



202204120055

04/12/2022 12:14 PM Pages: 1 of 4 Fees: \$206.50
Skagit County Auditor

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

2022 1499

APR 12 2022

Amount Paid \$ 0
Skagit Co. Treasurer
By *LT* Deputy

**AFTER RECORDING RETURN TO:
BOARD OF SKAGIT COUNTY COMMISSIONERS
1800 CONTINENTAL PLACE, STE. 100
MOUNT VERNON, WA 98273**

DOCUMENT TITLE: FINAL ORDER OF VACATION

DATE SIGNED: April 11, 2022

GRANTOR: Skagit County

GRANTEE: Adam Kearns

COUNTY CONTRACT NO.: R20220071

Parcel #: P71027

Abbreviated Legal Description:

(0.9200 ac)(TITLE ELIM AF#202202030070 INC M/H 1989 SKYLINE 56X28 VIN NO. 32910191YAB)
LOTS 6 THRU 15, BLOCK 13, C.W. GRIEST'S PLAT OF GRASMERE, ACCORDING TO THE PLAT
THEREOF, RECORDED IN VOLUME 3 OF PLATS, PAGE 94, RECORDS OF SKAGIT COUNTY,
WASHINGTON.

SKAGIT COUNTY
Resolution # R20220071
Page 1 of 5

RESOLUTION _____

FINAL ORDER OF VACATION

**For Portions of Unopened County Rights-of-Way within C.W. Griest's Plat of Grasmere
and Revising and Superseding Resolution #R20220034**

WHEREAS, the Board of Skagit County Commissioners ("Board"), having on the 27th day of December, 2021, signed Resolution # R20210277 to call for a Public Hearing regarding the vacation of portions of County rights-of-way known as Chestnut Street and Alleyway within C.W. Griest's Plat of Grasmere (Recorded in Volume 3 of Plats, Page 94, Records of Skagit County); and,

WHEREAS, on the 25th day of January, 2022, a public hearing was held for hearing the report of the Office of the County Engineer, and the consideration thereof, and for the purpose of receiving oral and written testimony regarding said vacation; and,

WHEREAS, on the 22nd day of February, 2022, the Board having examined said report, and all other papers on file in the proceedings, and heard and considered all testimony and documentary evidence produced for and against the vacation of the rights-of-way, and the Board being satisfied that said rights-of-way will not be useful as a part of the County's road system, and that the public will be benefited by its vacation, did vote and sign Resolution #R20220034 ordering the conditional vacation of said road right-of-way, subject to the conditions established therein; and,

WHEREAS, condition number one (1) as set forth per Resolution #R20220034 (herein the "First Condition"), required timely payment to be made by the petitioner to the County in the amount of three thousand seven hundred and fifty dollars (\$3,750), as provided therein; and,

WHEREAS, condition number two (2) as set forth per Resolution #R20220034 (herein the "Second Condition", required the petitioner to adequately document and resolve any encroachments within the proposed area to be vacated via a Boundary Line Adjustment ("BLA") to the satisfaction of the County Engineer, as provided therein; and,

WHEREAS, subsequent to the passage of Resolution #R20220034, applicable County staff determined that the Boundary Line Adjustment (BLA) process required to satisfy the above-described Second Condition is not necessary, and is not feasible as proposed (because the petitioner must first be in possession of the area of right-of-way to be vacated in order to complete the BLA process), and accordingly the above-described Second Condition becomes impossible for the petitioner to fulfill, as previously established; and

WHEREAS, all the remaining conditions as set forth in Resolution #R20220034, including the above-described First Condition requiring payment in the amount of three thousand seven hundred and fifty dollars (\$3,750) to be timely received by the County, have been fulfilled by the petitioner, and such compliance has been confirmed by applicable Public Works Department staff.

NOW, THEREFORE, BE IT RESOLVED AND HEREBY ORDERED by the Board of Skagit County Commissioners that Resolution #R20220034 is hereby amended to entirely delete the above-described Second Condition (due to it not being necessary for the County to require the above-described Second Condition, and because the above-described Second Condition is not otherwise possible to be fulfilled by the petitioner), and is hereby superseded with this Final Order to Vacate portions of unopened County rights-of-way known as Chestnut Street and Alleyway within C.W. Griest's Plat of Grasmere, as petitioned by Adam Kearns, and described in Exhibit "A", attached hereto and incorporated by reference; and

NOW, THEREFORE, BE IT FURTHER RESOLVED AND HEREBY ORDERED, that an easement in gross is hereby reserved by the County within the said described vacated right-of-way for any and all existing and/or future utilities (including extensions and improvements thereto), and recognition of any franchises of record.

DATED this 11 day of April, 2022.

**BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**



Peter Browning, Chair

Ron Wesen, Commissioner

Lisa Janicki, Commissioner

Attest:

Linda Hammer
Clerk of the Board

Approved as to Form:

4/4/22
Civil Deputy Prosecuting Attorney

Recommended:

Department Head

Exhibit "A"
Portion of Unopened Chestnut Street Right-of-way and
Portion Alley in Block 13 to be Vacated

That portion of unopened Chestnut Street right-of-way as shown on the Plat of C. W. Griest's Plat of Grasmere, recorded in Volume 3 of Plats, page 94, records of Skagit County Auditor adjacent to the South line of Lots 11, 12, 13, 14 and 15, Block 13 of said plat. (The Westerly limit to be the Southerly extension of the West line of said Lot 11).

AND ALSO that portion of the unopened alley as shown on said Plat of C. W. Griest's Plat of Grasmere lying contiguous to Lots 6 – 15, Block 13 of said plat.

ALL BEING SUBJECT TO any existing utility rights (public or private).

AND ALSO SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.

Situate in the County of Skagit, State of Washington.

Containing 12,000+/- sq ft in unopened Chestnut Street
3,000+/- sq ft in unopened alley



12-31-21