

RESOLUTION NO. 386

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, SETTING A PUBLIC HEARING FOR MAY 5, 2003 AT 7:30 PM ON A REQUEST TO VACATE APPROXIMATELY 1,688 SQUARE FEET OF THAT PORTION OF RIGHT-OF-WAY OF SOUNDVIEW DRIVE W. AND BROOKSIDE WAY W. LYING NORTH OF TAX PARCEL NO. 7720001372 TO COLEMAN AND LILIA FANNIN, OWNERS OF THE ABUTTING PROPERTY.

WHEREAS, Mr. Coleman Fannin, on March 4, 2003 presented to the City of University Place a Street Vacation Petition requesting the vacation of a portion of the right-of-way of Soundview Drive W. and Brookside Way W.; and

WHEREAS, the Fannins are the owners of the only property that abuts that part of the right-of-way for which vacation is requested; and

WHEREAS, the City Clerk has determined that the Fannins signature on the petition satisfies the requirement that the petition be signed by more than two thirds the property owners abutting the right-of-way for which vacation is requested; and

WHEREAS, the Fannins have submitted the documents required by U.P.M.C. 13.05.060 and have paid the fee required by the City; NOW THEREFORE,

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

Section 1. The City Clerk is directed to set a public hearing on Monday, May 5, 2003 at 7:30 PM on a street vacation petition. The petitioner requests the City to vacate approximately 1,688 square feet of right-of-way for Soundview Drive W. and Brookside Way W. abutting property listed in the Pierce County Assessor's roll as parcel no. 7720001372, owned by the petitioner. The legal description of the area for which vacation is requested is included as Exhibit A attached and incorporated by this reference. The legal description shall be the controlling document for the description of the subject property.

Section 2. The City Clerk shall publish an official notice of the public hearing date and shall post a notice of the public hearing on this petition to vacate a portion of Soundview Drive W. and Brookside Way W. in three of the most public places of the City as required by RCW 35.79.020.

Section 3. The Public Works Department shall post prominent notices of the public hearing and the date of the hearing. Such notices shall be posted in close proximity to the portion of the right-of-way subject to the petition and shall be readily observable by the general public in the vicinity. The Public Works Department shall also provide written notice to owners of property within 300 feet of the subject right-of-way and distribute them to these owners as required in RCW 35.79.020.

ADOPTED BY THE CITY COUNCIL March 17, 2003.



Jean Brooks, Mayor

ATTEST:



Catrina Craig, City Clerk

**EXHIBIT "A" - LEGAL DESCRIPTION
FANNIN VACATION REQUEST**

That portion of the intersection of Soundview Drive West and Brookside Way West, being a portion of the northwest quarter of Section 16, Township 20 North, Range 2 East of the Willamette Meridian, described as follows:

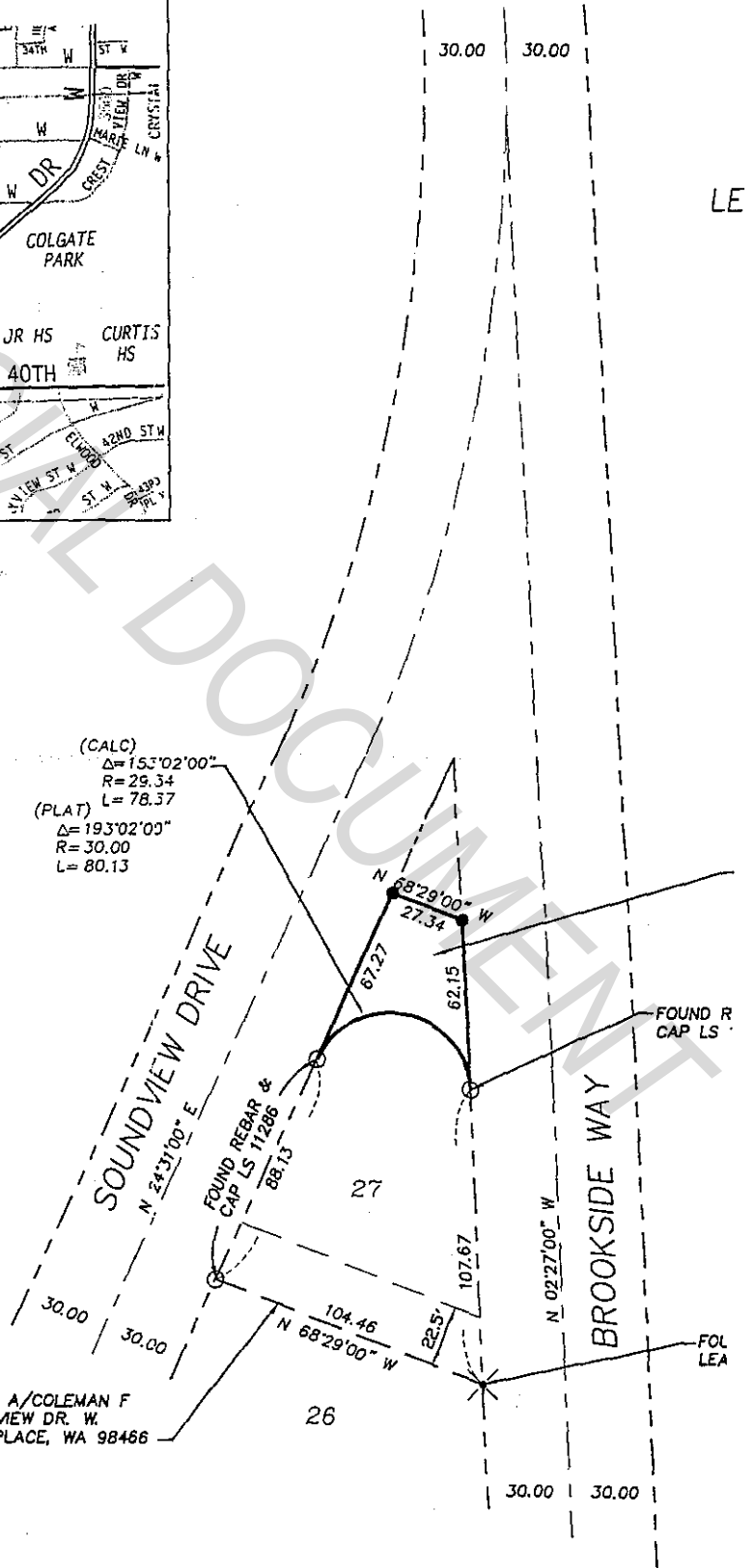
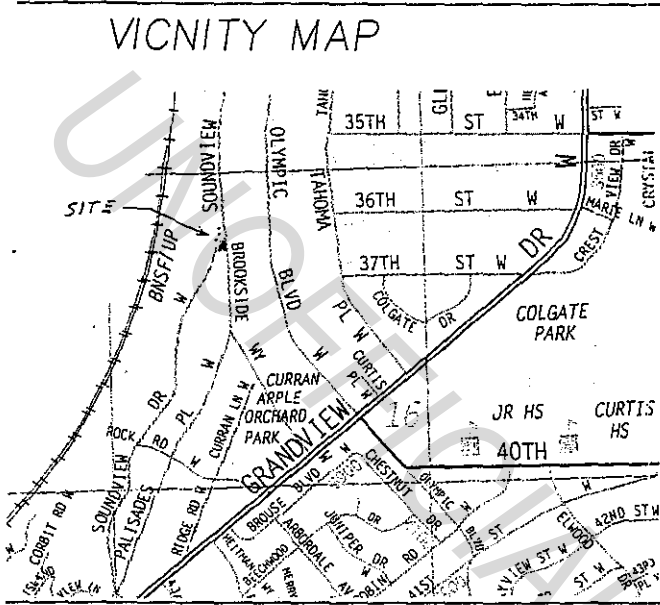
Commencing at the southwest corner of Lot 27, Block 5, Soundview Addition, according to the plat thereof recorded in volume 12 of plats at page 18 records of Pierce County, Washington; thence north $24^{\circ} 31' 00''$ east, along the west line of said Lot 27 and the east margin of Soundview Drive, 155.39 feet to the true point of beginning; thence south $68^{\circ} 29' 00''$ east, 27.34 feet to a point on the northerly extension of the west margin of Brookside Way; thence south $02^{\circ} 27' 00''$ east, along said northerly extension, 62.15 feet to the northeast corner of said Lot 27; thence along the north line of said Lot 27 and a curve to the left, the center of which bears south $87^{\circ} 33' 00''$ west 29.34 feet distant, through a central angle of $153^{\circ} 02' 00''$ an arc distance of 78.37 feet to said east margin of Soundview Drive; thence north $24^{\circ} 31' 00''$ east, along the northerly extension of said east margin, 67.27 feet to the true point of beginning.

Containing 1,688 sq. ft.

EXHIBIT C

PIERCE COUNTY,

N.E. 1/4 of the N.W. 1/4 of Section 16,



FANNIN LILJA A/COLEMAN F
 3621 SOUNDVIEW DR. W.
 UNIVERSITY PLACE, WA 98466