

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 60th 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 60TH 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 58th PI West, 60th Ave West and 136th 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 60th 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 60th 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 60th Ave West; and
37

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

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

1 WHEREAS, the remaining segment of 60th 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 60th 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.
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35 Passed this day 30th 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. (60TH 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;

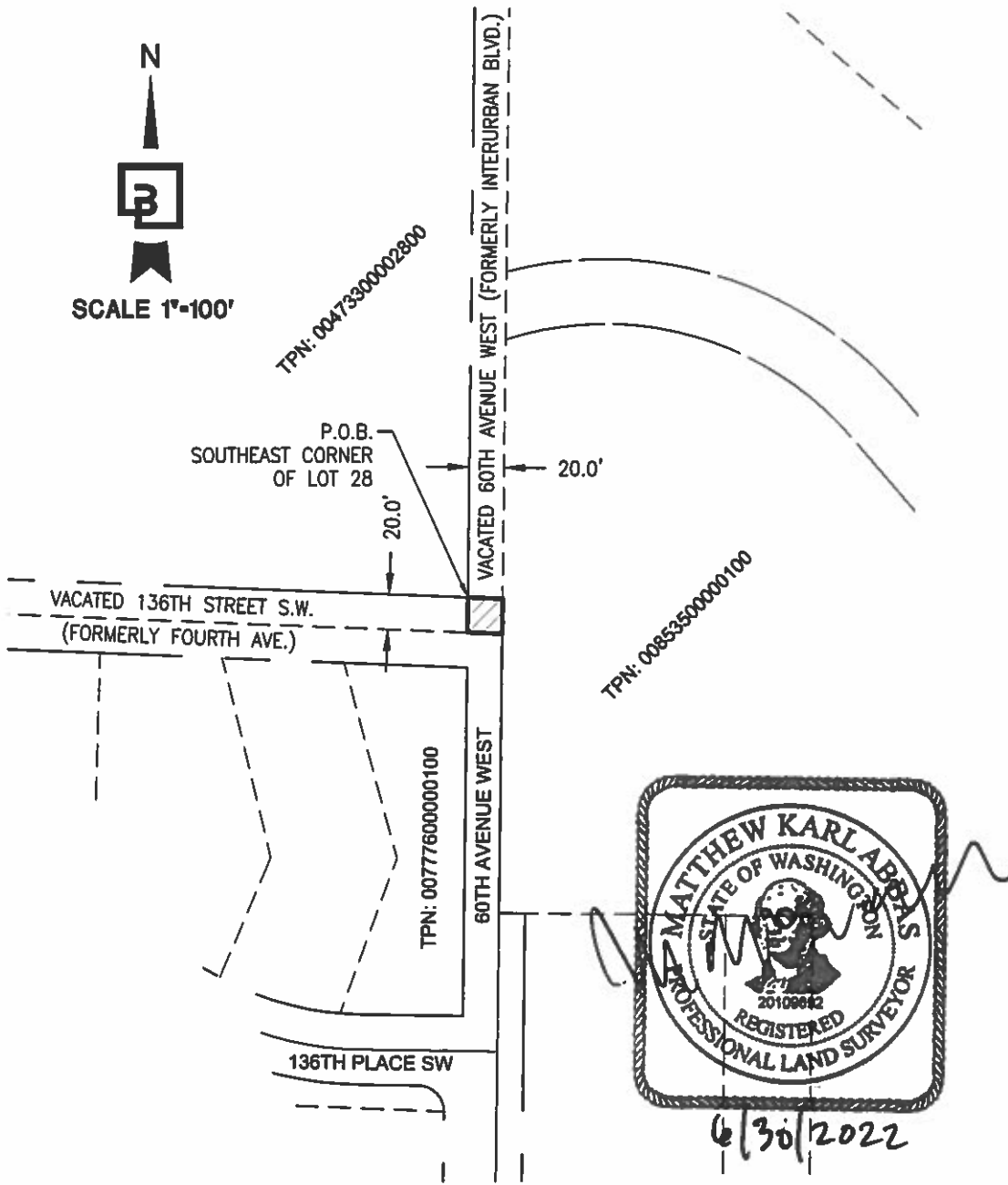
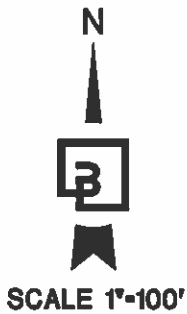
THENCE WEST, ALONG SAID EXTENSION, A DISTANCE OF 20.00 FEET TO SAID SOUTHEAST CORNER OF TRACT 28 AND THE POINT OF BEGINNING.

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

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