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04/07/2023 02:16 PM Pages: 1 of 7 Fees \$209.50
Skagit County Auditor

After Recording Return to:
City Of Mount Vernon
910 Cleveland Ave
Mount Vernon, WA 98273

COVER SHEET FOR RECORDING

DOCUMENT TITLE: ORDINANCE 3867 – PARTIAL ALLEY VACATION

GRANTOR(S): CITY OF MOUNT VERNON

GRANTEE(S): RPI MT VERNON LLC

ABBREVIATED LEGAL DESCRIPTION: PORTION OF LOTS 3 AND 4, BLOCK 13, MT VERNON, GATES 1ST AND 2ND ADDITIONS, AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 98, RECORDS OF SKAGIT COUNTY, WASHINGTON.

FULL LEGAL DESCRIPTION ON PAGE(S): SHOWN ON EXHIBIT A OF ORDINANCE 3867

ASSESSOR'S PARCEL / TAX ID NUMBER: P52080

ORDINANCE NO. 3867**AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON VACATING A PORTION OF AN UNNAMED ALLEY LOCATED IN THE GATES 1ST and 2ND ADDITION PLATS**

WHEREAS, a petition has been filed pursuant to Chapter 35.79 RCW requesting portions of the alley located east of parcel P52080, be vacated, and

WHEREAS, on February 22nd, 2023 Resolution 1028 was approved by the City setting a public hearing date for the subject street vacation on March 22nd, 2023; and

WHEREAS, all steps and proceedings required by law and by resolution of the City Council to vacate the portions of the street and alley hereinafter named have been duly taken and performed; and

WHEREAS, the City Council held a duly advertised public hearing on March 22nd, 2023 concerning the advisability of vacating a portion of the alley described below; and

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION ONE. The property described in the accompanying **Exhibit A** which has been set aside by the City for street purposes is hereby vacated by the City to the abutting property owner. Attached to this Ordinance is **Exhibit B** containing a map showing the area to be vacated.

SECTION TWO. Consistent with Mount Vernon Municipal Code (MVMC) 12.40.130(B) & 12.40.140(A) an appraisal from a state-certified real estate appraiser who has a SRA designation from the Appraisal Institute was completed. This appraisal is attached to this Ordinance identified as **Exhibit C** and is incorporated herein by this reference and made a part hereof. Based on the findings and conclusions within this appraisal the City determines the fair market value of the real property to be vacated is Four Thousand Five Hundred Dollars (\$4,500.00).

SECTION THREE. An easement is reserved and retained in favor of any utility companies with existing utilities in the to-be vacated areas, for utility and access purposes, over, under and across the right-of-way to be vacated that is described and shown on the accompanying **Exhibit A**.

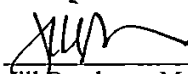
SECTION FOUR. This ordinance shall not take effect until recorded in the office of the County Auditor. This ordinance shall not be so recorded unless and until full payment has been received by the City in the amount of Four Thousand Five Hundred Dollars (\$4,500.00) plus applicable recording fees.

SECTION FIVE. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

SECTION SIX. This ordinance shall be in full force and effect five days after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this 22nd day of March, 2023.

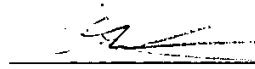
PASSED by the City Council of the City of Mount Vernon this 22nd day of March 22nd, 2023; and signed in authentication of its passage this 28th day of March, 2023.


Jill Boudreau, Mayor

Attest:


Becky Jensen, City Clerk

Approved as to form:


Kevin Rogerson, City Attorney

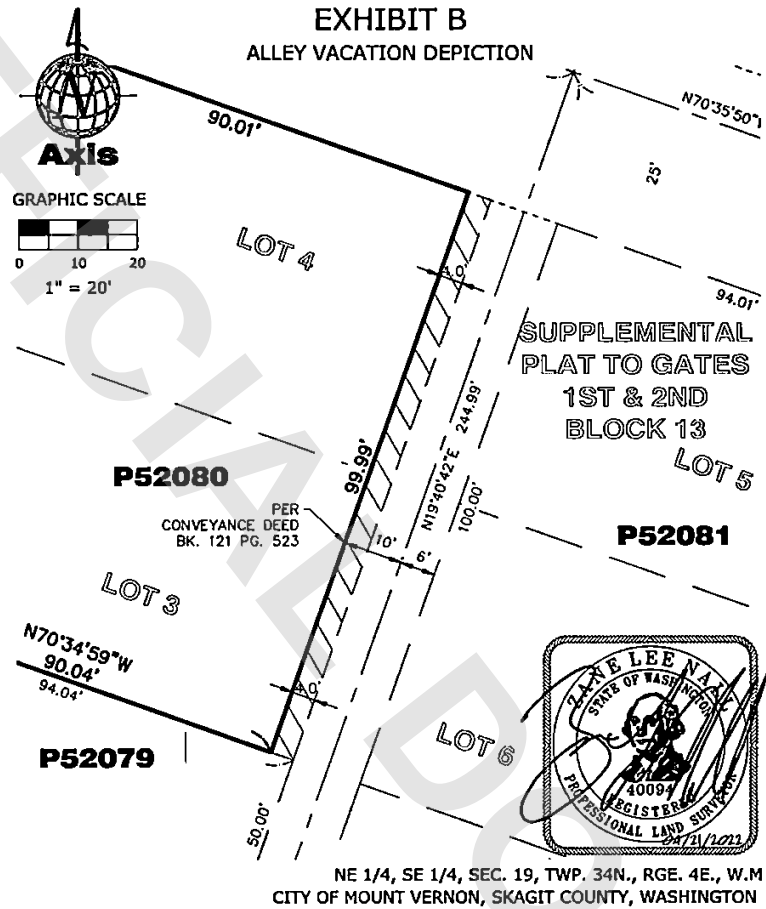
Published March 24, 2023

EXHIBIT A**LEGAL DESCRIPTION OF THE AREA TO BE VACATED****LEGAL DESCRIPTION****“GATES 1ST AND 2ND ADDITIONS TO MOUNT VERNON ALLEY RIGHT-OF-WAY VACATION”**

THE WESTERLY 4.00 FEET OF THE EASTERLY 10.00 FEET OF THE ALLEY
CONVEYED TO THE CITY OF MOUNT VERNON, BY DEED RECORDED MARCH 25,
1921 IN BOOK 121 OF DEEDS, PAGE 523, LYING EASTERLY OF AND
ADJACENT TO LOTS 3 AND 4, BLOCK 13, MAP OF MOUNT VERNON, GATES
1ST AND 2ND ADDITIONS TO MOUNT VERNON, ACCORDING TO THE PLAT
THEREOF RECORDED IN VOLUME 2 OF PLATS, PAGE 98, RECORDS OF SKAGIT
COUNTY, WASHINGTON;

CONTAINING AN AREA OF 400 SQ. FT. MORE OR LESS

EXHIBIT B
MAP OF THE AREAS TO BE VACATED



	Axis Survey & Mapping	www.axismap.com	
		JOB NO.	DATE
		19-135	4/21/2020
		DRAWN BY	CHECKED BY
ZLN	ZLN	SCALE	SHEET
1"=20'	2 OF 2		

15241 NE 90TH ST.
SUITE 100
REDMOND, WA 98052
TEL. 425.823-5700
FAX 425.823-6700

EXHIBIT C

APPRAISAL

The appraisal for the subject property can be found on file at the City of Mount Vernon Development Services Department under permit # ENGR22-0197.