

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adopting Resolution No. 246 Initiating Vacation of Easement for Slopes and Sidewalk at 14625 Aurora Ave. North and Setting a Hearing Date for June 15, 2006
DEPARTMENT: Public Works and City Attorney
PRESENTED BY: Kirk McKinley, Ian Sievers

PROBLEM/ISSUE STATEMENT:

In negotiating rights-of-way for the Aurora Project 145th to N. 165th, Pierre Associates, LLC, owners of properties on the southwest corner of Aurora and N. 149th, requested that a 1948 slope and sidewalk easement be vacated and returned to their ownership. The settlement agreement on this acquisition has a commitment to initiate a vacation of this interest.

This easement is no longer needed with the Aurora Phase I construction. The vacation of this easement is consistent with administrative practices of recommending release of surplus rights-of-way and that are not needed for the Aurora Project once final design and rights-of-way are established.

RCW Chapter 35.79 and SMC Chapter 12.17 establishes two methods for vacating rights-of-way or easements: the petition method, or the resolution method. The vacation process by resolution method requires the Council to adopt a resolution initiating the vacation, and setting a Planning Commission Public Hearing date. The Planning Commission currently has time available for this item on June 15, 2006, should Council adopt this resolution. By adopting the resolution at this time, Council is not approving the vacation, but instead is initiating the process for public and agency review.

RECOMMENDATION

Adopt Resolution No. 246, initiating the vacation of a slope and sidewalk easement abutting the Pierre at 14625 Aurora Ave. North, and setting a Planning Commission hearing date of June 15, 2006.

Approved By:

City Manager

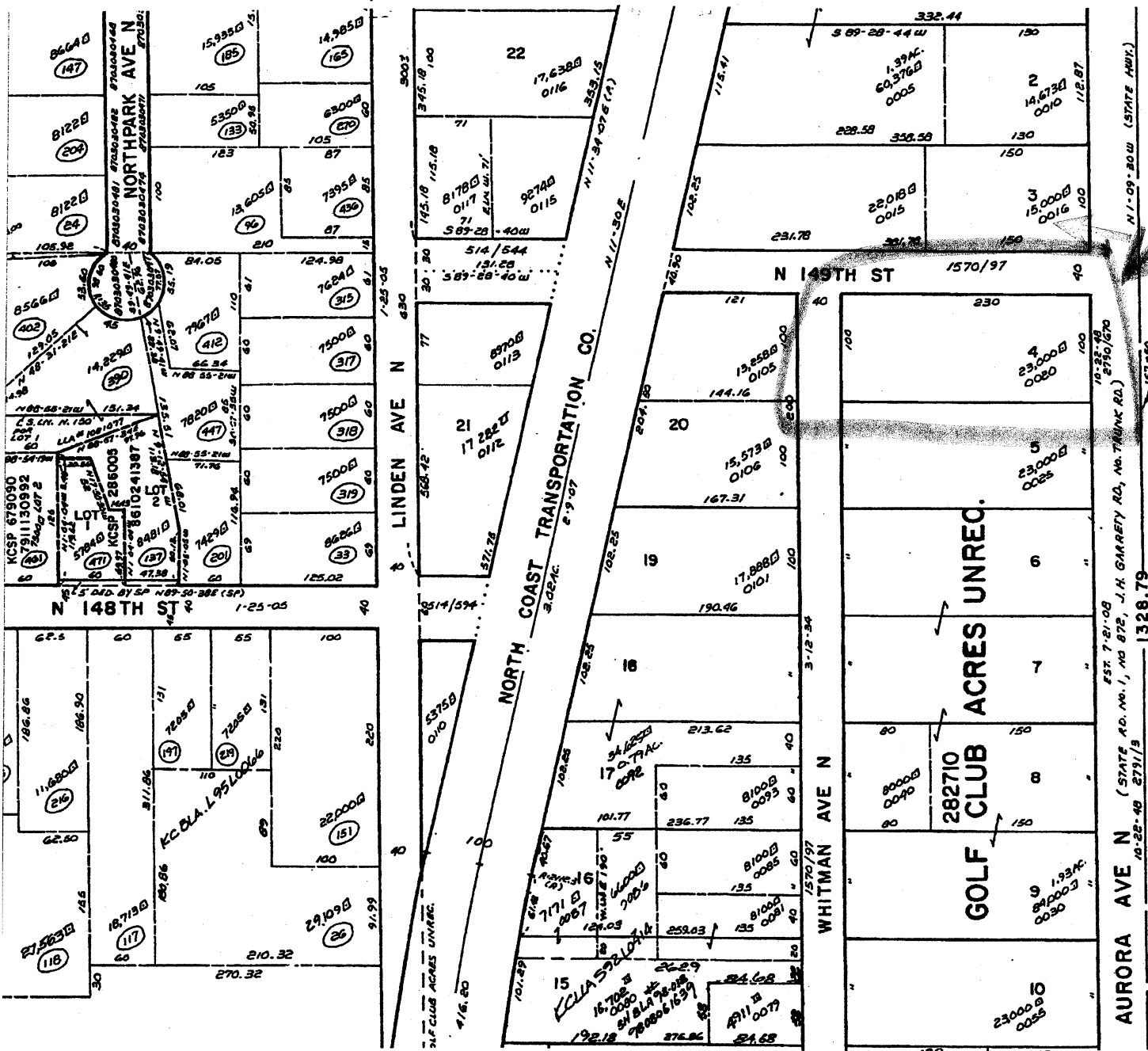


City Attorney

ATTACHMENTS

- A. Assessor's Map
- B. Survey of Property

A



PORTION OF THE SE 1/4 OF THE SW 1/4 OF 18-26-4

PACIFIC NORTHWEST TITLE
Company of Washington, Inc.

Order No. 415945



IMPORTANT: This is not a Plat of Survey. It is furnished as a convenience to locate the land indicated hereon with reference to streets and other land. No liability is assumed by reason of reliance hereon.

8803089004

59-290

DESCRIPTION

SW 1/4 SECTION 18, T26N, R4E W.M.

Parcel 1:

The Easterly 150 feet of that portion of Section 18, Township 26 North, Range 4 East, W.M., in King County, Washington, described as follows:

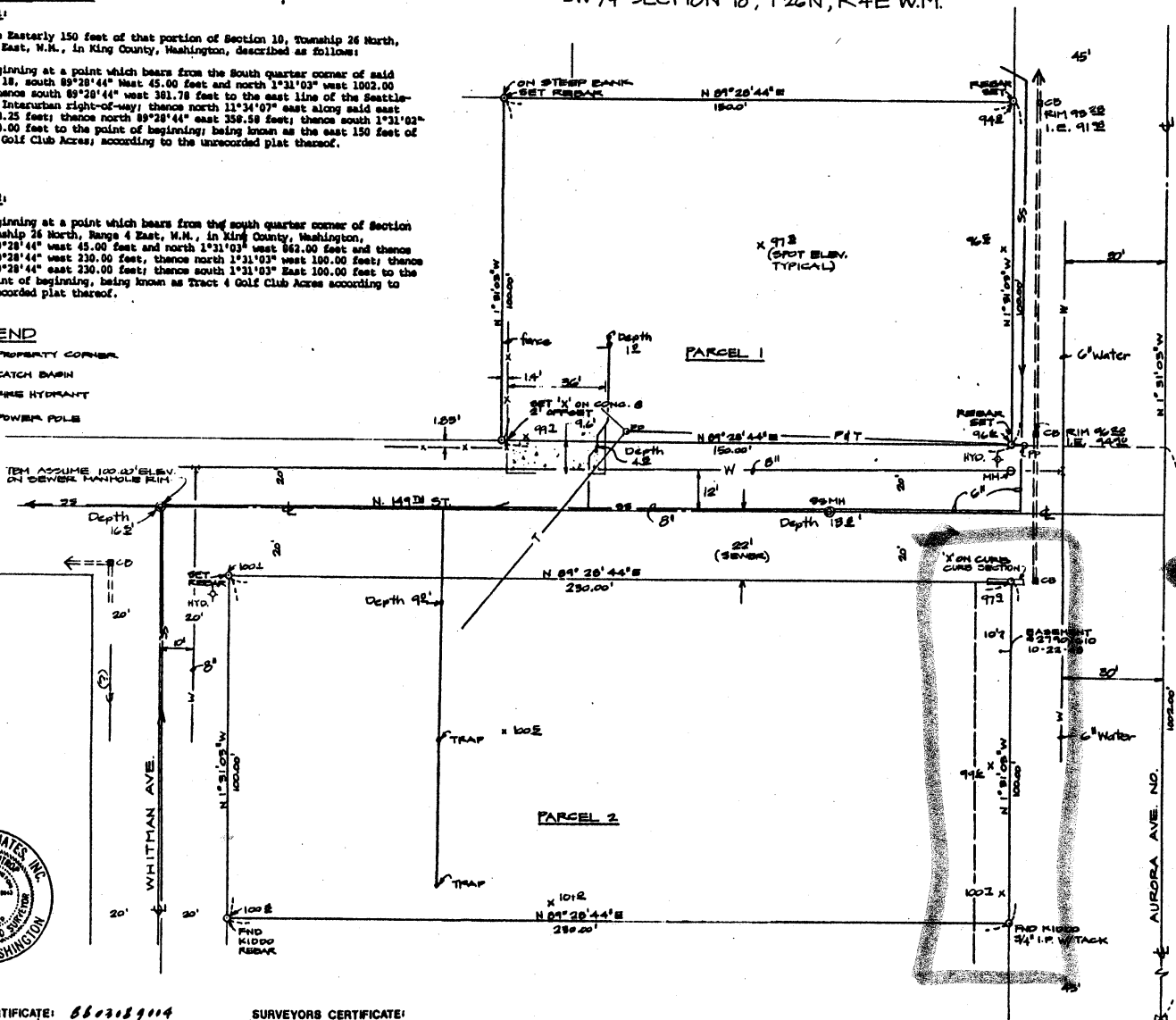
Beginning at a point which bears from the South quarter corner of said Section 18, south 89°28'44" West 45.00 feet and north 1°31'03" west 1002.00 feet; thence south 89°28'44" west 381.78 feet to the east line of the Seattle-Everett Interurban right-of-way; thence north 11°34'07" east along said east line 101.25 feet; thence north 89°28'44" east 358.58 feet; thence south 1°31'02" east 180.00 feet to the point of beginning; being known as the east 150 feet of Tract 3 Golf Club Acres; according to the unrecorded plat thereof.

Parcel 2:

Beginning at a point which bears from the south quarter corner of Section 18, Township 26 North, Range 4 East, W.M., in King County, Washington, south 89°28'44" west 45.00 feet and north 1°31'03" west 862.00 feet and thence south 89°28'44" west 230.00 feet; thence north 1°31'03" west 100.00 feet; thence north 89°28'44" east 230.00 feet; thence south 1°31'03" East 100.00 feet to the true point of beginning, being known as Tract 4 Golf Club Acres according to the unrecorded plat thereof.

LEGEND

- PROPERTY CORNER
- CATCH BASIN
- ◇ FIRE HYDRANT
- POWER POLE



RECORDING CERTIFICATE: 8803089004
 FILED FOR RECORD BY: RAY H. SCHULTZ
 THIS 22 DAY OF MAR, 1988, AT 10
 MINUTES PAST 9 O'CLOCK A.M. AND RECORDED IN
 VOLUME 22 OF 948 ON PAGE 290
 RECORDS OF KING COUNTY, WASHINGTON.
JANE HAGUE WM. E. YOUNG
 MANAGER SUPERINTENDENT OF RECORDS

SURVEYORS CERTIFICATE:
 THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER
 MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE
 SURVEY RECORDING ACT, AT THE REQUEST OF BILL PIERRE
 THIS 22 DAY OF ERR, 1988.
Ray Schultz 1963
 REGISTERED LAND SURVEYOR LAND SURVEYOR NO.

KEGEL & ASSOCIATES INC.
 CONSULTING ENGINEERS SURVEYORS PLANNERS
 12360 N.E. 8th STREET #102
 BELLEVUE, WASHINGTON 98003 PHONE (206) 451-1111
 2288997

BILL PIERRE
 14025 AURORA AVENUE NORTH
 SEATTLE WASHINGTON
 JOB # 10887 10-6-87 / 12-N-87



RESOLUTION NO. 246

A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, INITIATING REVIEW OF VACATION OF A SLOPE AND SIDEWALK EASEMENT FOR THE WESTERLY 10 FEET OF PARCEL 2 OF TRACT 4 GOLF CLUB ACRES; AND FIXING A PUBLIC HEARING DATE FOR THE VACATION

WHEREAS, the owners of Pierre Associates, LLC have requested that Council initiate a vacation of a slope and sidewalk easement for the westerly 10 feet of Parcel 2 of Tract 4 Golf Club Acres;

WHEREAS, the City Council may initiate a street vacation review by a resolution of intent under SMC 12.17.040 in lieu of a petition from two thirds of abutting owners; and

WHEREAS, the requested vacation is consistent with the public interest since the easement is not needed for a public purpose; and

WHEREAS, the Council finds that a public hearing prior to consideration of final action should be placed on the agenda of the Planning Commission for June 15, 2006; NOW, THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON AS FOLLOWS:

Section 1. Vacation Proposed. The City Council declares its intent to consider the vacation of a slope and sidewalk easement, amounting to the westerly 10 feet of Parcel 2 of Tract 4 Golf Club Acres. No monetary consideration for the vacation will be required.

Section 2. Hearing Date. A public hearing to take public comment on the vacation described in Section 1, as depicted on the map attached hereto as Exhibit "A," is hereby set before the Shoreline Planning Commission for June 15, 2006, to commence at 7:00 p.m. or as soon thereafter as the hearing may be held, in the Board Room, 18560 1st Avenue NE, Shoreline, WA 98133. Following the public hearing, the City Council shall consider the hearing record and the recommendation of the Planning Commission at a closed record hearing and take such action in regard to the vacation as may be deemed appropriate.

Section 3. Notice of Hearing. The City Clerk shall cause to be posted a notice containing a statement that the vacation has been initiated by the City Council describing the right-of-way proposed to be vacated, and the time and place of the hearing to consider the vacation at the times and locations set forth in SMC 12.17.020. The Notice shall further state that if 50 percent of the abutting property owners file written objection to the

proposed vacation with the City Clerk prior to the Planning Commission hearing, the vacation proceeding will terminate.

ADOPTED BY THE CITY COUNCIL ON May 22, 2006.

Mayor Robert L. Ransom

ATTEST:

Scott Passey, City Clerk

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