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10/06/2022 02:32 PM Pages: 1 of 16 Fees: \$218.50
Skagit County Auditor

COVER SHEET FOR RECORDING

RETURN TO: City Of Mount Vernon
Development Services Department
910 Cleveland Ave
Mount Vernon, WA 98273

DOCUMENT TITLE: Ordinance 3857, Street Vacation

GRANTORS: City of Mount Vernon

GRANTEES: City of Mount Vernon

ABBREVIATED LEGAL DESCRIPTION: Portions of the alley located south of parcels P54139, P54141, P54142 and P54147; portions of the current 3rd Street Right of Way (ROW) along parcel P54147; portions of the south side of Kincaid St along parcels P54147 and P54142; and the platted 3rd Street ROW

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER(S): P54139, P54141, P54142, P54147

ORDINANCE NO. 3857**AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON, VACATING CERTAIN PROPERTY AS PER PETITION FILED BY THE CITY OF MOUNT VERNON**

WHEREAS, a petition has been filed pursuant to Chapter 35.79 RCW requesting portions of the alley located south of parcels P54139, P54141, P54142, and P54147; portions of the current 3rd Street Right of Way (ROW) along parcel P54147; portions of the south side of Kincaid St along parcels P54147 and P54142; and the platted 3rd Street ROW, be vacated, and

WHEREAS, the City Council of the City of Mount Vernon has on the 28th day of September, 2022, conducted a public hearing in compliance with the provisions of the RCW 35.79.030, after providing notice as required by RCW 35.79.020, and

WHEREAS, the City Council finds that the components of the below described property are no longer required for public use, has no public benefit, and there exists no public interest to be protected by retaining title to the described portions of said rights-of-way, and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON, DOES ORDAIN AS FOLLOWS:

SECTION ONE. The City Council hereby finds the right-of-way areas described and mapped within Exhibits A, B, and C of this Ordinance are surplus to the needs of the City and vacation will facilitate the development of a City owned public library and parking garage within the City, thereby providing a public benefit to the citizens of Mount Vernon, and that the extinguishment of the City's interest in these right-of-way areas will result in no adverse consequences to the public. An appraisal and compensation for the fair market value of the vacated areas has been deemed to not be required because the City already has all the property interest in these areas.

SECTION TWO. The relocated South 3rd Street subterranean right-of-way vacation areas described and mapped within **Exhibit A** to this Ordinance are hereby vacated.

SECTION THREE. The subterranean and above-grade right-of-way vacation area of the alley described and mapped within **Exhibit B** to this Ordinance are hereby vacated.

SECTION FOUR. The 3rd Street and alley full right-of-way vacation areas described and mapped within **Exhibit C** to this Ordinance are hereby vacated.

SECTION FIVE. Exhibits A, B, and C are incorporated herein and made part of this Ordinance as if set forth herein in full.

SECTION SIX. This ordinance shall be recorded in the office of the County Auditor.

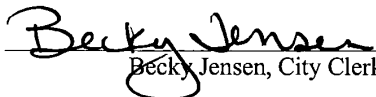
SECTION SEVEN. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

SECTION EIGHT. City staff are hereby directed to complete preparation of the final ordinance, including correction of any typographical or editorial edits.

SECTION NINE. This ordinance shall be in full force and effect five days after its passage, approval and publication as provided by law.


PASSED AND ADOPTED this 28th day of September, 2022.

SIGNED IN AUTHENTICATION on this 5th day of October, 2022


Becky Jensen, City Clerk

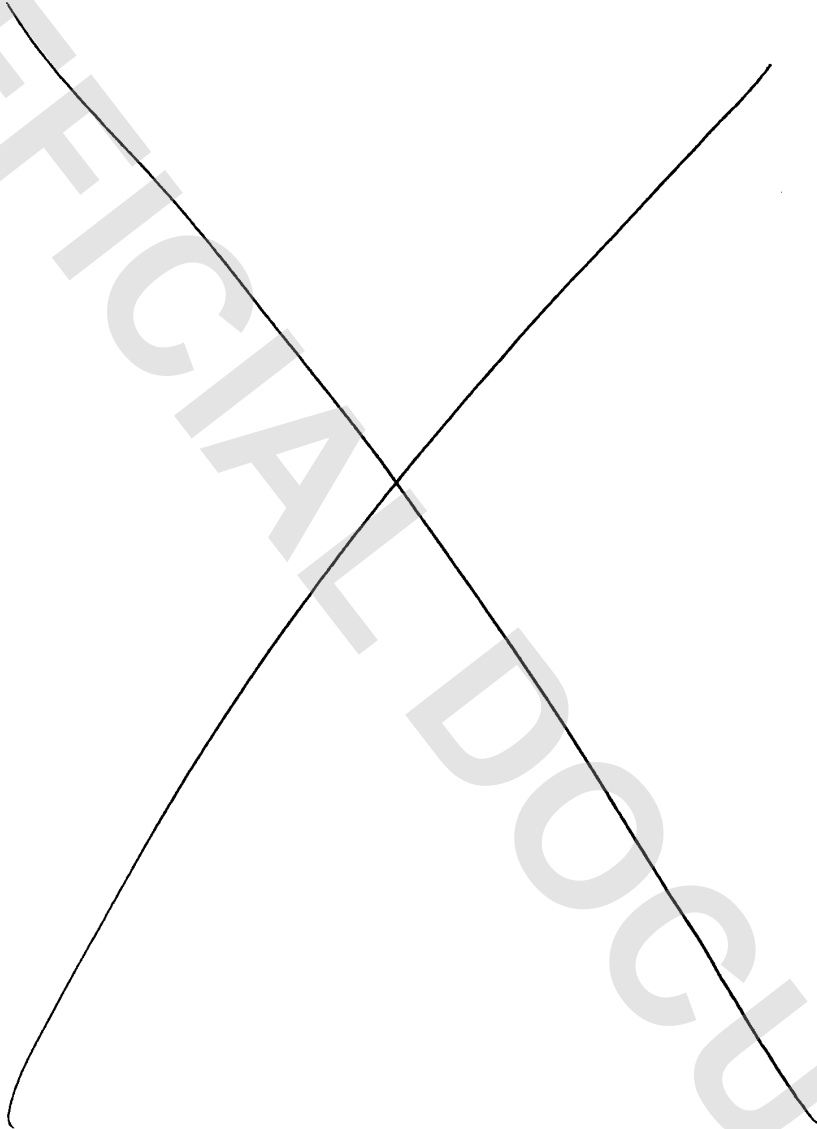

Jill Boudreau, Mayor

Approved as to form:


Kevin Rogerson, City Attorney

Published October 1, 2022

EXHIBIT A





Pacific Surveying & Engineering, Inc
 land surveying • civil engineering • consulting • environmental
 909 Squalicum Way #111, Bellingham, WA 98225
 Phone 360.671.7387 Facsimile 360.671.4685 Email info@psurvey.com

EXHIBIT 'A'

**LEGAL DESCRIPTION
 MOUNT VERNON LIBRARY
 RELOCATED SOUTH 3RD STREET SUBTERRANEAN RIGHT OF WAY VACATION AREAS**

THAT PORTION OF RELOCATED SOUTH 3RD STREET, AS DEEDED TO THE CITY OF MOUNT VERNON FOR PUBLIC RIGHT OF WAY UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 202207110143, DESCRIBED AS FOLLOWS:

RIGHT OF WAY DEDICATION AREA A:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 3 OF THE PLAT OF RIVERSIDE ADDITION TO THE TOWN OF MOUNT VERNON, AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 78, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE ALONG THE NORTH LINE THEREOF SOUTH 88°05'57" EAST 13.00 FEET TO THE NORTHWESTERLY EXTENSION OF THE WEST MARGIN OF SAID RELOCATED SOUTH 3RD STREET RIGHT OF WAY; THENCE ALONG SAID EXTENSION AND MARGIN SOUTH 43°05'57" EAST 30.65 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID MARGIN SOUTH 43°05'57" EAST 7.00 FEET; THENCE AT RIGHT ANGLES NORTH 46°54'03" EAST 2.22 FEET; THENCE AT RIGHT ANGLES NORTH 43°05'57" WEST 7.00 FEET; THENCE AT RIGHT ANGLES SOUTH 46°54'03" WEST 2.22 FEET TO THE POINT OF BEGINNING.

RIGHT OF WAY DEDICATION AREA B:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 3 OF THE PLAT OF RIVERSIDE ADDITION TO THE TOWN OF MOUNT VERNON, AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 78, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE ALONG THE SOUTH LINE THEREOF SOUTH 87°58'46" EAST 9.82 FEET TO THE WEST MARGIN OF SAID RELOCATED SOUTH 3RD STREET RIGHT OF WAY; THENCE ALONG SAID WEST MARGIN NORTH 30°42'23" EAST 13.99 FEET TO A POINT OF CURVATURE, FROM WHICH THE RADIUS POINT BEARS NORTH 59°17'37" WEST A DISTANCE OF 270.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°24'17" AN ARC DISTANCE OF 6.62 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE AND MARGIN THROUGH A CENTRAL ANGLE OF 01°30'19" AN ARC DISTANCE OF 7.09 FEET; THENCE DEPARTING SAID CURVE AND MARGIN SOUTH 61°59'30" EAST 2.00 FEET; THENCE SOUTH 28°32'56" WEST 7.13 FEET; THENCE NORTH 60°56'41" WEST 2.00 FEET TO THE POINT OF BEGINNING.

THIS SUBTERRANEAN RIGHT OF WAY VACATION CONTAINS AN UPPER AND LOWER VERTICAL BOUNDARY. THE LOWER ELEVATION OF THE SUBTERRANEAN RIGHT OF WAY VACATION IS ELEVATION 18.00 FEET (NAVD 88 DATUM) AND THE UPPER ELEVATION OF THE SUBTERRANEAN RIGHT OF WAY VACATION IS ELEVATION 25.00 FEET (NAVD 88 DATUM).

SITUATE IN THE CITY OF MOUNT VERNON, SKAGIT COUNTY, WASHINGTON.

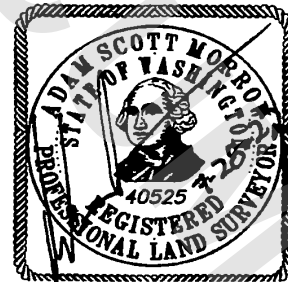
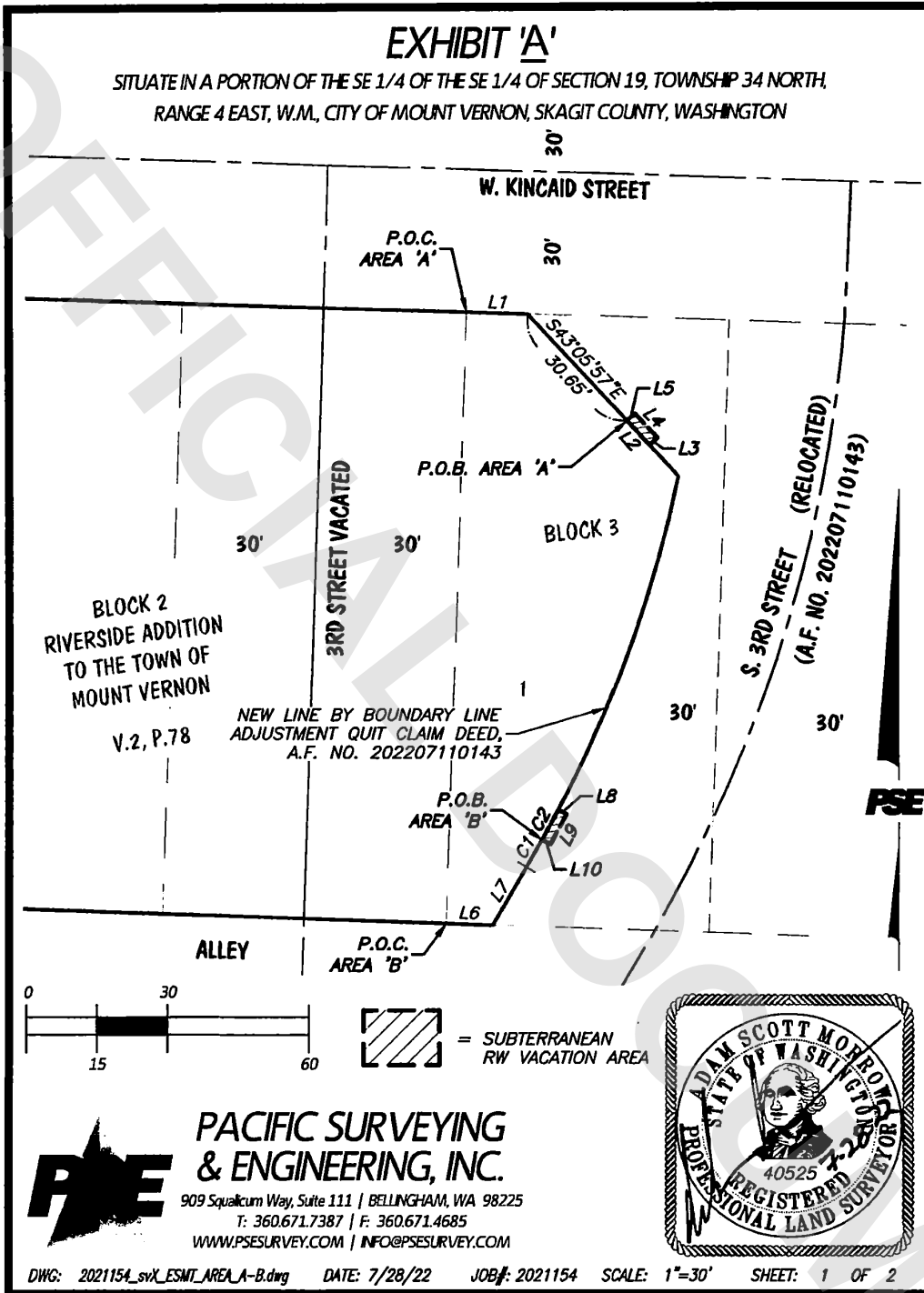


EXHIBIT 'A'

SITUATE IN A PORTION OF THE SE 1/4 OF THE SE 1/4 OF SECTION 19, TOWNSHIP 34 NORTH,
RANGE 4 EAST, W.M., CITY OF MOUNT VERNON, SKAGIT COUNTY, WASHINGTON



PACIFIC SURVEYING & ENGINEERING, INC.

909 Squallcum Way, Suite 111 | BELLINGHAM, WA 98225
T: 360.671.7387 | F: 360.671.4685
WWW.PSESURVEY.COM | INFO@PSESURVEY.COM



EXHIBIT 'A'

LINE TABLE		
LINE	LENGTH	BEARING
L1	13.00	S88°05'57"E
L2	7.00	N43°05'57"W
L3	2.22	S46°54'03"W
L4	7.00	S43°05'57"E
L5	2.22	N46°54'03"E
L6	9.82	S87°58'46"E
L7	13.99	S30°42'23"W
L8	2.00	S61°59'30"E
L9	7.13	S28°32'56"W
L10	2.00	N60°56'41"W

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	270.00'	1°24'17"	6.62'
C2	270.00'	1°30'19"	7.09'



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EXHIBIT B

UNOFFICIAL DOCUMENT



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 land surveying • civil engineering • consulting • environmental
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 Phone 360.671.7387 Facsimile 360.671.4685 Email info@psurvey.com

EXHIBIT 'B'

**LEGAL DESCRIPTION
 MOUNT VERNON LIBRARY
 SUBTERRANEAN AND ABOVE-GRADE RIGHT OF WAY VACATION AREA**

THAT PORTION OF THE PLATTED ALLEY IN BLOCKS 2 AND 3 OF RIVERSIDE ADDITION TO THE TOWN OF MOUNT VERNON, AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 78, RECORDS OF SKAGIT COUNTY, WASHINGTON, PLATTED 3RD STREET BETWEEN BLOCKS 2 AND 3 OF SAID PLAT AND RELOCATED SOUTH 3RD STREET, AS DEEDED TO THE CITY OF MOUNT VERNON FOR PUBLIC RIGHT OF WAY UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 202207110143, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 2 OF SAID RIVERSIDE ADDITION PLAT; THENCE ALONG THE NORTH LINE OF THE ALLEY IN BLOCK 2 SOUTH 88°05'20" EAST 216.03 FEET TO THE SOUTHEAST CORNER OF LOT 4 OF SAID BLOCK 2; THENCE CONTINUING ALONG THE EASTERLY EXTENSION OF SAID NORTH LINE AND WITHIN PLATTED 3RD STREET, SOUTH 88°05'20" EAST 30.09 FEET; THENCE CONTINUING ALONG SAID NORTH LINE SOUTH 87°58'46" EAST 19.13 FEET; THENCE AT RIGHT ANGLES SOUTH 02°01'14" WEST 3.00 FEET; THENCE AT RIGHT ANGLES SOUTH 87°58'46" EAST 22.38 FEET; THENCE PARALLEL WITH THE WEST MARGIN OF SAID RELOCATED SOUTH 3RD STREET NORTH 30°42'23" EAST 4.64 FEET; THENCE AT RIGHT ANGLES NORTH 59°17'37" WEST 3.00 FEET TO A POINT ON SAID WEST MARGIN; THENCE ALONG SAID MARGIN NORTH 30°42'23" EAST 7.23 FEET; THENCE DEPARTING SAID MARGIN AND AT RIGHT ANGLES THERETO SOUTH 59°17'37" EAST 7.00 FEET; THENCE PARALLEL WITH SAID WEST MARGIN SOUTH 30°42'23" WEST 14.24 FEET; THENCE PARALLEL WITH AND 7.00 FEET SOUTHERLY FROM SAID NORTH MARGIN NORTH 87°58'46" WEST 43.87 FEET; THENCE CONTINUING ALONG SAID PARALLEL LINE NORTH 88°05'20" WEST 246.12 FEET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 1, BLOCK 2; THENCE ALONG SAID SOUTHERLY EXTENSION NORTH 01°54'14" EAST 7.00 FEET TO THE POINT OF **BEGINNING**.

THE SUBTERRANEAN RIGHT OF WAY VACATION CONTAINS AN UPPER AND LOWER VERTICAL BOUNDARY. THE LOWER ELEVATION OF THE SUBTERRANEAN RIGHT OF WAY VACATION IS ELEVATION 18.00 FEET (NAVD 88 DATUM) AND THE UPPER ELEVATION OF THE SUBTERRANEAN RIGHT OF WAY VACATION IS ELEVATION 25.00 FEET (NAVD 88 DATUM).

THE ABOVE-GRADE RIGHT OF WAY VACATION INCLUDES THE AIRSPACE ABOVE AN ELEVATION OF 45.00 FEET (NAVD 88 DATUM)

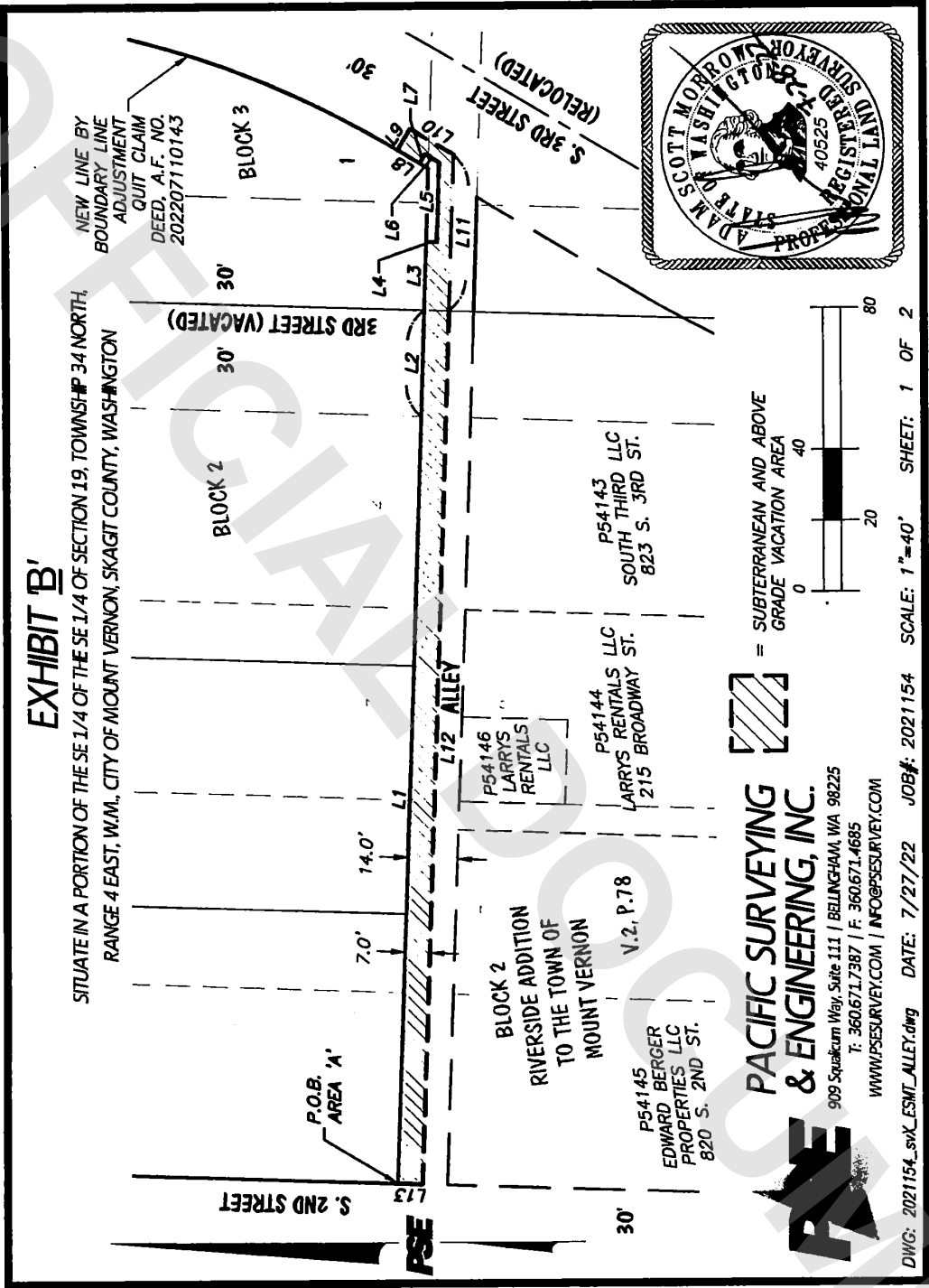


SITUATE IN THE CITY OF MOUNT VERNON, SKAGIT COUNTY, WASHINGTON.

EXHIBIT B'

SITUATE IN A PORTION OF THE SE 1/4 OF THE SE 1/4 OF SECTION 19, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., CITY OF MOUNT VERNON, SKAGIT COUNTY, WASHINGTON

NEW LINE BY
BOUNDARY LINE
ADJUSTMENT
QUIT CLAIM
DEED, A.F. NO.
202207110143



= SUBTERRANEAN AND ABOVE GRADE VACATION AREA

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EXHIBIT 'B'

LINE TABLE	
LINE	BEARING
L1	S88°05'20"E
L2	S88°05'20"E
L3	S87°58'46"E
L4	S02°01'14"W
L5	S87°58'46"E
L6	N30°42'23"E
L7	N59°17'37"W
L8	N30°42'23"E
L9	S59°17'37"E
L10	S30°42'23"W
L11	N87°58'46"W
L12	N88°05'20"W
L13	S01°54'14"W



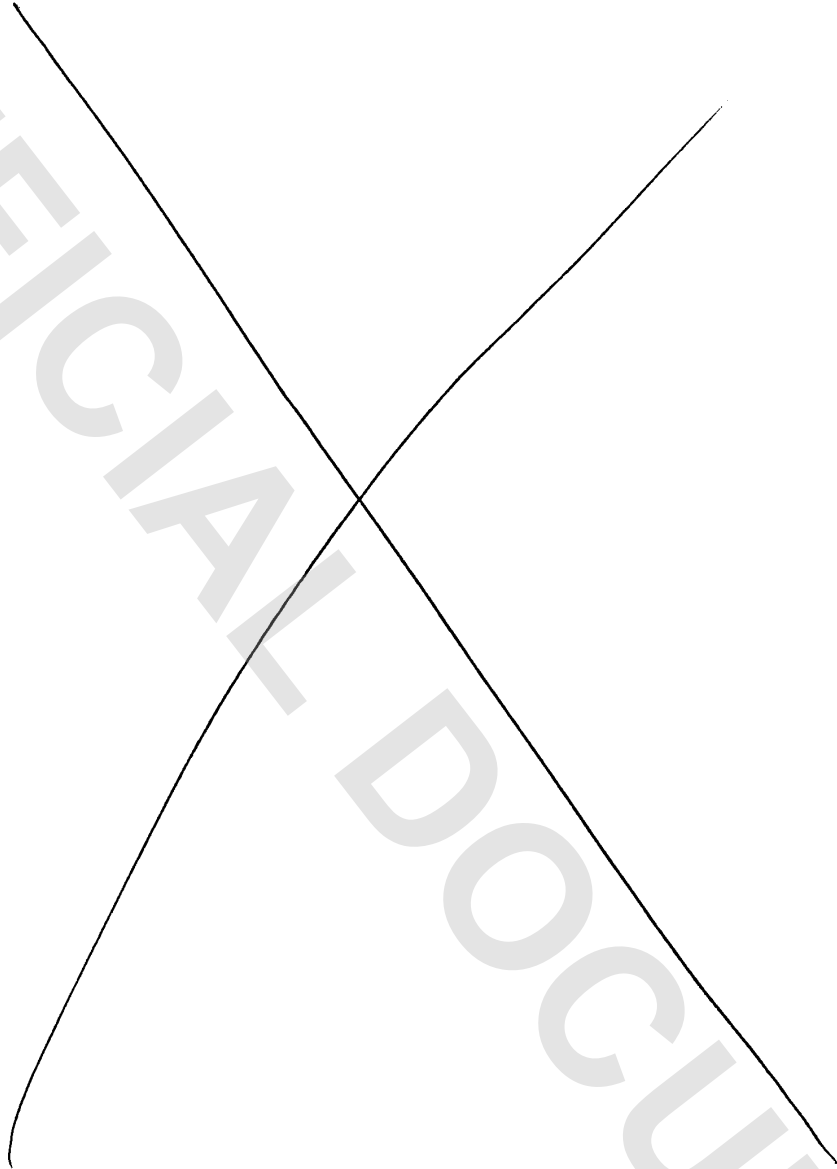
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DWG: 2021154_svx_ESMT_ALLEY.dwg DATE: 7/27/22 JOB#: 2021154 SCALE: N/A SHEET: 2 OF 2

EXHIBIT C





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 land surveying • civil engineering • consulting • environmental
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 Phone 360.671.7387 Facsimile 360.671.4685 Email info@psurvey.com

EXHIBIT 'C'

**LEGAL DESCRIPTION
 MOUNT VERNON LIBRARY
 3RD STREET AND ALLEY FULL RIGHT OF WAY VACATION AREAS**

PLATTED 3RD STREET, LYING BETWEEN BLOCKS 2 AND 3 AND NORTH OF THE ALLEY AS SHOWN ON THE PLAT OF RIVERSIDE ADDITION TO THE TOWN OF MOUNT VERNON, AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 78, RECORDS OF SKAGIT COUNTY, WASHINGTON;

ALSO TOGETHER WITH THAT PORTION OF RELOCATED SOUTH 3RD STREET AS DEEDED TO THE CITY OF MOUNT VERNON FOR PUBLIC RIGHT OF WAY UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 202207110143, AND THE PLATTED ALLEY WITHIN SAID BLOCKS 2 AND 3 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 3, SAID PLAT OF RIVERSIDE ADDITION; THENCE ALONG THE SOUTH LINE THEREOF SOUTH 87°58'46" EAST 9.82 FEET TO THE WEST MARGIN OF SAID RELOCATED SOUTH 3RD STREET RIGHT OF WAY; THENCE ALONG SAID WEST MARGIN NORTH 30°42'23" EAST 2.86 FEET; THENCE DEPARTING SAID WEST MARGIN AND AT RIGHT ANGLES THERETO SOUTH 59°17'37" EAST 3.00 FEET; THENCE PARALLEL WITH SAID WEST MARGIN SOUTH 30°42'23" WEST 4.64 FEET; THENCE PARALLEL WITH SAID SOUTH LINE OF LOT 1 NORTH 87°58'46" WEST 22.38 FEET; THENCE AT RIGHT ANGLES NORTH 02°01'14" EAST 3.00 FEET TO THE WESTERLY EXTENSION OF SAID SOUTH LINE OF LOT 1; THENCE ALONG SAID EXTENSION SOUTH 87°58'46" EAST 10.78 FEET TO THE **POINT OF BEGINNING**.

ALSO TOGETHER WITH THAT PORTION OF RELOCATED SOUTH 3RD STREET ABUTTING W. KINCAID STREET AND DESCRIBED AS FOLLOWS:

THE NORTH 10.00 FEET OF THE EAST HALF OF PLATTED SOUTH 3RD STREET RIGHT OF WAY ABUTTING BLOCK 3 OF THE PLAT OF RIVERSIDE ADDITION TO THE TOWN OF MOUNT VERNON AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 78, RECORDS OF SKAGIT COUNTY, WASHINGTON AND LYING SOUTH OF WEST KINCAID STREET;

TOGETHER WITH THAT PORTION OF THE NORTH 10.00 FEET OF LOT 1 OF SAID BLOCK 3 DESCRIBED AS FOLLOWS:

(RW VACATION DESCRIPTION CONT.)

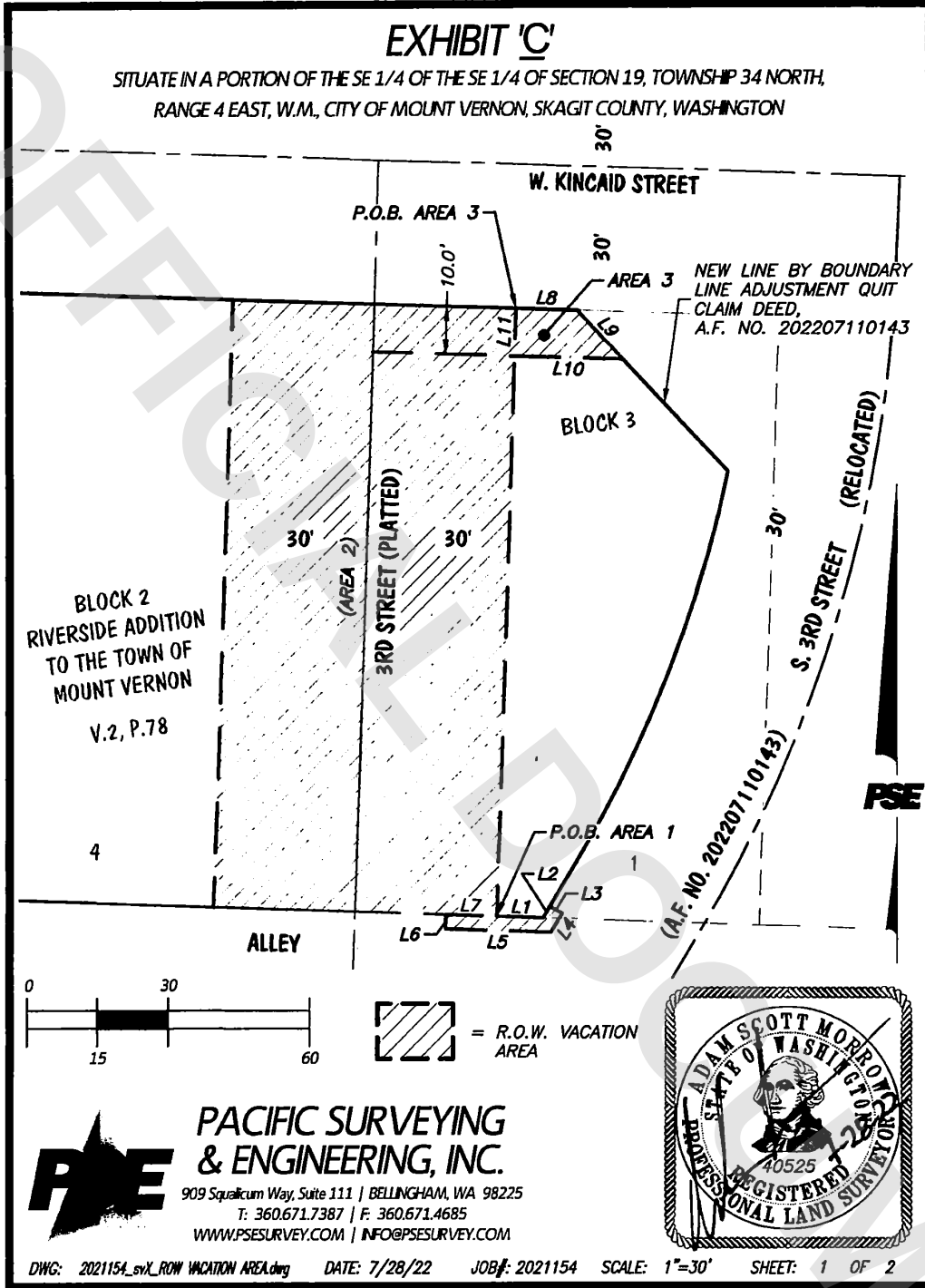
BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE ALONG THE NORTH LINE THEREOF SOUTH 88°05'57" EAST 13.00 FEET; THENCE DEPARTING SAID NORTH LINE AND ALONG THE NORTHWESTERLY EXTENSION OF THE WEST MARGIN OF RELOCATED SOUTH 3RD STREET, AS DEEDED TO THE CITY OF MOUNT VERNON FOR PUBLIC RIGHT OF WAY UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 202207110143, SOUTH 43°05'57" EAST 14.14 FEET; THENCE PARALLEL WITH AND 10.00 FEET SOUTHERLY OF SAID NORTH LINE NORTH 88°05'57" WEST 23.00 FEET TO THE WEST LINE OF SAID LOT 1; THENCE ALONG SAID WEST LINE NORTH 01°54'07" EAST 10.00 FEET TO THE **POINT OF BEGINNING**.

SITUATE IN THE CITY OF MOUNT VERNON, SKAGIT COUNTY, WASHINGTON.



EXHIBIT 'C'

SITUATE IN A PORTION OF THE SE 1/4 OF THE SE 1/4 OF SECTION 19, TOWNSHIP 34 NORTH,
RANGE 4 EAST, W.M., CITY OF MOUNT VERNON, SKAGIT COUNTY, WASHINGTON



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EXHIBIT C'

LINE TABLE		
LINE	LENGTH	BEARING
L1	9.82	S87°58'46"E
L2	2.86	N30°42'23"E
L3	3.00	S59°17'37"E
L4	4.64	S30°42'23"W
L5	22.38	N87°58'46"W
L6	3.00	N02°01'14"E
L7	10.78	S87°58'46"E
L8	13.00	S88°05'57"E
L9	14.14	S43°05'57"E
L10	23.00	N88°05'57"W
L11	10.00	N01°54'07"E



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