

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2008-16

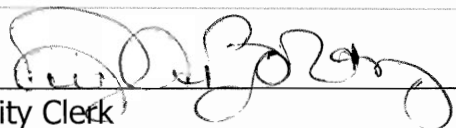
SUBJECT: Rommen Right-of-Way Vacation (8th Avenue NE)

CONFORM AS TO DATES & SIGNATURES

- Filed with the City Clerk: 05/29/2008
- Passed by the City Council: 07/16/2008
- Signature of Mayor
- Signature of City Clerk
- Publication: 08/13/2008
- Effective: 08/18/2008
- Recorded: Auditor's File No. 200808180001/200808190003

DISTRIBUTED COPIES AS FOLLOWS: email all departments

- NK Herald: Emailed by jb 08/08/2008
- Ordinance Book (copy)
- Code Publishing - via email if in electronic format
- City Attorney
- Civil Service Commission and/or Sec/Chief Examiner
- Clerk's Department: Original
- City Council
- Finance: Finance Director Booher
- Fire District No. 18
- Mayor
- Municipal Court
- MRSC from website:
- Parks/Recreation:
- Planning/Building:
- Police
- Public Works:
- Public Works/Engr Section: Crystal Ackerman
- Bookshelf Contracts Copy


City Clerk

08-21-2008
Date

AFTER RECORDING RETURN TO:

City of Poulsbo
P.O. Box 98
Poulsbo, WA 98370

POULSBO CITY OF 200808180001
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Walter Washington, Kitsap Co Auditor

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Document Title:
Ordinance 2008-16, Vacation of 8th Avenue Street Right-of-Way

Reference Number(s) of Documents Assigned or Released:

N/A
* RERECORDED TO INCLUDE RESOLUTION NO. FOR PUBLIC HEARING

Grantor(s):
City of Poulsbo

Grantee(s):
Rommen, Haakon

Legal Description:

That portion of the northeast quarter, of the southwest quarter, of section 23, township 26 north, range 1 east, W.M., Kitsap County, WA described as follows: Beginning at the northwest corner of Lot 13 of the Plat of Peterson's Addition to Poulsbo as recorded volume 9, page 21 of plats, being the true point of beginning; thence along the west line of said Lot 13 south 01°21'17" west 89.98 feet to the southwest corner of said Lot 13; thence north 88°35'08" west 30.00 feet to the westerly right-of-way of 8th Avenue NE; thence along said right-of-way north 01°21'17" east 89.98 feet; thence south 88°35'08" east 30.00 feet to the true point of beginning.

Assessor's Tax Parcel ID #: 4229-000-013-0002

ORDINANCE NO. 2008-16

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, VACATING A SECTION OF UNIMPROVED RIGHT-OF-WAY, DESIGNATED AS EIGHTH AVENUE NE AND LOCATED SOUTH OF NE MATSON STREET; WAIVING COMPENSATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Haakon Rommen has requested that the City vacate a section of unimproved right-of-way designated as Eighth Avenue NE located south of NE Matson Street, and

WHEREAS, in response to the request, the Poulsbo City Council passed Resolution No. ~~2008-11~~ on June 11, 2008 establishing July 16, 2008 as the date for a public hearing on the vacation of the right-of-way, and

WHEREAS, notice of the public hearing was given in the manner provided by law for street vacation hearings and the Poulsbo City Council held the public hearing as scheduled and heard testimony from all interested parties, and

WHEREAS, after considering the testimony and the information presented by City staff the Poulsbo City Council decided to vacate the right-of-way and hereinafter provided, now, therefore.

THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

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Section 1. **Findings.** The Poulsbo City Council finds that:

A. That portion of the right-of-way for which vacation is sought is surplus to the City's needs and there is no reasonable likelihood that the property will be used for road purposes; and

B. Upon completion of the requirements in Section 6, the vacation of the right-of-way would not impair access to any property or otherwise impinge upon the property rights or the City or any private landowner; and

C. There is currently utilities installed within the portion of the right-of-way for which vacation is sought and the City will retain an easement in the vacated right-of-way for utility purposes; and


Section 2. **Vacation.** That certain portion of the right-of-way of Eighth Avenue NE, legally described on Exhibit A and depicted on Exhibit B, all of which exhibits are attached hereto and incorporated herein by reference as if set forth in full, is hereby vacated upon completion of the requirements set forth in Section 6.

Section 3. **Compensation.** No compensation shall be required for the adjacent property owners in exchange for the vacation.

Section 4. **Duties of City Clerk.** The City Clerk is hereby authorized and directed to file a copy of this ordinance of record in the office of the Kitsap County Auditor upon completion of the requirements set forth in Section 6.

Section 5. **Severability.** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

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Section 6. Effective Date. This ordinance shall take effect five (5) days after publication of the attached summary, which is hereby approved, provided, that vacation of the right-of-way as provided in Section 2 shall not become effective unless and until this ordinance is recorded by the City Clerk as provided in Section 4. The City Clerk is authorized and directed to record this ordinance only upon receipt of an executed easement agreed to by Haakon Rommen, or their successors in interest or assigns, as grantors and the owners of tax parcel 4229-000-013-0002 as grantees, providing ingress, egress and utilities over, under, and across the vacated right-of-way as described on Exhibit B. Upon receipt of the easement, the City Clerk shall record, or cause to be recorded, both this ordinance and the easement and vacation of the right-of-way shall thereupon become effective.

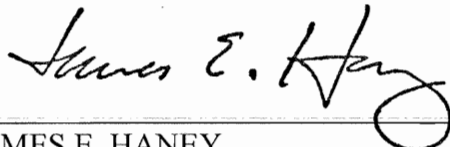
APPROVED:


MAYOR, KATHRYN Q. QUADE

ATTEST/AUTHENTICATED:


CITY CLERK, JILL A. BOLTZ

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
JAMES E. HANEY

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SUMMARY OF ORDINANCE NO. 2008-16

of the City of Poulsbo, Washington

On the 16th day of July, 2008, the City Council of the City of Poulsbo passed Ordinance No. 2008-16. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, VACATING A SECTION OF UNIMPROVED RIGHT-OF-WAY, DESIGNATED AS EIGHTH AVENUE NE AND LOCATED SOUTH OF NE MATSON STREET; WAIVING COMPENSATION; AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 16th day of July , 2008.


CITY CLERK, JILL A. BOLTZ

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EXHIBIT 'A'

**VACATION OF A PORTION OF
8th AVENUE NE, POULSBO, WA**

(TO HAAKON ROMMEN)

THAT PORTION OF THE NORTHEAST QUARTER, OF THE
SOUTHWEST QUARTER, OF SECTION 23, TOWNSHIP 26 NORTH,
RANGE 1 EAST, W.M., KITSAP COUNTY, WA, DESCRIBED AS
FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 13
OF THE PLAT OF PETERSON'S ADDITION TO POULSBO AS
RECORDED VOLUME 9, PAGE 21 OF PLATS, BEING THE TRUE
POINT OF BEGINNING; THENCE ALONG THE WEST LINE OF SAID
LOT 13 SOUTH 01°21'17" WEST 89.98 FEET TO THE SOUTHWEST
CORNER OF SAID LOT 13; THENCE NORTH 88°35'08" WEST 30.00
FEET TO THE WESTERLY RIGHT-OF-WAY OF 8th AVENUE NE;
THENCE ALONG SAID RIGHT-OF-WAY NORTH 01°21'17" EAST
89.98 FEET; THENCE SOUTH 88°35'08" EAST 30.00 FEET TO THE
TRUE POINT OF BEGINNING.

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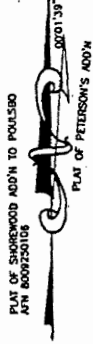
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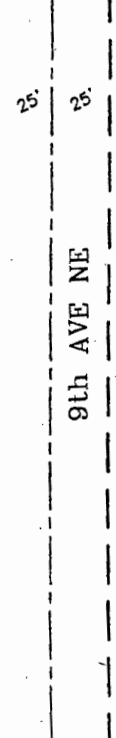
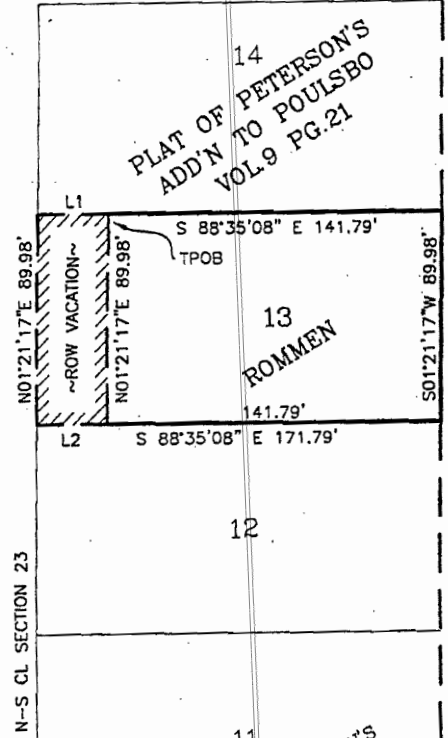
EXHIBIT 'B'



PLAT OF SHOREWOOD
 ADD'N TO POULSBO
 AFW 8009250106

RIGHT-OF-WAY VACATION DESCRIPTION

(VACATION OF PORTION OF 8th AVE NE TO ROMMEN)
 THAT PORTION OF THE NORTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF SECTION 23, TOWNSHIP 26 NORTH, RANGE 1 EAST, W.M., KITSAP COUNTY, WA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 13 OF THE PLAT OF PETERSON'S ADDITION TO POULSBO, AS RECORDED VOLUME 9, PAGE 21 OF PLATS, BEING THE TRUE POINT OF BEGINNING; THENCE ALONG THE WEST LINE OF SAID LOT 13 SOUTH 01°21'17" WEST 89.98 FEET TO THE SOUTHWEST CORNER OF SAID LOT 13; THENCE NORTH 88°35'08" WEST 30.00 FEET TO THE WESTERLY RIGHT-OF-WAY OF 8th AVENUE NE; THENCE ALONG SAID RIGHT-OF-WAY NORTH 01°21'17" EAST 89.98 FEET; THENCE SOUTH 88°35'08" EAST 30.00 FEET TO THE TRUE POINT OF BEGINNING.



LINE TABLE

| | | |
|----|---------------|--------|
| L1 | S 88°35'08" E | 30.00' |
| L2 | N 88°35'08" W | 30.00' |

HAAKON ROMMEN
 VACATION OF A PORTION OF
 THE 8th AVENUE RIGHT-OF-WAY
 SECTION 23, T.26 N., R.1 E., W.M. KITSAP COUNTY, WA

A.D.A. ENGINEERING, LLC
 P.O. BOX 847
 POULSBO, WA 98370
 PHONE: (360) 779-9833
 info@adaengineering.com
 FAX: (360) 779-7031

DRAWN: TMC
 M 1/4, Sw 1/4
 NW 1/4, SE 1/4

CHECKED: MIKE
 DATE: NOV 2007

SCALE: 1"=60'
 SHEET 1 OF 1

JOB NO.: 07-25844
 FB 2614/ 12-27

