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Skagit County Auditor

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**RETURN TO:**

City of Anacortes  
P.O. Box 547  
Anacortes, WA 98221

**ORDINANCE NO. 2689**

**AN ORDINANCE VACATING A CERTAIN PORTION OF 22<sup>ND</sup> STREET AND  
RETAINING EASEMENTS ON LOTS 11, 12, 14, AND 15 OF BLOCKS 213 AND 214  
OF THE ORIGINAL ADDITION D AVENUE PLAT  
TO THE CITY OF ANACORTES, SKAGIT COUNTY, WASHINGTON**

THE CITY COUNCIL OF THE CITY OF ANACORTES DOES HEREBY ORDAIN AS  
FOLLOWS:

**WHEREAS**, the owners of property abutting certain streets and alleys located within the  
City of Anacortes have petitioned for an alteration of the plats in which those streets are  
contained, and have requested vacation of an unused right-of-way; and

**WHEREAS**, the City Council held a public hearing on said proposal on September 7,  
2004 and agreed to approve the proposal as set-forth below:

**THE CITY COUNCIL OF THE CITY OF ANACORTES, DOES HEREBY  
ORDAIN AS FOLLOWS:**

**SECTION 1. Legal Description.** The following described right-of-ways located in the  
City of Anacortes be and they are hereby vacated:

That portion of 22<sup>nd</sup> Street right of way as shown on the Plat of Anacortes, recorded in  
Volume 2 of Plats, Pages 4 through 7, records of Skagit County Washington; lying West  
of the West right of way line of D Avenue, and Easterly of an arc, concave to the west,  
having a radius of 51.00 feet, the radius point of said arc is situated on the centerline of

said 22<sup>nd</sup> Street a distance of 169.50 feet easterly of the intersection of C Avenue and 22<sup>nd</sup> Street.

AND;

That portion of 22<sup>nd</sup> Street right of way as shown on the Plat of Anacortes, recorded in Volume 2 of Plats, Pages 4 through 7, records of Skagit County Washington; more particularly described as follows: The North 12 feet and the South 12 feet of said right of way, lying East of the East right of Way line of C Avenue as shown on said plat, and West of an arc, concave to the East, having a radius of 51.00 feet, the radius point of said arc is situated on the centerline of said 22<sup>nd</sup> Street, a distance of 169.50 feet easterly of the intersection of C Avenue and 22<sup>nd</sup> Street.

Situate in the County of Skagit, State of Washington.

**SECTION 2. Retained Easements.** The City of Anacortes hereby reserves an easement for ingress, egress, landscaping and utilities, as set forth in Exhibit A, to serve single family residences, for the benefit of Lot 11, Lot 12, Lot 14, and, Lot 15 as shown on Record of Survey filed under Auditor's File No. 200201240260, records of Skagit County, Washington; over and across the tract described in attached Exhibit B, Exhibit C, and, Exhibit D.

**SECTION 3. Compensation.** This Ordinance shall not become effective until the owners of the property abutting upon the above-described property being vacated compensate the City of Anacortes in the amount \$38,976.79. If said compensation is not made within 60 (sixty) days from date of approval on this ordinance it shall be declared null and void.

**SECTION 4. Effective Date.** This ordinance shall take effect from and after 5 (five) days after its passage and publication as required by law.

**PASSED AND APPROVED** this 7<sup>th</sup> day of February 2005.

**CITY OF ANACORTES:**

BY: H. Dean Maxwell  
H. Dean Maxwell, Mayor

**ATTEST:**

Wanda Johnson  
Wanda Johnson, City Clerk Treasurer

**APPROVED AS TO FORM:**

Ian Munce  
Ian Munce, City Attorney



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## EXHIBIT A

The City of Anacortes hereby reserves an easement for ingress, egress, landscaping and utilities, set forth as follows:

A strip of land 15 feet wide lying parallel to and directly abutting the south line of Lots 15 and 14 as shown on Record of Survey filed under Auditor's File No. 200201240260.

A strip of land 15 feet wide lying parallel to and directly abutting the north line of Lots 11 and 12 as shown on Record of Survey filed under Auditor's File No. 200201240260.



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**EXHIBIT B**

**EASEMENT FOR INGRESS AND EGRESS ACROSS THE FOLLOWING  
DESCRIBED PORTION OF VACATED 22<sup>ND</sup>. STREET**

*Commencing at the intersection of the south line of vacated 22<sup>nd</sup> Street and the west line of "D" Ave. Said point is the northeast corner of tract 12 as shown on a record of survey recorded under Auditor's file No.*

*200201240260.*

*Thence N 89°24' 42" W 74.90 along the south line of vacated 22<sup>nd</sup> Street to the point of beginning;*

*Thence N 89°24' 42" W 63.91 feet along the south line of vacated 22<sup>nd</sup> Street To the easterly right of way line of a Cul De Sac whose radius bears N 37°45' 16" W 51.00 feet;*

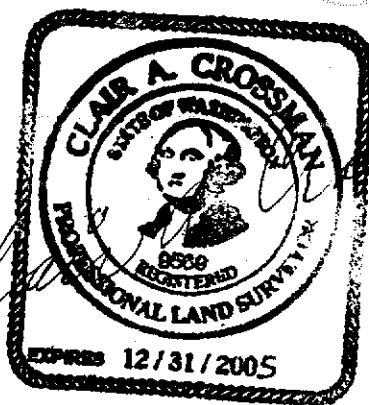
*Thence through a curve to the right having a radius of 51.00 feet, a delta of 42°34' 15" and an arc length of 37.89 feet;*

*Thence S 57°45' 03" E 19.39 feet;*

*Thence S 54°48' 41" E 25.97 feet;*

*Thence S 45°32' 52" E 10.13 feet to the south line of vacated 22<sup>nd</sup> Street and the point of beginning of this description.*

*Situate in the City of Anacortes, County of Skagit, State of Washington.*



*10-27-04*



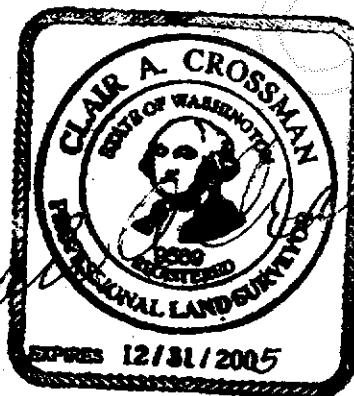
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EXHIBIT C

**EASEMENT FOR INGRESS AND EGRESS ACROSS THE FOLLOWING  
DESCRIBED PORTION OF VACATED 22<sup>ND</sup> STREET.**

Commencing at the intersection of the north line of vacated 22<sup>nd</sup> street and the west line of "D" Ave. Said point is the southeast corner of tract 14 as shown on a record of survey recorded under Auditor's file No. 200201240260. Thence N 89° 24' 42" W 74.98 feet along the north line of vacated 22<sup>nd</sup> Street to the southwest corner of tract 14 as shown on said record of survey and the point of beginning of this description; thence N 89° 24' 42" W 63.80 feet to the easterly right of way of a Cul De Sac whose radius bears S 38° 55' 52" W 51.00 feet; thence through a curve to the left having a radius of 51.00 feet, a delta of 22° 57' 00" and a arc length of 20.43 feet; thence N 77° 19' 57" E 36.57 feet; thence N 65° 22' 09" E 16.70 feet to the point of beginning.

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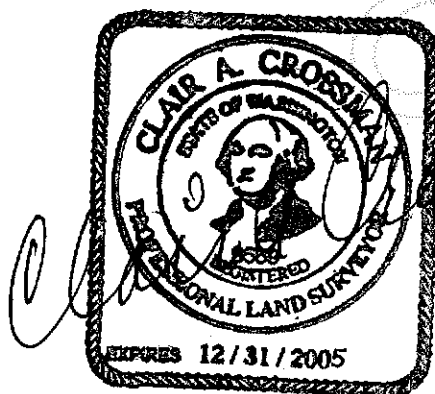
EXHIBIT D

**A 12 FOOT WIDE EASEMENT FOR INGRESS AND EGRESS ACROSS  
THE FOLLOWING DESCRIBED PORTION OF VACATED 22<sup>ND</sup> STREET.**

*Commencing at the intersection of the north line of vacated 22<sup>nd</sup> street and the west line of "D" Ave. Said point is the southeast corner of tract 14 as shown on a record of survey recorded under Auditor's file No.*

*200201240260. Thence N 89°24' 42" W 74.98 feet along the north line of vacated 22<sup>nd</sup> Street to the southwest corner of tract 14 as shown on said record of survey and the point of beginning of this description; thence S 65°22' 09" W 16.70 feet; thence S 77°19' 58" W 36.57 feet to the easterly right of way of a Cul De Sac whose radius bears S 61°52' 52" W 51.00 feet; thence through a curve to the left having a radius of 51.00 feet, a delta of 13°40' 04" and an arc length of 12.17 feet; thence N 77°19' 57" E 36.01 feet; thence N 65°22' 09" E 25.57 feet; thence N 0°35' 18" E 7.61 feet; thence N 89°24' 42" W 12.00 feet to the point of beginning.*

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