

CITY OF COSMOPOLIS
ORDINANCE NO. 1388

AN ORDINANCE relating to the vacation of a portion of I Street, between 1st Street and the Chehalis River.

WHEREAS, RCW 35.79.010 provides that the owners of any real property abutting upon any street or alley, or any part thereof, who may desire to vacate the street or alley may petition the city council to make the vacation; and

WHEREAS, a public hearing was held to discuss and consider the proposed vacation and to take public testimony on November 1, 2023, at 7:00 p.m.; **NOW THEREFORE**,

THE CITY COUNCIL OF THE CITY OF COSMOPOLIS, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. The following described portion of I Street is vacated and discontinued, effective upon the abutting property owner(s) granting utility easements to the City, and upon fulfillment of other conditions and contingencies, as set forth below, and subject to the continuation of franchise and easement rights and reservation of other rights by the City of Cosmopolis, as set forth below:

The south ten feet of I Street from its easterly intersection with 1st Street to the Chehalis River.

SECTION 2. The above-described alley vacation shall be subject to the continuation of franchise and easement rights and reservation of the following by the City of Cosmopolis, Grays Harbor PUD, and any other utilities that currently have infrastructure in, upon, under or above the alley:

- (1) Easements or rights-of-way for power, telephone, television, sewer, water service, drainage or other utilities, together with the right to maintain, renew or repair same;
- (2) The right of the City of Cosmopolis to exercise and grant easements with respect to the vacated portion of I Street for the construction, repair and maintenance of presently existing public utilities and services; and
- (3) Rights granted by City ordinance, easements, rights-of-way and reservations of record.

SECTION 3. The above-described street vacation shall be further subject to the following conditions and contingencies:

- (1) The abutting property owner(s) shall grant a utility easement to the City of Cosmopolis extending across the abutting property from the southern boundary of said property to I Street, where existing underground utility infrastructure currently exists.
- (2) The abutting property owner(s) shall grant a utility easement to the City of Cosmopolis extending across the abutting property from its southwest corner to its southeast corner,

SECTION 4. Said street vacation shall *not* become effective until *all* of the above conditions shall have been met, at which time a certified copy of this ordinance shall be recorded with the Grays Harbor County Auditor.

PASSED AND APPROVED this 15th day of November, 2023.

Mayor

Attest:

Finance Director

I, Julie Pope, Finance Director for the City of Cosmopolis, Washington do hereby certify that the foregoing is a true and correct copy of Ordinance No. 1388 of the ordinances of the City of Cosmopolis, Washington, and that the same was passed regularly and according to law on the 15th day of November, 2023.

Finance Director