

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2436

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

WHEREAS, the City Council has received a petition from Mr. Jared Boundy, requesting that a portion of the Seventh Street public right-of-way between Avenues A and B, 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 1423 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 September 21, 2021; 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 October 19, 2021 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 public right-of-way 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; and

WHEREAS, the petitioner has agreed as reflected in the minutes of the Council meeting of October 19, 2021 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 Seventh Street public right-of-way between Avenue A and the alley

east of Avenue B, 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 ABS Valuation. 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 City Engineer 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.

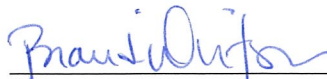
ADOPTED by the City Council and **APPROVED** by the Mayor this 17th day of May, 2022.

CITY OF SNOHOMISH

By 
Linda Redmon, Mayor

ATTEST:

APPROVED AS TO FORM:

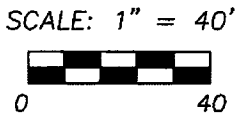
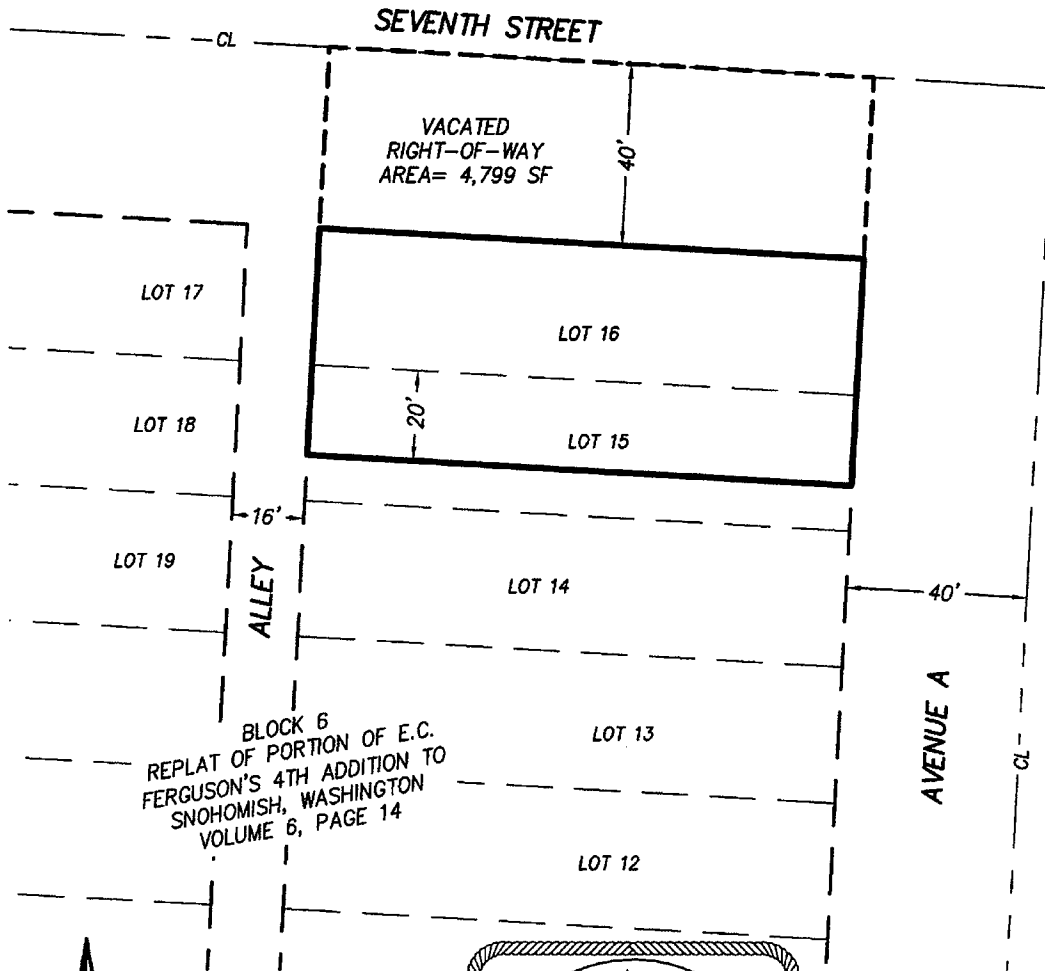
By 
Brandi Whitson, City Clerk

By 
Emily Guildner, City Attorney

Publication Date: June 25 2022

Effective Date: June 30 2022

EXHIBIT " A "
ALLEY VACATION FOR CITY OF SNOHOMISH JARED R. BOUNDY
 IN THE SW 1/4 OF THE SW 1/4 OF
 SECTION 7, AND IN THE NW 1/4 OF THE NW 1/4 OF
 SECTION 18, ALL IN T.28N., R.6E., W.M.
 CITY OF SNOHOMISH, SNOHOMISH COUNTY, WASHINGTON



JOB NO. 2021-142
 DATE: 1/12/2021
 DWG BY: KG

EXHIBIT A

Original parcel legal:

LOT 16 AND THE NORTH 20 FEET OF LOT 15, BLOCK 6, REPLAT OF PORTION OF E.C. FERGUSON'S 4TH ADDITION TO SNOHOMISH, WASHINGTON, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 6 OF PLATS, PAGE 14, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

Tax number 00444400601500

JARED ROSS BOUNDY, a married man as his separate estate

LEGAL DESCRIPTION FOR RIGHT-OF-WAY VACATION IN A PORTION OF BLOCK 6, REPLAT OF PORTION OF E.C. FERGUSON'S 4TH ADDITION TO SNOHOMISH, WASHINGTON

THE SOUTH 40.00 FEET OF THAT CERTAIN 80.00 FOOT RIGHT OF WAY OF SEVENTH STREET, ADJOINING AND COINCIDENT, WITH LOTS 16, INCLUSIVE, IN BLOCK 6, REPLAT OF PORTION OF E.C. FERGUSON'S 4TH ADDITION TO SNOHOMISH, WASHINGTON, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 6 OF PLATS, PAGE 14, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

