

ORDINANCE NO. 1785

AN ORDINANCE OF THE CITY OF SUMAS, WASHINGTON, GRANTING THE VACATION OF A RETAINED UTILITY EASEMENT LOCATED IN THE EAST HALF OF THAT VACATED PORTION OF PINE STREET IN JOHNSON'S ADDITION TO THE CITY OF SUMAS, ADJACENT TO THE WEST BOUNDARY OF LOT 6 OF BLOCK 8 AND THE EAST BOUNDARUY OF LOT 1 OF BLOCK 11

WHEREAS, Baha E. Abulnaga ("Abulnaga") as the owner of Lot 1 of Block 11 and Lot 6 of Block 8, all of the plat of Johnson's Addition to the City of Sumas, Whatcom County, Washington, has requested the vacation of the following rights-of-way:

That portion of a retained utility easement located in the east half of that vacated portion of Pine Street in Johnson's Addition to the City of Sumas, adjacent to the west boundary of Lot 6 of Block 8 and the east boundary of Lot 1 of Block 11;

Whatcom County, Washington, all as depicted on the map attached hereto and marked Exhibit "A"; and

WHEREAS, Abulnaga owns more than two-thirds of the property abutting said portions of the rights-of-way sought to be vacated; and

WHEREAS, by Resolution No. 812 of the City Council of the City of Sumas, a hearing on the proposed vacation was held on November 8th, 2021, and no written objections were received; and

WHEREAS, the City has no need for the portion of the right-of-way which is subject to vacation in conjunction with the City's overall street plan; and

WHEREAS, all jurisdictional steps preliminary to the vacation have been taken as provided by law; NOW, THEREFORE,

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

Section 1. That the vacation of portions of the following rights-of-way:

That portion of a retained utility easement located in the east half of that vacated portion of Pine Street in Johnson's Addition to the City of Sumas, adjacent to the west boundary of Lot 6 of Block 8 and the east boundary of Lot 1 of Block 11;

Whatcom County, Washington, such portions being depicted on the map attached hereto and marked Exhibit "A", is hereby granted.

Section 2. That no damage will result to any person or persons or to any property by reason of the vacation of said property.

Section 3 - Severability. Should any provision of this Ordinance or its application to any person or circumstances be held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.

Section 4 - Effective Date. This Ordinance shall take effect from and after the ____ day following the date of publication.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF SUMAS, WASHINGTON, THIS ____ DAY OF _____, 2021.

KYLE CHRISTENSEN, Mayor

Attest:

MICHELLE QUINN, City Clerk

Approved:

JAMES J. WRIGHT, City Attorney