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.

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Fred McCarthy, Mayor

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Debbie L. Mahler, Director of Finance/Clerk

APPROVED AS TO FORM:
Jeff Taraday, City Attorney