ORIGINAL

ORDINANCE NO. 327

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, VACATING N. 188TH STREET BETWEEN MIDVALE AVE AND THE SEATTLE CITY LIGHT TRANSMISSION RIGHT-OF-WAY

WHEREAS, Mr. Ron Landry, owner of Sky Nursery, submitted a Petition for Street Vacation to the Planning and Development Services Department to vacate N. 188th Street between Midvale Avenue N and Seattle City Light property on the eastern side of Aurora Avenue N; and

WHEREAS, on May 15, 2003 the Planning Commission held a public hearing on the proposed Street Vacation and recommended approval of the vacation subject to conditions; and

WHEREAS, the City Council held a public hearing on May 27, 2003 to consider the recommendation of the Planning Commission to approve the vacation; and

WHEREAS, the City Council has determined, following an engineering study, that the right-of-way subject to this Petition is surplus to the present and future transportation needs of the City; vacation will relieve the City of liability and maintenance responsibility; vacation will return the property to the tax roles; and the public interest is best served by the vacation of the right-of way subject to payment of compensation and reservation of necessary utility easements; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council concurs in the findings and conclusions proposed in the Planning Commission Staff Report and approved by the Planning Commission on May 15, 2003.

Section 2. Vacation. The right-of-way described below and depicted in Exhibit A attached hereto consisting of approximately 10,528.40 square feet is hereby vacated subject to conditions set forth in Section 3:

LEGAL DESCRIPTION OF RIGHT-OF-WAY TO BE VACATED

THAT PORTION OF NORTH 188th STREET RIGHT-OF-WAY BEGINNING AT A POINT; AT THE CENTERLINE OF NORTH 188TH STREET AND 31 FEET WEST OF CENTERLINE OF MIDVALE AVENUE NORTH AND EXTENDING APPROXIMATELY 264 FEET WEST TO THE EASTERLY MARGIN OF THE SEATTLE CITY LIGHT RIGHT-OF-WAY, ALL LOCATED IN CLIVE ADDITION TO ECHO LAKE ACCORDING TO THE PLAT RECORDED IN VOLUME 15 OF PLATS, PAGE 5, RECORDS OF KING COUNTY, WASHINGTON.

Section 3. Conditions. The vacation of the right-of-way described above shall be subject to the following conditions:

1. A total 8103.18 square feet owned by Petitioner adjacent to the Aurora Ave. right-of-way and Midvale Ave. N. is required for future circulation needs and shall be dedicated by Petitioner as partial compensation of the vacation. These portions of property to be dedicated are depicted in Exhibit A and described as:

   Portion Lt 3 and 4 Blk 3 Clive Add to Echo Lake 2442.62

   Portion Lt 2 Blk Blk 3 Clive Add to Echo Lake 1315.93

   Portion Lt 1 Blk 3 Clive Add to Echo Lake 119.63

   Portion Lt 2 and 3 Blk 4 Clive Add to Echo Lake 3300.00

   Portion Tract A Clives Add To Echo lake 925.00

2. All existing encroachments of the Petitioners property into City of Shoreline right-of-way shall be removed upon redevelopment of Petitioner's property or request of the City whichever is earlier.

3. Usage of Seattle City Light right-of-way shall be discontinued for truck access to North 192nd Street, or a license obtained from SCL to allow use and to provide storm water management of this area to meet current codes.

4. All Petitioner's properties using this right-of-way for access must either be merged to create one property, or access easements must be recorded over the vacated street property in a form acceptable to the City Attorney.

5. Easements for each utility currently using the vacated right-of-way, including the City of Shoreline stormwater utility, shall be recorded in a form acceptable to the utility providers. Utility easements must allow for extension of mains and allow for underground service.

6. Petitioner shall pay the sum of $48,504 to the City Clerk consisting of the fair market value of 2425.22 square feet of property consisting of the net right-of-way vacated after offsetting additional right-of-way required to be dedicated under condition 1.

The conditions of vacation listed in this section, except condition number 2, shall be satisfied prior to recording of this ordinance with the King County Department of Records and Elections by the City Clerk. If conditions are not satisfied and the ordinance is not recorded by the City Clerk within ninety (90) days of passage, this ordinance shall become null and void.

Section 4. Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full

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force 5 days from publication.

PASSED BY THE CITY COUNCIL ON MAY 27, 2003.

Mayor Scott Jepsen

ATTEST:

Sharon Mattioli
City Clerk

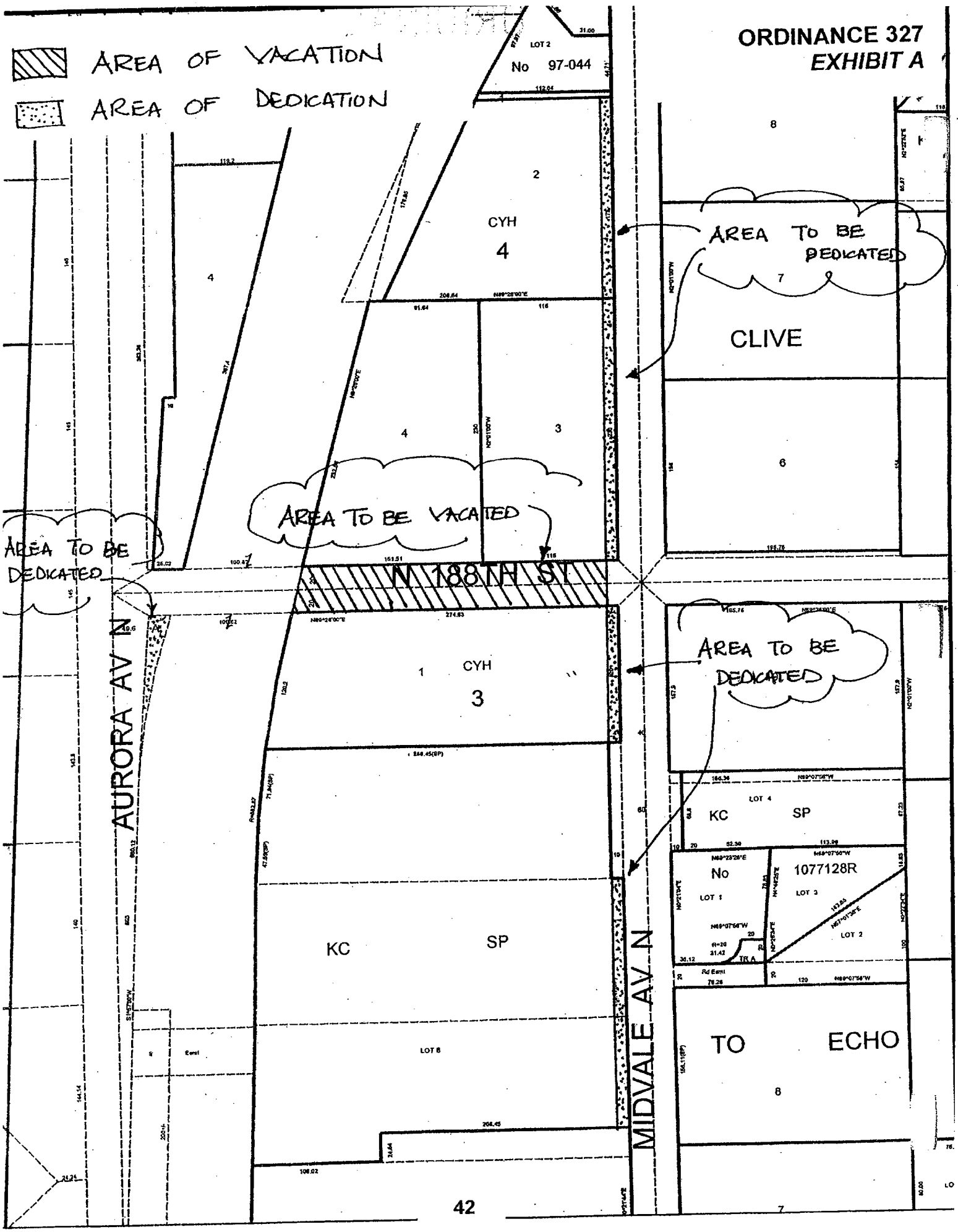
APPROVED AS TO FORM:

Ian Sievers
City Attorney

Exhibits:

A. Vacation/Dedication area map

Date of Publication: May 30, 2003
Effective Date: June 4, 2003


ORDINANCE 327
EXHIBIT A
AREA OF VACATION
AREA OF DEDICATION
LOT 2
No 97-044
CYH
4
AREA TO BE DEDICATED
CLIVE
AREA TO BE VACATED
AREA TO BE DEDICATED
N 188TH ST
AURORA AV N
CYH
3
AREA TO BE DEDICATED
KC
SP
LOT 4
No
1077128R
LOT 1
LOT 3
LOT 2
TO
ECHO
MIDVALE AV N
LOT 8

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SHENK, CAROL M CORD 23.00
PAGE 001 OF 005
09/24/2003 10:58
KING COUNTY, WA

Return Address:
City of Shoreline
17544 Midvale Ave N
Shoreline WA
98125

Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)

Document Title(s) (or transactions contained therein): (all areas applicable to your document must be filled in)

1. City of Shoreline Ordinance 327 2. _____
3. _____ 4. _____

Reference Number(s) of Documents assigned or released:

Additional reference #'s on page _____ of document

Grantor(s) (Last name, first name, initials)
1. City of Shoreline _____, _____
2. _____, _____

Additional names on page _____ of document.

Grantee(s) (Last name first, then first name and initials)
1. None _____, _____
2. _____, _____

Additional names on page _____ of document.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)

_____

_____

Additional legal is on page _____ of document.

Assessor's Property Tax Parcel/Account Number ☐ Assessor Tax # not yet assigned

_____

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

_____ Signature of Requesting Party