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06/08/2018 1:03pm \$104.00
SNOMISH COUNTY, WASHINGTON

RETURN NAME & ADDRESS

CITY OF SNOMISH
116 UNION AVE
SNOMISH, WA 98290

Please print neatly or type information
Document Title(s)

ORDINANCE 2346

Reference Number(s) of related documents:

Additional Reference #'s on page ____

Grantor(s) (Last, First, and Middle Initial)

CITY OF SNOMISH

Additional Grantors on page ____

Grantee(s) (Last, First, and Middle Initial)

PERASSO, ROBERT

Additional Grantees on page ____

Legal Description (abbreviated form: i.e. lot, block, plat or section, township, range,
quarter/quarter)

THAT PTN SW 1/4 SW 1/4 SEC 7 T28N R6E

Complete legal on page ____

Assessor's Property Tax Parcel/Account Number

00444400702200, 0444400702500,
00444400701000,
00444400700800

Additional parcel #'s on page ____

The Auditor/Recorder will rely on the information provided on this form. The responsibility for the accuracy of the indexing information is that of the document preparer.

*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

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2346

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON,
APPROVING THE VACATION OF THAT PORTION OF ALLEY
LOCATED BETWEEN AVENUES A AND B, NORTH OF SEVENTH
STREET, WITHIN THE CITY OF SNOHOMISH, WASHINGTON**

WHEREAS, the City Council has received a petition from Mr. Robert Perasso, requesting that a portion of the alley (between Avenues A and B, north of Seventh Street) public right-of-way as depicted and legally described in 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 1374 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 January 16, 2018; and

WHEREAS, posting and notice 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 February 20, 2018 and all persons wishing to be heard on the matter were heard; and

WHEREAS, the City Council finds that the street vacation area was deeded to the City of Snohomish in 1890. In accordance with state law and Snohomish Municipal Code 12.48.040(B), the City can be compensated the full appraised value when the street has been a part of the dedicated right of way for twenty-five years or more;

WHEREAS, a public benefit will be achieved by this vacation, the street pattern and circulation will not be adversely affected, no public need will be affected, this alley is not contemplated for future use, no abutting property owner will become landlocked, no utility easement will be needed, and the alley does not abut a body of water;

WHEREAS, the petitioner has agreed as reflected in the minutes of the council meeting of January 15, 2018 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. Subject to the conditions set forth in Sections 2 and 3 of this ordinance, that portion of the alley right of way located between Avenues A and B, north of Seventh Street, as depicted and legally described on attached Exhibit A, which is by this reference incorporated herein, is hereby vacated, and shall be returned and belong to the petitioner who is the adjacent property owner.

Section 2. Condition of Vacation. The vacation is contingent on the adjacent property owner/petitioner compensating the City in the amount of \$25,000 which is the full appraised value of the vacation area as determined by the petitioner's appraiser Valbridge Property Advisors. If the compensation is not paid to the City 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 and the transfer of title to petitioner 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 payment of compensation in full to the City as set forth herein has been made. 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 Mayor or designee is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this location.

ADOPTED by the City Council and **APPROVED** by the Mayor this 20th day of February, 2018.

CITY OF SNOHOMISH

By John T. Kartak
JOHN T. KARTAK, MAYOR

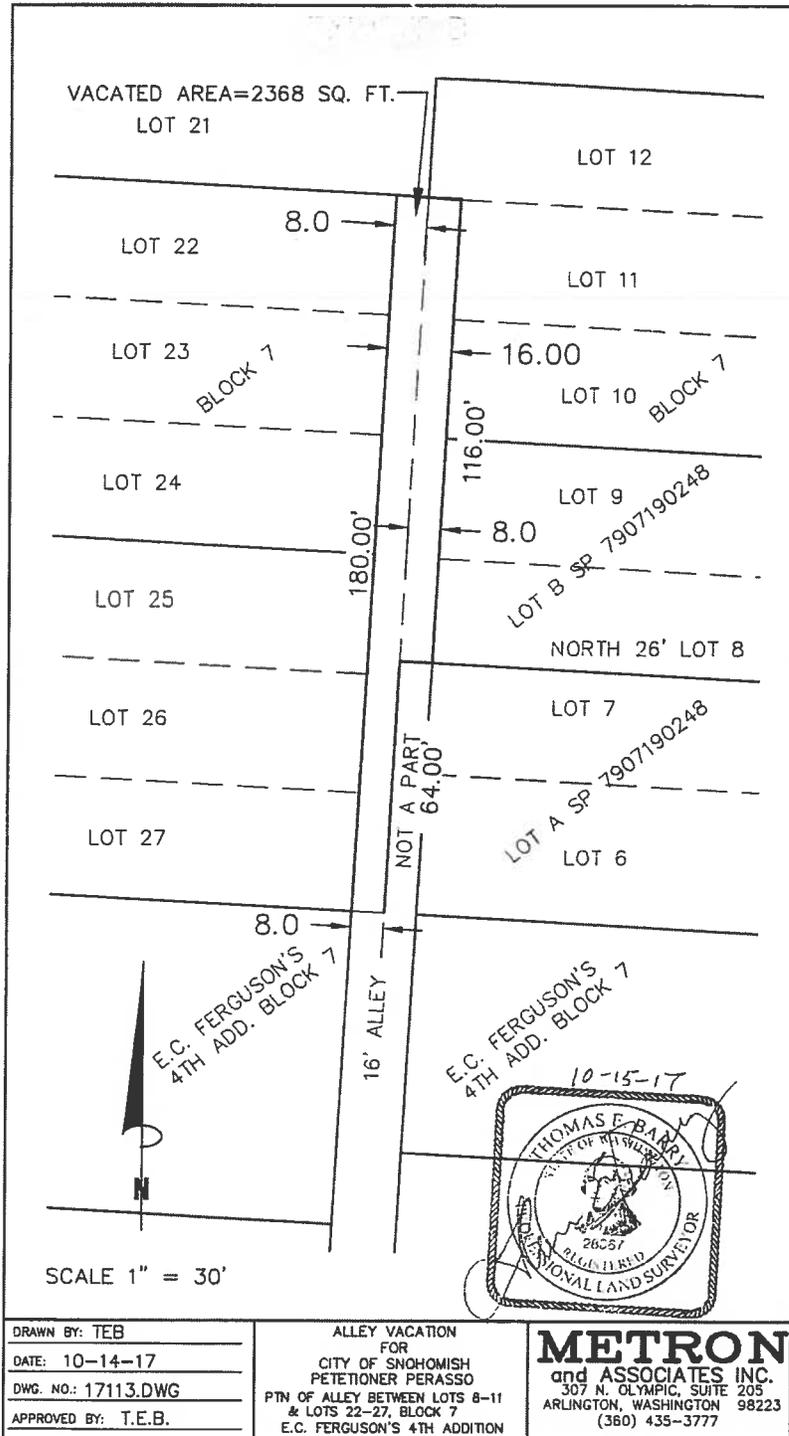
Attest:

By Pat Adams
PAT ADAMS, CITY CLERK

Approved as to form:

By Grant K. Weed
GRANT K. WEED, CITY ATTORNEY

EXHIBIT A



DRAWN BY: TEB
DATE: 10-14-17
DWG. NO.: 17113.DWG
APPROVED BY: T.E.B.

ALLEY VACATION
FOR
CITY OF SNOHOMISH
PETITIONER PERASSO
PTN OF ALLEY BETWEEN LOTS 8-11
& LOTS 22-27, BLOCK 7
E.C. FERGUSON'S 4TH ADDITION

METRON
and ASSOCIATES INC.
307 N. OLYMPIC, SUITE 205
ARLINGTON, WASHINGTON 98223
(360) 435-3777

EXHIBIT A (continued)

Legal Description for Alley Vacation in a Portion of Block 7, E.C. Fergusons 4th Addition to City of Snohomish:

The West 8.00 feet of that certain 16.00 feet Alley, adjoining and coincident, with Lots 22 to 27, inclusive, in Block 7, Plat of E.C. Fergusons 4th Addition to City of Snohomish, in accordance with the plat thereof, as recorded in Volume 2 of Plats, page 71, records of Snohomish County, Washington.

Together with the East 8.00 feet of that certain 16.00 feet Alley, adjoining and coincident, with the North 26.00 feet of Lot 8 and Lots 9-11, inclusive, in Block 7, Plat of E.C. Fergusons 4th Addition to City of Snohomish, in accordance with the plat thereof, as recorded in Volume 2 of Plats, page 71, records of Snohomish County, Washington.

Subject to existing private or public easements as now located in the herein described 16.00 feet Alley.

An area containing 2,368 square feet or 0.05 acres, more or less.