

RESOLUTION NO. 1057

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, SETTING A PUBLIC HEARING FOR THE VACATION OF A PORTION OF RUST STREET.

WHEREAS, David S. and Jayme L. Jones desire to initiate the procedure for the vacation of a portion of Rust Street, a portion of the original August 23, 1890 plat of the Town of Artena addition to Gig Harbor:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gig Harbor, Washington:

Section 1. A public hearing upon said street vacation shall be held in the council chambers of Gig Harbor Civic Center on Monday, January 9, 2017 at 5:30 p.m., at which hearing all persons interested in said street vacation are invited to appear.

Section 2. The City Clerk is directed to post notices of the hearing in three public places and on the street to be vacated and to mail notices to all owners of any property abutting the portion of street to be vacated, pursuant to RCW 35.79.020.

PASSED this 28th day of November, 2016.



Jill Guernsey, Mayor

ATTEST:



Molly M. Towslee, City Clerk

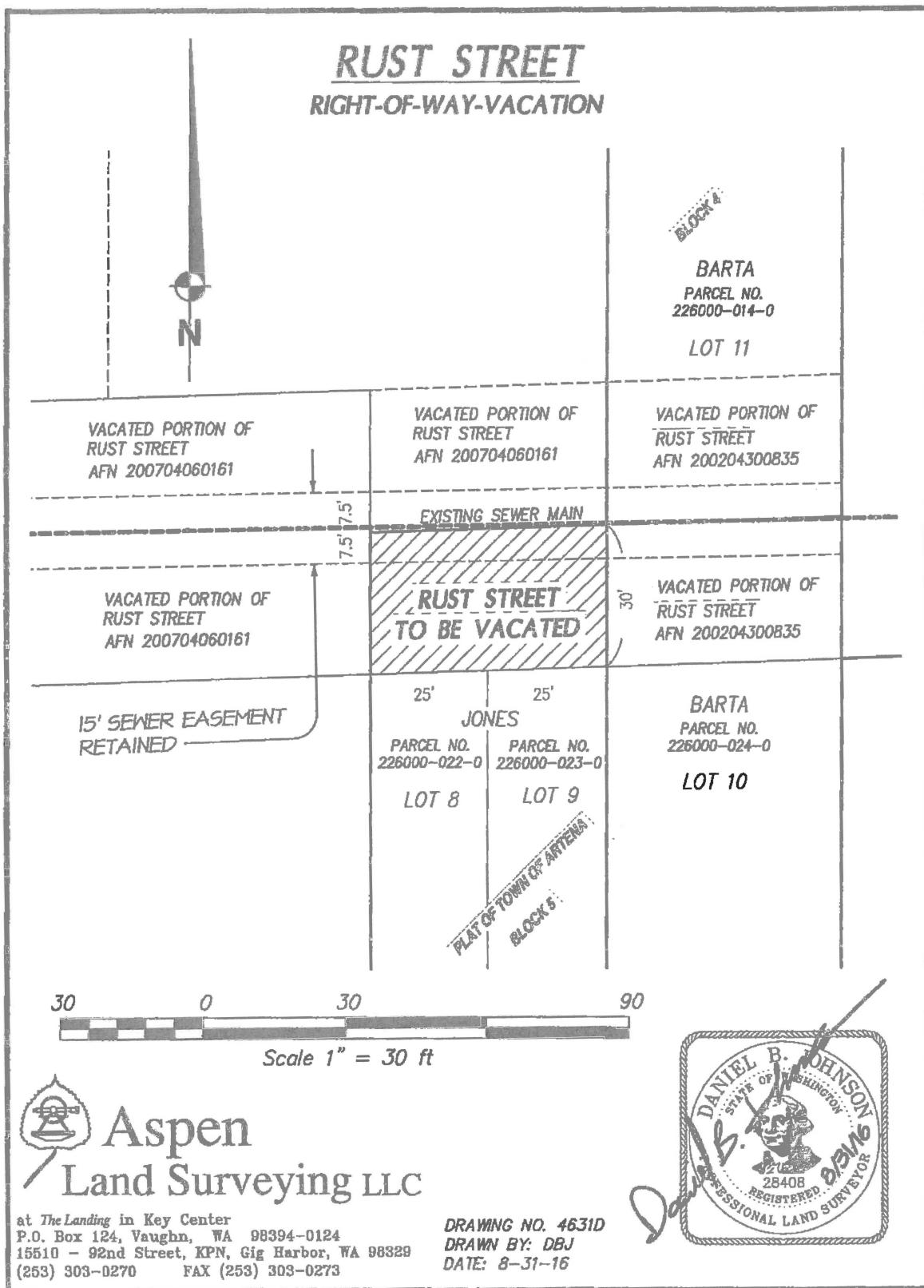
FILED WITH THE CITY CLERK: 11/17/16
PASSED BY THE CITY COUNCIL: 11/28/16
RESOLUTION NO. 1057

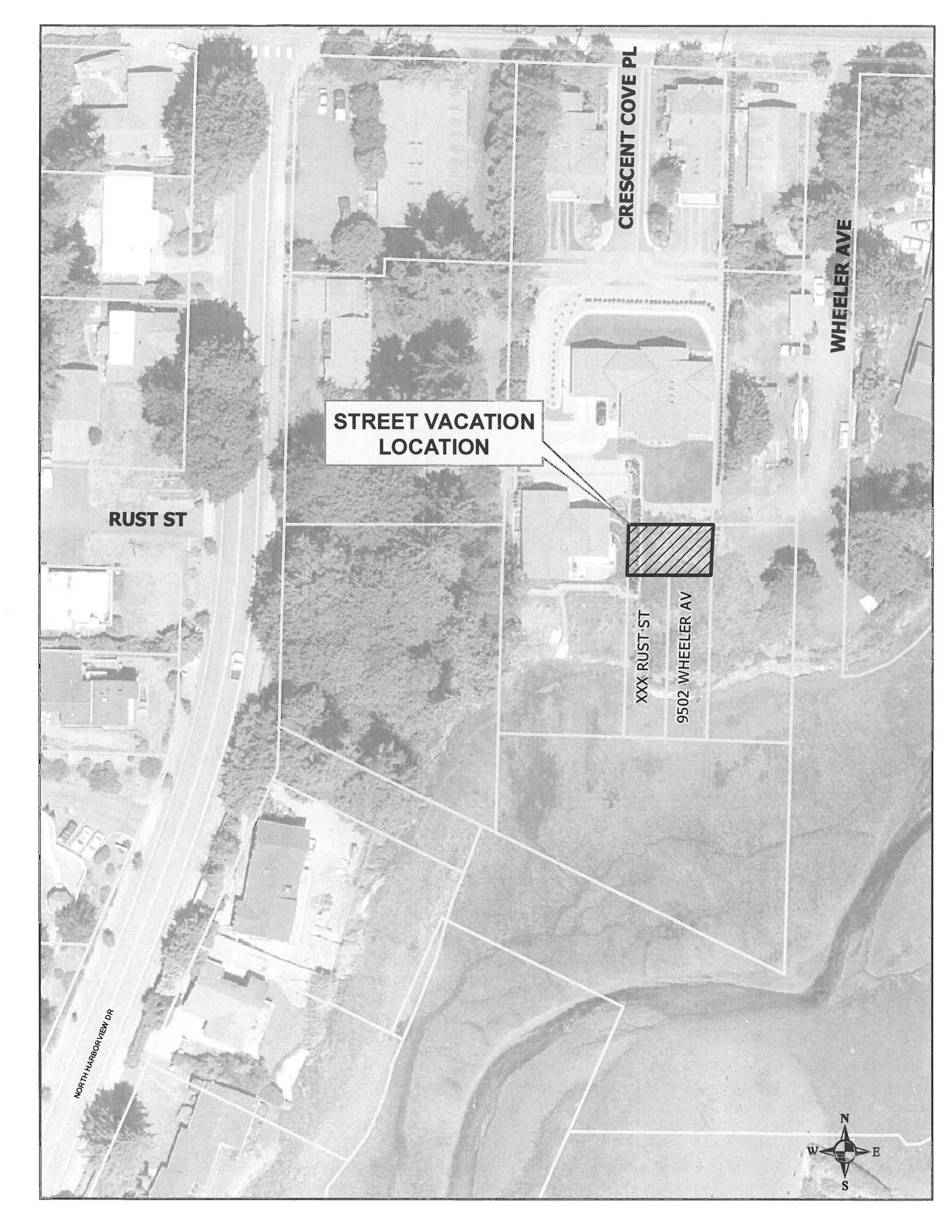
LEGAL DESCRIPTION OF A PORTION OF RUST STREET
TO BE VACATED

THAT PORTION OF RUST STREET ABUTTING LOTS 8 AND 9, BLOCK 5, IN THE PLAT OF ARTENA, ACCORDING TO THE PLAT THEREOF ON FILE IN VOLUME 5 OF PLATS, PAGE 68, RECORDS OF PIERCE COUNTY, WASHINGTON.

RESERVING UNTO THE CITY OF GIG HARBOR A 15-FOOT-WIDE SANITARY SEWER EASEMENT, 7.5 FEET ON EITHER SIDE OF THE EXISTING SEWER MAIN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 8; THENCE N 0°01'31" W, 31.06 FEET TO THE CENTERLINE OF SAID SEWER MAIN AND THE TRUE POINT OF BEGINNING; THENCE N 89°07'17" E ALONG SAID SEWER MAIN, 50 FEET.

RUST STREET
RIGHT-OF-WAY-VACATION





**STREET VACATION
LOCATION**

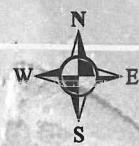
RUST ST

CRESCENT COVE PL

WHEELER AVE

XXX RUST ST
9502 WHEELER AV

NORTH HARBOURVIEW DR





**Jones Street Vacation - Parcel No's. 2260000220 and 2260000230
VICINITY MAP**



VACATION OF STREETS AND ALLEYS

GIG HARBOR MUNICIPAL CODE CHAPTER 12.14

Name: David and Jayme Jones Date: November 17, 2016

Site address: 9502 Wheeler Ave. and XXX Rust Street

Phone Number: 253-279-7749 Parcel Number(s): 2260000220 and 2260000230

OWNER REQUIREMENTS

- ✓ The petition or resolution shall be filed with the city clerk, and the petition shall be signed by the owners of more than two-thirds of the property abutting upon the part of such street or alley sought to be vacated. [GHMC § 12.14.002 (c)]. **Received**
- ✓ Nonrefundable payment to the City of a pre-hearing fee of \$150.00, to defray the administrative cost incurred in processing such vacation petitions [GHMC § 12.14.004 (a)]. **Received**
- ✓ Legal description prepared by a Licensed Surveyor of area to be vacated [GHMC § 12.14.002 (b)]. **Received**
- ✓ Location map showing surrounding street network, existing utilities, and adjacent properties labeled with ownership, site addresses, and parcel numbers. **Received**
- ✓ Site map prepared by a Licensed Surveyor showing the existing property and street vacation areas with dimensions (using bearings and distances), calculated square footage, two-foot contours, existing easements, wetlands and trails or other relevant information. **Received**
- ✓ At the time the City Council recommends granting a vacation petition, the petitioner shall deposit a \$500.00 appraisal fee with the Public Works Director [GHMC § 12.14.004 (b)]. Appraisal fee not required if qualified under the Non-user Statute [GHMC § 12.14.018 (c)]. **N/A**
- ✓ Compensation to the City for vacation if applicable [GHMC § 12.14.018]. Compensation not required if qualified under the Non-user Statute [GHMC § 12.14.018 (c)]. **N/A**

CITY REVIEW

- ✓ Determine Non-user Statute application. **Qualifies as Non-user Statute**
- ✓ Verify all information provided in the petition, legal description, location map, and site map. **OK**
- ✓ Describe topography and vegetation (forested, cleared, etc.) using GIS aerial and digital camera photos of site. **Trees and brush**.
- ✓ Verify existing utilities or call One Call Locate to determine what utilities are on the property. **Sewer**
- ✓ Determine proposed vacation's consistency with City of Gig Harbor Comprehensive Plan (i.e. transportation element). **N/A**
- ✓ Determine current extent of public use of area proposed to be vacated as a Prescriptive Easement. **Sewer easement required**
- ✓ Determine possible retention for future public uses: Roadway, water, sewer, storm drainage, parking facilities, parks, view areas, and access to waterfront. **None required**

VACATION OF STREETS AND ALLEYS
GIG HARBOR MUNICIPAL CODE CHAPTER 12.14
PAGE 2

- ✓ Develop history of area proposed to be vacated including when area was purchased, dedicated, or otherwise acquired. **Town of Artena Plat recorded August 23, 1890**
- ✓ Determine compensation for vacation as described in GHMC § 12.14.018 if applicable. **N/A**
- ✓ Verify payment of pre-hearing \$150 fee and \$500 appraisal fee. **\$150 paid - receipt no. 244020**
- ✓ Prepare aerial vicinity map. **Completed**
- ✓ Prepare Council Resolution. **Completed**
- ✓ Post notices of Public Hearing. **Following passage of Resolution 1057**
- ✓ Determine hearing date. **January 9, 2017**
- ✓ Legal Review **Approved via email**