

1 After Recording Return To:  
2 Clerk of the Council  
3 Snohomish County Council  
4 3000 Rockefeller Avenue – M/S 609  
5 Everett, WA 98201  
6

7 *In the matter of 60<sup>th</sup> Ave West*  
8  
9

10 SNOHOMISH COUNTY COUNCIL  
11 Snohomish County, Washington  
12

13 ORDINANCE NO. 22-047  
14

15 AN ORDINANCE VACATING A PORTION OF 60<sup>TH</sup> AVE WEST  
16 A SNOHOMISH COUNTY ROAD RIGHT-OF-WAY  
17

18 WHEREAS, on October 16, 2015, Frognal Holdings LLC petitioned  
19 Snohomish County to vacate certain unopened rights-of-way consisting of a  
20 portion of 58<sup>th</sup> PI West, 60<sup>th</sup> Ave West and 136<sup>th</sup> PI Southwest; and  
21

22 WHEREAS, the Snohomish County Council (“County Council”) vacated  
23 the above rights-of-way through adoption of Ordinance No. 17-029 on July 5,  
24 2017, and recorded with the Snohomish County Auditor’s Office on September  
25 28, 2017, under AFN 201709280196; and  
26

27 WHEREAS, Lennar Northwest, Inc., petitioner’s successor in interest and  
28 owner of Frognal Estates, now Bexley Ridge, discovered that a 400 square foot  
29 portion of 60<sup>th</sup> Ave West was not vacated by Ordinance No. 17-029 and remains  
30 unopened County right-of-way; and  
31

32 WHEREAS, the Department of Public Works determined that petitioners  
33 intended to vacate a portion of 60<sup>th</sup> Ave West totaling 13,184 square feet and  
34 inclusive of the 400 square feet of remaining right-of-way, however the County  
35 Engineer inadvertently recommended and the County Council vacated only  
36 12,784 square feet of 60<sup>th</sup> Ave West; and  
37

38 WHEREAS, the County Engineer has independently initiated this request  
39 to vacate the remaining 400 square foot segment of 60<sup>th</sup> Ave West that was not  
40 vacated by Ordinance No. 17-029; and  
41

42 WHEREAS, the segment of 60<sup>th</sup> Ave West to be vacated is located at the  
43 intersection of 60<sup>th</sup> Ave West and vacated 136<sup>th</sup> St Southwest in the NE ¼ of  
44 Section 32 Township 28 Range 4; and  
45

1 WHEREAS, the remaining segment of 60<sup>th</sup> Ave West to be vacated is a  
2 Class D right-of-way under SCC 13.100.040(7)(d), in which the county has an  
3 easement interest and no public expenditures were made; and  
4

5 WHEREAS, under SCC 13.100.080(3)(a), the County Engineer can  
6 recommend the County Council waive compensation required under SCC  
7 13.100.080(1) and (2) where the vacation request is initiated independently by  
8 the County Engineer; and  
9

10 WHEREAS, compensation to the County as a condition to vacation is  
11 determined to be zero percent of the appraised value under SCC  
12 13.100.080(2)(c), and is otherwise not required under SCC 13.100.080(3)(a).  
13

14 NOW, THEREFORE, BE IT ORDAINED:  
15

16 **Section 1.** The County Council adopts and incorporates the foregoing  
17 recitals as findings as if set forth fully herein.  
18

19 **Section 2.** The County Council finds that the county right-of-way  
20 described in Exhibit A and depicted on Exhibit B, both attached to this ordinance  
21 and incorporated herein by reference, is useless for county road purposes and  
22 the public will be benefited by this vacation.  
23

24 **Section 3.** The itemized costs and expenses associated with this right-of-  
25 way vacation under SCC 13.100.070 will be absorbed by the County Road fund.  
26

27 **Section 4.** The County Council finds that the portion of the county right-  
28 of-way consisting of a 400 square foot segment of 60<sup>th</sup> Ave West as described  
29 and depicted in the attached exhibits is vacated upon the recording of this  
30 ordinance with the Snohomish County Auditor's Office.  
31

32  
33  
34  
35 Passed this day 30<sup>th</sup> day of November 2022.  
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38 SNOHOMISH COUNTY COUNCIL  
39 Snohomish County, Washington  
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42 \_\_\_\_\_  
43 Chairperson  
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ATTEST:

Melena Lao  
Asst. Clerk of the Council

(X) APPROVED  
( ) EMERGENCY  
( ) VETOED

Don S. 11/30/2022  
County Executive Date

ATTEST:

Melissa Geraghty

APPROVED AS TO FORM:

Jim Hill 8/19/2022  
Deputy Prosecuting Attorney

**EXHIBIT A**

**LEGAL DESCRIPTION FOR PORTION OF  
INTERURBAN BLVD. (60<sup>TH</sup> AVE. WEST) ROAD VACATION**

THAT PORTION OF INTERURBAN BOULEVARD (60TH AVE. WEST), ACCORDING TO THE PLAT OF HILLMAN'S NORTH SEATTLE-PUGET SOUND FRONT MEADOWDALE ADDITION, AS RECORDED IN VOLUME 5 OF PLATS, AT PAGE 39, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF TRACT 28 OF SAID PLAT;

THENCE SOUTH, ALONG THE WEST MARGIN OF SAID INTERURBAN BOULEVARD (60TH AVE. WEST), A DISTANCE OF 20.00 FEET TO THE CENTERLINE OF FOURTH AVENUE (136TH ST. S.W.) AS SHOWN ON SAID PLAT;

THENCE EAST, ALONG THE EASTERLY EXTENSION OF SAID FOURTH AVENUE (136TH ST. S.W.), A DISTANCE OF 20.00 FEET TO THE EAST MARGIN OF SAID INTERURBAN BOULEVARD (60TH AVE. WEST);

THENCE NORTH, ALONG SAID EAST MARGIN, A DISTANCE OF 20.00 FEET TO A POINT ON THE EAST EXTENSION OF THE SOUTH LINE OF SAID TRACT 28;

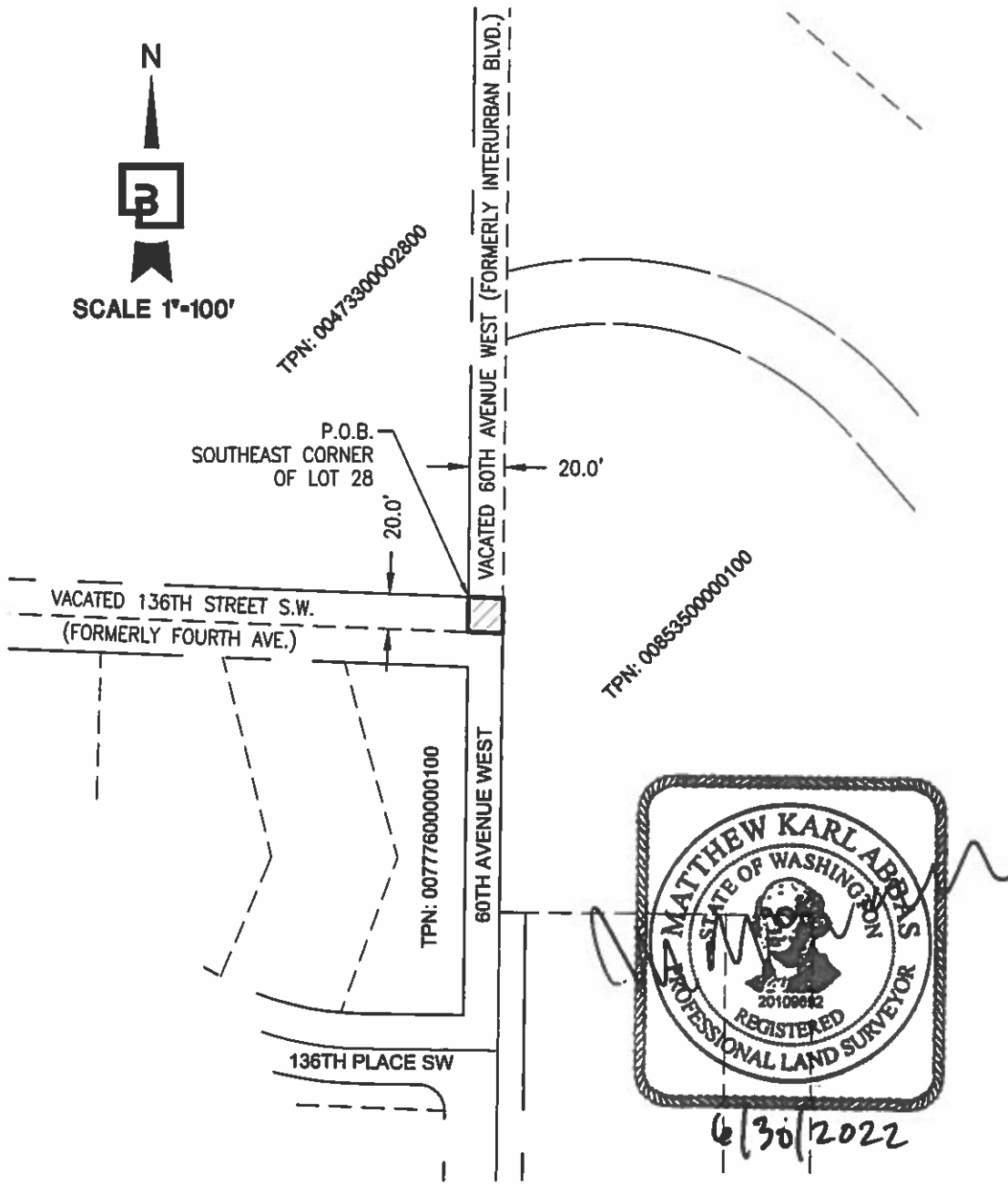
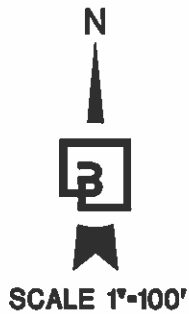
THENCE WEST, ALONG SAID EXTENSION, A DISTANCE OF 20.00 FEET TO SAID SOUTHEAST CORNER OF TRACT 28 AND THE POINT OF BEGINNING.

CONTAINING 400 SQUARE FEET, MORE OR LESS.



18457 -- BEXLEY RIDGE  
18457L.001 -- MKA  
JUNE 29, 2022

# EXHIBIT B



P:\18000s\18457\survey\18457-EXH05-60TH Ave Vacation.dwg 6/29/2022 8:05 AM MABBAS

<b>SCALE:</b> HORIZONTAL 1"=100' VERTICAL N/A	<b>For:</b> <b>LENNAR NORTHWEST, INC.</b>	<b>JOB NUMBER</b> <b>18457</b>
	<b>Title:</b> <b>INTERURBAN BLVD. ROAD VACATION</b>	18457L.001.DOC  <b>SHEET</b> <b>1 of 1</b>
<b>Barghausen Consulting Engineers, Inc.</b> 18215 72nd Avenue South Kent, W 98032 425.251.6222 <a href="http://barghausen.com">barghausen.com</a>		
DRAWN <u>  MKA  </u> CHECKED <u>  MKA  </u> APPROVED <u>  MKA  </u> DATE <u>  6/28/2022  </u>		