

**CITY OF SNOHOMISH  
Snohomish, Washington**

**ORDINANCE 2314**

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON,  
APPROVING THE VACATION OF THAT PORTION OF FORD AVENUE  
LOCATED NORTH OF MAPLE AVENUE, WITHIN THE CITY OF  
SNOHOMISH, WASHINGTON**

**WHEREAS**, the City Council has received a petition from Mr. Lawrence Countryman requesting that a portion of the Ford Avenue public right-of-way depicted upon Exhibit A, attached hereto and incorporated by this reference be vacated; and

**WHEREAS**, the vacation petition contains the signatures of the owner(s) of more than two-thirds of the property abutting the portion of right of way requested to be vacated; and

**WHEREAS**, the action of vacating a street or roadway is categorically exempt from environmental review per WAC 197-11-800(2)(i) and is therefore not subject to SEPA rules and determinations; and

**WHEREAS**, Resolution 1346 calling for a public hearing regarding the vacation of the subject right of way was passed by the City Council and approved by the Mayor on July 5, 2016; and

**WHEREAS**, posting requirements of the City of Snohomish Municipal Code 12.48.060 have been met; and

**WHEREAS**, a public hearing was held before the City Council on August 16, 2016; and

**WHEREAS**, the petitioner has agreed to meet certain conditions as set forth herein;

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

**Section 1. Vacation.** That portion of Ford Avenue right of way located north of Maple Avenue, as depicted and legally described on attached Exhibit "A", which is by this reference incorporated herein by this reference, the same is hereby vacated, and the property lying in said portion of a certain street right of way described hereinabove, shall be returned and belong to those persons entitled to receive the property in accordance with the law.

**Section 2. Condition of Vacation.** The vacation is contingent on the adjacent property owner/petitioner compensating the City in the form of a dedication of that portion of

Parcel No. 28061800104400 and 00435900100301, as depicted and legally described on attached Exhibits “B” and “C”, which is by this reference incorporated herein by this reference, the same is hereby dedicated to the City. If the compensation is not completed and the conditions are not complied with within one year from adoption of this Ordinance, then this ordinance shall be void unless the one year period is extended by ordinance of the City Council.

**Section 3. Effective Date.** This ordinance shall not be published or become effective until all compensation and fees and costs have been paid in full by the petitioner and all conditions of the City Council have been complied with. This ordinance shall take effect five days after adoption and publication by summary. This vacation, the transfer of the title to the Exhibit A property to petitioner and dedication to the City of the Exhibit B and C properties shall be effective at such time as this ordinance is recorded in the office of the County Auditor. The City Clerk is directed to record a certified copy of this ordinance with the Snohomish County Auditor’s Office upon confirmation from the Public Works Director that all conditions set forth in this ordinance, including, but not limited to the compensation to the City as set forth herein have been satisfied. Costs of recording shall be the responsibility of the owner/petitioner. Following recording of this ordinance, a certified copy shall be sent to the Snohomish County Treasurer’s Office.

**Section 4. Severability.** If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

**Section 5. Implementation.** The City Manager is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this ordinance.

**ADOPTED** by the City Council and **APPROVED** by the Mayor this 16<sup>th</sup> day of August, 2016.

CITY OF SNOHOMISH

By \_\_\_\_\_  
KAREN GUZAK, MAYOR

Attest:

By \_\_\_\_\_  
PAT ADAMS, CITY CLERK

Approved as to form:

By \_\_\_\_\_  
GRANT K. WEED, CITY ATTORNEY

Date of Publication: August 20, 2016

Effective Date (5 days after publication): August 25, 2016

**EXHIBIT A**

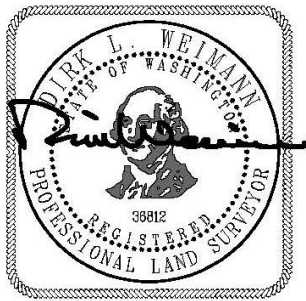
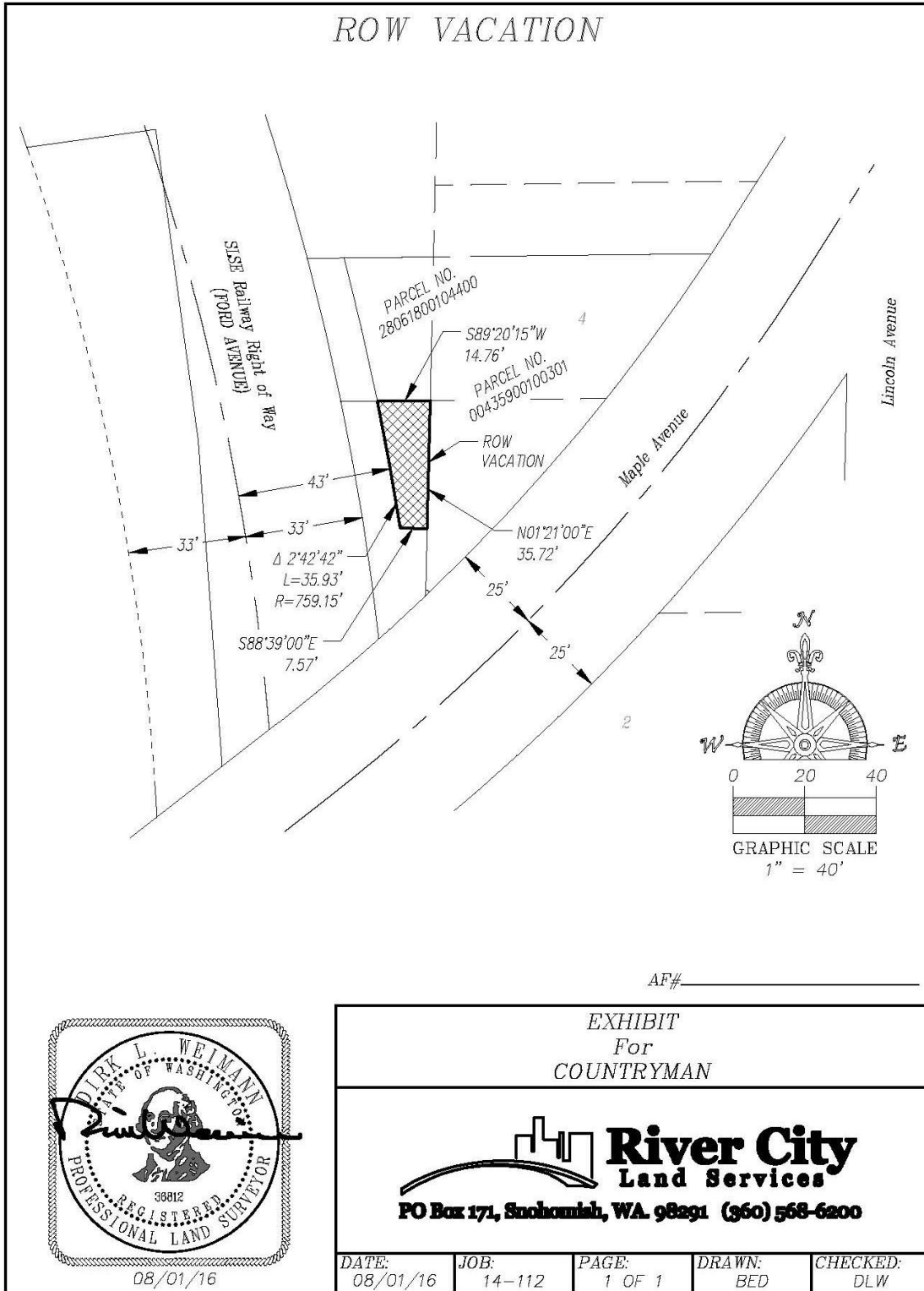


EXHIBIT  
 For  
 COUNTRYMAN

**River City**  
 Land Services  
 PO Box 171, Snohomish, WA. 98291 (360) 568-6200

DATE: 08/01/16	JOB: 14-112	PAGE: 1 OF 1	DRAWN: BED	CHECKED: DLW
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**EXHIBIT A (continued)**

LEGAL DESCRIPTION:

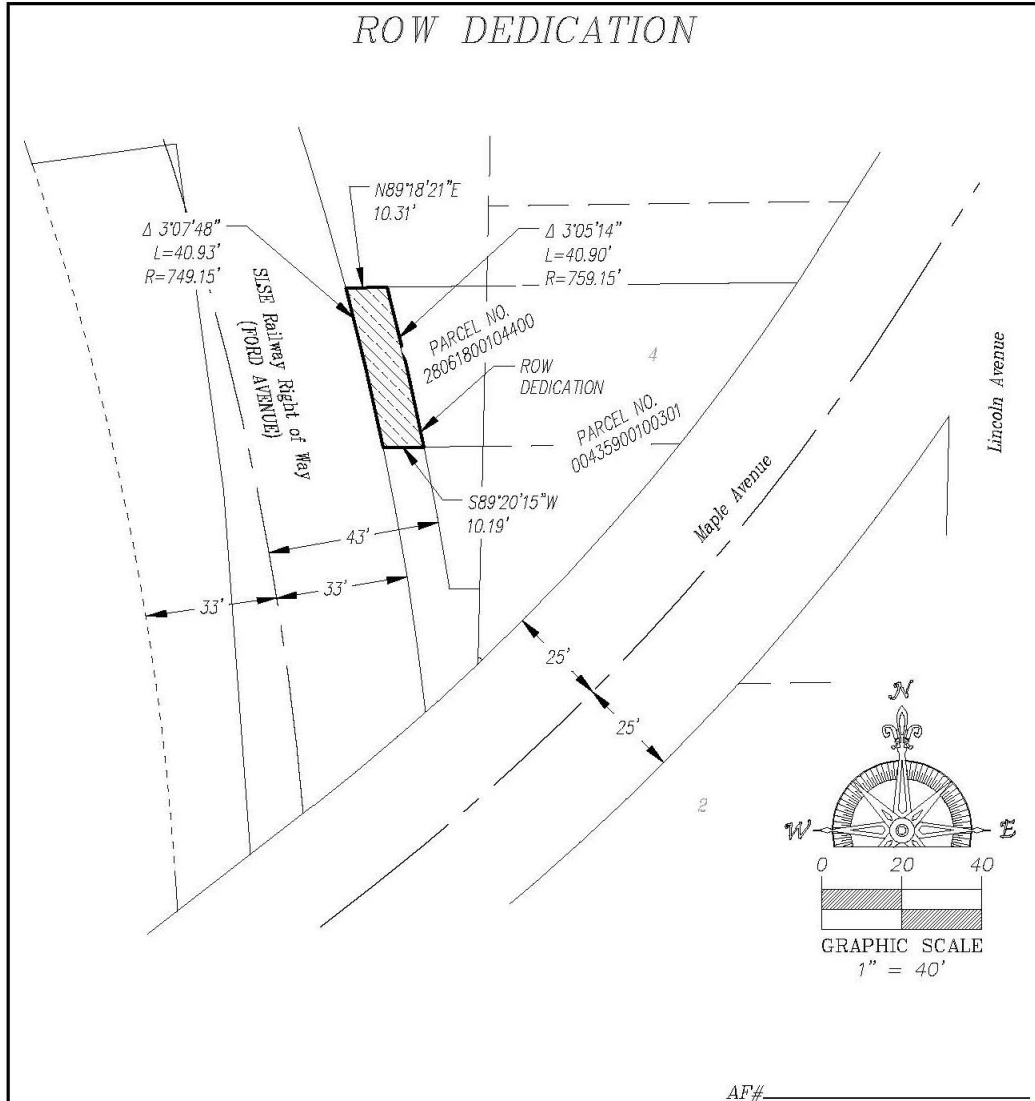
THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 6 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 3, BLOCK 1, ENGLAND'S ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 38, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, THE TRUE POINT OF BEGINNING;  
THENCE S1°21'00"W ALONG THE WEST LINE OF SAID LOT 3 A DISTANCE OF 35.72 FEET;  
THENCE N88°39'00" W PERPENDICULAR TO THE WEST LINE OF SAID LOT 3 A DISTANCE OF 7.57 FEET TO A POINT ON THE EASTERLY MARGIN OF THE NORTHERN PACIFIC RAILROAD RIGHT OF WAY;  
THENCE NORTHWESTERLY ALONG SAID EASTERLY MARGIN A DISTANCE OF 35.93 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 759.15 FEET AND CONSUMING A CENTRAL ANGLE OF 2°42'42" TO A POINT OF INTERSECTION WITH NORTH LINE OF SAID LOT 3 PROJECTED WESTERLY;  
THENCE N89°20'15"E ALONG THE WESTERLY PROJECTION OF THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 14.76 FEET TO THE NORTHWEST CORNER OF SAID LOT 3 AND THE TRUE POINT OF BEGINNING.

SITUATE IN SNOHOMISH COUNTY, WASHINGTON

CONTAINING APPROXIMATELY 391 SQUARE FEET

# EXHIBIT B



08/01/16

*EXHIBIT  
For  
COUNTRYMAN*

**River City  
Land Services**  
PO Box 171, Snohomish, WA. 98291 (360) 568-6200

DATE: 08/01/16	JOB: 14-112	PAGE: 1 OF 1	DRAWN: BED	CHECKED: DLW
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**EXHIBIT B (continued)**

LEGAL DESCRIPTION:

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 6 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 4, BLOCK 1, ENGLAND'S ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 38, RECORDS OF SNOHOMISH COUNTY, WAASHINGTON, THE TRUE POINT OF BEGINNING;

THENCE N1°21'00"E ALONG THE WEST LINE OF SAID LOT 4 A DISTANCE OF 39.98 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 20.00 FEET OF SAID LOT 4; THENCE S89°18'21"W ALONG THE WESTERLY PROJECTION OF SAID SOUTH LINE OF THE NORTH 20.00 FEET OF SAID LOT 4 A DISTANCE OF 35.27 FEET TO A POINT ON THE EASTERLY MARGIN OF THE NORTHERN PACIFIC RAILROAD RIGHT OF WAY;

THENCE SOUTHEASTERLY ALONG SAID EASTERLY MARGIN A DISTANCE OF 40.90 FEET ALONG THE ARC OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 749.15 FEET AND CONSUMING A CENTRAL ANGLE OF 3°07'48" TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID LOT 4 PROJECTED WESTERLY;

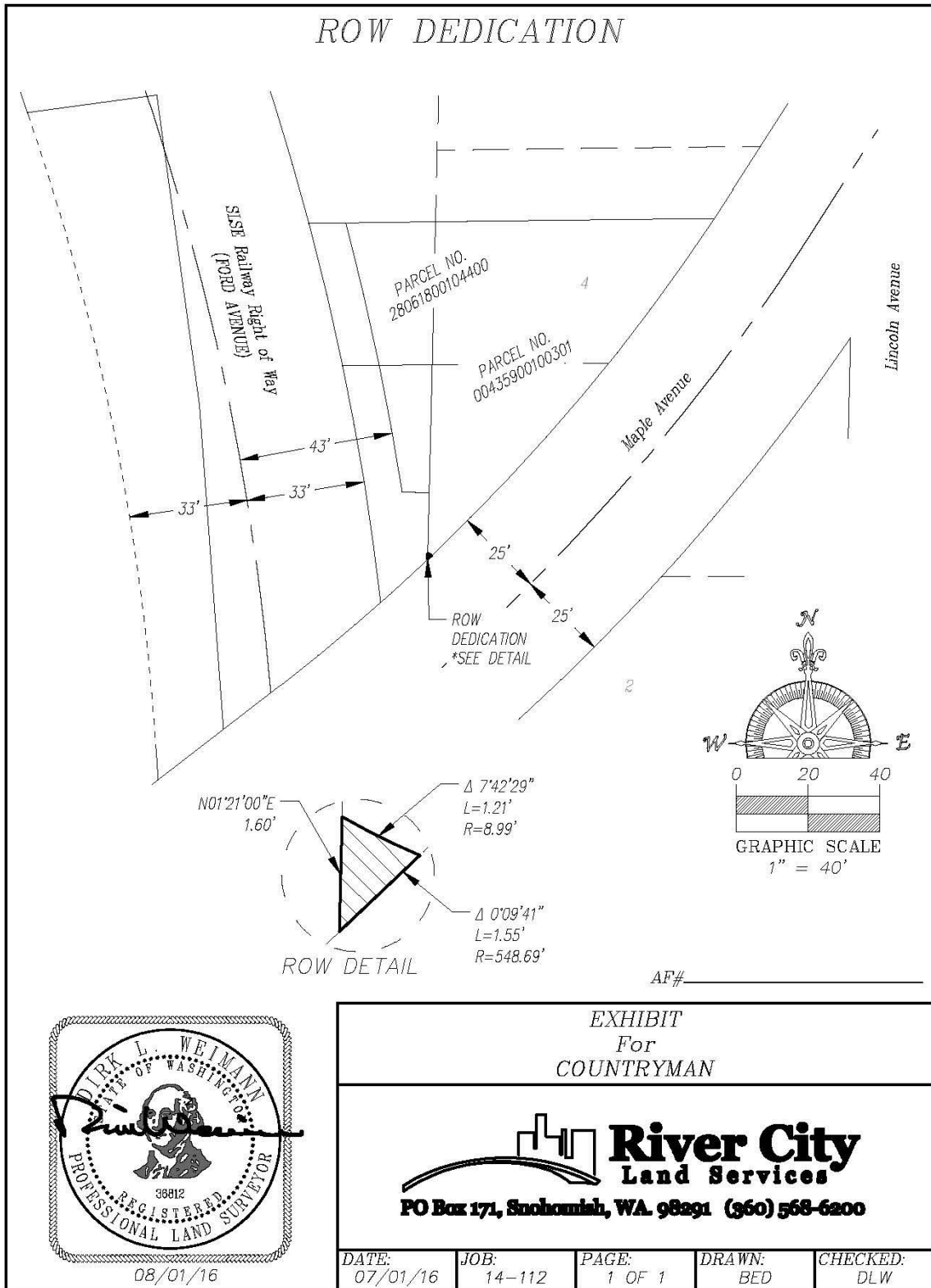
THENCE N89°20'15"E ALONG THE WESTERLY PROJECTION OF THE SOUTH LINE OF SAID LOT 4 A DISTANCE OF 24.95 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4 AND THE TRUE POINT OF BEGINNING.

EXCEPT ALL THAT PORTION THEREOF LYING EASTERLY OF AN ARC, CONCAVE TO THE SOUTHWEST, SAID ARC BEING 43.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY AS MEASURED PERPENDICULAR THERETO.

SITUATE IN SNOHOMISH COUNTY, WASHINGTON.

CONTAINING APPROXIMATELY 409 SQUARE FEET

# EXHIBIT C



08/01/16

EXHIBIT  
For  
COUNTRYMAN


**River City**  
 Land Services  
 PO Box 171, Snohomish, WA. 98291 (360) 568-6200

DATE: 07/01/16	JOB: 14-112	PAGE: 1 OF 1	DRAWN: BED	CHECKED: DLW
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**EXHIBIT C (continued)**

LEGAL DESCRIPTION:

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 6 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 3, BLOCK 1, ENGLAND'S ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 38, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;  
THENCE S01°21'00"W ALONG THE WEST LINE OF SAID LOT 3 A DISTANCE OF 52.73 FEET TO A POINT ON THE NORTH EDGE OF AN EXISTING CONCRETE SIDEWALK;  
THENCE FOLLOWING SAID NORTH EDGE OF EXISTING CONCRETE SIDEWALK IN A SOUTHEASTERLY DIRECTION 1.21 FEET ALONG AN ARC, CONCAVE TO THE NORTHEAST, THE CHORD OF WHICH BEARS S63°31'14"E, HAVING A RADIUS OF 8.99 FEET, AND CONSUMING A CENTRAL ANGLE OF 7°42'29" TO A POINT ON THE WESTERLY MARGIN OF MAPLE AVENUE;  
THENCE SOUTHWESTERLY ALONG SAID WESTERLY MARGIN OF MAPLE AVENUE A DISTANCE OF 1.55 FEET TO THE POINT OF INTERSECTION WITH THE WEST LINE OF AFOREMENTIONED LOT 3;  
THENCE N01°21'00"E ALONG SAID WEST LINE A DISTANCE OF 1.60 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE IN SNOHOMISH COUNTY, WASHINGTON.

CONTAINING APPROXIMATELY 1 SQUARE FOOT.