

**CITY OF REDMOND
RESOLUTION NO. 1430**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, SETTING NOVEMBER 9, 2015, AS THE DATE FOR A PUBLIC HEARING ON THE VACATION OF A 30-FOOT-WIDE RIGHT-OF-WAY LOCATED AT 16410 NE 47TH STREET WITHIN THE PROPOSED PLAT OF DUKE'S LANDING, DELEGATING THE AUTHORITY TO CONDUCT THE HEARING TO THE REDMOND HEARING EXAMINER; AND PROVIDING FOR MAILED AND POSTED NOTICE OF THE HEARING

WHEREAS, the City has received an application for a preliminary plat commonly known as Duke's Landing located at 16410 NE 47th Street; and

WHEREAS, under the Redmond Zoning Code the authority to approve or deny preliminary plat applications lies with the Redmond Hearing Examiner, who must conduct a public hearing prior to making a decision; and

WHEREAS, the land which is the subject of the preliminary plat application abuts a public street right-of-way which is unopened and which the owners of the land desire to have vacated; and

WHEREAS, the owners' property abuts less than fifty percent (50%) of the public right-of-way and the owners are therefore unable to submit a street vacation petition meeting the requirements of RCW 35.79.010, but the owners have requested that the Redmond City Council initiate the process by resolution

since the right-of-way is unopened and was dedicated wholly from their land; and

WHEREAS, the Redmond City Council is willing to initiate the vacation process using the resolution method provided by statute; and

WHEREAS, under RCW 35.79.030, a public hearing is required to consider a street right-of-way vacation, and the Redmond City Council may either conduct the hearing itself or may delegate the conduct of the hearing to the Hearing Examiner; and

WHEREAS, the Redmond City Council believes that the most efficient procedure under the current circumstances would be to delegate authority to conduct the hearing to the Hearing Examiner so that the hearings on the preliminary plat and the street right-of-way vacation can be consolidated and the issues can be considered together.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, HEREBY RESOLVE AS FOLLOWS:

Section 1. Initiation of Process. As authorized by RCW 35.79.010, the Redmond City Council hereby initiates the street vacation process for a thirty-foot wide right-of-way located at 16410 NE 47th Street in the proposed preliminary plat of Duke's Landing. The street right-of-way proposed to be vacated is legally described on Exhibit A and depicted on

Exhibit B attached hereto and incorporated herein as if set forth in full.

Section 2. Delegation of Authority to Conduct Hearing.

The Redmond City Council hereby delegates the authority to conduct the hearing required by RCW 35.79.030 to the Redmond Hearing Examiner. The hearing on the street vacation will be consolidated with the hearing on the preliminary plat of Duke's Landing. The Hearing Examiner shall receive and consider all public testimony relevant to the vacation of the right-of-way described in this resolution at the public hearing. The Hearing Examiner shall, following the hearing, report her recommendation on the street vacation to the City Council, which may accept or reject the recommendation. The Hearing Examiner shall adopt written findings of fact and conclusions of law in support of her recommendation.

Section 3. Hearing Set. The public hearing on the

street vacation is hereby set before the Hearing Examiner on November 9, 2015 at 7:00 p.m. or as soon thereafter as the matter may be heard. The hearing will be held in the City Council Chambers at Redmond City Hall, 15670 NE 85th Street, Redmond, Washington.

Section 4. Notice. The Planning Department is hereby


directed to cause written notice of the hearing to be posted in three of the most public places in the City and in a conspicuous

place upon the portion of the street right-of-way proposed to be vacated. The notice shall contain a statement that the street vacation process has been initiated by the Redmond City Council, together with a statement of the date, time, and location of the Hearing Examiner's public hearing. A similar notice shall be mailed to the owners or reputed owners of all lots, tracts or parcels of land or other property abutting on any part of the street right-of-way for which vacation is sought, as shown by the rolls of the county treasurer, directed to the address shown thereon. The notices required by this Section shall be posted and mailed at least fifteen days before the date fixed for the hearing.

Section 5. Action by Redmond City Council. Upon receipt of the Hearing Examiner's street vacation recommendation, the Redmond City Council shall consider the same. The City Council shall not be required to hold its own hearing, but may consider the recommendation in a closed record proceeding. If the City Council determines to vacate the street right-of-way, the Council shall do so by ordinance.

ADOPTED by the Redmond City Council this 6th day of
October, 2015.

APPROVED:



JOHN MARCHIONE, MAYOR

ATTEST:



MICHELLE M. HART, MMC, CITY CLERK (SEAL)

FILED WITH THE CITY CLERK: September 15, 2015
PASSED BY THE CITY COUNCIL: October 6, 2015
RESOLUTION NO. 1430

YES: ALLEN, FLYNN, CARSON, MARGESON, SHUTZ, STILIN



Caffey Property
Job No. 1787-001-013-0004
February 11, 2015

EXHIBIT "A"
LEGAL DESCRIPTION
FOR
PETITION FOR VACATION OF RIGHT-OF-WAY

That portion of west 30 feet of the southwest quarter of Section 13, Township 25 North, Range 5 East, W.M., City of Redmond, King County, Washington, lying northerly of the westerly extension of the southerly line of Lot 1 of Block 2 of the plat of Miravista as recorded in Volume 28 of Plats, Page 35, Records of King County, Washington AND lying southerly of the southerly line of Lot 5 of the plat of Hampton Place as recorded in Volume 107 of Plats, Pages 58 and 59, Records of King County, Washington

Containing 9,385 square feet, more or less.

See attached Exhibit "A-1".

Written by: CAF

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02-11-2015

ESM Federal Way 33400 8th Ave S, Ste 205 Federal Way, WA 98003 253.838.6113 tel 800.345.5694 toll free 253.838.7104 fax	ESM Everett 1010 SE Everett Mall Way, Ste 210 Everett, WA 98208 425.297.9900 tel 800.345.5694 toll free 425.297.9901 fax	Civil Engineering Land Surveying 3D Laser Scanning	Land Planning Landscape Architecture GIS www.esmcivil.com
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Vicinity Map

