

**CITY OF BUCKLEY, WASHINGTON
ORDINANCE NO. 04-24**

**AN ORDINANCE OF THE CITY OF BUCKLEY, WASHINGTON,
AMENDING VACATION ORDINANCE 08-16 TO CHANGE THE
WIDTH OF A RETAINED CITY UTILITY EASEMENT FROM 60
FEET TO 30 FEET AND FIXING A TIME WHEN THE SAME
SHALL BECOME EFFECTIVE.**

WHEREAS, Ordinance 08-16, which vacated a portion of 112th E, retained a utility easement for the City across the width of the vacation area; and

WHEREAS, the utility easement was recorded as part of a recorded boundary lot adjustment, BLA-2017-0003, Pierce County Recording No. 201709145001, and

WHEREAS, subsequent to the recording of the boundary lot adjustment, the City quit claimed its interest in the eastern 30 feet of the utility easement, recorded as Pierce County Recording No. 201712050667, and

WHEREAS, the City has utilities located in the utility easement that it quit claimed in Pierce County Recording No. 201712050667, and

WHEREAS, the City seeks to exchange the utility easement it has for the western half of vacated 112th E, where it has no utilities, for the eastern half of vacated 112th E, where it does have utilities,

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

Section 1. Section 1B of Buckley Ordinance 08-16 is amended to have the City only retain a utility easement over the eastern half of the 112th vacated area. The Mayor is authorized to quit claim and/or extinguish the utility easement the City retains in the western half of the area vacated by Ordinance 08-16 in exchange for a utility easement to the eastern half.

Section 2. If any sentence, clause, or phrase of the Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The City council hereby declares that it would have passed this Ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentence, clauses or phrases be declared unconstitutional or otherwise invalid.

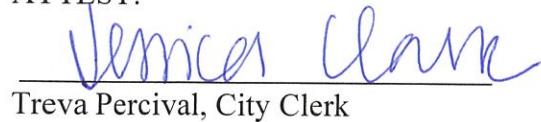
Section 3. Effective date. This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the city, and shall take effect and be in full force five (5) days after publication.

Introduced, passed and approved this 27th day of February 2024.



Beau Burkett, Mayor

ATTEST:



Treva Percival, City Clerk

APPROVED AS TO FORM:



Phil Olbrechts, City Attorney

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PUBLISHED: March 6, 2024

EFFECTIVE: March 11, 2024