ORDINANCE NO. 830

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
AMENDING ORDINANCE NO. 703 VACATING 7,908 SQUARE FEET OF
THE EASTERN EDGE OF WESTMINSTER WAY NORTH RIGHT-OF-
WAY BETWEEN NORTH 155th STREET AND NORTH 160th STREET
UNDER CERTAIN CONDITIONS

WHEREAS, in accordance with RCW 35.79.010, on August 5, 2013, the Shoreline City
Council adopted Resolution No. 347, initiating a street vacation for a portion of the eastern edge
of Westminster Way Right-of-Way pursuant to Shoreline Municipal Code 12.17; and

WHEREAS, the land survey accurately describes the area to be vacated to be 7,908 feet
and this Ordinance and the updated appraisal all reflect that number; and

WHEREAS, vacation of such right-of-way is conditioned upon the abutting landowner
executing a Vacation Agreement, payment for the value of the vacated right-of-way, and
conveyance to the City of another parcel of private property needed for upcoming City road
improvements in order to better align the rights-of-way in the area; and

WHEREAS, on October 1, 2013, the Shoreline Hearing Examiner held a public hearing on
the proposed street vacation and on October 3, 2013 issued a recommendation for approval of the
vacation subject to an adjustment to the consideration for the vacation and the reservation of
required utility easements; and

WHEREAS, on May 11, 2015 the City Council considered the recommendation of the
Hearing Examiner to approve the vacation, and on June 1, 2015 the City Council adopted
Ordinance No. 703 and vacated the right-of-way subject to certain conditions; and

WHEREAS, the adjacent landowner’s property subsequently went into federal
receivership prior to the conditions of the vacation being met; namely, execution of the Vacation
Agreement, payment of the required compensation for the vacation, and transfer of the parcel of
property; and

WHEREAS, the property is now being purchased by another owner who is seeking to fulfill
the outstanding conditions to finalize the previous street vacation; and

WHEREAS, due to the passage of time and demolition of the old buildings the City
undertook a new appraisal to update the value of the property being vacated as well as the property
being received by the City in the exchange; and

WHEREAS, this amended Ordinance reflects the updated value of the properties; and

WHEREAS, on June 25, 2018 the City Council considered this amended Ordinance with
the updated appraisal amount of the properties;
NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE,
WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council adopts the above findings and incorporates them herein.

Section 2. Incorporation. Ordinance No. 703, and the Exhibits thereto, are hereby incorporated herein.

Section 3. Conditions of Vacation. The vacation approved by Ordinance No. 703 continues to be subject to execution of a Vacation Agreement and the abutting property owner’s conveyance to the City of Parcel No. 1826049453, as depicted in Exhibit B attached to Ordinance No. 703, as well as the payment of not less than $200,000.00, representing the difference owing for the value of the property being received and vacated by the City. The City Manager is authorized to enter into a Vacation Agreement on behalf of the City consistent with this Ordinance and Ordinance No. 703 vacating the right-of-way and taking title to Parcel No. 1826049453.

Section 4. Additional Conditions. Monetary compensation shall be deposited in the General Fund with one-half placed in a restricted amount for future appropriation by the City Council for acquisition, improvement, development, and related maintenance of public open space or transportation capital projects in compliance with RCW 35.79.030, or as may otherwise be expressly authorized by the City Council.

Section 5. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON JULY 16, 2018.

[Signature]
Mayor Will Hall

ATTEST:

[Signature]
Jessica Simulcik Smith
City Clerk

APPROVED AS TO FORM:

[Signature]
Margaret J. King
City Attorney

Date of Publication: July 19, 2018
Effective Date: July 24, 2018