

ORIGINAL

ORDINANCE NO. 363

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON,
VACATING A PORTION OF RONALD PLACE N. APPROXIMATELY
421 FEET NORTH OF N. 175TH STREET.**

WHEREAS, The City of Shoreline initiated a Street Vacation for Ronald Place N. from N. 175th Street north 421 feet; and

WHEREAS, on September 16, 2004 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 closed record meeting on October 11, 2004 and considered the recommendation of the Planning Commission to approve vacation; and

WHEREAS, the City Council has determined, following an engineering study, that the right-of-way subject to this initiative is surplus to the 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 with the findings and conclusions approved by the Planning Commission on September 16, 2004.

Section 2. Vacation. The right-of-way described below and depicted in Exhibit A attached hereto consisting of approximately 21,150 square feet, or any portion of this right-of-way, is hereby vacated to the owners of property abutting the right-of-way on the west (Owner) satisfying conditions set forth in Section 3.

A portion of the southwest quarter of the northeast quarter, and the southeast quarter of the northwest quarter of Section 7, Township 26 North, Range 4 East W.M., King County, Washington, described as follows:

The west fifty feet of that portion of the road known as Ronald Place North lying north of the north right-of-way line of North 175th Street and east of the east right-of-way line of

Aurora Ave. North, the above described parcel being 60.00 feet in width with the easterly line being described as follows:

Commencing at the southwest corner of said northeast quarter; thence along the south line thereof south 89°05'45" east a distance of 237.82 feet; thence north 12°04'55" west a distance of 30.79 feet to the northerly right-of-way line of North 175th Street and the point of beginning; thence north 12°04'55" west a distance of 1320.99 feet to the easterly right-of-way line of Aurora Ave. North and the point ending.

Except that portion lying south of the following described line:

Beginning at a point on the easterly margin of State Road No. 1, known as Aurora Avenue, which point is north 03°46'33" west 102.10 feet from its intersection with the south line of the north half of the southwest quarter of the southwest quarter of the northeast quarter of said Section 7; thence north 86°13'27" east 145.58 feet to the point of ending.

Containing approximately 21,150 Square feet.

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

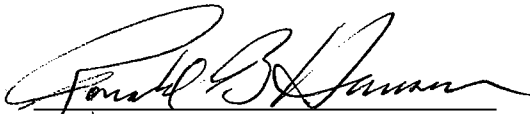
1. All uses currently in the Seattle City Light Rights-of-Way for the entire length of Ronald Place N. shall have the existing vehicular access or alternative access easement or agreement provided by the property owners of the vacated portions of Ronald Place N. until those uses are vacated by order of Seattle City Light.
2. Any redevelopment that proposes to reclaim the vacated land and thereby remove the red brick road shall coordinate with the City and the Shoreline Historic Museum prior to demolition to assess and agree upon the reasonable number or percentage of bricks which can be salvaged and donated to the City. The bricks are to be reused to commemorate the history of the red brick road.
3. All existing encroachments and environmental encumbrances in City of Shoreline Rights-of-Way shall be removed by the developer when properties are redeveloped.
4. Construction of the Interurban Trail must be completed from N. 175th approximately 421 feet north per City approved design and alignment. This work may be secured by bond, assignment of funds, or payment in lieu of construction in an amount equivalent to this trail construction for use on the Interurban Trail and related improvements.
5. Easements for each utility currently using the vacated Rights-of-Way, including the City of Shoreline stormwater utility, shall be recorded in a form acceptable to the utility providers prior to redevelopment.
6. Utility easements shall require that relocation or changes to service will be done at the cost of the developer. The developer is required to coordinate with all surrounding and impacted property owners to insure utility service is maintained.

7. The Owners shall compensate the City for the full value of the vacated Right-of-Way by granting to the City a ten-year option to purchase the easterly 31 feet 6 inches of Owners property abutting Aurora Avenue N. The option shall include a requirement that Owners remove all structures prior to closing. There shall be no additional consideration in addition to this vacation to be paid by the City upon exercising the option to purchase. The Council finds that Owner's improved property subject to this option is clearly in excess of the street vacation, therefor appraisals for the properties are waived.
8. The east 10 feet of the Right-of-Way shall not be vacated but shall be retained by the City, pending resolution of the issues with Seattle City Light.

The conditions of vacation listed in this section except conditions 2 and 3 shall be satisfied prior to recording a Declaration of Right-of-way vacation with the King County Department of Records and Elections by the City Clerk. If conditions are not satisfied and the Declaration 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 force 5 days from publication.

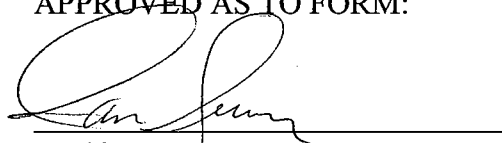
PASSED BY THE CITY COUNCIL ON OCTOBER 11, 2004.


Mayor Ronald B. Hansen

ATTEST:

APPROVED AS TO FORM:


Sharon Mattioli
City Clerk


Ian Sievers
City Attorney

Exhibits:

- A. Vacation/Dedication area map

Date of Publication: Oct. 14, 2004
Effective Date: Oct. 19, 2004