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Walla Walla County Commissioners

Document Titles (i.e.: type of document)

Ordinance No. 337

Auditor File Number(s) of document being assigned or released:

Grantor

1. **Walla Walla County Commissioners**
- 2.
- 3.

Additional names on page ____ of document.

Grantee

1. **The Public**
- 2.
- 3.

Additional names on page ____ of document.

Legal description (i.e.: lot and block or section township and range)

Additional legal is on page ____ of document.

Assessors Parcel Number

Additional parcel number is on page ____ of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein. Please type or print the information. This page becomes part of document.



Walla Walla County, WA

ORD

2007-00657

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01/17/2007 09:19A

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

ORDINANCE NO. 337

AN ORDINANCE REGARDING THE ACQUISITION OF REAL PROPERTY NECESSARY FOR THE NORTH EXTENSION OF MYRA ROAD, DECLARING THE PUBLIC USE AND NECESSITY OF SAME, AND AUTHORIZING THE PROSECUTING ATTORNEY TO BEGIN CONDEMNATION PROCEEDINGS

WHEREAS, the need for the Myra Road North Extension project has been recognized for more than 40 years; and

WHEREAS, the cities of College Place and Walla Walla and Walla Walla County have worked cooperatively to acquire, design and plan the extension of Myra Road; and

WHEREAS, by interlocal agreement, Walla Walla County has been designated as the lead agency for the project's design, planning, construction and right of way acquisition; and

WHEREAS, time is of the essence; and

WHEREAS, the route of the Myra Road extension was held in private ownership by numerous parties; and

WHEREAS, the County wishes to acquire property in a fair manner, ensuring that property owners are fairly compensated for right of way acquisition; and

WHEREAS, condemnation proceeding will assure that the property owners are fairly compensated for their properties; and

WHEREAS, the County must balance the interests of the property owners against the need to control cost by moving forward with the project in a timely fashion; and

WHEREAS, a report has been received from the County Engineer, detailing steps which have been taken to acquire the necessary properties; and

WHEREAS, a properly advertised public hearing regarding the acquisition of certain property to be utilized in the extension of Myra Road was held on January 2, 2007;



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NOW THEREFORE, the Board of County Commissioners makes the following findings of fact:

1. The north extension of Myra Road will strengthen the infrastructure of the communities of the City of Walla Walla, the City of College Place and Walla Walla County.
2. The route and plans, as displayed on Exhibit A, for the north extension of Myra Road are appropriate, and have been endorsed by the Cities of College Place and Walla Walla and Walla Walla County.
3. The north extension of Myra Road will relieve congestion and provide a necessary bypass route to facilitate travel between U.S. Highway 12 and Highway 125.
4. The properties listed on Exhibit B are appropriate and necessary to be acquired for right of way purposes for the north extension of Myra Road.
5. Walla Walla County has engaged in good faith negotiations with property owners to purchase property without resorting to condemnation.

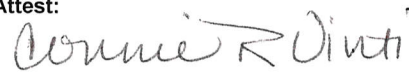
THEREFORE, the Board of County Commissioners makes the following conclusions of law:

1. The acquisition of the properties listed on Exhibit B is for public use and necessity.
2. The County is authorized by its Interlocal Agreements and RCW 8.08, RCW 36.70.040, RCW 36.89.030 and RCW 47.52.050 to acquire the properties listed on Exhibit B for condemnation.

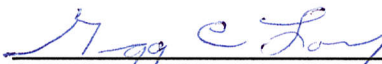
THEREFORE IT IS ORDAINED, by this Board of Walla Walla County Commissioners, that the acquisition of the properties listed on Exhibit B is for public use and necessity, and the Prosecuting Attorney is authorized to begin condemnation proceedings in accordance with RCW 8.08. Nothing in this ordinance precludes the County, through the Prosecuting Attorney, from continuing to negotiate with property owners pending Superior Court proceedings.

Done this 8th day of January, 2007

Attest:



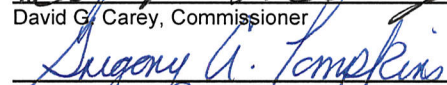
Connie R. Vinti, Clerk of the Board



Gregg C. Loney, Chairman



David G. Carey, Commissioner



Gregory A. Tompkins, Commissioner

Constituting the Board of County Commissioners
of Walla Walla County, Washington



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EXHIBIT B
MYRA ROAD

Emory Stubblefield
595 Offner Rd.
Walla Walla, WA 99362
Parcel No. 350-72444-0023

Elsie Grudzinski
531 Hatch St.,
Walla Walla, WA 99362
Parcel No. 350-72511-0024

Dennis & Judy Santo
455 Hatch St.
Walla Walla, WA 99362
Parcel No. 350-72552-1919

Norman Arbin
628 Wallula Rd.
Walla Walla, WA 99362
Parcel No. 350-72524-0047

ShopKo #089 (local manager Gordon Goetzman)
1600 W. Rose St.
Walla Walla, WA 99362
Parcel No. 360-73058-0001/0022

Park Partnership (Ken Maxon)
924 NE Chelan St.,
College Place, WA 99324
Parcel No. 350-72560-00901
(8 lots) 350-72560-00902
 350-72560-00903
 350-72560-00904
 350-72560-00905
 350-72560-00802
 350-72560-00803
 350-72560-00805



Walla Walla County, WA

ORD

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Diane Conover

From: Amie Lambert
Sent: Thursday, January 11, 2007 1:01 PM
To: Diane Conover
Subject: RE: Ordinance No. 337 - Myra Road Condemnation Proceedings

Diane:

David is getting me a smaller map and I will get it down to you.

Thanks!

Amie Lambert

Executive Assistant
Walla Walla County Public Works
PO Box 813 Walla Walla, WA 99362
(509) 527-3241 Office
(509) 527-3243 Fax
<mailto:alambert@co.walla-walla.wa.us>
<http://www.co.walla-walla.wa.us>

From: Diane Conover
Sent: Thursday, January 11, 2007 9:53 AM
To: Randy Glaeser; Amie Lambert
Subject: Ordinance No. 337 - Myra Road Condemnation Proceedings

Randy and Amie,

The map that is attached to the current ordinance is the incorrect size to be recorded. The recording department can only record letter and legal size paper. Would it be possible to get a corrected map? If you have any questions please call.

Thank you!
Diane

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF SETTING A
PUBLIC USE AND NECESSITY
HEARING ON PROPERTIES
REQUIRED FOR THE MYRA
ROAD EXTENSION PROJECT

RESOLUTION NO. 06 363

WHEREAS, State and local funds have been authorized for the Myra Road Extension project, and

WHEREAS, RCW 8.08.010 authorizes and empowers the County to condemn land and property required for public use and necessity, and

WHEREAS, the Board of County Commissioners must make a determination as to whether the taking of properties required for the Myra Road Extension project is for public use and necessity, now therefore

BE IT HEREBY RESOLVED, by this Board of Walla Walla County Commissioners that a public hearing to determine if properties required for the Myra Road Extension project are for public use and necessity be set for 1:45 p.m., Tuesday, January 2, 2007 in the Walla Walla County Commissioners Chambers, Walla Walla County Courthouse, Walla Walla, Washington or as soon thereafter as such hearing may be held.

Done this 18th day of December, 2006

Attest:

Connie R. Vinti
Connie R. Vinti, Clerk of the Board

David G. Carey
David G. Carey, Chairman

Gregg C. Loney
Gregg C. Loney, Commissioner

Gregory A. Tompkins
Gregory A. Tompkins, Commissioner

Constituting the Board of County Commissioners
of Walla Walla County, Washington

Affidavit of Publication

STATE OF WASHINGTON, } ss.
County of Walla Walla

William Thyken, being first duly sworn
upon oath deposes and says:

I am Controller
of the Walla Walla Union-Bulletin, Inc., Publisher of the

WALLA WALLA UNION
WALLA WALLA DAILY BULLETIN

approved as a legal newspaper by order of the Superior Court of the
State of Washington, in and for Walla Walla County; as such officer I
make this affidavit on behalf of said publisher.

The legal notice, a true copy
of which is annexed hereto, was published in the regular issues (and
not in supplement form) of said newspaper, for a period
of one day , commencing on the

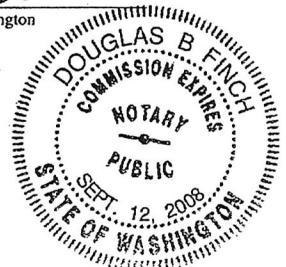
28th day of December, 2006, and
ending on the 28th day of December, 2006,
both dates inclusive, and said newspaper was regularly distributed to its
subscribers during all of said period. The full amount of the fee charged
for the foregoing publication is the sum of \$ 113.75;
which amount has been paid in full.

Subscribed and sworn to before me this 3rd day of

January, 2007.

Douglas B Finch

Notary Public in and for the State of Washington
Residing at Walla Walla, Washington



Legals	1	Legals	1																												
NOTICE OF HEARING By Walla Walla County, WA re: Determination of Necessity and Authorization of Condemnation Proceedings NOTICE IS HEREBY GIVEN that a hearing will be held to con- sider whether the acquisition of portions of the following prop- erties is for public use and necessity as required for the construc- tion of the Myra Road Extension project and to authorize the Prosecuting Attorney to begin condemnation proceedings against the properties in accordance with RCW 8.08 <table><thead><tr><th>Owner</th><th>Assessor Parcel</th></tr></thead><tbody><tr><td>Emory Stubblefield</td><td>360-72444-0023</td></tr><tr><td>Elsie Grudzinski</td><td>360-72511-0024</td></tr><tr><td>Norman Arbun</td><td>360-72524-0047</td></tr><tr><td>Dennis and Judy Santo</td><td>360-72552-1919</td></tr><tr><td>Shopko #089</td><td>360-73058-0001/0022</td></tr><tr><td>Park Partners</td><td>360-72560-00901</td></tr><tr><td>(8 lots)</td><td>360-72560-00902</td></tr><tr><td></td><td>360-72560-00903</td></tr><tr><td></td><td>360-72560-00904</td></tr><tr><td></td><td>360-72560-00905</td></tr><tr><td></td><td>360-72560-00802</td></tr><tr><td></td><td>360-72560-00803</td></tr><tr><td></td><td>360-72560-00805</td></tr></tbody></table> <p>Said hearing will be held in temporary Commissioners' Chambers, 310 West Poplar, lower level meeting room, Walla Walla, Washing- ton at 1:45 P.M. on Tuesday, January 2, 2007 or as soon thereaf- ter as possible. For more information please contact the Walla Walla County Public Works Dept., 990 Navion Lane, P.O. Box 818, Walla Walla, WA 99362, Telephone: 509-524-2712/509-527-3241. DATED at Walla Walla, Washington this 18th day of December, 2006. Connie R. Vinti, Clerk of the Board of County Commis- sioners. (Pub. Dec. 21 & 28, 2006)</p>				Owner	Assessor Parcel	Emory Stubblefield	360-72444-0023	Elsie Grudzinski	360-72511-0024	Norman Arbun	360-72524-0047	Dennis and Judy Santo	360-72552-1919	Shopko #089	360-73058-0001/0022	Park Partners	360-72560-00901	(8 lots)	360-72560-00902		360-72560-00903		360-72560-00904		360-72560-00905		360-72560-00802		360-72560-00803		360-72560-00805
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Notary Public in and for the State of Washington,
Residing at Waitsburg, Washington 99361

MYRA

**NOTICE OF HEARING
Surplus Property**

NOTICE IS HEREBY GIVEN that a hearing will be held to consider declaring property purchased due to the Myra Road Extension project surplus. Said hearing will be held in the Walla Walla County Commissioner Chambers, Walla Walla County Courthouse, 315 West Main, Walla Walla, Washington at 1:45 p.m., on Monday, January 22, 2007 or as soon thereafter as possible.

/s/ Randy L. Gleaser, P.E.
Randy L. Gleaser, P.E.
County Engineer/Director

The Times
January 11, 18, 2007

**NOTICE OF HEARING
Surplus Property**

NOTICE IS HEREBY GIVEN that a hearing will be held to consider declaring property purchased due to the Myra Road Extension project surplus. Said hearing will be held in the Walla Walla County Commissioner Chambers, Walla Walla County Courthouse, 315 West Main, Walla Walla, Washington at 1:45 p.m., on Monday, January 22, 2007 or as soon thereafter as possible.

/s/ Randy L. Gleaser, P.E.
Randy L. Gleaser, P.E.
County Engineer/Director

The Times
January 11, 18, 2007