

RESOLUTION NO. 549

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, SETTING A PUBLIC HEARING FOR MARCH 5, 2007 AT 7:30 PM ON A REQUEST TO VACATE 9047 SQUARE FEET OF THAT PORTION OF 29TH STREET WEST RIGHT-OF-WAY, LYING SOUTH OF TAX PARCEL NUMBER 9435000290 TO GERALD NESS, THE ABUTTING PROPERTY OWNER

WHEREAS, Mr. Gerald Ness, on August 24, 2006 initially presented to the City of University Place a Street Vacation Petition, and subsequently on November 27, 2006 presented a complete submittal package, requesting the vacation 9047 square feet of 29th Street West right-of-way; and

WHEREAS, Mr. Ness, David Connell and Prium Development Company LLC are the owners of the all property that abuts the right-of-way for which vacation is requested; and

WHEREAS, the City Clerk has determined that Mr. Ness and Mr. Connell's signatures on the petition satisfies the requirement that the petition be signed by two thirds of the property owners abutting the right-of-way for which vacation is requested; and

WHEREAS, Mr. Ness has submitted the documents required by U.P.M.C. 13.15.060 and has paid the fee required by the City; NOW THEREFORE,

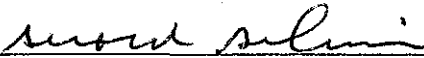
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AS FOLLOWS:

Section 1. The City Clerk is directed to set a public hearing on March 5, 2007 at 7:30 PM on a street vacation petition. The petitioner requests the City to vacate approximately 9047 square feet of right-of-way for 29th Street West abutting property listed in the Pierce County Assessor's roll as parcel no. 9435000290, 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 29th Street West in three of the most public places of the City as required by RCW 35.79.020.

Section 3. The Development Services 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 Development Services 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 JANUARY 8, 2007



Gerald Gehring, Mayor

ATTEST:



Sarah Ortiz, CMC, City Clerk

EXHIBIT - A

NESS 29TH STREET WEST RIGHT OF WAY VACATION

LEGAL DESCRIPTION OF THE PROPOSED VACATION AREA

THE PORTION OF THE SOUTH 30 FEET OF BLOCK G, WEST END ACRE ADDITION TO TACOMA, PIERCE COUNTY, WASHINGTON, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 8 OF PLATS AT PAGE 7, RECORDS OF PIERCE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK G:
THENCE ALONG THE SOUTH LINE OF SAID BLOCK G S89°24'20"W,
15.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUE S89°24'20"W, 301.58 FEET;
THENCE N00°16'15"E 30.00 FEET TO THE NORTH LINE OF THE
SOUTH 30.00 FEET OF SAID BLOCK G;
THENCE ALONG SAID NORTH LINE N89°24'20"E, 301.58 FEET;
THENCE S00°16'15"W, 30.00 FEET TO THE TRUE POINT OF
BEGINNING:
CONTAINING 9047 SQUARE FEET, MORE OR LESDS.