



MEMORANDUM

To: Mayor McCarthy, Town Council
From: Stan Berryman Public Works Director
Date: June 1, 1015
RE: Resolution Setting a Date For A Public Hearing To Consider The Vacation of a Portion Of McLeod Alley Abutting the Star Store

Gene Felton has been working with Eric Richmond over the past year on preliminary designs to remodel the entrance to the Star Store on Second Street. It was discovered that some of the existing structures are on the McLeod Alley right-of-way. In order to provide room for the improvements, Gene is requesting essentially an equal land exchange with the City (see attachment). This action requires a right-of-way vacation that needs to be approved by the City. The first step in this process is a Resolution setting the date for a Public Hearing (attached). As the vacation will result in a significant improvement of the Star Store with no loss of public right of way, the Staff recommends approval of the Resolution and the Vacation.

LANGLEY CITY COUNCIL
RESOLUTION NUMBER _____

A RESOLUTION OF THE LANGLEY CITY COUNCIL SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE VACATION OF A PORTION OF AN ALLEY ABUTTING THE STAR STORE BETWEEN FIRST STREET AND SECOND STREET IN BLOCK 12 OF THE PLAT OF LANGLEY.

WHEREAS, RCW 35.79.010 authorizes the city council to initiate a street vacation process by passage of a resolution; and

WHEREAS, the existing Star Store improvements are partially located on a publicly dedicated alley between First Street and Second Street in Block 12 of the Plat of Langley; and

WHEREAS, this encroachment into the public right-of-way should be resolved prior to any remodeling of the Star Store improvements; and

WHEREAS, the owners of the Star Store property are interested in providing replacement right-of-way in exchange for the city's vacation of the portion of the alley under the Star Store improvements, essentially shifting the alley right-of-way to the south around the existing improvements; and

WHEREAS, RCW 35.79.010 requires the city council to fix a time by resolution for public hearing on any proposed street vacation; and

WHEREAS, RCW 35.79.010 requires that such hearing occur no less than twenty days and no more than sixty days after the passage of the resolution fixing the hearing date;

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

Section 1. A public hearing on the proposed street vacation shall be scheduled for _____, 2015 at _____ p.m. before the _____.

Section 2. The city clerk shall provide notice of the public hearing as required pursuant to RCW 35.79.020.

PASSED by the City Council of the City of Langley this _____ day of June 2015.

Fred McCarthy, Mayor

Debbie L. Mahler, Director of Finance/Clerk

APPROVED AS TO FORM:

Jeff Taraday, City Attorney

RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT FOR GENE FELTON
CITY OF LANGLEY, WASHINGTON

EXISTING LEGAL DESCRIPTION

PER QUIT CLAIM DEED AEN 43050988.
PARCEL A:
THE WEST HALF OF LOT 11 AND ALL OF LOT 10,
BLOCK 12, PLAT OF LANGLEY, ACCORDING TO THE
PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 15,
AND AS REPLATTED AND RECORDED IN VOLUME 6 OF
PLATS, PAGE 33.

PARCEL B:
LOTS 19, 20, AND 21,
EXCEPT THE WEST 3 FEET OF THE NORTH 49 FEET OF
SAID LOT 21;
AND TOGETHER WITH THE EAST 3 FEET OF THE SOUTH
51 FEET OF LOT 22;
ALL IN BLOCK 12, PLAT OF LANGLEY, ACCORDING TO
THE PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 15,
AND AS REPLATTED AND RECORDED IN VOLUME 6
OF PLATS, PAGE 33.

BASIS OF BEARINGS

THE BEARINGS SHOWN FOR THIS SURVEY ARE BASED UPON
ISLAND COUNTY REPLAT OF LANGLEY RECORDED IN VOLUME 6
OF PLATS, PAGE 33, RECORDS OF ISLAND COUNTY,
WASHINGTON.

LEDGED

MONUMENT IN CASE FOUND AND HELD AS NOTED

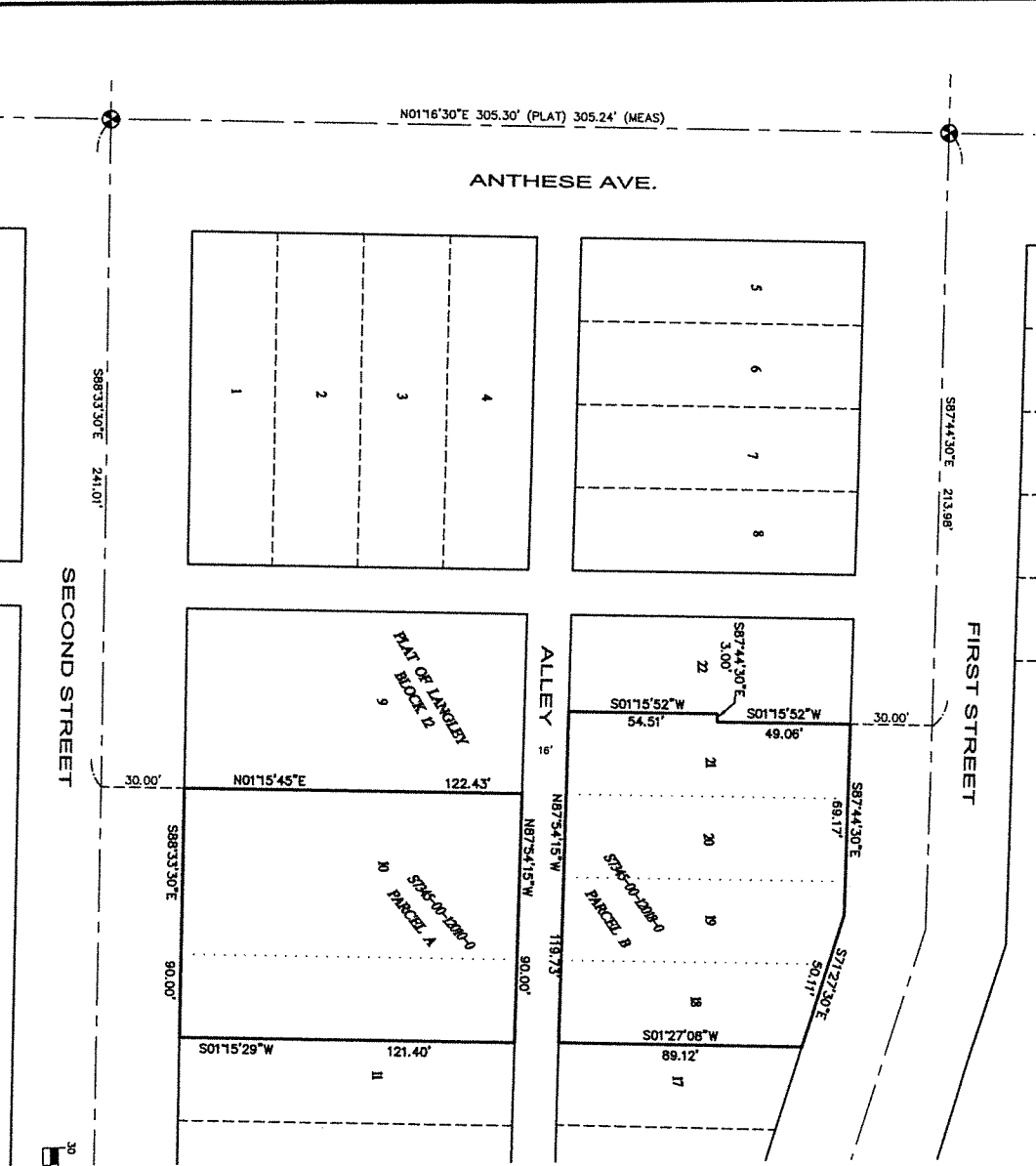
SURVEY REFERENCES

1. PLAT OF LANGLEY, RECORDED IN VOLUME 2 OF PLATS, PAGE 15, RECORDS OF ISLAND COUNTY, WASHINGTON.
2. REPLAT OF LANGLEY, RECORDED IN VOLUME 6 OF PLATS, PAGE 33, RECORDS OF ISLAND COUNTY, WASHINGTON.
3. RECORD OF SURVEY RECORDED UNDER AUDITOR'S FILE NO. 4239537, RECORDS OF ISLAND COUNTY, WASHINGTON.

NOTES

EQUIPMENT USED: LEICA TOTAL STATION 1506 PLUS
METHOD OF SURVEY: FIELD TRAVERSE
PRECISION OF CONTROL TRAVERSE MEETS OR EXCEEDS
MINIMUM STANDARDS REQUIRED BY WAC 332-130-090.

THIS BOUNDARY SURVEY WAS PERFORMED WITHOUT THE BENEFIT
OF A CURRENT TITLE REPORT AND THEREFORE DOES NOT AFFIRM
TO SHOW ALL EASEMENTS AND/OR RESTRICTIONS OF RECORD, IF
ANY.



SURVEYOR'S CERTIFICATE
THIS MAP CORRECTLY REPRESENTS A
SURVEY MADE BY ME OR UNDER MY
DIRECTION IN CONFORMANCE WITH THE
REQUIREMENTS OF THE SURVEY RECORDING
ACT, IN APRIL, 2015 AT THE REQUEST
OF GENE FELTON

JERRY GENE MORRISON REG. NO. 48392
DATE: _____



AUDITOR'S CERTIFICATE
FILED FOR RECORD THIS _____ DAY OF _____
2015 AT _____ M. IN BOOK _____
OF SURVEY'S AT PAGE _____
AT THE REQUEST OF TMI LAND
SURVEYING, INC., UNDER AUDITOR'S FILE
NUMBER _____
COUNTY AUDITOR _____

FOR: GENE FELTON	FILE NO. 8962
SCALE: 1" = 30 FT	F.S. NO. 173, PGS. 29-32
COMPUTED BY: JGM	F.P.S. NO. 174, PGS. 70-72
APPROVED BY: JGM	DATE: 4-29-15
DRAWN BY: CHS/TLF	SURVEYED BY: DG/JWH
PLACE BAR CODE HERE	

**BOUNDARY LINE ADJUSTMENT OF A
PORTION OF THE SW 1/4 OF THE SE 1/4
OF SEC. 34, TWP. 30N., R. 3E., W.M.**
Island County
Washington

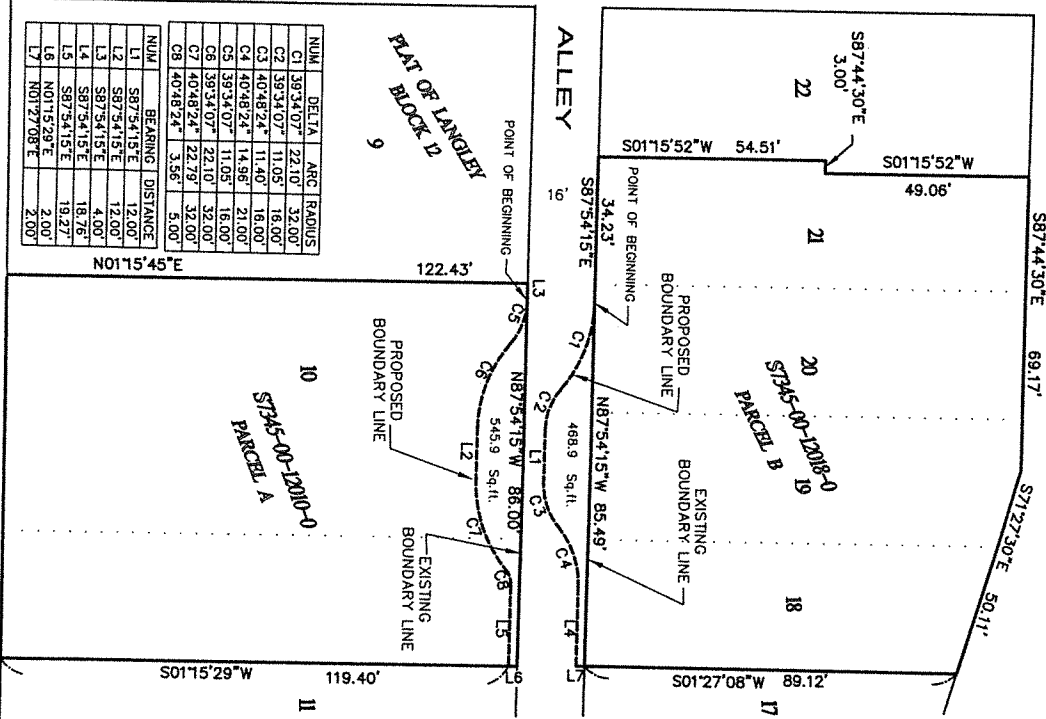
TMI Land Surveying
P.O. Box 1011
5971 Lido Avenue, Suite B
Langley, WA 98026
360-531-7393 Fax 360-531-7394

RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT FOR GENE FELTON

CITY OF LANGLEY, WASHINGTON

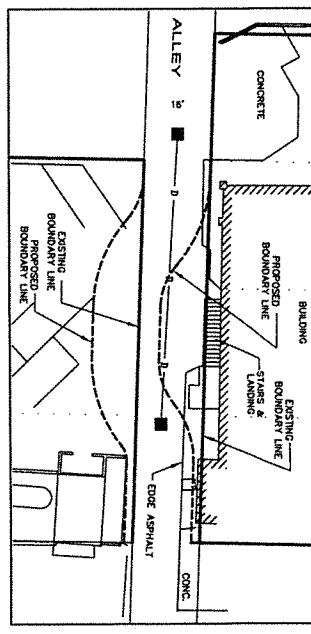
FIRST STREET

DETAIL
SCALE 1"=20'



NUM	DELTA	ARC	RADIUS
C1	39'34'07"	22.10'	32.00'
C2	39'34'07"	11.05'	16.00'
C3	40'48'24"	14.98'	21.00'
C4	40'48'24"	14.98'	21.00'
C5	39'34'07"	22.10'	32.00'
C6	39'34'07"	22.10'	32.00'
C7	40'48'24"	22.79'	32.00'
C8	40'48'24"	3.56'	5.00'

NUM	BEARING	DISTANCE
L1	S87°54'15"E	12.00'
L2	S87°54'15"E	4.00'
L3	S87°54'15"E	18.76'
L4	S87°54'15"E	19.27'
L5	S87°54'15"E	2.00'
L6	N01°15'29"E	2.00'
L7	N01°27'08"E	2.00'

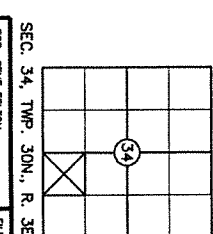


PROPOSED LEGAL DESCRIPTION

PARCEL A:
THE WEST HALF OF LOT 11 AND ALL OF LOT 10, BLOCK 12, PLAT OF LANGLEY, ACCORDING TO THE PLAN RECORDED IN VOLUME 1153 OF PLATS, PAGE 35, AND TOGETHER WITH THE EAST 3 FEET OF THE SOUTH 51 FEET OF LOT 22, ALL IN BLOCK 12, PLAT OF LANGLEY, ACCORDING TO THE PLAN RECORDED IN VOLUME 2 OF PLATS, PAGE 15, AND AS REPLATED AND RECORDED IN VOLUME 6 OF PLATS, PAGE 33.

EXCEPT THAT PORTION AS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 10, BLOCK 12, THENCE SOUTH 87°54'15" EAST, 4.00 FEET TO THE POINT OF BEGINNING, AND BEING THE BEGINNING OF A CURVE TO THE RIGHT WITH A RADIUS OF 16.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39°34'07", AN ARC DISTANCE OF 22.10 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE LEFT WITH A RADIUS OF 32.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°48'24", AN ARC DISTANCE OF 11.05 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE RIGHT WITH A RADIUS OF 3.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40'48'24" EAST, 2.00 FEET TO THE POINT OF BEGINNING.

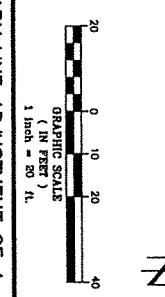
TOGETHER WITH A PORTION OF A 18 FOOT ALLEY, ACCORDING TO SAID PLAT OF LANGLEY AS DESCRIBED AS FOLLOWS: AT THE SOUTHWEST CORNER OF SAID LOT 21, BLOCK 12, THENCE SOUTH 87°54'15" EAST 34.23 FEET TO THE POINT OF BEGINNING AND BEING THE BEGINNING OF A CURVE TO THE RIGHT WITH A RADIUS OF 32.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39°34'07", AN ARC DISTANCE OF 22.10 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE LEFT WITH A RADIUS OF 16.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39°34'07", AN ARC DISTANCE OF 22.10 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE LEFT WITH A RADIUS OF 16.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°48'24", AN ARC DISTANCE OF 11.05 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE LEFT WITH A RADIUS OF 3.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°48'24" EAST, 2.00 FEET TO THE POINT OF BEGINNING.



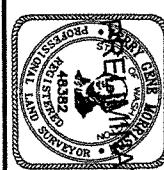
SEC. 34, TWP. 30N., R. 3E., W1M.

FOR: GENE FELTON	FILE NO. 6992
SCALE: 1" = 20 FT.	F.B. NO. 173, PGS. 28-32
COMPUTED BY: JOM	F.B. NO. 173, PGS. 70-72
APPROVED BY: JOM	DATE: 4-29-15
DRAWN BY: CWS/TJS	SURVEYED BY: DLG/JJM

BOUNDARY LINE ADJUSTMENT OF A PORTION OF THE SW 1/4 OF THE SE 1/4 OF SEC. 34, TWP. 30N., R. 3E., W.M., Island County Washington



TTM&DA\Tland\Projects\2015\20150429\Survey\Langley\2015-04-29\11124-14.dwg



PLACE BAR CODE HERE

TMI Land Surveying
P.O. Box 1011
2571 Latta Avenue, Suite B
Island County, WA 98148
360-531-7393 Fax 360-531-7394