

CITY OF MEDINA, WASHINGTON

RESOLUTION NO. 419

A RESOLUTION OF THE CITY COUNCIL OF MEDINA, WASHINGTON, SETTING A LEGISLATIVE HEARING ON THE NOVEMBER 8, 2021, CITY COUNCIL AGENDA TO CONSIDER A PETITION FOR THE VACATION OF 510 SQUARE FEET OF RIGHT-OF-WAY AT 442 UPLAND ROAD (AKA 442 87TH AVENUE N.E.), MEDINA, WASHINGTON, AND DIRECTING NOTIFICATIONS THEREOF, ALL IN ACCORDANCE WITH RCW CHAPTER 35.79 AND MEDINA MUNICIPAL CODE CHAPTER 12.44.

WHEREAS, a street vacation petition (Petition) was submitted to the City of Medina on August 23, 2021, by Jim Dearth, of Ripple Design Studio, on behalf of Ken Liang, owner of and resident at 442 Upland Road (aka 442 87th Avenue N.E.), Medina, Washington (Property), seeking to vacate 510 square feet of Upland Road right-of-way (Subject ROW) immediately adjacent to and abutting the Property; and

WHEREAS, the Subject ROW to be vacated comprises a strip of land 10' x 51' in size abutting only the property of Ken Liang, and the Petition is therefore signed by more than two-thirds of the owners abutting the portion of Upland Road for which the vacation is sought; and

WHEREAS, the existing Property is legally described in attached **Exhibit A** and shown in the Vacation Exhibit attached as **Exhibit B**; and

WHEREAS, Medina Municipal Code (MMC) Chapter 12.44 and RCW Chapter 35.79 require that when a vacation petition has been filed with a city and is signed by more than two-thirds of the owners abutting the ROW to be vacated, as is the Petition filed in this instance, the City Council shall by resolution set a hearing on the Petition for a date which is not more than sixty days nor less than twenty days after the date of passage of such resolution; and

WHEREAS, upon passage of such resolution the City shall give 20 days' notice of the pendency of the Petition and hearing as specified in MMC 12.44.100, which shall include posting a written notice thereof in three of the most conspicuous public places in the City, and posting such notice in a conspicuous place on the Subject ROW, and on the City website, and shall further publish the notice in the Seattle Times as the City's official newspaper, and shall mail such notice to all property owners within 300 feet of the subject property; and

WHEREAS, the Council's meeting date of November 8, 2021 satisfies the statutory time limit requirements for the hearing and enables timely posting and publication thereof as required by law; and

WHEREAS, the foregoing recitals are hereby adopted as the Council's findings on this matter;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, RESOLVES AS FOLLOWS:

Section 1. Hearing Date and Time Scheduled. The hearing date and time for the Petition described above is hereby set for November 8, 2021, commencing at 4:00 p.m. or as soon thereafter as called by the Council from its meeting agenda. The hearing date and time may be continued from time to time as determined necessary or appropriate by the Council to complete the statutory review specified under MMC Chapter 12.44 and RCW Chapter 35.79 and enable the Council to make a fully informed legislative decision on and concerning the Petition.

Section 2. Notice of Hearing. The City Clerk is directed to timely post and publish and mail notices of the Petition and hearing date/time/place in the form and places and manner specified herein and as required by MMC Chapter 12.44 and RCW Chapter 35.79, and to maintain a record of such actions.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON SEPTEMBER 13, 2021 AND SIGNED IN AUTHENTICATION OF ITS PASSAGE ON SAID DATE.

Jessica Rossman, Mayor

Approved as to form:
Ogden Murphy Wallace, PLLC

Attest:

Scott M. Missall, City Attorney

Aimee Kellerman, City Clerk

FILED WITH THE CITY CLERK:
PASSED BY THE COUNCIL:
RESOLUTION NO.

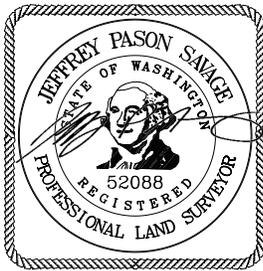
EXHIBIT A

A PORTION OF HARMON AVE PER PLAT OF KENWOOD PARK AS RECORDED IN BOOK 8 OF PLATS ON PAGE 26, IN KING COUNTY WASHINGTON, DESCRIBED AS FOLLOWS;

ALL THAT PORTION OF SAID HARMON AVE LYING IN FRONT OF LOTS 4 AND 5, BLOCK 15 OF SAID KENWOOD PARK;

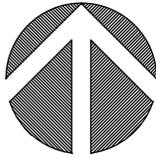
EXCEPT THE SOUTHWESTERLY 15 FEET ADJOINING LOT 5;

EXCEPT THAT PORTION OF HARMON AVE VACATED UNDER THE CITY OF MEDINA ORDINANCE NO. 804, RECORDED NOVEMBER 2, 2007 UNDER RECORDING NO. 20071102000049.

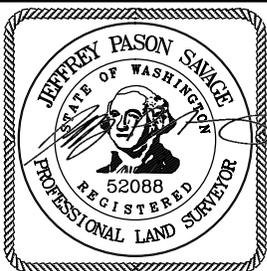
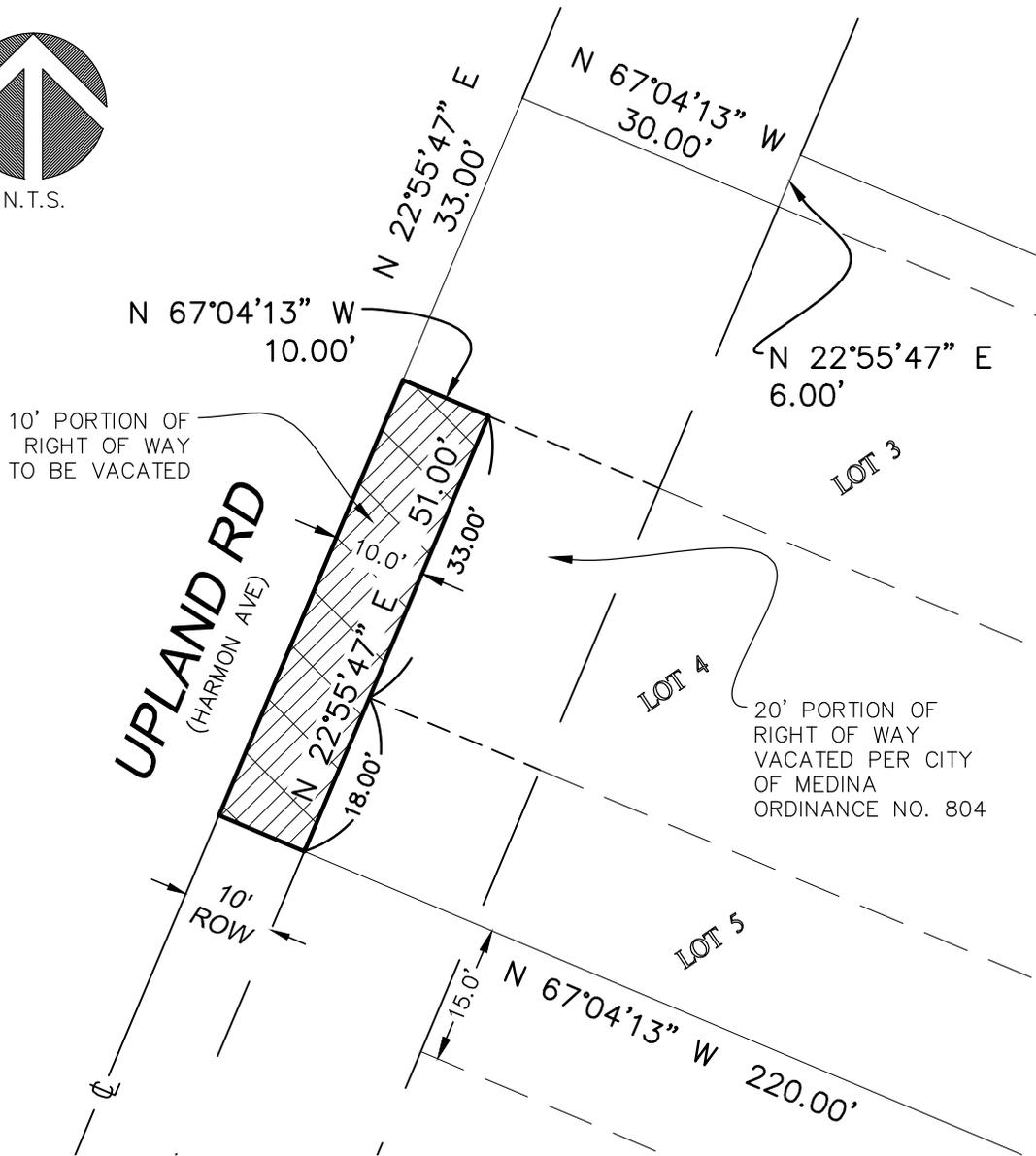


08/20/2021

EXHIBIT B



N.T.S.



VACATION EXHIBIT

438 UPLAND RD
MEDINA, WA 98039

JOB NO. 191875
DATE: 08/20/2021



Terrane

10801 Main Street, Suite 102, Bellevue, WA 98004
phone 425.458.4488 support@terrane.net

www.terrane.net