

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: January 12, 2015

AGENDA ITEM: Resolution scheduling a Public Hearing on February 9, 2015, for consideration of vacating a portion of 25 th Avenue NE and an existing stormwater detention pond, as part of construction of the Lakewood Station Binding Site Plan.	AGENDA SECTION: New Business	
PREPARED BY: Chris Holland, Planning Manager	APPROVED BY:	
ATTACHMENTS: 1. Petition for Vacation of 25 th Avenue NE, including: <ul style="list-style-type: none"> • Exhibit A – AERO Construction Co. Bid • Exhibit B – Legal Description – 25th Avenue NE • Exhibit C – 25th Avenue NE Vacation Depiction • Exhibit D – Legal Description – Pond Area • Exhibit E – Pond Area Vacation Depiction • Exhibit F – Lakewood Station Preliminary Site Plan • Exhibit G – Future ROW Dedication for realigned roadway 2. Memo from Chris Holland, Planning Manager, 12/23/14 3. Staff Comments 4. Chapter 12.32 MMC, <i>Vacation of Streets and Alleys</i> 5. Resolution	MAYOR	CAO
	BUDGET CODE:	
BUDGET CODE:	AMOUNT:	

DESCRIPTION:

The Community Development Department (CD) received a petition from Smokey Point Commercial, LLC (applicant), proposing to vacate a portion of 25th Avenue NE and an existing stormwater detention pond, located north of 172nd Street NE (SR 531), in conjunction with the construction of the Lakewood Station Binding Site Plan. The petition submitted represents 100% of the ownership of the properties fronting the proposed vacated portion of 25th Avenue NE and the stormwater detention pond.

Rather than compensating the City for the vacated portion of 25th Avenue NE and the stormwater detention pond, the applicant is proposing to construct a new public roadway, realigning 25th Avenue NE to the west to a mini roundabout (RAB) and constructing a full RAB at 172nd Street NE (SR 531) that would provide improved access onto the state highway (see **Exhibit F**).

After reviewing the proposal, Staff is recommending Council waive compensation, as proposed, based on the information provided by the applicant, and the factors outlined in the attached memo from Chris Holland, Planning Manager, dated December 23, 2014.

RECOMMENDED ACTION:

Approve the Resolution establishing a public hearing date of February 9, 2015 to consider the proposed vacation of 25th Avenue NE and the existing stormwater pond and the request to waive compensation for said vacation.

COUNCIL ACTION:

PETITION FOR VACATION OF STREET

1. See attached Legal Descriptions for areas to be vacated and areas to be dedicated to the City of Marysville.
2. Smokey Point Commercial, LLC and Smokey Point Apartments, LLC are the owner of 100% of all property abutting 25th Ave NE. Both entities have the same ownership.
3. Vacation of 25th Ave. NE will meet the following criteria:
 - a. It will provide a public benefit

Response: At the Lakewood Station Binding Site Plan public hearing, Washington State Department of Transportation (WSDOT) testified that a signal or roundabout (RAB) would not be allowed to be installed at the intersection of 172nd Street NE (SR 531) and 25th Avenue NE, due to its close proximity to the signalized intersection of 27th Avenue NE. Based on this testimony, our team has been working closely with WSDOT to revise the current intersection in order to relocate this intersection west to a new intersection (23rd Avenue NE) and construct a RAB, which would comply with WSDOT spacing standards on a State Highway (SR 531). The relocation of 25th Avenue NE from its current configuration to a RAB located at 23rd Avenue NE, will provide a public benefit by allowing existing residents, future residents and patrons of the proposed commercial development improved access to 172nd Street NE (SR 531).. In addition, it opens up the opportunity for more commercial opportunities and tenant prospects because of the increased access to 172nd Street NE (SR 531), which would benefit the public through increased tax revenue to the City of Marysville..

- b. It will not adversely affect the street pattern of circulation of the immediate area of the community as a whole.

Response: There will be no adverse affect to the local traffic circulation. In fact, the overall design of the new RAB at 23rd Avenue NE will drastically improve the current street pattern and circulation. The ability to access 172nd Street NE (SR 531) with a new RAB will greatly enhance the safety for those currently using 25th Ave NE. Since WSDOT was not in favor of allowing either a signalized intersection, nor a RAB, at the current 25th Ave and 172nd Street NE intersection, the new 23rd Ave location will be utilized to drastically improve the ability for the neighborhoods to the north on 25th Ave to take a east-bound turning movement.

- c. The public need will not be adversely affected.

Response: There will be no adverse affect to the public with the proposed vacation and dedication, as proposed.

In addition, construction and dedication of the roadway sections of 23rd Avenue NE, 174th Street NE, and the RAB will be at the developer's expense. The estimated cost to construct the proposed improvements is approximately \$551,753, based on a three (3) lane roadway section including two travel lanes, a center turn lane, curbs, gutters and sidewalks, and the RAB. The new dedicated and improved length of roadway will be 1,717 lineal feet. In addition to the roadway improvement will be the half-street dedication and improvement of 176th Street NE at the north end of the Phase 1 Apartments. The new dedicated and improved length or roadway will be 631 lineal feet, at an estimated cost of \$101,850. This would be in comparison to the cost of the vacated right-of-way, which is approximately 1,285 lineal feet and an estimated cost of \$224,938.

d. The street is not contemplated or needed for future public use.

Response: The area to be vacated will be replaced by an amount of area greater than what is being vacated and will provide the same public use as its current configuration with improved access to 172nd Street NE (SR 531).

e. No abutting owner will become landlocked or have his access substantially impaired.


Response: No abutting owner will become landlocked or have his or her access substantially impaired. Smokey Point Commercial, LLC and Smokey Point Apartments, LLC owns all abutting property along the reconfigured roadway.

4. Smokey Point Commercial, LLC and Smokey Point Apartments, LLC, hereby agrees to pay all fees and charges required by Chapter 12.32 MMC relating to vacation of street(s).

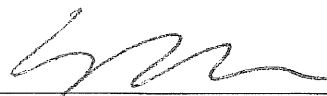
Pond Area: The current detention pond located at the corner of 25th Avenue NE 172nd Street NE (SR 531) is being requested for vacation, in addition to the above reference road areas. The current use and function of the pond will be replaced per the civil plans prepared by Omega Engineering and approved by the City of Marysville Community Development Department. These approvals are being issued through the Binding Site Plan and Building Permit process.

Dated October 8, 2014

Smokey Point Commercial, LLC

By: 
Steven J. Malsam, Manager

Smokey Point Apartments, LLC

By: 
Steven J. Malsam, Manager

Land Area Requested to be Vacated

25th Ave NE 76,887 sq.ft.

Pond Area: 10,455 sq.ft. Total Area: to be vacated: 87,342 sq.ft.

Land Area Proposed to be dedicated to the City of Marysville

25th Ave NE 88,733 sq.ft.

Additional area to be dedicated to WSDOT along 172nd St. NE (TBD – Plans currently under review by WSDOT)

All these areas are shown on the attached drawings.

EXHIBIT A

AERO Construction Co.

3827 Bickford Avenue,
P.O. Box 295
Snohomish, WA. 98290
Phone 425-334-2475
Fax 425-397-6196

September 10, 2014

Smokey Point Commercial LLC

Attention: Ed Babbitt

Re: Smokey Point Commercial - Roadway Improvements Budget
Aero Job Number 511

Description	Quantity	Unit	Price	Subtotal	Notes
New 25th Ave NE Through 174th Street NE, including 23rd Ave. NE to North side of 172nd					
Fine Grade Curbs	4,145.00	LF	3.40	14,093.00	
18" Vertical Curb & Gutter	3,050.00	LF	15.00	45,750.00	
22" Roundabout Type 1 Rolled Curb	215.00	LF	24.00	5,160.00	
18" Roundabout Type 2 Rolled Curb	880.00	LF	18.00	15,840.00	
Perpendicular Curb Ramps	10.00	EA	1,200.00	12,000.00	
Parallel Curb Ramps	8.00	EA	900.00	7,200.00	
Fine Grade Walks, Aprons and Islands	22,945.00	SF	0.50	11,472.50	
5'x4" Double Ribbon Sidewalk	15,300.00	SF	6.00	91,800.00	
5'x6" Stamped Concrete Apron	1,400.00	SF	11.40	15,960.00	Outside Roundabout
6" Stamped Concrete Crosswalk	530.00	SF	11.40	6,042.00	
6" Stamped Concrete Roundabout Islands	5,715.00	SF	11.40	65,151.00	
3" Depth Crushed Rock at Concrete Improvements	460.00	TON	26.65	12,259.00	
Fine Grade Asphalt	65,925.00	SF	0.20	13,185.00	
2" Class B Asphalt	7,325.00	SY	9.75	71,418.75	
4" ATB Asphalt	7,325.00	SY	15.25	111,706.25	
3" Depth Crushed Rock at Asphalt Improvements	1,040.00	TON	26.65	27,716.00	
Channelization and Signage	1.00	LS	25,000.00	25,000.00	
Total New Road Improvements				551,753.50	Tax Not Included

Existing 25th Ave NE					
Fine Grade Curbs	1,353.00	LF	3.40	4,600.20	
18" Vertical Curb & Gutter	1,353.00	LF	15.00	20,295.00	
Fine Grade Walks	6,765.00	SF	0.50	3,382.50	
4" Sidewalk	6,765.00	SF	6.00	40,590.00	
3" Depth Crushed Rock at Concrete Improvements	140.00	TON	26.65	3,731.00	
Fine Grade Asphalt	46,260.00	SF	0.20	9,252.00	
2" Class B Asphalt	5,140.00	SY	9.75	50,115.00	
4" ATB Asphalt	5,140.00	SY	15.25	78,385.00	
3" Depth Crushed Rock at Asphalt Improvements	720.00	TON	26.65	19,188.00	
Total Existing Road Improvements				224,938.50	Tax Not Included

Bid Notes: This proposal is budgetary only at this time.
This proposal does not include traffic control.

EXHIBIT B

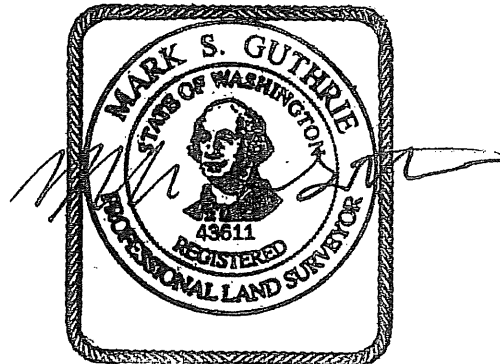
25TH AVENUE NE VACATION LEGAL DESCRIPTION

THE EAST 30.00 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.;
EXCEPT THE SOUTH 30.00 FEET THEREOF.

TOGETHER WITH THE WEST 30.00 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.;
EXCEPT THE SOUTH 40.00 FEET THEREOF.

TOGETHER WITH THE FOLLOWING DESCRIBED TRACT OF LAND:
COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 20;
THENCE SOUTH 89°03'37" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER 356.18 FEET;
THENCE NORTH 00°56'23" WEST 40.00 FEET TO THE NORTH LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 200101290045, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;
THENCE SOUTH 89°03'37" WEST ALONG SAID NORTH LINE 253.14 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 91°44'11" AN ARC DISTANCE OF 32.02 FEET TO A POINT ON THE EAST RIGHT OF WAY OF 25TH AVENUE NE;
THENCE SOUTH 00°47'48" WEST ALONG SAID EAST RIGHT OF WAY 20.62 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 40.00 FEET OF SAID SOUTHWEST QUARTER;
THENCE NORTH 89°03'37" EAST ALONG SAID NORTH LINE 20.62 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.



3-5-13

EXHIBIT C

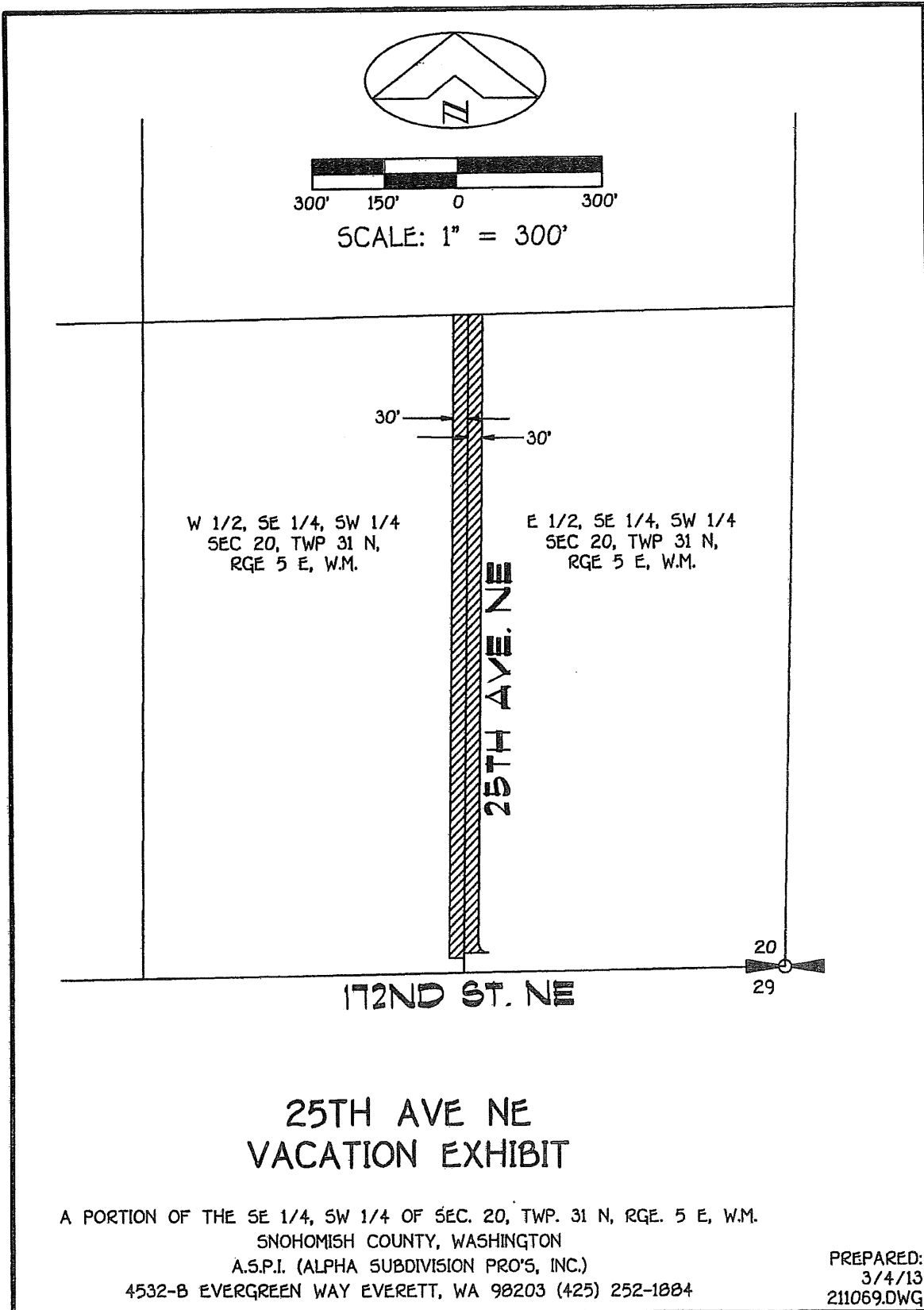
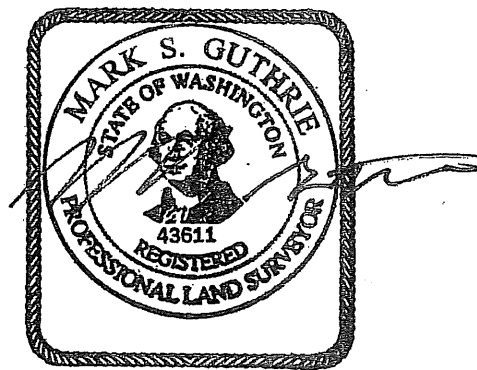


EXHIBIT D

POND AREA VACATION LEGAL DESCRIPTION

THE NORTH 110 FEET OF THE SOUTH 140 FEET OF THE WEST 110 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., AS CONVEYED TO SNOHOMISH COUNTY BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NUMBER 9304070110, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.



3-5-13

EXHIBIT E

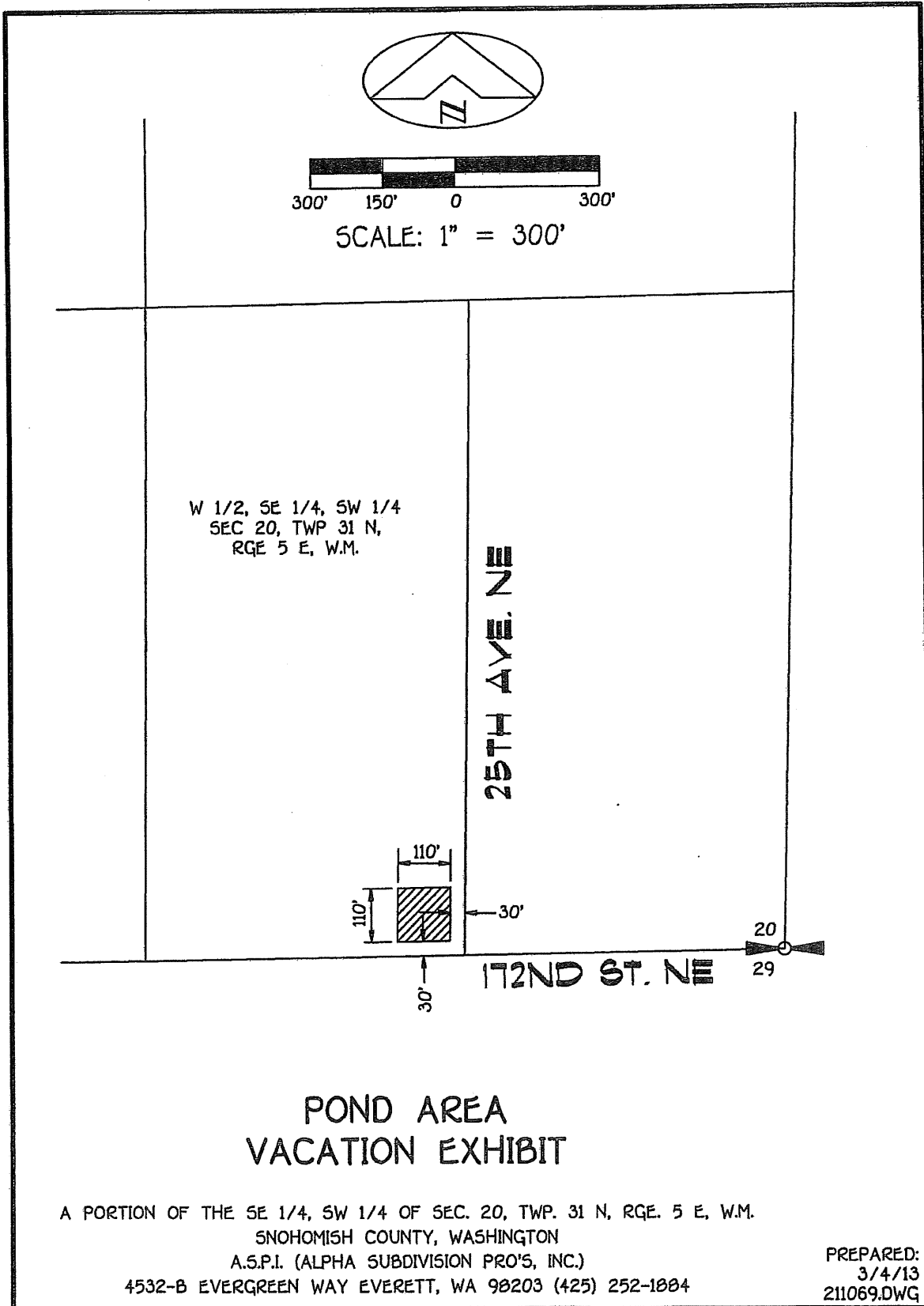
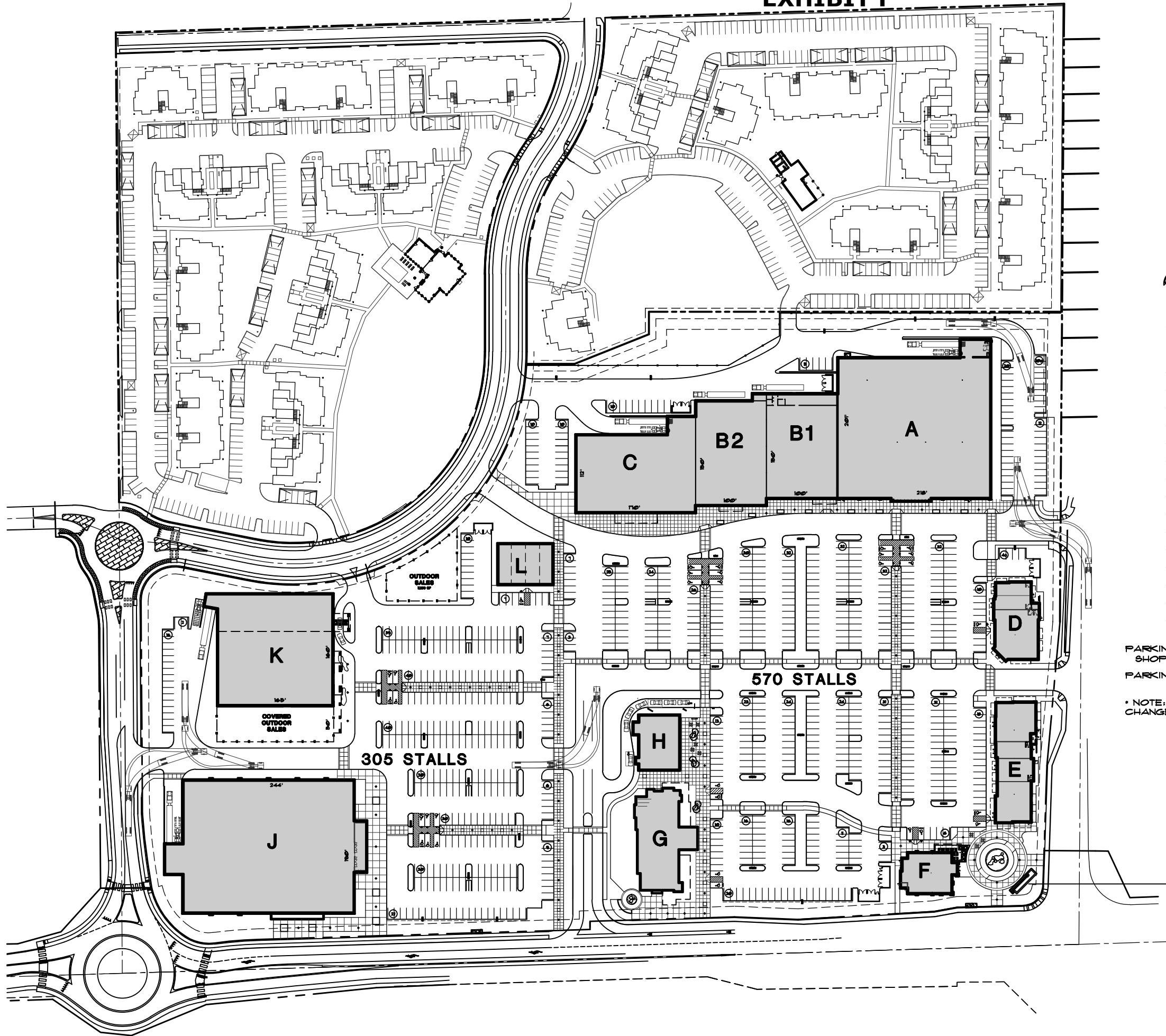


EXHIBIT F



PRELIMINARY SITE PLAN
 SCALE: 1"=50'-0" 10-8-14

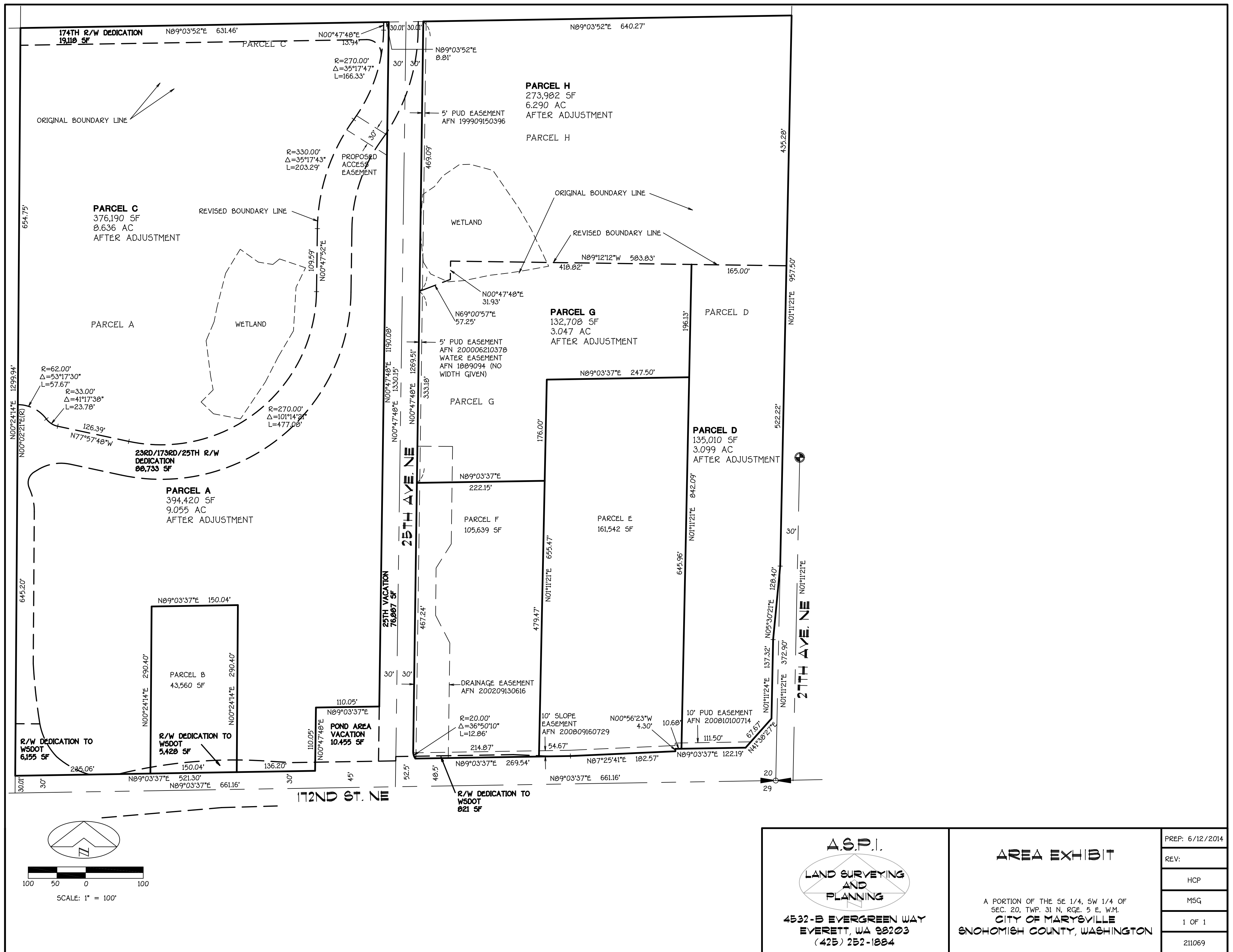
PROJECT DATA

LABEL	BUILDING FOOTPRINT	BUILDING USE
A	45,000 SF	RETAIL ANCHOR
B1	15,000 SF	RETAIL ANCHOR
B2	15,000 SF	RETAIL ANCHOR
C	20,000 SF	RETAIL ANCHOR
D	6,615 SF	RETAIL SHOPS
E	9,285 SF	RETAIL SHOPS
F	4,500 SF	RESTAURANT
G	9,575 SF	RESTAURANT
H	4,800 SF	RETAIL SHOPS
J	49,000 SF	RETAIL ANCHOR
K	26,800 SF	RETAIL ANCHOR
	8,250 SF	COVERED SALES
	7,000 SF	OUTDOOR SALES
L	5,000 SF	RETAIL SHOPS
TOTAL	225,825 SF	

PARKING REQUIRED:
 SHOPPING CENTER: * 218,825 SF @ 1/ 250 SF = 875 STALLS
 PARKING PROVIDED: 875 STALLS (1/ 250 SF)

* NOTE: ALL USES ARE PROPOSED AND SUBJECT TO CHANGE

EXHIBIT G



A.S.P.I.
LAND SURVEYING
AND
PLANNING
4532-B EVERGREEN WAY
EVERETT, WA 98203
(425) 252-1884

AREA EXHIBIT

A PORTION OF THE SE 1/4, SW 1/4 OF
SEC. 20, TWP. 31 N, RGE. 5 E, W.M.
CITY OF MARYSVILLE
SNOHOMISH COUNTY, WASHINGTON

PREP: 6/12/2014
REV:
HCP
M5G
1 OF 1
211069



COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 651-5100 ♦ (360) 651-5099 FAX

MEMORANDUM

DATE: December 23, 2014
TO: Marysville City Council
FROM: Chris Holland, Planning Manager
RE: Lakewood Station – 25th Avenue NE and Stormwater Detention Pond Vacation
CC: Gloria Hirashima, CAO/CD Director
Kevin Nielsen, PE, PW Director

The Community Development Department (CD) received a petition from Smokey Point Commercial, LLC, (applicant) proposing to vacate a portion of 25th Avenue NE and an existing stormwater detention pond, located north of 172nd Street NE (SR 531), in conjunction with the construction of the Lakewood Station Binding Site Plan. The petition submitted represents 100% of the ownership of the properties fronting the proposed vacated portion of 25th Avenue NE and the stormwater detention pond.

Rather than compensating the City for the vacated portion of 25th Avenue NE and the stormwater detention pond, the applicant is proposing to construct a new public roadway, realigning 25th Avenue NE to the west to a mini roundabout (RAB) and constructing a full RAB at 172nd Street NE (SR 531) that would provide improved access onto the state highway. The applicant is also proposing to collect and treat stormwater, associated with the vacated stormwater detention pond, in accordance with the 2005 Stormwater Management Manual for Western Washington and MMC Title 14 *Water and Sewers*.

Marysville Municipal Code (MMC) 12.32.020(2) provides guidance for compensation of vacated area, and includes the following language:

“When the vacation is initiated by the city of Marysville, or the city council deems it in the best interest of the city of Marysville, the council may waive all or any portion of such compensation. At the time the city council initially has the petition before it in order to set the matter for public hearing by resolution the city council shall consider the reports of the city engineer and/or the city planner and shall determine whether or not it will require that the city be compensated as a condition of vacation.”

In all cases where Council requires compensation for vacated right-of-way, an appraisal of the right-of-way is required to be made. One of the options identified in MMC 12.32.050, is to obtain the assessed value of comparable abutting properties from the records of the Snohomish County Assessor. CD obtained the 2015 Snohomish County assessed value(s) of the comparable abutting properties, and calculated the total assessed value of the proposed vacation at approximately \$591,305.34, based on an average assessed value of \$6.77 per SF.

APN	OWNER	ACREAGE	SF	ASSESSED VALUE	ASSESSED VALUE PER SF
31052000302400	SMOKEY POINT COMMERCIAL LLC	16.89	735,728	\$4,396,100	\$5.98
31052000304600	SMOKEY POINT COMMERCIAL LLC	1	43,560	\$304,900	\$7.00
31052000303600	SMOKEY POINT COMMERCIAL LLC	0.93	40,511	\$283,600	\$7.00
31052000302900	SMOKEY POINT COMMERCIAL LLC	2.7	117,612	\$822,500	\$6.99
31052000302800	SMOKEY POINT COMMERCIAL LLC	3.88	169,013	\$1,185,000	\$7.01
31052000302600	SMOKEY POINT COMMERCIAL LLC	4.7	204,732	\$1,432,900	\$7.00
31052000302500	SMOKEY POINT COMMERCIAL LLC	2.9	126,324	\$884,300	\$7.00
31052000302700	SMOKEY POINT COMMERCIAL LLC	4.7	204,732	\$1,273,100	\$6.22
AVERAGED ASSESSED VALUE PER SF FRONTING 25TH AVENUE NE					\$6.77
TOTAL ASSESSED VALUE FOR VACATED ROW (87,342 SF x \$6.77)					\$591,305.34

Another option outlined in MMC 12.32.050 is to require the applicant to obtain a professional appraisal stating the fair market value of the right-of-way proposed for vacation. Recently, the City of Marysville purchased property for the State Avenue Improvement Project (116th Street NE to 136th Street NE) at approximately \$10.00+/- per square foot. Based on the rate the City paid for acquisition of property for this improvement project, the total assessed value of the proposed right-of-way vacation would be approximately \$873,420.00. Therefore, it can be assumed that the value of the property proposed to be vacated would be somewhere between \$591,305.34 and \$873,420.00.

After reviewing the proposal, CD is recommending Council waive compensation, as proposed by the applicant, based on the following factors:

- At the public hearing for the Lakewood Station Binding Site Plan, Washington State Department of Transportation (WSDOT) testified that a signal or a RAB would not be allowed to be installed at the intersection of 172nd Street NE (SR 531) and 25th Avenue NE, due to its close proximity to the signalized intersection of 27th Avenue NE to the east. WSDOT however, does support construction of a RAB further west at approximately the 2300 Block.
- The relocation of 25th Avenue NE, west to a RAB located at 23rd Avenue NE, will provide a public benefit by allowing existing residents, future residents and patrons of the proposed commercial development improved access to 172nd Street NE (SR 531). Currently, 25th Avenue NE is a non-signalized intersection which makes it difficult to make left turns during the AM and PM peak hours.
- Vacating 25th Avenue NE and the stormwater detention pond provides an opportunity for commercial development that would otherwise be difficult due to access restrictions required by WSDOT, which would benefit the public through increased tax revenue to the City of Marysville.
- The applicant is proposing to construct and dedicate a new roadway alignment, to a public standard; including sidewalks, planter strips and decorative lighting, at no cost to the public. The cost for constructing the road, **not including** the RAB at 172nd Street NE (SR 531), decorative lighting and landscaping is approximately \$776,692.00.

- . The dedication of new public right-of-way is approximately 86,733 SF, ***not including*** dedication of right-of-way for the construction of the RAB and frontage improvements on 172nd Street NE (SR 531). The applicant has requested 87,342 SF of existing right-of-way be vacated.

At the time the Council initially has the petition before it in order to set the matter for public hearing by resolution, the Council shall consider the reports of the City Engineer and/or the Community Development Director shall determine whether or not it will require that the City be compensated as a condition of the vacation.

A resolution has been prepared establishing February 9, 2015 as the date upon which a public hearing shall be held before City Council to consider vacation of a portion of 25th Avenue NE, and the existing stormwater detention pond.



REQUEST FOR REVIEW

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION					
File Number	PA 12014	Date Sent	10.09.14	Please Return by	10.20.14
Project Title	Lakewood Station - 25 th Avenue NE and Pond Vacation	Related File Number(s)			
Project Description	Vacation of 25 th Avenue NE and the existing stormwater pond located on the northwest corner of 25 th Avenue NE and 172 nd Street NE.				

BACKGROUND SUMMARY							
Owner/Applicant	Smokey Point Commercial, LLC						
Site Address	2403 & 2609 172 nd Street NE; 17526 25 th Avenue NE	APN(s)	31052000302400, 31052000304600, 31052000303600, 31052000302600, 31052000302800, 31052000302900, 31052000302500, 31052000302700				
Acreage (SF)	N/A	Section	20	Township	31N	Range	05E
Comprehensive Plan	MU, GC	Zoning	MU, GC	Shoreline Environment	N/A		

REVIEWING AGENCIES				
Marysville	Local Agencies & Districts	State & Federal	County	Other
<input type="checkbox"/> Building <input checked="" type="checkbox"/> Fire District <input type="checkbox"/> LD (Anne Miller) <input type="checkbox"/> LD (Deryl Taylor) <input checked="" type="checkbox"/> LD (Shawn Smith) <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works (John Cowling) <input checked="" type="checkbox"/> Public Works (Kari Chennault) <input type="checkbox"/> Public Works (Karen Latimer) <input type="checkbox"/> Public Works (Jesse Hannahs) <input type="checkbox"/>	<input type="checkbox"/> Arlington (city) <input type="checkbox"/> Arlington Airport <input type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input type="checkbox"/> Frontier <input type="checkbox"/> Lake Stevens (city) <input type="checkbox"/> Lake Stevens SD 4 <input type="checkbox"/> Lakewood SD 306 <input type="checkbox"/> Marysville SD 25 <input type="checkbox"/> PUD No. 1 (electric) <input type="checkbox"/> PUD No. 1 (water) <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input type="checkbox"/> DOE (Bellevue) <input type="checkbox"/> DOE (Olympia - Env. Review) <input type="checkbox"/> DOE (SEPA - Greta Stough) <input type="checkbox"/> DOE (Shorelands - G, Tallent) <input type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Health District <input type="checkbox"/> Planning <input type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Olympic Pipeline <input type="checkbox"/> Puget Sound Energy <input type="checkbox"/> Stillaguamish Tribe <input type="checkbox"/> Tulalip Tribes <input type="checkbox"/> <input type="checkbox"/>

PROJECT MANAGER			
Name Chris Holland	Title Planning Manager	Phone 360.363.8207	E-mail cholland@marysvillewa.gov

The City of Marysville Community Development Department is reviewing this application and encourages other affected agencies, departments, community groups and municipalities to respond. Your comments will assist the City's evaluation of this application. Furthermore, you will become a Party of Record to this case if you submit a response with your name and address. We highly recommend that you send your comments on letterhead. Without a full name and address, you will not be considered a Party of Record. You may e-mail, fax or send via regular mail your comments to this project manager listed above.

If you have no comments, please check the box below, sign and return this form to the project manager.

NO COMMENTS Signature: _____ Date: _____

ATTACHED Title: _____ Agency: _____

Chris Holland

From: John Cowling
Sent: Monday, October 13, 2014 2:12 PM
To: Chris Holland
Cc: Janis Lamoureux
Subject: RE: Lakewood Station - 25th Ave Street Vacation

Engineering has reviewed the construction estimates and have found them to be within reason.

Thanks.

John A. Cowling, P.E.

Assistant City Engineer

City of Marysville | 80 Columbia Ave, Marysville, WA 98270
Direct Line (360) 363-8281 | Fax (360) 363-8284

From: Chris Holland
Sent: Thursday, October 09, 2014 9:42 AM
To: John Cowling
Cc: Janis Lamoureux
Subject: Lakewood Station - 25th Ave Street Vacation

John-

You will be receiving and RFR for the 25th Avenue Street Vacation for Lakewood Station. In the materials there are construction estimates and estimates of existing value of 25th Avenue. Can you please make sure that your staff reviews these numbers and provides responses to this? I would like to know if the applicant needs to adjust, prior to bringing to Council on November 3rd.

I've also attached all of the materials electronically, but you will be receiving paper copies.

Thank you,

Chris Holland | Planning Manager

CITY OF MARYSVILLE

Community Development Department
80 Columbia Avenue
Marysville, WA 98270

360-363-8100 Office
360-363-8207 Direct Line
360-651-5099 Fax

cholland@marysvillewa.gov
<http://marysvillewa.gov>



PUBLIC WORKS
Kevin Nielsen, *Director*

80 Columbia Avenue
Marysville, Washington 98270
Phone (360) 363-8100
Fax (360) 363-8284
ci.marysville.wa.us

MEMORANDUM

To: Chris Holland

Fr: Brenda Donaldson

Re: PA12-014

Date: October 22, 2014

Engineering Department Comments:

Utilities – No comments.

- Ryan Morrison

Transportation – No comments.

- Jesse Hannahs



REQUEST FOR REVIEW

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION				
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BACKGROUND SUMMARY						
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Acreage (SF)	N/A	Section	20	Township	31N	Range 05E
Comprehensive Plan	MU, GC	Zoning	MU, GC	Shoreline Environment	N/A	

REVIEWING AGENCIES				
Marysville	Local Agencies & Districts	State & Federal	County	Other
<input type="checkbox"/> Building <input checked="" type="checkbox"/> Fire District <input type="checkbox"/> LD (Anne Miller) <input type="checkbox"/> LD (Deryl Taylor) <input checked="" type="checkbox"/> LD (Shawn Smith) <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works (John Cowling) <input checked="" type="checkbox"/> Public Works (Kari Chennault) <input type="checkbox"/> Public Works (Karen Latimer) <input type="checkbox"/> Public Works (Jesse Hannahs) <input type="checkbox"/>	<input type="checkbox"/> Arlington (city) <input type="checkbox"/> Arlington Airport <input type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input type="checkbox"/> Frontier <input type="checkbox"/> Lake Stevens (city) <input type="checkbox"/> Lake Stevens SD 4 <input type="checkbox"/> Lakewood SD 306 <input type="checkbox"/> Marysville SD 25 <input type="checkbox"/> PUD No. 1 (electric) <input type="checkbox"/> PUD No. 1 (water) <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input type="checkbox"/> DOE (Bellevue) <input type="checkbox"/> DOE (Olympia - Env. Review) <input type="checkbox"/> DOE (SEPA - Greta Stough) <input type="checkbox"/> DOE (Shorelands - G. Tallent) <input type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Health District <input type="checkbox"/> Planning <input type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Olympic Pipeline <input type="checkbox"/> Puget Sound Energy <input type="checkbox"/> Stillaguamish Tribe <input type="checkbox"/> Tulalip Tribes <input type="checkbox"/> <input type="checkbox"/>

PROJECT MANAGER			
Name Chris Holland	Title Planning Manager	Phone 360.363.8207	E-mail cholland@marysvillewa.gov

The City of Marysville Community Development Department is reviewing this application and encourages other affected agencies, departments, community groups and municipalities to respond. Your comments will assist the City's evaluation of this application. Furthermore, you will become a Party of Record to this case if you submit a response with your name and address. We highly recommend that you send your comments on letterhead. Without a full name and address, you will not be considered a Party of Record. You may e-mail, fax or send via regular mail your comments to this project manager listed above.

If you have no comments, please check the box below, sign and return this form to the project manager.

NO COMMENTS **Signature:**  **Date:** 12/23/14
 ATTACHED **Title:** _____ **Agency:** _____



REQUEST FOR REVIEW

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION									
File Number	PA 12014			Date Sent	10.09.14		Please Return by	10.20.14	
Project Title	Lakewood Station - 25 th Avenue NE and Pond Vacation			Related File Number(s)					
Project Description	Vacation of 25 th Avene NE and the existing stormwater pond located on the northwest corner of 25 th Avenue NE and 172 nd Street NE.								
BACKGROUND SUMMARY									
Owner/Applicant	Smokey Point Commercial, LLC								
Site Address	2403 & 2609 172 nd Street NE; 17526 25 th Avenue NE			APN(s)	31052000302400, 31052000304600, 31052000303600, 31052000302600, 31052000302800, 31052000302900, 31052000302500, 31052000302700				
Acreage (SF)	N/A			Section	20	Township	31N	Range	05E
Comprehensive Plan	MU, GC	Zoning	MU, GC	Shoreline Environment			N/A		
REVIEWING AGENCIES									
Marysville	Local Agencies & Districts			State & Federal		County		Other	
<input type="checkbox"/> Building <input checked="" type="checkbox"/> Fire District <input type="checkbox"/> LD (Anne Miller) <input type="checkbox"/> LD (Deryl Taylor) <input checked="" type="checkbox"/> LD (Shawn Smith) <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works (John Cowling) <input checked="" type="checkbox"/> Public Works (Kari Chennault) <input type="checkbox"/> Public Works (Karen Latimer) <input type="checkbox"/> Public Works (Jesse Hannahs) <input type="checkbox"/>	<input type="checkbox"/> Arlington (city) <input type="checkbox"/> Arlington Airport <input type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input type="checkbox"/> Frontier <input type="checkbox"/> Lake Stevens (city) <input type="checkbox"/> Lake Stevens SD 4 <input type="checkbox"/> Lakewood SD 306 <input type="checkbox"/> Marysville SD 25 <input type="checkbox"/> PUD No. 1 (electric) <input type="checkbox"/> PUD No. 1 (water) <input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input type="checkbox"/> DOE (Bellevue) <input type="checkbox"/> DOE (Olympia - Env. Review) <input type="checkbox"/> DOE (SEPA - Greta Stough) <input type="checkbox"/> DOE (Shorelands - G, Tallent) <input type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC <input type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> Health District <input type="checkbox"/> Planning <input type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works <input type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> Olympic Pipeline <input type="checkbox"/> Puget Sound Energy <input type="checkbox"/> Stillaguamish Tribe <input type="checkbox"/> Tulalip Tribes <input type="checkbox"/> <input type="checkbox"/>	
PROJECT MANAGER									
Name Chris Holland	Title Planning Manager			Phone 360.363.8207		E-mail cholland@marysvillewa.gov			

The City of Marysville Community Development Department is reviewing this application and encourages other affected agencies, departments, community groups and municipalities to respond. Your comments will assist the City's evaluation of this application. Furthermore, you will become a Party of Record to this case if you submit a response with your name and address. We highly recommend that you send your comments on letterhead. Without a full name and address, you will not be considered a Party of Record. You may e-mail, fax or send via regular mail your comments to this project manager listed above.

If you have no comments, please check the box below, sign and return this form to the project manager.

NO COMMENTS Signature: M. A. [Signature] Date: 10/20/14
 ATTACHED Title: surface water Specialist Agency: WR - City of Marysville



MARYSVILLE POLICE DEPARTMENT



MEMORANDUM

DATE: October 23, 2014
TO: Chris Holland, Community Development Dept.
FROM: Larry Buell, Lieutenant *LJB*
RE: PA 12014

I have reviewed the application for the vacation of the Lakewood Station – 25th Ave NE and the existing storm water pond located on the northeast corner of 25th Ave NE and 172nd St NE

The Police Department has no issues at this time.

Feel free to contact me at 360.363.8328 if you have any questions.

1635 Grove Street, Marysville, Washington 98270
360-363-8300



REQUEST FOR REVIEW

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION									
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Acreage (SF)	N/A			Section	20	Township	31N	Range	05E
Comprehensive Plan	MU, GC	Zoning	MU, GC	Shoreline Environment			N/A		
REVIEWING AGENCIES									
Marysville	Local Agencies & Districts			State & Federal		County		Other	
<input type="checkbox"/> Building <input checked="" type="checkbox"/> Fire District <input type="checkbox"/> LD (Anne Miller) <input type="checkbox"/> LD (Deryl Taylor) <input checked="" type="checkbox"/> LD (Shawn Smith) <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works (John Cowling) <input checked="" type="checkbox"/> Public Works (Kari Chennault) <input type="checkbox"/> Public Works (Karen Latimer) <input type="checkbox"/> Public Works (Jesse Hannahs) <input type="checkbox"/>	<input type="checkbox"/> Arlington (city) <input type="checkbox"/> Arlington Airport <input type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input type="checkbox"/> Frontier <input type="checkbox"/> Lake Stevens (city) <input type="checkbox"/> Lake Stevens SD 4 <input type="checkbox"/> Lakewood SD 306 <input type="checkbox"/> Marysville SD 25 <input type="checkbox"/> PUD No. 1 (electric) <input type="checkbox"/> PUD No. 1 (water) <input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input type="checkbox"/> DOE (Bellevue) <input type="checkbox"/> DOE (Olympia - Env. Review) <input type="checkbox"/> DOE (SEPA - Greta Stough) <input type="checkbox"/> DOE (Shorelands - G, Tallent) <input type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC <input type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> Health District <input type="checkbox"/> Planning <input type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works <input type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> Olympic Pipeline <input type="checkbox"/> Puget Sound Energy <input type="checkbox"/> Stillaguamish Tribe <input type="checkbox"/> Tulalip Tribes <input type="checkbox"/> <input type="checkbox"/>	
PROJECT MANAGER									
Name Chris Holland		Title Planning Manager		Phone 360.363.8207		E-mail cholland@marysvillewa.gov			

The City of Marysville Community Development Department is reviewing this application and encourages other affected agencies, departments, community groups and municipalities to respond. Your comments will assist the City's evaluation of this application. Furthermore, you will become a Party of Record to this case if you submit a response with your name and address. We highly recommend that you send your comments on letterhead. Without a full name and address, you will not be considered a Party of Record. You may e-mail, fax or send via regular mail your comments to this project manager listed above.

If you have no comments, please check the box below, sign and return this form to the project manager.

NO COMMENTS Signature: D. Van B... Date: 10-21-14
 ATTACHED Title: Asst. F.M. Agency: MFD

Chapter 12.32 VACATION OF STREETS AND ALLEYS

Sections:

12.32.010	Petition – Filing.
12.32.020	Petition – Scheduling for public hearing – Compensation for vacated area.
12.32.030	Notice of public hearing.
12.32.040	Survey requirements.
12.32.050	Appraisal.
12.32.060	Criteria for council decision.
12.32.070	Authorized by ordinance.
12.32.080	Notice to auditor and assessor.
12.32.090	Use of proceeds of vacation.

12.32.010 Petition – Filing.

The owners of an interest in any real estate abutting upon any street or alley who may desire to vacate the street or alley, or any part thereof, may petition the city council for the vacation of such street or alley, or any part thereof, in the manner provided in this chapter and pursuant to Chapter [35.79](#) RCW, or the city council may itself initiate, by resolution, such vacation procedure. The petition shall be on such form as may be prescribed by the city and shall contain a full and correct description of the property sought to be vacated. A petition shall be signed by the owners of more than two-thirds of the property abutting upon the part of the street or alley sought to be vacated.

The petition shall be filed with the city clerk, and the petitioners shall pay fees as set forth in MMC [14.07.005](#). (Ord. 2106 § 9, 1996; Ord. 1271, 1983; Ord. 948 § 1, 1977).

12.32.020 Petition – Scheduling for public hearing – Compensation for vacated area.

(1) Upon receiving a petition or the vacation of a city street or alley, the city clerk shall place the matter upon the agenda of the city council at a regular meeting to be held not fewer than 10, nor more than 30 days, from the date the petition is filed with the city clerk. The city clerk shall notify the petitioners in writing of the date the matter shall come before the city council. The city clerk shall then notify the city engineer and the compliance officer/planner of the petition and the date when the matter will be before the city council, and said officials shall prepare reports relating to the same.

(2) The city council may require the petitioners to compensate the city of Marysville:

(a) Where the street or alley has been part of a dedicated public right-of-way for 25 years or more, an amount that does not exceed the full appraised value of the area vacated;

(b) Where the street or alley has not been part of a dedicated public right-of-way for 25 years or more an amount which equals one-half of the appraised value of the area vacated.

When the vacation is initiated by the city of Marysville, or the city council deems it in the best interest of the city of Marysville, the council may waive all or any portion of such compensation. At the time the city council initially has the petition before it in order to set the matter for public hearing by resolution, the city council shall consider the reports of the city engineer and/or the city planner shall determine whether or not it will require that the city be compensated as a condition of the vacation.

(3) The city council shall, by resolution, fix the time for the hearing of such petition, which time shall not be more than 60 days, nor fewer than 20 days after the passage of such resolution. (Ord. 2396 § 1, 2001; Ord. 948 § 2, 1977).

12.32.030 Notice of public hearing.

(1) On the passage of the resolution provided for in MMC [12.32.020](#), the city clerk shall give 20 days' notice of the pendency of the petition by a written notice posted in three of the most public places in the city and a like notice in conspicuous place on the street or alley sought to be vacated. The notice shall contain a statement that a petition has been filed to vacate the street or alley described in the notice, together with a statement of the time and place fixed for the hearing of the petition.

(2) In all cases where the proceeding is initiated by resolution of the city without a petition having been signed by the owners of more than two-thirds of the property abutting upon the part of the street or alley sought to be vacated, in addition to notice required in subsection (1) of this section, there shall be given by mail, at least 15 days before the date fixed for the hearing, a similar notice to the owners or reputed owners of all lots, tracts or parcels of land or other property abutting upon any street or alley, or any part thereof, sought to be vacated, as shown on the rolls of the county treasurer, directed to the addresses thereon shown. Failure to send notice by mail to any such property owner where the current address of such property owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed street vacation. (Ord. 948 § 3, 1977).

12.32.040 Survey requirements.

It shall be the duty of the city engineer to determine whether or not the location and legal description of the street or alley proposed for vacation are sufficiently known to the city so that an accurate legal description of the proposed vacation can be known with certainty. If the city engineer determines that these matters are not known or are not accurately known, then the city shall notify the petitioners of the necessity of having an accurate, professional survey of the property proposed for vacation within the boundaries of the proposed vacation marked upon the ground with an accurate legal description of the proposed vacation to be furnished to the city. The city shall not proceed further upon the vacation petition until such a survey has been done and legal description has been received. (Ord. 948 § 4, 1977).

12.32.050 Appraisal.

In all cases where the city council requires compensation for the vacated right-of-way, an appraisal of the right-of-way proposed for vacation shall be made by one or more of the following methods:

(1) The assessed value of comparable abutting property shall be obtained from the records of the Snohomish County assessor. The average of said values, on a square foot basis, shall be applied to the right-of-way which is proposed for vacation.

(2) The petitioner shall be required to submit a report of a professional appraiser to the city, stating the fair market value of the right-of-way proposed for vacation.

(3) The city shall obtain a report from one or more professional appraisers stating the fair market value of the right-of-way proposed for vacation. The cost of said report or reports shall be paid by the petitioner prior to the time of the public hearing. (Ord. 2321 § 1, 2000; Ord. 1170, 1981; Ord. 948 § 5, 1977).

12.32.060 Criteria for council decision.

(1) The city council shall not vacate any street, alley or any parts thereof if any portion thereof abuts any body of salt or fresh water unless such vacation is sought to enable the city or state to acquire the property for port purposes, boat moorage or launching sites, park, viewpoint, recreational or educational purposes or other public uses. This provision shall not apply to industrial-zoned property.

(2) The city council shall use the following criteria for deciding upon the petition:

- (a) The vacation will provide a public benefit, and/or will be for a public purpose;
- (b) The right-of-way vacation shall not adversely affect the street pattern or circulation of the immediate area or the community as a whole;
- (c) The public need shall not be adversely affected;
- (d) The right-of-way is not contemplated or needed for future public use;
- (e) No abutting owner will become landlocked or his access will not be substantially impaired; i.e., there must be an alternative mode of ingress and egress, even if less convenient; provided that the city council may, at the time of its public hearing, determine that the city may retain an easement or right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services.

(3) The city council will, at the time of the public hearing, determine the amount of compensation to be paid to the city by the petitioners as a condition of the vacation, which amount shall not exceed one-half of the appraised value of the area to be vacated; except, that in the event the subject property or portions thereof were acquired at public expense, the city may require compensation in an amount equal to the full appraised value of the area to be vacated. (Ord. 1452, 1986; Ord. 948 § 6, 1977).

12.32.070 Authorized by ordinance.

If the city council determines to grant the petition provided for in MMC [12.32.010](#), or any part thereof, the council shall authorize by ordinance the vacation of such street or alley, or any part thereof. Such ordinance may provide for the retention by the city of all easements or rights in respect to the vacated land for the construction or repair and maintenance of public utilities and services. If the city council determines that compensation shall be paid as a condition of the vacation, then the ordinance shall not be published or become effective until the compensation has been paid by the petitioners. (Ord. 948 § 7, 1977).

12.32.080 Notice to auditor and assessor.

A certified copy of the ordinance vacating any street or alley, or part thereof, shall be filed by the city clerk with the Snohomish County auditor's office and with the Snohomish County assessor's office. (Ord. 948 § 8, 1977).

12.32.090 Use of proceeds of vacation.

One-half of the revenue received by the city as compensation for area vacated, under this chapter, shall be dedicated to the acquisition, improvement, development, and related maintenance of public open space or transportation capital projects within the city. (Ord. 2396 § 2, 2001).

CITY OF MARYSVILLE
Marysville, Washington
RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARYSVILLE ESTABLISHING FEBRUARY 9, 2015 AS THE DATE UPON WHICH A HEARING SHALL BE HELD BEFORE THE MARYSVILLE CITY COUNCIL TO CONSIDER VACATION OF A PORTION OF 25th AVENUE NE, AND A STORMWATER DETENTION POND, LOCATED NORTH OF 172nd STREET NE (SR 531) IN THE CITY OF MARYSVILLE, AND CONSIDER WAIVING COMPENSATION FOR SAID VACATION.

WHEREAS, Smokey Point Commercial, LLC, petitioned the City of Marysville to vacate a portion of 25th Avenue NE and an existing stormwater detention pond, north of 172nd Street NE (SR 531), in the City of Marysville; and

WHEREAS, on January 12, 2015, the Marysville City Council considered the petition and directed staff to schedule a public hearing pursuant to Chapter 12.32 of the Marysville Municipal Code; NOW, THEREFORE,

BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON, AS FOLLOWS:

Section 1. Pursuant to RCW 35.79.010, incorporated by reference in RCW 35A.47.020, and pursuant to Marysville Municipal Code Section 12.32.020, **February 9, 2015** shall be and hereby is established as the time at which the City Council of the City of Marysville shall hold a public hearing at the Marysville City Hall at 7:00 PM or such later hour as is available, to consider the right-of-way vacation petition of Smokey Point Commercial, LLC, requesting vacation of a portion of 25th Avenue NE and an existing stormwater detention pond, generally located north of 172nd Street NE (SR 531), which is legally described in **Exhibits A & C** and depicted in **Exhibits B & D**, attached hereto.

Section 2. Pursuant to Marysville Municipal Code Section 12.32.020, when the vacation is initiated by the City of Marysville, or the City Council deems it in the best interest of the City of Marysville, the Council may waive all or any portion of such compensation. At the time the Council initially has the petition before it in order to set the matter for public hearing by resolution, the Council shall consider the reports of the City Engineer and/or the Community Development Director shall determine whether or not it will require that the City be compensated as a condition of the vacation.

Section 3. The City Engineer and Community Development Director have recommended the Council waive all compensation of the vacated right-of-way and stormwater detention pond, based on the following factors:

(a) At the public hearing for the Lakewood Station Binding Site Plan, Washington State Department of Transportation (WSDOT) testified that a signal or a RAB would not be allowed to be installed at the intersection of 172nd Street NE (SR 531) and 25th Avenue NE, due to its close proximity to the signalized intersection of 27th Avenue NE to the east. WSDOT however, does support construction of a RAB further west at approximately the 2300 Block.

(b) The relocation of 25th Avenue NE, west to a RAB located at 23rd Avenue NE, will provide a public benefit by allowing existing residents, future residents and patrons of the proposed commercial development improved access to 172nd Street NE (SR 531). Currently, 25th Avenue NE is a non-signalized intersection which makes it difficult to make left turns during the AM and PM peak hours.

(c) Vacating 25th Avenue NE and the stormwater detention pond provides an opportunity for commercial development that would otherwise be difficult due to access restrictions required by WSDOT, which would benefit the public through increased tax revenue to the City of Marysville.

(d) The applicant is proposing to construct and dedicate a new roadway alignment, to a public standard; including sidewalks, planter strips and decorative lighting, at no cost to the public. The cost for constructing the road, **not including** the RAB at 172nd Street NE (SR 531), decorative lighting and landscaping is approximately \$776,692.00.

(e) The dedication of new public right-of-way is approximately 86,733 SF, **not including** dedication of right-of-way for the construction of the RAB and frontage improvements on 172nd Street NE (SR 531). The applicant has requested 87,342 SF of existing right-of-way be vacated.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2015.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
APRIL O'BRIEN, DEPUTY CITY CLERK

Approved as to form:

By: _____
CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

EXHIBIT A

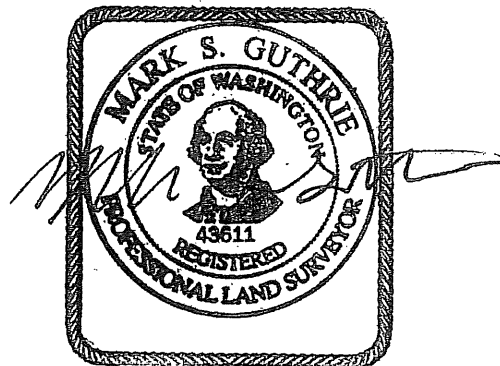
25TH AVENUE NE VACATION LEGAL DESCRIPTION

THE EAST 30.00 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.;
EXCEPT THE SOUTH 30.00 FEET THEREOF.

TOGETHER WITH THE WEST 30.00 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.;
EXCEPT THE SOUTH 40.00 FEET THEREOF.

TOGETHER WITH THE FOLLOWING DESCRIBED TRACT OF LAND:
COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 20;
THENCE SOUTH 89°03'37" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER 356.18 FEET;
THENCE NORTH 00°56'23" WEST 40.00 FEET TO THE NORTH LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 200101290045, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;
THENCE SOUTH 89°03'37" WEST ALONG SAID NORTH LINE 253.14 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 91°44'11" AN ARC DISTANCE OF 32.02 FEET TO A POINT ON THE EAST RIGHT OF WAY OF 25TH AVENUE NE;
THENCE SOUTH 00°47'48" WEST ALONG SAID EAST RIGHT OF WAY 20.62 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 40.00 FEET OF SAID SOUTHWEST QUARTER;
THENCE NORTH 89°03'37" EAST ALONG SAID NORTH LINE 20.62 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.



3-5-13

EXHIBIT B

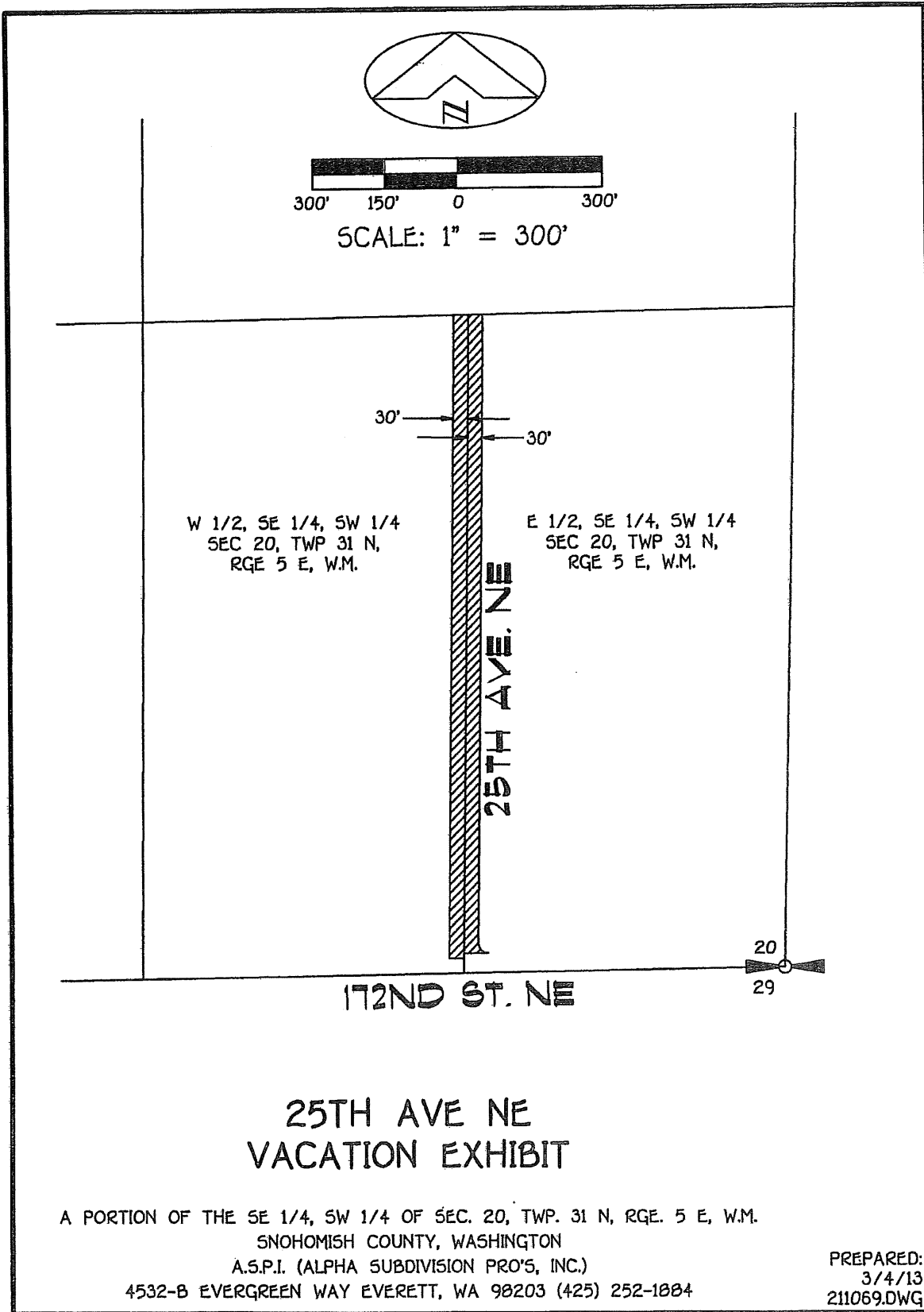
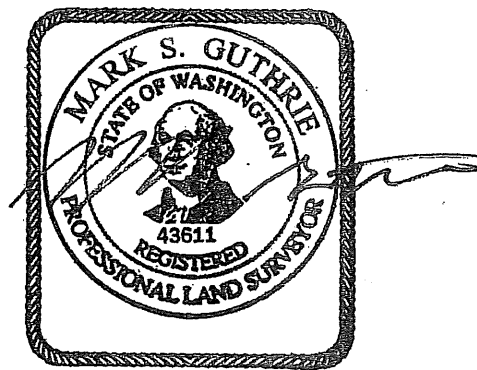


EXHIBIT C

POND AREA VACATION LEGAL DESCRIPTION

THE NORTH 110 FEET OF THE SOUTH 140 FEET OF THE WEST 110 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., AS CONVEYED TO SNOHOMISH COUNTY BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NUMBER 9304070110, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.



3-5-13

EXHIBIT D

