

ORIGINAL

ORDINANCE NO. 370

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AMENDING CONDITIONS OF STREET VACATION FOR A PORTION OF RONALD PLACE N. APPROXIMATELY 421 FEET NORTH OF N. 175TH STREET.

WHEREAS, the City Council vacated a portion of Ronald Place N. approximately 421 feet North of N. 175th by Ordinance N. 363 subject to certain conditions including construction or posting financial security for construction of a portion of the Interurban Trail approximately 421 feet north from North 175th St.; and

WHEREAS, the City Council finds that unanticipated delays in providing a design for the trail section needed to establish financial security, and coordination of trail construction with the applicant's project construction within the vacated right of way provide good cause for amending this conditions of street vacation; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council finds that the amendment to condition number 4 set forth in section 2 of this ordinance meets the intent of the intent of the Planning Commission recommendation of September 16, 2004 and the criteria for street vacation under SMC 12.17.050.

Section 2. Amendment. Section 3 of Ordinance No. 363 is amended to read as follows:

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 prior to certificate of occupancy for redevelopment of Owner's property or this This work may be secured by bond, assignment of

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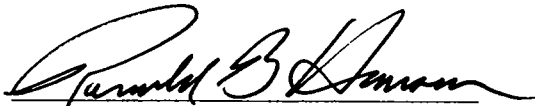
funds, or payment in lieu of construction in an amount equivalent to this trail construction for use on the Interurban Trail and related improvements.

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.

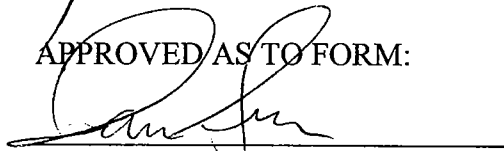
The conditions of vacation listed in this section except conditions 2, 3 and 4 shall be satisfied prior to recording a Declaration of Right-of-way vacation with the King County Department of Records and Elections by the City Clerk. If conditions are not satisfied and the Declaration is not recorded by the City Clerk within ninety (90) days of passage, this ordinance shall become null and void.

Section 3. 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 January 3, 2005.


Mayor Ronald B. Hansen

APPROVED AS TO FORM:


Ian Sievers
City Attorney

ATTEST:


Sharon Mattioli
City Clerk

Exhibits:

- A. Vacation/Dedication area map

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Date of Publication: January 6, 2005
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