

Project title:

A Resolution setting June 23, 2021, at 12:30 P.M. as the date and time to hear and determine the petition for the proposed vacation of a portion of Summit Avenue lying north of Everett Avenue and a portion of the east-west alley lying east of Summit Avenue and north of Everett Avenue.

Council Bill # *interoffice use***Agenda dates requested:**

May 26, 2021 - Resolution
 June 23, 2021 – Public
 Hearing

Briefing

Proposed action

Consent

Action 5.26.21

Ordinance

Public hearing 6.23.21

 Yes No**Budget amendment:** Yes x No**PowerPoint presentation:** Yes x No**Attachments:**

1. Resolution
2. Petition
3. Map Exhibit

Department(s) involved:

Real Property

Contact person:

Darcie Byrd

Phone number:

425-257-7910

Email:

dbyrd@everettwa.gov

Initialed by:

Department head

Administration

Council President

Consideration: Resolution**Project:** Street and alley vacation**Partner/Supplier :** Evergreen Recovery Centers, Petitioner**Location:** Summit Avenue south of 26th Street**Preceding action:** None**Fund:** None**Fiscal summary statement:***None***Project summary statement:**

A petition has been received from the owner of abutting properties to the proposed vacation of that portion of Summit Avenue lying between 26th Street and the east-west alleys located south of 2601 Summit Avenue and 2614 Summit Avenue together with that portion of the east-west alley abutting 2601 Summit Avenue.

The petitioner owns more than two-thirds of the properties abutting the said right of way, fulfilling the statutory requirements of RCW 35.79.010 that the petition must be signed by “the owners of more than two-thirds of the property abutting upon the part of the street or alley sought to be vacated.” The only other abutting property owner is the City of Everett.

RCW 35.79.010 further requires that City Council set a date and time for the matter to be heard

Recommendation (exact action requested of Council):

Adopt Resolution setting June 23, 2021, at 12:30 P.M. as the date and time to determine the petition for the proposed vacation of portion of Summit Avenue lying north of Everett Avenue and a portion of the east-west alley lying east of Summit Avenue and north of Everett Avenue.



RESOLUTION NO. _____

A RESOLUTION fixing a date and time to hear and determine the petition for the proposed vacation of that portion of Summit Avenue lying between 26th Street and the east-west alleys located south of 2601 Summit Avenue and 2614 Summit Avenue together with that portion of the east-west alley abutting 2601 Summit Avenue.

WHEREAS,

- A. The owners of more than two-thirds of the property abutting the following street and alley have signed a petition for its vacation:

That portion of Summit Avenue lying between 26th Street and the east-west alleys located south of 2601 Summit Avenue and 2614 Summit Avenue together with that portion of the east-west alley abutting 2601 Summit Avenue.

This street and alley are legally described as:

Summit Avenue vacation area

A portion of Summit Avenue, lying between Blocks 595 and 594, Mitchell Land & Improvement Co.'s First Addition to Everett, according to the Plat thereof recorded in Volume 3 of Plats, Page 1, Snohomish County, Washington, described as follows:

Beginning at the NE corner of Lot 20, Block 595 of said Plat; thence easterly to the NW corner of Lot 19, Block 594 of said Plat; thence southerly to the SW corner of Lot 11, Block 594 of said Plat; thence westerly to the SE corner of Lot 28, Block 595 of said Plat; thence northerly to the point of beginning.

Alley vacation area

A portion of the east-west alley lying within Block 594, Mitchell Land & Improvement Co.'s First Addition to Everett, according to the Plat thereof recorded in Volume 3 of Plats, Page 1, Snohomish County, Washington, described as follows:

Beginning at the SW corner of Lot 11, Block 594 of said Plat; thence easterly to the SE corner of said Lot 11; thence south to a point on the northern line of Lot 6, Block 594 of said Plat, said point lying directly south of the SE corner of Lot 11, Block 594 of said Plat; thence westerly to the NW corner of Lot 10, Block 594 of said Plat; thence northerly to the point of beginning.

All situate in the City of Everett, County of Snohomish, State of Washington.

- B. The petition has been filed with the City Clerk. RCW 35.79.010 provides that the City Council shall, by resolution, fix a time for public hearing on the petition.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF EVERETT that a public hearing be set for June 23, 2021, at 12:30 p.m., in the City Council Chambers at 3002 Wetmore Avenue, to hear and determine the petition for the vacation of the street and alley described above.

Councilmember introducing resolution

PASSED AND APPROVED this ____ day of _____, 2021.

Council President

TO THE MEMBERS OF THE CITY COUNCIL
OF THE CITY OF EVERETT, WASHINGTON



Councilmembers: The undersigned respectfully petition and show.

I.

That they are the owners of more than two-thirds of the private property abutting upon that portion of the right-of-way hereinafter described.

II.

That your Petitioners desire to have vacated the following described property:

See attached Legal descriptions & street plan.

III.

That portion of the said right-of-way hereby petitioned to be vacated will not interfere with public or private utilities. Any existing utilities will be relocated at petitioner's expense, or an easement shall be provided in the ordinance.

WHEREFORE your petitioners pray that you will pass a resolution fixing a time not more than sixty (60) days and not less than twenty (20) days after the date of the passage of such resolution for the hearing upon this petition, and that after a full hearing upon said petition you will pass an ordinance vacating that portion of the right-of-way herein described and that the ordinance vacating said portion of the street shall provide that the strip so vacated shall vest to the abutting property owners in accordance with the laws of the State of Washington.

Respectfully submitted,

Linda Grant

Linda Grant, CEO

Evergreen Recovery Centers

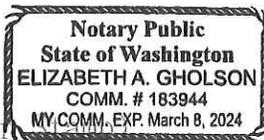
WASHINGTON NOTARY ACKNOWLEDGMENT

State of Washington

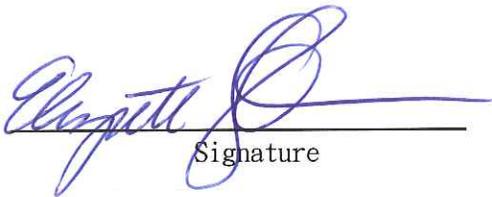
County of Snohomish

I certify that I know or have satisfactory evidence that LINDA GRANT
(name of person) is the person who appeared before me, and said person acknowledged
that (he/she) signed this instrument and acknowledged it to be (his/her) free and
voluntary act for the uses and purposes mentioned in the instrument.

Dated: 3-10-21



(Seal of


Signature

Notary Public State of Washington

Elizabeth A. Gholson

Residing at 37420 Levee Road, Sultan, WA 98294

My Commission Expires: March 8, 2024

Legal Description of Summit Avenue vacation area

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Alley vacation area

A portion of the east-west alley lying within Block 594, Mitchell Land & Improvement Co.'s First Addition to Everett, according to the Plat thereof recorded in Volume 3 of Plats, Page 1, Snohomish County, Washington, described as follows:

Beginning at the SW corner of Lot 11, Block 594 of said Plat; thence easterly to the SE corner of said Lot 11; thence south to a point on the northern line of Lot 6, Block 594 of said Plat, said point lying directly south of the SE corner of Lot 11, Block 594 of said Plat; thence westerly to the NW corner of Lot 10, Block 594 of said Plat; thence northerly to the point of beginning.

EXHIBIT A: ERC SUMMIT VACATION PETITION

