



# Committee of the Whole

Deb Bell

Council Initiated:

☐ Yes

☒ No

**ECAF:** 2023-1249

**Ordinance:** 23-129

**Type:**

☐ Contract

☐ Board Appt.

☐ Code Amendment

☐ Budget Action

☒ Other

**Requested Handling:**

☐ Normal

☒ Expedite

☐ Urgent

**Fund Source:**

☐ General Fund

☐ Other

☒ N/A

**Executive Rec:**

☒ Approve

☐ Do Not Approve

☐ N/A

**Approved as to**

**Form:**

☒ Yes

☐ No

☐ N/A

**Subject:** Proposed County Road Right-of-Way Vacation – 152<sup>nd</sup> St SE

**Scope:** The proposed ordinance would vacate a 16-foot strip of land, approximately 8,384 square feet, of deeded unopened right-of-way for 152<sup>nd</sup> Street SE, located in the NW ¼ of Section 1, Township 27 North, Range 7 East, W.M.

The County Engineer has prepared the required Engineer's Report and recommends conditional approval.

**Fiscal Impact:** ☐ Current Year ☐ Multi-Year ☒ N/A

**Authority Granted:** RCW 36.87.060 and SCC 13.100.060 the Snohomish County Council shall hold a public hearing to consider the County Engineer's report and to hear public testimony.

**Background:** On January 31, 2023, the Department of Public Works received an initial petition to vacate approximately 8,384 square feet of unopened County Right of Way, 152<sup>nd</sup> Street SE, from Brian Nichols and Jayne Miller. The petitioners own most parcels abutting the north and south portions of the section of ROW proposed to be vacated.

**Recommendations:**

1. Based on the findings in the Engineers Report, DWP has determined that the public will benefit by the vacation and abandonment of the ROW and that the ROW should be vacated and abandoned.
2. DPW recommends that the Vacation Petition 23 101648 RWE for the vacation of ROW for a portion of 152<sup>nd</sup> St SE, described in the record of survey attached in the Engineers Report Exhibit 8, pages 3-4, and Exhibit A to the accompanying Ordinance, is in the best interest of the public and should be granted based on the recommended conditions.

**Conditions:**

1. All associated costs, as per SCC 13.100.070 and SCC 13.100.080, shall be paid: \$12,577.24
2. The petitioner shall be responsible for the advertising and recording fees: estimated \$506.50
3. Failure to make payment of the compensation required under SCC 13.100.070 and SCC 13.100.080 within one year of the date of the ordinance is adopted by Council will result in the ordinance not being recorded and the ROW shall not be considered vacated as per SCC 13.100.080(4)

**Requested Action:** To set time and date for a Public Hearing, suggested date of December 6<sup>th</sup> at 10:30 am is suggested.