

WHEN RECORDED RETURN TO:

City of Burlington
833 S. Spruce Street
Burlington, WA 98233
Attn: Shelley Acero



201711200141

Skagit County Auditor

\$79.00

11/20/2017 Page

1 of

6 1:41PM

GUARDIAN NORTHWEST TITLE CO.

114983

DOCUMENT: ORDINANCE NO. 1841

GRANTOR: CITY OF BURLINGTON

GRANTEE: PACIFIC WOODTECH CORPORATION

ABBREVIATED LEGAL: BURLINGTON HILL BUSINESS PARK PHASE II, SKAGIT COUNTY

PARCEL NO(S): P119929 (8029-000-016-0100)
P117842 (8029-000-021-0000)
P117843 (8029-000-023-0000)
P117844 (8029-000-026-0000)

REFERENCE NO(S): N/A

ORDINANCE NO. 1841

**AN ORDINANCE OF THE CITY OF BURLINGTON, WASHINGTON IN
THE MATTER OF A PETITION TO VACATE A PORTION OF NORTH
HILL BOULEVARD**

WHEREAS, the City received a petition to vacate a portion of North Hill Boulevard on February 28, 2017, and

WHEREAS, the property owner who submitted the vacation petition owns all of the property on both sides of the street subject to the petition, and

WHEREAS, street vacations are governed by chapter 35.79 RCW, and

WHEREAS, RCW 35.79.010 requires that vacation petitions be considered at a public hearing, and

WHEREAS, RCW 35.79.010 requires the date of the hearing to be set by resolution, and

WHEREAS, on March 23, 2017 the City Council set, by resolution number 02-2017, a date for a hearing on the proposed street vacation, and

WHEREAS, the hearing on the proposed street vacation was set for April 27, 2017, and

WHEREAS, in accordance with the requirements of RCW 35.79.020 notice of the hearing on the proposed street vacation was posted at the site of the proposed vacation, in three city buildings, and mailed to all adjoining property owners and utility companies, and

WHEREAS, in addition to meeting the requirements of RCW 35.79.020 the City also mailed notice of the hearing to all property owners within 1,300 feet of the proposed vacation and published a notice of the hearing in the Skagit Valley Herald, and

WHEREAS, following the notice procedures identified above the City provided a fifteen day period for public comment, and

WHEREAS, the City received a number of comments from utility providers requesting that a utility easement be retained within the right-of-way, and

WHEREAS, the proposed street vacation has been reviewed by the City Planning Department and the City Public Works Department, and

WHEREAS, the Planning Department has concluded the proposed vacation is consistent with all applicable municipal code requirements and comprehensive plan policies, and

WHEREAS, the Public Works Department has concluded that the right-of-way proposed for vacation is of little value to the City and cannot be extended due to topographical constraints, privately owned land, and the presence of critical areas, and

WHEREAS, the Public Works Department has concluded that a utility easement should be retained within the right-of-way being vacated to allow maintenance, repair, and replacement of sewers lines and facilities, and

WHEREAS, the City is authorized by RCW 35.79.030 to retain such easements, and

WHEREAS, the proposed street vacation may further the city's economic development interests by allowing an existing industrial business to expand.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURLINGTON DO ORDAIN AS FOLLOWS:

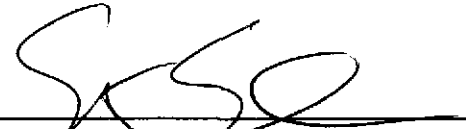
SECTION I. The portion of North Hill Boulevard lying south of the intersection of North Hill Boulevard and Hillcrest Drive, as shown on attached exhibit "A", is hereby vacated.

SECTION II. In accordance with RCW 35.79.040 title to the land within the limits of the vacated street right-of-way shall vest with the owners of property abutting the vacated street.


SECTION III. A utility easement over and under the vacated street right-of-way shall be retained for purposes of accessing, inspecting, maintaining, installing, and replacing utilities.

INTRODUCED AND PASSED at a regular meeting of the City Council of the City of Burlington on this 27th day of April, 2017.

THE CITY OF BURLINGTON


Steve Sexton, Mayor

ATTEST:

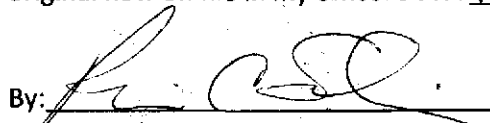

Renee Sinclair
Director of Budget & Accounting

APPROVED AS TO FORM:


Leif Johnson, City Attorney

Published: 05/02/2017

I, RENEE SINCLAIR, Director of Budgeting and Accounting of the City of Burlington, Washington do hereby certify that this is a true copy of the original now on file in my office. Dated 11/13/17

By: 
Renee Sinclair
Director of Budget & Accounting

Exhibits:

"A" – Map showing location of proposed vacation

SKAGIT COUNTY