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9510050041

ORDINANCE NO. 193

7 KATHY HILL
SKAGIT COUNTY AUDITOR

95 OCT -5 AIO:02

RECORDED _____ FILED _____
AN ORDINANCE VACATING A PORTION OF SKAGIT AVENUE ABUTTING THE SOUTH BOUNDARY OF LOTS 13-16, BLOCK 24, PLAT OF "HAMILTON TOWNSITE COMPANY'S SECOND ADDITION TO THE TOWN OF HAMILTON, WASHINGTON", UPON THE PETITION OF JACK CURTIS.

WHEREAS, A petition for the vacation of an alley has been filed with the Town Clerk, representing the abutting property owners, and a hearing has been held on this petition before the Town Council as provided by RCW 35.790; and

WHEREAS, The Town Council has found that the public use, benefit and welfare would best be served by the vacation of said public way;

NOW THEREFORE, THE TOWN COUNCIL OF TOWN OF HAMILTON DOES ORDAIN AS FOLLOWS:

Section 1. That the following described street right of ways are hereby vacated:

The North 50 feet of Skagit Avenue abutting the South boundary of Lots 13, 14, 15, and 16, Block 24, Plat of "Hamilton Townsite Company's Second Addition to the Town of Hamilton, Washington" according to the Plat recorded in Vol. 2 of Plats, page 60, Records of Skagit County, Washington, Situated in Skagit County, Washington; except any portion of Michigan Avenue and Cumberland Avenue; and except the public right of way 80 feet in width as measured perpendicular to the Northerly boundary of Block 15 of said Plat, abutting the Northerly boundary of said Block 15. The vacated property is illustrated on the attached map designated Exhibit A.

Section 2. That this ordinance shall not become effective until the owners of property abutting the area to be vacated shall have compensated the Town of Hamilton in an amount equal to one-half (1/2) the appraised value of the area herein described as determined by the Town Clerk/Treasurer upon receipt of an acceptable appraisal of said property, which shall be paid for by the Petitioner, and there upon the Town Clerk/Treasurer shall record a certified copy of this ordinance with the Skagit County Auditor. This ordinance shall be null and void if either an acceptable appraisal is not provided or an amount equal to one-half (1/2) the appraised value is not paid within twelve (12) months of the date hereof.

Section 3. That an easement is reserved and retained over, across, and under the entire vacated area for utility services of the Town of Hamilton, for sewer, water, telephone, electrical, gas, and any other services determined or permitted by the Town of Hamilton and no building or other structure shall be erected or placed thereon without the prior written approval of the Town of Hamilton or the appropriate designated official thereof.

Section 4. The Mayor of the Town of Hamilton is authorized to provide Jack Curtis with a quit claim deed for the above-described right-of-way upon receipt of one-half (1/2) the appraised value of the vacated right-of-way and a title report evidencing his ownership of the abutting property.

Passed by the City Council this 11 day of July, 1995.

9510050041

Terrell A. Park
MAYOR

After recording,
please return to:

Patrick M. Hayden
Lawyer
P.O. Box 454
Sedro Woolley, WA 98284

BK1462160096

Attest:

Deborah L. Lott
Town Clerk

Approved as to form:

[Signature]
Town Attorney

9510050041

BK148260097

1995 14:35

CENTURY 21 ALL PRO

755 9098 P.08

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AMERICAN TITLE

Q007/007



ORDER NUMBER 45958

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ST.

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PETTIT

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Skagit Ave

Ave.

30' Michigan Ave

CUMBERLAND

32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17
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NOTICE

This sketch is furnished as a courtesy only by FIRST AMERICAN TITLE INSURANCE COMPANY and its agent and is NOT a part of any Title Commitment or Policy of Title Insurance.

This sketch is furnished solely for the purpose of assisting in locating the premises and does not purport to show all highways, roads or easements affecting the property. The user of this sketch is to be held responsible for any error or omission in the sketch and no liability is assumed for the

Exhibit A

9510050041

BK140260090

CERTIFICATE FOR ORDINANCE

I, Delilah Sutton, the undersigned Town Clerk of the Town of Hamilton, Washington, (the "Town"), DO HEREBY CERTIFY:

1. That the attached Ordinance No. 193 (herein called the "Ordinance") is a true and correct copy of an ordinance of the Town, as finally passed at a meeting of the Town Council held on July 11, 1995, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with the law and, to the extent required by law, due and proper notice of such meeting was given, that a legal quorum was present throughout the meeting and a legally sufficient number of the members of the Town Council voted in the proper manner for adoption of said Ordinance; that all other requirements and proceedings incident to the proper adoption of said Ordinance have been fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town this 12 day of September, 1995.

(Town Seal)

Delilah Sutton
Town Clerk
Town of Hamilton, Washington

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