

**LANGLEY CITY COUNCIL
RESOLUTION NUMBER 774**

A RESOLUTION OF THE LANGLEY CITY COUNCIL SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER A PARTIAL VACATION OF ANTHERS AVENUE.

WHEREAS, the existing porch on the west side of the building at 230 First Street is on a portion of the city owned right-of-way that constitutes Anthes Avenue, and

WHEREAS, The City of Langley vacated a two to three foot strip of land on the western side of the property at 230 First Street in 2007 because the existing building encroached on the city right-of-way that constitutes Anthes Avenue, and

WHEREAS, The owners of the property at 230 First Street, otherwise known as the Doghouse, have requested that the city vacate the portion of the Anthes Avenue right-of-way beneath the existing porch and an equivalent two to three foot strip of land extended from the northerly terminus of the existing building along the west property line to the northerly terminus of the property, and

WHEREAS, The Anthes Avenue right-of-way provides public access to the shoreline and RCW 35.79.035 establishes limitations on the vacation of right-of-ways that provide public access to the shoreline, and

WHEREAS, The city staff has conducted the analysis required in RCW 35.79.035(2) and determined the city has suitable access to the shoreline and that the limited areas of the Anthes Avenue right-of-way that are requested for vacation are not suitable for use by the city or town for any of the following purposes: Port, boat moorage, launching sites, beach or water access, park, public view, recreation, or education.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Langley, Washington as follows:

Section 1. The City Council will consider whether the area of the Anthes Avenue requested for street vacation is currently being used as a street or alley and whether it is suitable for port, boat moorage, launching sites, beach or water access, park, public view, recreation or education.

Section 2. The City Council will hold a public hearing on September 8, 2015 for the purposes of considering the Anthes Avenue partial street vacation request.

PASSED by the City Council of the City of Langley and **APPROVED** by the Mayor this _____ day of August, 2015.

Fred McCarthy, Mayor

Debbie L. Mahler, Director of Finance/Clerk

APPROVED AS TO FORM:

Jeff Taraday, City Attorney