

## **ORDINANCE NO. 1733**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, VACATING AN EXISTING SEWER EASEMENT LOCATED ON THE EAST PIERCE FIRE & RESCUE STATION 111 PROPERTY; PROVIDING FOR SEVERABILITY, PUBLICATION, AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Joel Ingraham granted the City of Bonney Lake a sewer utility easement (recording number 201204170149) on April 10, 2012, located within parcel number 5640001192; and

**WHEREAS**, during the construction process of East Pierce Fire & Rescue Station 111 a portion of said easement was relocated for the purpose of re-installing sewer main outside of the proposed building foundation area; and

**WHEREAS**, a right-of-way vacation application, to release the original sewer easement was submitted to the City of Bonney Lake on November 27, 2024; and

**WHEREAS**, to release the previous existing easement, the City Council must hold a public hearing to determine whether the easement vacation is in the public interest; and

**WHEREAS**, BLMC 12.40.010.E mandates that the public hearing date for an easement vacation be established by resolution; and

**WHEREAS**, the City Council passed Resolution 3267 on March 11, 2025, setting the public hearing on April 8, 2025; and

**WHEREAS**, notice of the public hearing was provided in accordance with the requirements of BLMC 12.40.040; and

**WHEREAS**, a public hearing was conducted by the City Council on April 8, 2025; and

**WHEREAS**, no information or testimony was offered or presented regarding the proposed easement vacation at the public hearing; and

**WHEREAS**, the City finds that it is in the public interest to vacate the existing East Pierce Fire & Rescue Station 111 sewer easement described in Exhibit A and illustrated in Exhibit B; and

**WHEREAS**, the Council on the basis of evidence received at the public hearing including staffs recommendation, has concluded that vacation and relocation of the previous existing easement will not adversely affect any public interest; and

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1: Vacation.** The easement as described in Exhibit A and illustrated in Exhibit B, dedicated to the City of Bonney Lake for utility purposes situated **IS HEREBY VACATED.**

**Section 2. Severability.** If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

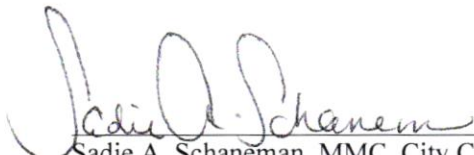
**Section 3. Publication.** This Ordinance shall be published by an approved summary consisting of the title.

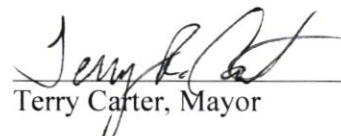
**Section 4. Corrections.** Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto. Provided, however, that nothing in this section allows the city attorney, the city clerk, and/or the code publisher to change the intent of this Ordinance.

**Section 5. Effective Date.** This Ordinance shall be effective five (5) days after adoption and publication as provided by law.

**ADOPTED** by the City Council of the City of Bonney Lake and attested by the City Clerk in authentication of such passage on this 22<sup>th</sup> day of April 2025.

AUTHENTICATED:

  
Sadie A. Schaneman, MMC, City Clerk

  
Terry Carter, Mayor

|                                |
|--------------------------------|
| AB 25-16                       |
| Passed: 4/22/2025              |
| Valid: 4/27/2025               |
| Published: 5/1/2025            |
| Effective Date: 4/27/2025      |
| This Ordinance totals <u>2</u> |
| page(s)                        |

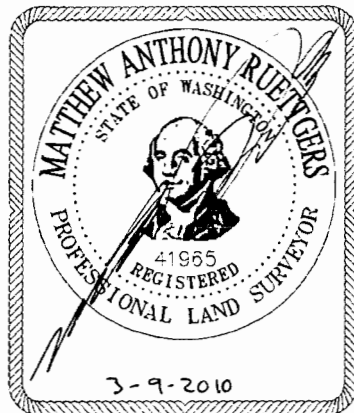
## EXHIBIT "A"

### EASEMENT DESCRIPTION

A portion of Parcels "A", "B", and "C" of City of Bonney Lake Boundary Line Adjustment PLN-2009-01159, recorded under Auditors File Number 200903135004, contained within a 15.00 foot wide strip of land, lying 7.50 feet on either side of the following described centerline:

Commencing at the Southwest corner of said Parcel "B", said point also lying on the North right of way line of Sumner Buckley Highway East; thence on the South line of said Parcel "B", being coincident with said right of way, 138.83 feet on the arc of a 340.00 foot radius curve to the left, whose central angle is  $23^{\circ}23'41''$ , and chord bears North  $65^{\circ}12'13''$  East, 137.86 feet to the **True Point of Beginning**; thence leaving said South line North  $00^{\circ}31'22''$  West, 6.20 feet to a point; thence North  $37^{\circ}55'12''$  West, 87.96 feet to a point; thence North  $52^{\circ}04'48''$  East, 84.28 feet to a point; thence North  $33^{\circ}52'02''$  West, 110.02 feet to a point; thence North  $01^{\circ}16'33''$  West, 248.74 feet to a point; thence North  $35^{\circ}12'37''$  East, 16.78 feet to a point on the South right of way line of Main Street East and the terminus point of this centerline. All lying in the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 33, Township 20 North, Range 5 East, Willamette Meridian, Pierce County, Washington, and containing 8,307 square feet, more or less.

Side lines of said easement shall extend or terminate on the appropriate intersection with property lines or right of ways.



# EXHIBIT "B"

## EXHIBIT "A" - PAGE 2

LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 33,  
TOWNSHIP 20 NORTH, RANGE 5 EAST,  
W.M., PIERCE COUNTY,  
WASHINGTON

### LEGEND:

▲ CALCULATED POINT

### CURVE TABLE:

C1 -  $D = 23^{\circ}23'41''$

$L = 138.83'$

$R = 340.00'$

$CH = N 65^{\circ}12'13'' E - 137.86'$



NOT TO SCALE

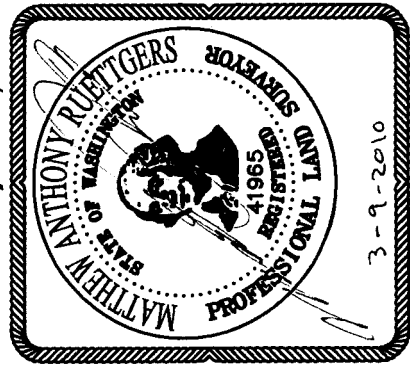
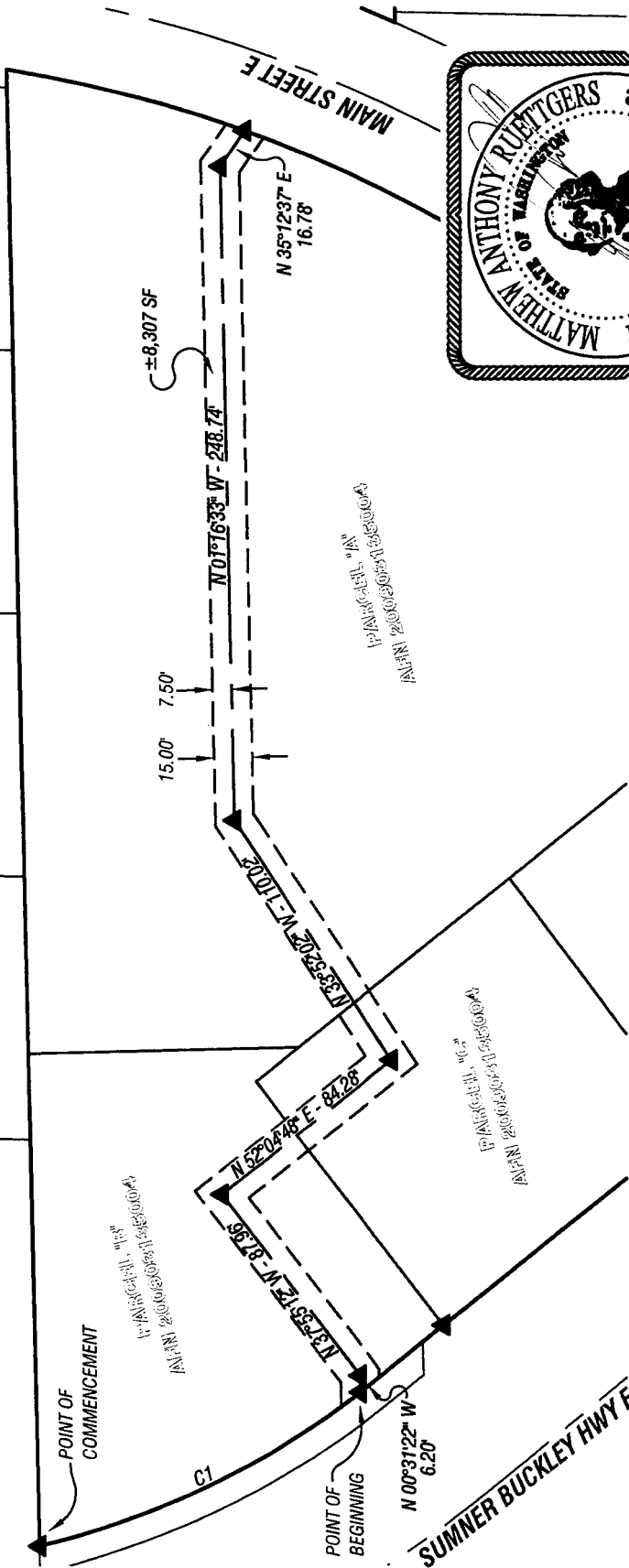
VALLEY VIEW  
LOT 8  
APN 181752A

VALLEY VIEW  
LOT 9  
APN 181752A

VALLEY VIEW  
LOT 10  
APN 181752A

VALLEY VIEW  
LOT 11  
APN 181752A

VALLEY VIEW  
LOT 12  
APN 181752A



**PacWest Engineering, LLC**

5009 PACIFIC HIGHWAY EAST, UNIT 9-0

FIFE, WA 98424

Phone (253) 926-3400

Fax (253) 926-3402

DWG: 08-555SSMID.DWG

DATE: 03-09-2010

PROJECT: 08-555





Posted: March 12, 2025

## Public Notice

---

### NOTICE OF PUBLIC HEARING

#### Vacation Of An Existing Utility Easement Proposed Ordinance D25-16

The City Council of the City of Bonney Lake will hold a Public Hearing during the regular meeting of April 8th, 2025, at 6:00 p.m., or as soon thereafter as possible, to consider the vacation of an existing utility easement, specifically a sewer easement on the East Pierce Fire and Rescue Station 111 property located at 8601 Main St E, tax parcel 5640001192 (Proposed Ordinance D25-16).

All members of the public may provide testimony during the public hearing, or they may submit written comments prior to the public hearing. The City Council meets at Bonney Lake Justice & Municipal Center located at 9002 Main Street East, Bonney Lake, WA 98391. Written comments may be submitted to the City Clerk at 9002 Main Street E, Suite 300, Bonney Lake, WA 98391.

For citizens with disabilities who are requesting translators or adaptive equipment for communication purposes, the City requests notification as soon as possible as to the type of service or equipment needed.

---

cc: Mayor  
City Council Members  
Department Heads

Posted: Justice & Municipal Center  
City Website



PUBLIC NOTICING IMAGE 1





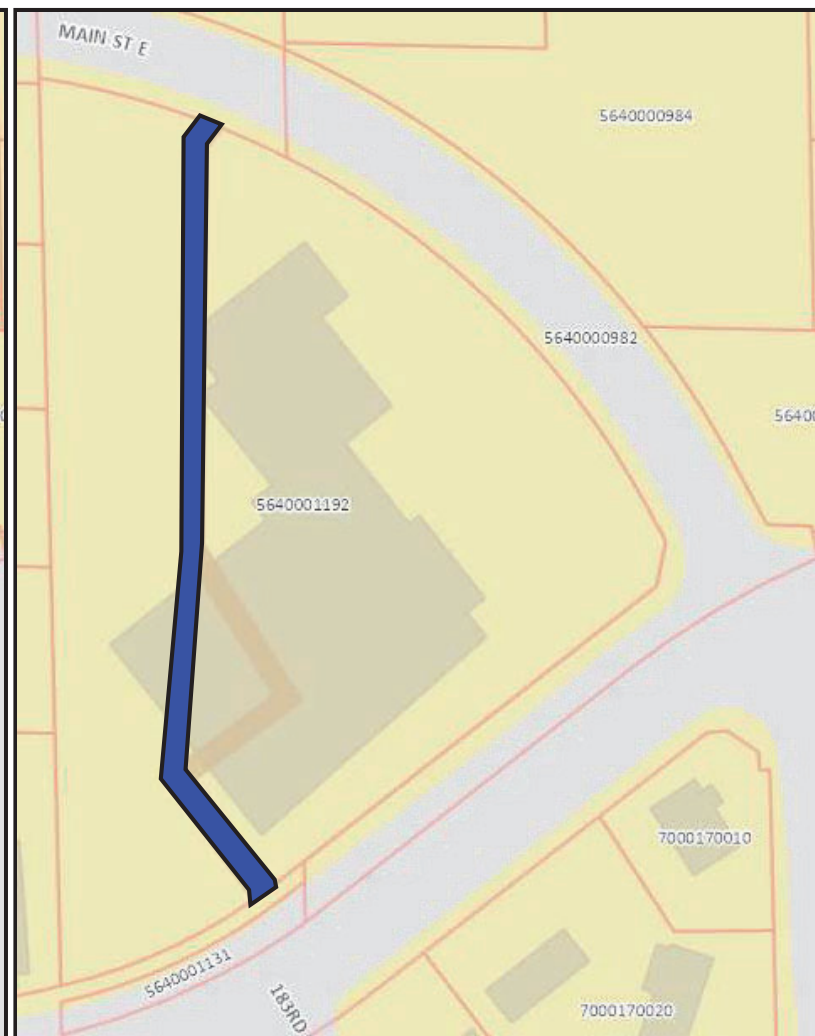
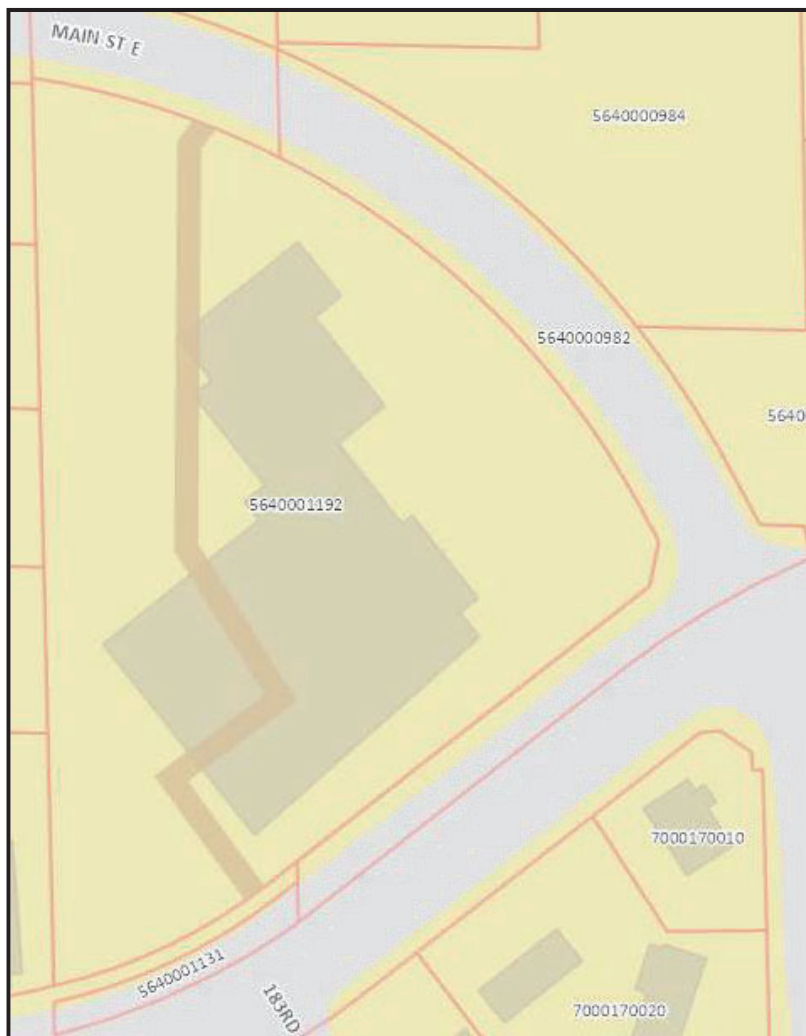
PUBLIC NOTICING IMAGE 2



## EASEMENT MAP

### OLD

### NEW





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

|  |  |  |
|--|--|--|
| <b>Agenda Item Type:</b><br>Ordinance                          | <b>Agenda Bill Number &amp; Ordinance/Resolution/Motion Number:</b><br>AB25-16/Ord. D25-16 |  |
| <b>Department/Division Submitting:</b><br>Development Services | <b>Presenter:</b><br>Jason Sullivan  | <b>City Strategic Goal Category:</b><br>None |

**Agenda Subject:** Vacation Of Existing Utility Easement.

**Full Title/Motion:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Vacating An Existing Sewer Easement Located On The East Pierce Fire & Rescue Station 111 Property; Providing For Severability Publication, And Corrections; And Establishing An Effective Date.

**Administrative Recommendation:** Approve

**Short Background Summary (Use a memo to write a full history):** During The Construction Process Of East Pierce Fire & Rescue Station 111 (Parcel Number 5640001192) A Portion Of A Sewer Line Was Relocated To Get It Outside Of The Building Footprint. The Sewer Line Is Now Located Outside Of The Building Foundation Area. The New Location Also Removed A Ninety-Degree Bend In The Sewer Line, Which Improved The Functionality Of The Sewer Line. EPF&R Has Already Granted A New Easement For The Relocated Sewer Line And The Portion Of The Line That Was Not Relocated. To Release The Old Easement, The City Council Must Hold A Public Hearing, Which Was Completed On April 8, 2025. The City Received No Comments During The Public Hearing.

**Attachments:** Ordinance D25-16, Public Notice, Noticing Images, And Easement Map.

**BUDGET INFORMATION**

**Budgeted Amount:**                      **Current Balance:**                      **Expenditure Amount Needed:**                      **Budgeted Balance Difference:**

**Budget Explanation:** This Action Has No Budgetary Impacts.

**COMMITTEE, BOARD & COMMISSION REVIEW**

**Public Hearing Date:**                      **Name Of Committee/Commission Public Hearing Was Done At:**

| <b>Date &amp; Name Of Committee/ Commission Meeting</b> | <b>Return To Committee/ Commission/Board</b> | <b>Council Workshop Discussion</b> | <b>Consent Agenda</b>        | <b>Council Full Issues</b>   |
|---|--|------------------------------------|------------------------------|------------------------------|
| Date:<br>Name:  | <input type="checkbox"/> Yes                 | <input type="checkbox"/> Yes       | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes |
| Date:<br>Name:  | <input type="checkbox"/> Yes                 | <input type="checkbox"/> Yes       | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes |
| Date:<br>Name:  | <input type="checkbox"/> Yes                 | <input type="checkbox"/> Yes       | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes |

**Hearing Examiner Review:**

**Preparer sent affected Department Director(s) copy of AB**

☐ Administrative Services   ☐ Court   ☐ Executive  
☐ Finance   ☐ Police   ☒ Public Services

**COUNCIL ACTION**

Workshop Date(s):    03/04/2025

Public Hearing Date(s): 04/08/2025

Meeting Date(s):      03/11/2025 and 04/22/2025

Tabled To:

**APPROVALS**

**Department Director:**  
*Jason Sullivan*

**Mayor:**  
*Terry Carter*

**Date Reviewed By City Attorney (if applicable):**  
April 8, 2025

# Classified Proof

|                |   |               |                             |             |         |
|----------------|---|---------------|-----------------------------|-------------|---------|
|                |   |               |                             |             |         |
| Client         | 3100013000 - City of Bonney Lake- LEGAL ADS | Phone         | (253) 862-8602              |             |         |
| Address        | 9002 Main St E, Suite 300                   | E-Mail        | BesawK@bonneylake.gov       |             |         |
|                | Bonney Lake, WA, 98391                      | Fax           |                             |             |         |
|                |   |               |                             |             |         |
| Order#         | 1012565                                     | Requested By  | KANDICE BESAW               | Order Price | \$21.70 |
| Classification | 3030 - Legal Notices                        | PO #          | ORD 1733                    | Tax 1       | \$0.00  |
| Start Date     | 04/30/2025                                  | Created By    | 0917                        | Tax 2       | \$0.00  |
| End Date       | 04/30/2025                                  | Creation Date | 04/23/2025, 09:55:51 am     | Total Net   | \$21.70 |
| Run Dates      | 1   |               |                             | Payment     | \$0.00  |
| Publication(s) | Enumclaw Courier Herald                     |               |                             |             |         |
|                |   |               |                             |             |         |
| Sales Rep      | 9470 - Jennifer Tribbett                    | Phone         | (360) 802-8212              |             |         |
|                |   | E-Mail        | jtribbett@courierherald.com |             |         |
|                |   | Fax           |                             |             |         |

**City of Bonney Lake  
Ordinances adopted**

**4/22/2025:**

**AB25-16 - Ordinance  
1733 [D25-16]** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Vacating An Existing Sewer Easement Located On The East Pierce Fire & Rescue Station 111 Property; Providing For Severability, Publication, And Corrections; And Establishing An Effective Date.  
ECH1012565  
4/30/25