

RESOLUTION NO. 2014-005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON, COMMENCING A STREET VACATION PROCEDURE PURSUANT TO CHAPTER 35.79 RCW FOR THE VACATION OF THAT PORTION OF AIRPORT ROAD, LYING NORTH OF THE NORTHERN MOST RIGHT-OF-WAY LINE OF THE 6TH STREET RIGHT-OF-WAY, RETAINING AN EASEMENT FOR EXISTING UTILITIES, AND SCHEDULING A PUBLIC HEARING FOR 7:00 P.M. ON WEDNESDAY, MAY 21, 2014 AT DEER PARK CITY HALL TO CONSIDER THE PROPOSED STREET VACATION.

WHEREAS, J-U-B Engineers, Inc., the City project engineers on the Cedar and 6th Street EDA Project by letter dated March 17, 2014 to the Mayor and City Council, recommend the City consider the vacation of that portion of Airport Road lying north of the northern most right-of-way line of 6th Street; and

WHEREAS, the City Council having considered the recommendation of the City engineers, finds that the proposed vacation of right-of-way would be in the best interests of the City; and

WHEREAS, RCW 35.79.010 provides that the City Council may proceed in the manner set forth in this Resolution by fixing a date and time when the proposed street vacation may be heard before the City Council not more than sixty (60) days and not less than twenty (20) days after the date of passage of this Resolution; now therefore,

**THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON,
HEREBY RESOLVE AS FOLLOWS:**

Section 1. A Public Hearing shall be held on Wednesday, May 21, 2014 beginning at 7:00 p.m. at Deer Park City Hall, located at 316 East Crawford, Deer Park, Washington, for the purpose of taking public comment as to whether the City should vacate that part of Airport Road located north of the northern right-of-way boundary of the to be constructed 6th Street. The right-of-way proposed to be vacated is legally described in Exhibit "A" to this Resolution and depicted in Exhibit "B" to this Resolution.

Section 2. The City Clerk/Treasurer is hereby directed to cause Notice of the Public Hearing to be posted in three of the most public places in the City and in a conspicuous place on the portion of Airport Road proposed to be vacated.

Section 3. The City Clerk/Treasurer is hereby directed to cause Notice of the Public Hearing to be mailed at least fifteen (15) days prior to the date fixed for the hearing to the owners or reputed owners as shown on the rolls of the Spokane County Treasurer of all lots, tracts, or parcels of land abutting upon that portion of Airport Road proposed to be vacated.

Section 4. Following the Public Hearing, the City Council may take action by Ordinance to vacate the right-of-way proposed to be vacated by this Resolution and retain an easement for existing public utilities presently located in the right-of-way proposed to be vacated. The Ordinance may provide that no compensation will be required to be paid by the owners abutting the portion of Airport Road proposed to be vacated as the City engineers have estimated vacation of the right-of-way will save the City approximately \$116,000 and because the abutting property owners voluntarily dedicated the right-of-way necessary to enable the City to construct the Cedar and 6th Street EDA Project scheduled to begin construction in the Summer or Fall of 2014.

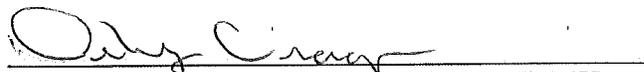
Section 5. This Resolution shall be effective immediately upon passage by the City Council.

RESOLVED this 16th day of April, 2014.

APPROVED:


MAYOR ROBERT WHISMAN

ATTEST/AUTHENTICATED:


DEBY CRAGUN, CITY CLERK/TREASURER