

ORDINANCE NO. 18-008

AN ORDINANCE condemning for public street purposes certain land lying within the City of Camas for the purpose of constructing NW Larkspur Street;

THE COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

Section I

The City Council of the City of Camas hereby makes the following findings:

- A. The City desires to undertake a street improvement project of NW Larkspur Street from NW Camas Meadows Drive to NW Lake Road (“the street improvement project”).
- B. NW Camas Meadows Drive and NW Larkspur Street are classified as arterial streets whose function is to serve as a primary route to and from the commercially, industrially, and residentially zoned properties in Northwest Camas.
- C. At full buildout of the City Street, Larkspur is projected to carry over 10,000 vehicles per day.
- D. NW Larkspur Street is currently an under improved arterial consisting of two lanes and no improved shoulders or other related facilities.
- E. The street improvement project proposes to widen NW Larkspur Street to three lanes between NW Camas Meadows Drive and NW Lake Road.
- F. The street improvement project further includes construction of curbs, gutters, bike lane, sidewalks, street lighting, traffic signal upgrade, and storm water collection and treatment.
- G. The street improvement project is consistent with the City of Camas 20-Year Growth Management Plans.
- H. The properties described in Exhibits “A”, “B”, and “C” attached hereto and by this reference incorporated herein about the street improvement project (“the subject real properties”).

I. The City has been unsuccessful in its attempts to acquire the subject real properties by negotiation.

J. The street improvement project constitutes a public use under the provisions of RCW 8.12.030.

K. The subject real properties are necessary for completion of the street improvement project.

L. Pursuant to RCW 8.25.290, the City published and mailed notice to the property owners of the subject real properties this ordinance authorizes to be condemned, advising such owners that a final decision condemning the required properties would be made at the April 16, 2018, Camas City Council meeting.

M. Any and all interested parties had the opportunity to address the Camas City Council on this subject at the April 16, 2018, meeting

Section II

The City of Camas hereby is authorized to condemn the property and property interests for public improvements under RCW 8.12.030.

Section III

The City of Camas hereby condemns for public street purposes the properties described in Exhibits "A", "B", and "C" attached hereto and by this reference incorporated herein. Condemnation of the properties is subject to the making or paying of just compensation to the owners in the manner provided by law.

Section IV

Compensation for the subject real properties shall be paid from the NW Larkspur Street Project Fund of the City, and not by special assessment upon properties benefitted by such acquisition.

Section V

The City Attorney is hereby authorized and directed to begin and prosecute the proceedings provided by law to condemn, take, and appropriate the interests necessary to carry out the provisions of this ordinance, and is further authorized in conducting said condemnation proceedings, and for the purpose of minimizing damages, to stipulate as to the use of the properties hereby authorized to be condemned and appropriated, and as to the reservation of any right of use of the owner or any person entitled to possession of the properties, provided that such reservation does not interfere with the use of said properties as provided in this ordinance.

Section VI

The City Council hereby finds and declares that an emergency exists, and this is a matter of urgency which necessitates that this ordinance become effective immediately, in order to preserve the public health, safety, and welfare. This ordinance shall become effective immediately upon its passage.

PASSED by the Council and APPROVED by the Mayor this 16th day of April, 2018.

SIGNED: _____
Mayor

ATTEST: _____
Clerk

APPROVED as to form:

City Attorney