

Return To: City of Anacortes  
Legal Department  
PO Box 547  
Anacortes, WA 98221

COVER SHEET FOR RECORDING

Document Title: Street Vacation Ordinance

Grantor(s):

1. City of Anacortes, a Washington municipal corporation

Grantee(s):

1. Tye B and J LLC, a Washington limited liability corporation
2. Coho B and J LLC, a Washington limited liability corporation

Abbreviated Legals: THE VACATION OF ALL OF THE WEST 75 FEET OF O AVENUE FROM THE NORTH LINE OF 34TH STREET, THENCE NORTHERLY ALONG O AVENUE TO THE NORTH LINE OF LOT 10, BLOCK 6 EXTENDED TO LOT 1, BLOCK 1 OF MARY EUBANK'S ADDITION TO THE CITY OF ANACORTES.

Assessors Property Tax Parcel / Tax ID Numbers: P57150/3786-001-004-0016, P57179/3786-006-010-0009

**ORDINANCE NO. 4063****AN ORDINANCE VACATING A RIGHT-OF-WAY OF CERTAIN PORTIONS OF  
O AVENUE ABUTTING PARCELS P-57150 AND P-57179****THE CITY COUNCIL OF THE CITY OF ANACORTES DOES HEREBY ORDAIN AS  
FOLLOWS:**

**WHEREAS**, at the October 02, 2023 City Council meeting, a resolution was passed to set a hearing date for November 20, 2023, to consider a petition to vacate right-of-way (ROW) on O Avenue; and

**WHEREAS**, the City Council held a public hearing on said proposal on November 20, 2023, and approved the requested vacation; and

**WHEREAS**, the City Council hereby finds that a vacation of the requested area will provide a significant benefit to the public in the form of more cost effective utility connections in the adjacent area; and

**WHEREAS**, the City Council hereby finds that the requested area of public right-of-way is neither currently required for public use or public access nor anticipated to be needed for public use or access in the future; and

**WHEREAS**, the City hereby finds no possible future public uses which may require the requested area of right-of-way; and

**WHEREAS**, the City Council has considered all objections to the proposed vacation; and

**WHEREAS**, the City Council hereby finds that the proposed alternative compensation of an approximately 10,240 square foot easement meets the requirements of AMC Chapter 12.50; now therefore,

**THE CITY COUNCIL OF THE CITY OF ANACORTES, DOES HEREBY ORDAIN  
AS FOLLOWS:****SECTION 1.** Findings of Fact and Conclusions of Law.

All of the recitals are hereby adopted as findings and conclusions.

**SECTION 2.** Vacations.

The street and alley right-of-way area within the City of Anacortes described in Exhibit A should be and are hereby vacated.

**SECTION 2.** Compensation.

Compensation for the vacation shall be in the form of an easement from the Petitioner to the City for public utility purposes. The easement area to be conveyed to the City as compensation is approximately described in Exhibit B. The easement shall be on a form approved by the City Attorney and the final legal description of the easement area shall be prepared by a Professional Land Surveyor and must include no less than 10,240 square feet.

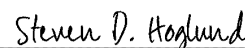
**SECTION 4.** Effective Date: This ordinance shall take effect 5 (five) days after execution and recording of the easement described in Section 2 above and publication as required by law.

**PASSED AND APPROVED** this 20th day of November 2023.

**CITY OF ANACORTES:**

BY:   
Matt Miller, Mayor

**ATTEST:**

  
Steven D. Hoglund, City Clerk Treasurer

**APPROVED AS TO FORM:**


  
Darcy J. Swetnam, WSBA #40530  
City Attorney

EXHIBIT A

THE VACATION OF ALL OF THE WEST 75 FEET OF O AVENUE FROM THE NORTH LINE OF 34<sup>TH</sup> STREET, THENCE NORTHERLY ALONG O AVENUE TO THE NORTH LINE OF LOT 10, BLOCK 6 EXTENDED TO LOT 1, BLOCK 1 OF MARY EUBANK'S ADDITION TO THE CITY OF ANACORTES.

## EXHIBIT B

A 20-FOOT-WIDE TRACT OF LAND BEING 10 FEET EITHER SIDE OF THE PIPE AS CONSTRUCTED.

