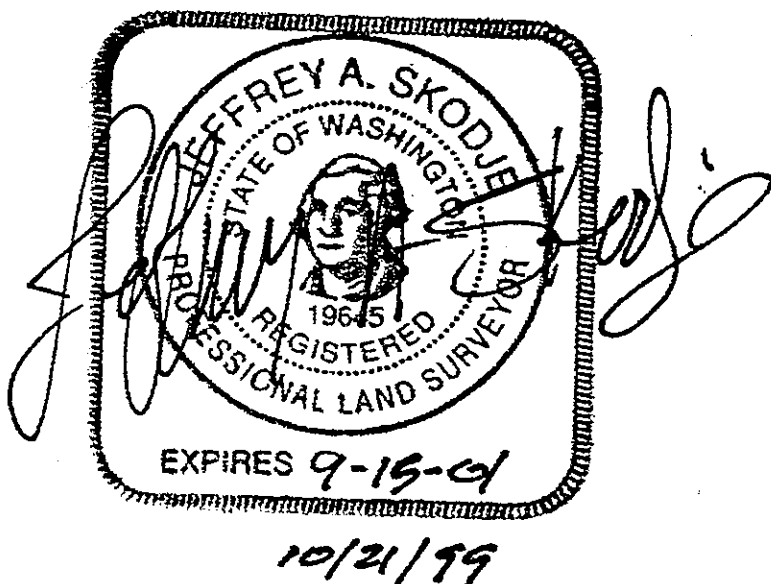
	SQ FT	ACRES
P25758 LOT 3	1277	0.0293



LEGEND



PROPOSED
ACQUISITION



PROPOSED
RIGHT-OF-WAY
ACQUISITION MAP
P25758

99151G.DWG DJA 10-14-99



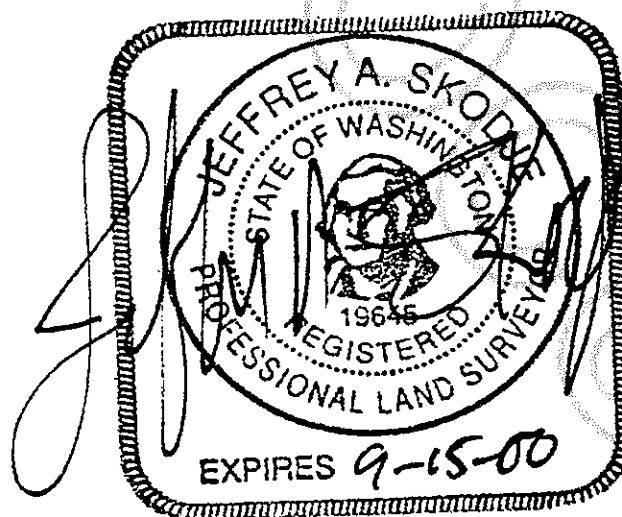
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LEGAL DESCRIPTION FOR: Hinton Parcel P-25918, Right-of-way North

That portion of the Northwest quarter of the Northwest quarter of Section 17, Township 34 North, Range 4 East, W.M., described as follows:

Commencing at the Northwest corner of said Section 17; **thence** South $1^{\circ} 01' 14''$ West along the West line thereof a distance of 401.74 feet; **thence** South $88^{\circ} 58' 46''$ East 50.00 feet to the East right-of-way line of Riverside Drive and the **TRUE POINT OF BEGINNING**; **thence** North $14^{\circ} 36' 35''$ East 55.25 feet; **thence** North $0^{\circ} 33' 37''$ East 98.96 feet; **thence** along a curve to the left having a radius of 1027.00 feet through a central angle of $3^{\circ} 31' 39''$ an arc distance of 63.23 feet; **thence** North $2^{\circ} 58' 02''$ West 129.06 feet; **thence** North $60^{\circ} 38' 17''$ East 36.18 feet; **thence** South $87^{\circ} 58' 02''$ East 68.66 feet; **thence** North $2^{\circ} 01' 58''$ East 4.5 feet; **thence** South $87^{\circ} 58' 02''$ East 69.65 feet; **thence** North $2^{\circ} 01' 58''$ East 1.00 feet to the South right-of-way line of Hoag Road; **thence** along the right-of-way of Hoag Road and Riverside Drive the following bearings and distances; **thence** North $87^{\circ} 58' 02''$ West 143.60 feet; **thence** South $62^{\circ} 07' 37''$ West 30.58 feet; **thence** South $1^{\circ} 01' 14''$ West 353.70 feet to the **TRUE POINT OF BEGINNING**.

Containing 3, 709 square feet.



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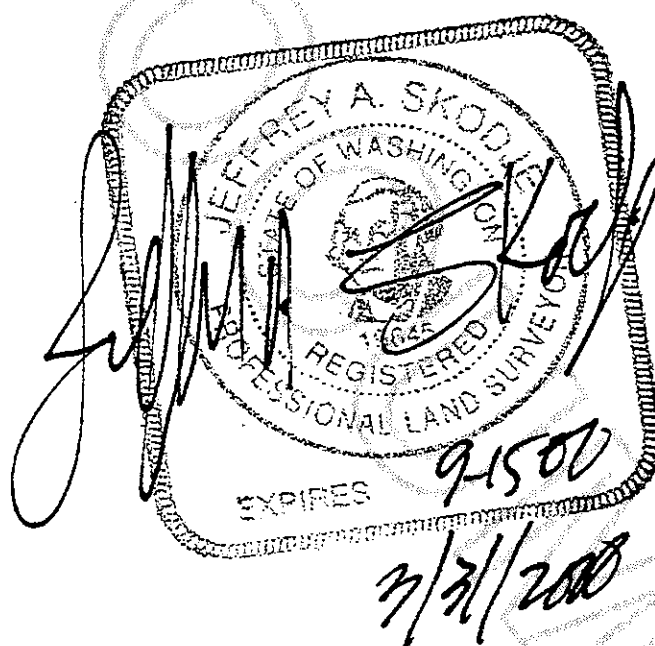
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LEGAL DESCRIPTION FOR: Hinton Parcel No. P-25918, Right-of-Way South

That portion of the Northwest quarter of the Northwest quarter of Section 17, Township 34 North, Range 4 East, W.M., described as follows:

Commencing at the Northwest corner of said Section 17; **thence** South 1° 01' 14" West along the West line thereof a distance of 401.74 feet; **thence** South 88° 58' 46" East 50.00 feet to the East right-of-way line of Riverside Drive; **thence** South 1° 01' 14" West along said right-of-way line 112.43 feet to the **TRUE POINT OF BEGINNING**; **thence** South 37° 16' 56" East 24.63 feet; **thence** South 87° 57' 04" East 278.97 feet to the East line of a strip of land ten feet in width lying Easterly of and adjacent to the East line of that certain tract in the Northwest quarter of the Northwest quarter of said section 17 as conveyed to Hinton Oldsmobile – GMC Truck, Inc. a corporation by deed dated May 28, 1968 recorded June 3, 1968 as Auditor's File No. 714268; **thence** South 1° 01' 14" West along said line 8.14 feet to the North right-of-way line of Pacific Place; **thence** North 87° 57' 04" West along said right-of-way line 290.24 feet to intersect the East right-of-way line of Riverside Drive; **thence** North 1° 01' 14" East along said right-of-way 27.19 feet to the **TRUE POINT OF BEGINNING**.

Containing 2,507 square feet.



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LEGAL DESCRIPTION FOR: Hinton Parcel P-25918, Right-of-way Northeast

The South 10 feet of the North 30 feet of that certain strip of land 10 feet in width lying Easterly of and adjacent to the East line of that certain tract in the Northwest quarter of the Northwest quarter of Section 17, Township 34 North, Range 4 East, W.M., conveyed to Hinton Oldsmobile – GMC Truck, Inc., a corporation by deed dated May 28, 1968, recorded June 3, 1968 as Auditor's File No. 714268.

Containing 101 square feet.

See attached Exhibit "A".



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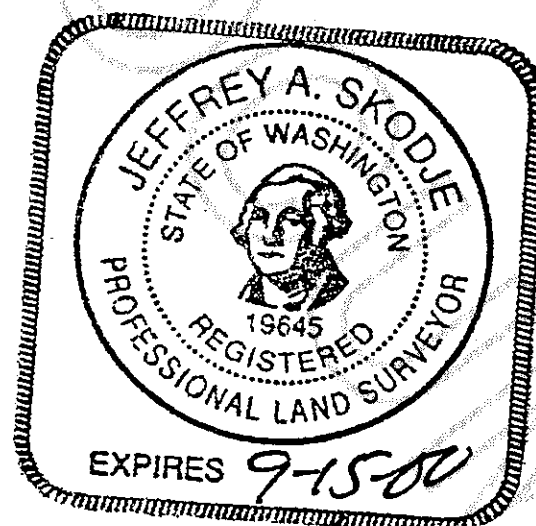
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LEGAL DISCRIPTION FOR: Hinton Parcel No. P-25918, Construction Easement North

That portion of the Northwest quarter of the Northwest quarter of Section 17, Township 34 N, Range 4 East, W.M., described as follows:

Commencing at the Northwest corner of said Section 17; **thence** South $1^{\circ} 01' 14''$ West along the West line thereof a distance of 401.74 feet; **thence** South $88^{\circ} 58' 46''$ East 50.00 feet to the East right-of-way line of Riverside Drive and the **TRUE POINT OF BEGINNING**; **thence** South $1^{\circ} 01' 14''$ West along said right-of-way 112.43 feet; **thence** South $37^{\circ} 16' 56''$ East 16.05 feet; **thence** North $1^{\circ} 10' 25''$ East 114.25 feet; **thence** North $14^{\circ} 36' 35''$ East 64.85 feet; **thence** North $0^{\circ} 14' 19''$ East 74.71 feet; **thence** North $1^{\circ} 29' 30''$ East 25.79 feet; **thence** along a curve to the left having a radius of 680.45 feet through a central angle of $5^{\circ} 23' 24''$ an arc distance of 64.01 feet; **thence** North $2^{\circ} 58' 02''$ West 129.06 feet; **thence** North $73^{\circ} 35' 07''$ East 20.96 feet; **thence** South $88^{\circ} 14' 45''$ East 152.08 feet; **thence** North $2^{\circ} 01' 58''$ East 15.88 feet to the South right-of-way line of Hoag Road; **thence** North $87^{\circ} 58' 02''$ West 15.22 feet along said right-of-way; **thence** leaving said right-of-way South $2^{\circ} 01' 58''$ West 1.00 feet; **thence** North $87^{\circ} 58' 02''$ West 69.65 feet; **thence** South $2^{\circ} 01' 58''$ West 4.50 feet; **thence** North $87^{\circ} 58' 02''$ West 68.66 feet; **thence** South $60^{\circ} 38' 17''$ West 36.18 feet; **thence** South $2^{\circ} 58' 02''$ East 129.06 feet; **thence** along a curve to the right having a radius of 1027.00 feet through a central angle of $3^{\circ} 31' 39''$ an arc distance of 63.23 feet; **thence** South $0^{\circ} 33' 37''$ West 98.96 feet; **thence** South $14^{\circ} 36' 35''$ West 55.25 feet to the **TRUE POINT OF BEGINNING**.

Containing 7,799 square feet.



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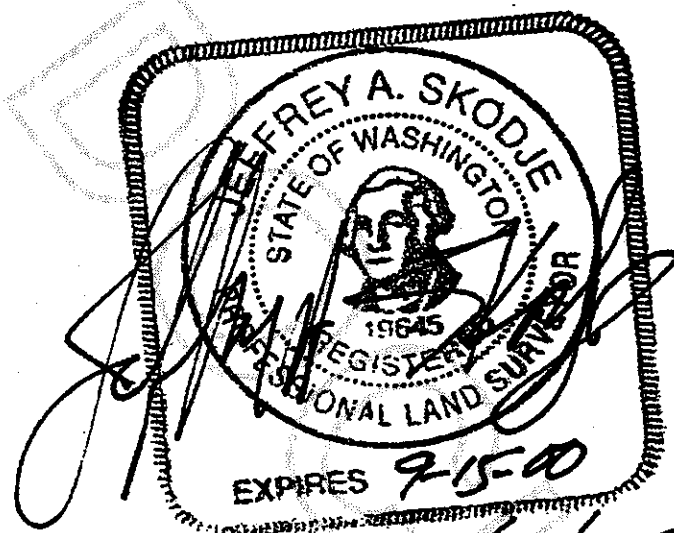
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LEGAL DESCRIPTION FOR: Hinton Parcel P-25918, Construction Easement South

That portion of the Northwest quarter of the Northwest quarter of Section 17, Township 34 North, Range 4 East, W.M., described as follows:

Commencing at the Northwest corner of said Section 17; thence South $1^{\circ} 01' 14''$ West along the West line thereof 401.74 feet; thence South $88^{\circ} 58' 46''$ East 50.00 feet to the East right-of-way line of Riverside Drive; thence South $1^{\circ} 01' 14''$ West along said right-of-way 112.43 feet; thence South $37^{\circ} 16' 56''$ East 18.17 feet to the **TRUE POINT OF BEGINNING**; thence continue South $37^{\circ} 16' 56''$ East 6.46 feet; thence South $87^{\circ} 57' 04''$ East 274.97 feet to a point on the East line of a strip of land 10 feet in width lying Easterly of and adjacent to the East line of that certain tract in the Northwest quarter of the Northwest quarter of said Section 17 as conveyed to Hinton Oldsmobile – GMC Truck, Inc. a corporation by deed dated May 28, 1968, recorded June 3, 1968 as Auditor's File No. 714268; thence North $1^{\circ} 01' 14''$ East along said line 5.01 feet; thence North $87^{\circ} 57' 04''$ West 278.97 feet to the **TRUE POINT OF BEGINNING**.

Containing 1,385 square feet.



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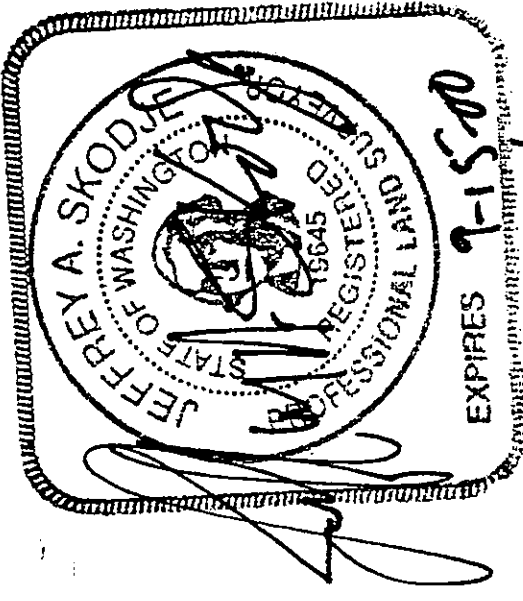
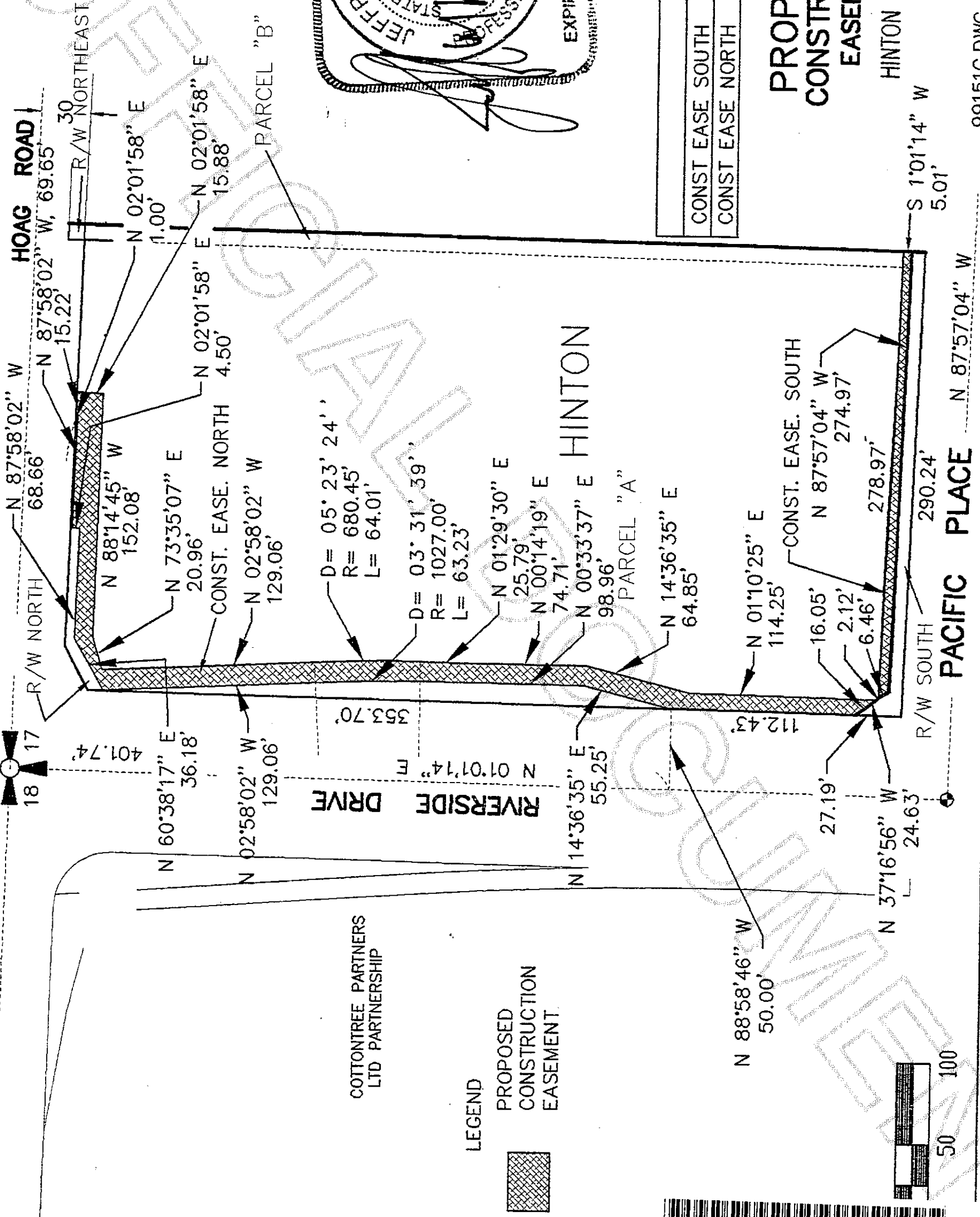
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EXHIBIT A
SHEET 2 OF 2

STEWART ROAD

T.34 N. R.4 E. WM



EXPIRES 9-15-20
3/2/16

	SQ FT	ACRES
CONST EASE SOUTH	1385	0.0318
CONST EASE NORTH	7799	0.1790

**PROPOSED
CONSTRUCTION
EASEMENT**

HINTON P25918



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