

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE NO. 1863

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON
VACATING A PORTION OF MC DONALD AVENUE RIGHT-OF-WAY
LOCATED IN THE PLAT OF ENGLAND AND ELWELL'S FIRST
ADDITION TO SNOHOMISH**

WHEREAS, the owners of 100 percent of the property abutting the right-of-way to be vacated signed the street vacation petition; and

WHEREAS, by Resolution 929, the City Council did call for public hearing on the vacation of the unimproved right-of-way; and

WHEREAS, the City Clerk did give notice of the public hearing as required by law; and

WHEREAS, a public hearing was held on the 16th day of June 1998 to consider the vacation of the right-of-way and as a result of all evidence provided at the hearing, the City Council makes the following findings and conclusions:

1. The right-of-way is not needed for public purposes; and
2. It is in the public interest to require compensation from abutting property owners for the vacation of the right-of-way; and
3. Vacation of this right-of-way will not adversely affect the street pattern or circulation of the immediate area of the community; and
4. The public need is not adversely affected; and
5. No abutting property owners will become landlocked and access will not be substantially impaired; and

NOW THEREFORE, the City Council of the City of Snohomish, Washington do ordain as follows:

Section 1. The property, which is vacated by this order, is legally described as:

That portion of McDonald Avenue, Plat of England and Elwell's First Addition to Snohomish, W.T., According to the plat thereof, recorded in Volume 1 of plats, page 49, records of Snohomish County, Washington, described as follows:

Beginning at the Southeast corner of Lot 5, Block 2 of said plat;

THENCE N. 00 38'19" E., along the East line of said Block 2, a distance of 250.00 feet to the Northeast corner of Lot 1 of said Block 1 and the Northern line of said plat;

THENCE S.89 16'11"E., along said Northern Line, a distance of 60.00 feet to the Northwest corner of Lot 1, Block 1 of said plat;

THENCE S.00 38'19"W., a distance of 250.00 feet to the Southwest corner of Lot 5 of said Block 1;

THENCE N.89 16'11"W., a distance of 60.00 feet to the point of beginning.

SUBJECT to all easements, restrictions, and reservations.

Situate in the City of Snohomish, County of Snohomish, State of Washington;

Section 2. In consideration for the vacation, the City shall not be compensated by the owner of the property, which abuts the right-of-way being vacated.

Section 3. This ordinance and the vacation referred to herein shall become effective five days after the publication of this ordinance and the recording of a certified copy of the same in the records of the Snohomish County Auditor.

ADOPTED by the City Council and APPROVED by the Mayor this 16 day of June, 1998.

CITY OF SNOHOMISH

By _____
Jeff Soth, Mayor

ATTEST:

By _____
Molly Linville, City Clerk

APPROVED AS TO FORM:

By _____
Grant Weed, City Attorney

Date of Publication: _____

Effective Date (5 days after publication): _____