

NON-CODE

**CITY OF REDMOND
ORDINANCE NO. 2806**

AN ORDINANCE OF THE CITY OF REDMOND,
WASHINGTON, VACATING A PORTION OF A BROWN
STREET RIGHT-OF-WAY LOCATED BETWEEN
CLEVELAND STREET AND NE REDMOND WAY,
PURSUANT TO RCW 35.79

WHEREAS, the City Council has received a petition requesting that a portion of the Brown Street right-of-way, which is located between Cleveland Street and NE Redmond Way, depicted in Exhibit B, attached hereto and incorporated by this reference, be vacated; and

WHEREAS, the petition contains the signatures of the owners of more than two-thirds of the abutting property; and

WHEREAS, the action of vacating a street or roadway is categorically exempt from environmental review per WAC 197-11-800(2) (h) and is therefore not subject to SEPA rules and determinations; and

WHEREAS, the City staff posted and published appropriate notices of the public hearing as required by RCW 35.79.020; and

WHEREAS, the hearing was held as scheduled on October 6, 2015, and all persons who wished to testify were provided an opportunity to do so; and

WHEREAS, the City Engineer and Director of Public Works have both recommended that the vacation request be granted, subject to certain terms and conditions; and

WHEREAS, after consideration of the testimony, the City Council determined that the vacation should be approved.

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

Section 1. Classification. This is a non-code ordinance.

Section 2. Vacation of Right-of-Way. The portion of the Brown Street right-of-way, located between Cleveland Street and NE Redmond Way, within the proposed Downtown Park, and more particularly described on Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full, is hereby vacated.


Section 3. Compensation. This vacation is undertaken with the understanding that the City will not require reimbursement as allowed under RCW 35.79.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other sections, sentence, clause or phrase of this ordinance.

Section 5. Effective date. This ordinance shall become effective five days after its publication, or publication of a summary thereof, in the city's official newspaper, or as otherwise provided by law; however, the vacation shall not be effective until such time as this ordinance is recorded. The Planning Department is directed to record a certified copy of this ordinance with the King County Department of Records and Elections, thereby making the vacation effective.

ADOPTED by the Redmond City Council this 6th day of October,
2015.

CITY OF REDMOND



JOHN MARCHIONE, MAYOR

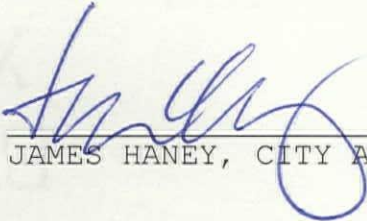
ATTEST:



MICHELLE M. HART, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:



JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK: September 15, 2015
PASSED BY THE CITY COUNCIL: October 6, 2015
SIGNED BY THE MAYOR: October 9, 2015
PUBLISHED: October 12, 2015
EFFECTIVE DATE: October 17, 2015
ORDINANCE NO. 2806

YES: ALLEN, FLYNN, CARSON, MARGESON, SHUTZ, STILIN

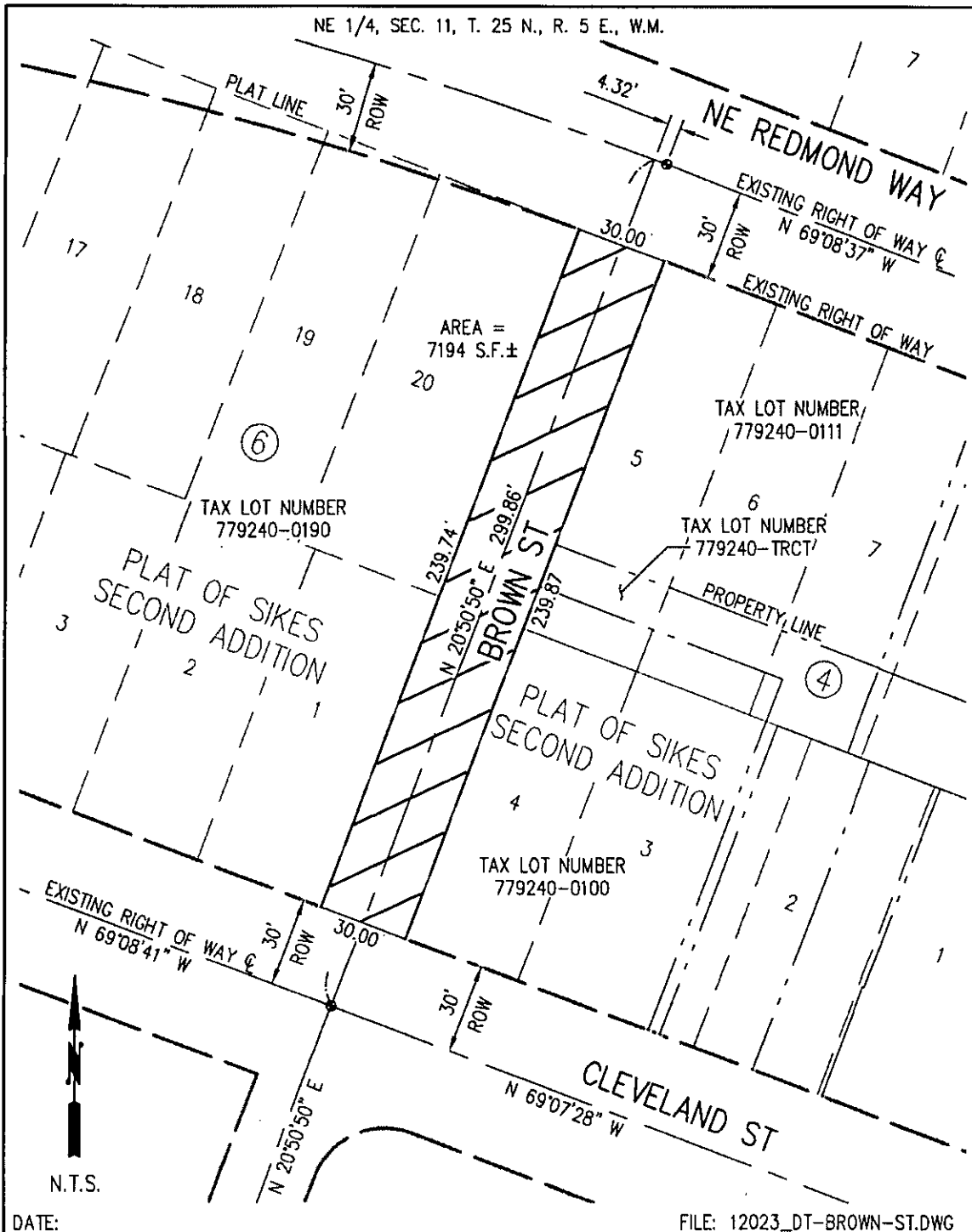
Exhibit A

EXHIBIT ___ BROWN STREET VACATION

*A PORTION OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 25 NORTH, RANGE 5 EAST,
WILLAMETTE MERIDIAN DESCRIBED AS FOLLOWS:*

*THAT PORTION OF BROWN STREET ACCORDING TO THE PLAT OF SIKES SECOND ADDITION TO THE
TOWN OF REDMOND, RECORDED IN VOLUME 4, PAGE 14, RECORDS OF KING COUNTY, WASHINGTON,
LYING SOUTHERLY OF NORTHEAST REDMOND WAY AND NORTHERLY OF CLEVELAND STREET.*

CONTAINING 7,194 SQUARE FEET, MORE OR LESS.



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EXHIBIT _____
 BROWN STREET
 VACATION