

AGENDA SHEET FOR COUNCIL MEETING OF: November 22, 2004

RECEIVED
NOV 11 2004



Submitting Dept.
Engineering Services

Contact Person
Sandy Decker

Phone No.
6979 CITY CLERK'S OFFICE
SPOKANE, WA

ADMINISTRATIVE SESSION

- Contract
- Report
- Claims

LEGISLATIVE SESSION

- Emergency Ord
- Resolution
- Final Reading Ord
- First Reading Ord
- Special Consideration
- Hearing

CITY PRIORITY

- Communications
- Economic Development
- Growth Management
- Human Services
- Neighborhoods
- Public Safety
- Quality Service Delivery
- Racial Equity/Cultural Diversity
- Rebuild/Maintain Infrastructure

CLERK'S FILE PRO 96-6
RENEWS _____
CROSS REF Reg 06-9
ENG _____
BID _____
REQUISITION _____

STANDING COMMITTEES

(Date of Notification)
 Finance _____
 Neighborhoods _____
 Planning/Community & Econ Dev _____

Public Safety _____
 Public Works _____

Neighborhood/Commission/Committee Notified: _____
Action Taken: _____

AGENDA WORDING:

Ordinance vacating Stone Street from 29th Avenue south approximately 228 feet and portions of the cul-de-sac in 30th Avenue east of Stone Street (Lincoln Heights Neighborhood Council)

BACKGROUND:

(Attach additional sheet if necessary)

City Council considered the above vacation petition at its legislative session held December 4, 2000. Since that time staff has been working with the proponent to resolve access issues and determine the legal descriptions of parcels to be vacated. The issues have been resolved and the ordinance is ready to read for the first time.

RECOMMENDATION:

That the ordinance be read for the first time

Fiscal Impact	<input type="checkbox"/> N/A	Budget Account:	<input type="checkbox"/> N/A
<input type="checkbox"/> Expenditure: \$	#		
<input type="checkbox"/> Revenue: \$	#		
<input type="checkbox"/> Budget Neutral			

ATTACHMENTS:

Include in Packets: Ordinance

SIGNATURES

Director, Engineering Services

Director, Public Works & Utilities

Finance

Legal

Deputy Mayor

Council President

DISTRIBUTION:

See attached list

Stvac\Stone 1st Reading Agenda.doc

COUNCIL ACTION:

FIRST READING OF THE
ABOVE ORDINANCE WAS HELD ON
November 22, 2004
AND FURTHER ACTION WAS DEFERRED

CITY CLERK

PASSED BY
SPOKANE CITY COUNCIL:
OCT 10 2005

CITY CLERK

C33537
C33537

Distribution List:

Engineering Services (Original Copy)

Traffic Design

Attn: Andy Schenk

Street Department

Attn: Scott Egger

Zoning

Attn: Don Carlson

Water & Hydroelectric Services

Accounting

State Examiner

CCAF

Capital Programs Development

Attn: Katherine Miller

Neighborhood Services



City of Spokane
Department of Engineering Services
808 West Spokane Falls Blvd.
Spokane, WA 99201-3343
(509) 625-6700

ORDINANCE NO. C33537

An ordinance vacating Stone Street from 29th Avenue to approximately 228 feet south and portions of the cul-de-sac on 30th Avenue east of Stone Street as described below.

WHEREAS, a petition for the vacation of Stone Street from 29th Avenue to approximately 228 feet south and portions of the cul-de-sac on 30th Avenue east of Stone Street has been filed with the City Clerk representing 100% of the abutting property owners, and a hearing has been held on this petition before the City Council as provided by RCW 35.79; and

WHEREAS, the City Council has found that the public use, benefit and welfare will best be served by the vacation of said public way; -- NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That Stone Street from 29th Avenue to approximately 228 feet south as described below is hereby vacated. Parcel number not assigned

Parcel of land located in Northeast 1/4 of Section 33, Township 25 North, and Range 43 East and within the ESTATE DEVELOPMENT Plat within the City of Spokane and the State of Washington here in described as follows.

Commencing at the North 1/4 corner of Section 33 then East along the Section line Bearing South 89 degrees 45 Minutes 12 Seconds East for 663.53 feet, then South bearing South 0 Degrees 03 Minute 54 Second West for 30 feet to a point, said point being the northeast corner of Estate Development Plat, the point of beginning, and on the East Right of Way Line of dedicated Stone Street, then south along the East boundary of said plat and R. O. W. along the same bearing for 227.97 feet then North 89 Degrees 45 Minutes 12 Seconds West for 31.24 feet to a point on a non tangent curve which is on the West line of the Stone Street R. O. W., said curve has a radius of 170 feet and radius point bearing North 82 Degrees, 38 Minutes, 15 Seconds West, concave southeast, along said curve for 20.54 feet to the tangent Point, then along the tangent line and still East R. O. W. line of Stone Street bearing North 0 Degrees 3 Minutes 54 Seconds East for 187.59 feet to a Point of Curve said curve being tangent and having a radius of 20 feet and a delta of 89 Degrees, 59 Minutes, 56 Seconds concave northeast, along said curve to Tangent point, then bearing South 89 Degrees 45 Minutes, 12 Seconds East to Point of Beginning. End description.

and portions of the cul-de-sac on 30th Avenue east of Stone Street described as Parcels B & C below is hereby vacated. Parcel number not assigned

Parcel of land located in Northeast 1/4 of Section 33, Township 25 North, and Range 43 East and



within the ESTATE DEVELOPMENT Plat within the City of Spokane and the State of Washington here in described as follows.

Commencing at the north 1/4 corner of Section 33 and using the section line to the east as a basis for bearing, said section line has a bearing of South 89 Deg 45 Min 12 Sec East thence turning 52 Deg 27 Min 00 Sec Right to a bearing of South 37 Deg 47 Min 48 Sec East along said bearing a distance of 666.12 feet to a point which is the centerline, centerline of the intersection of Crestline St. and 30th Ave, Thence southeast bearing South 54 Deg 56 Min 6 Sec East for a distance of 177.25 feet to a point which is the beginning of a curve here after known as point 'A'. (for points B, C, D, and E)

Parcel B

From point 'A', South 35 Deg 3 Min 54 Sec West a distance of 30.00 feet, thence South 54 Deg 56 Min 6 Sec a distance of 44.97 feet to the Point of Beginning said point on a 50.00 foot radius curve non-tangent concave northeasterly, the radius point of which bears North 65 Deg 05 Min 50 Sec East, then along said curve a length of 52.42 feet, thence along a line bearing North 54 Deg 56 Min 06 Sec West a distance of 50.05 feet to the Point of Beginning.

Parcel C

From point 'A', North 35 Deg 03 Min 54 Sec East a distance of 30.00 feet, to the Point of Beginning, said point being on a non-tangent curve with a radius of 160.98 feet, concave northeasterly, the radius point bearing North 35 Deg 03 Min 54 Sec East, then along the curve southeasterly for 23.60 feet to a point on a non-tangent curve with a radius of 50 feet concave southwesterly the radius point bearing South 33 Deg 17 Min 39 Sec East, thence along said curve for 81.79 feet to a point on a non-tangent curve with a radius of 160.98 feet, concave northerly, radius point bearing North 00 Deg 28 Min 01 Sec East thence along said curve 1.13 feet to the intersection with the Plat east boundary, thence southerly bearing South 00 Deg 03 Min 54 Sec West along said boundary for 35.54 feet, thence North 54 Deg 56 Min 06 Sec West for 112.72 feet to the Point of Beginning.

Section 2. An easement is reserved and retained over and through the entire vacated area for the utility services of Avista Utilities, Qwest, Comcast and the City of Spokane to protect existing and future utilities, and no structures or other obstructions shall be erected or placed within the easement area without the prior written approval of the Director of Engineering Services.

Section 3. That this ordinance shall not become effective until the owners of property abutting upon the area to be vacated shall have compensated the City of Spokane in an amount equal to the assessed value of the area herein vacated.



OCT 10 2005

Passed the City Council _____

Tom Harrison
Council President

Attest: Ceri B. Foster
City Clerk

Approved as to Form:

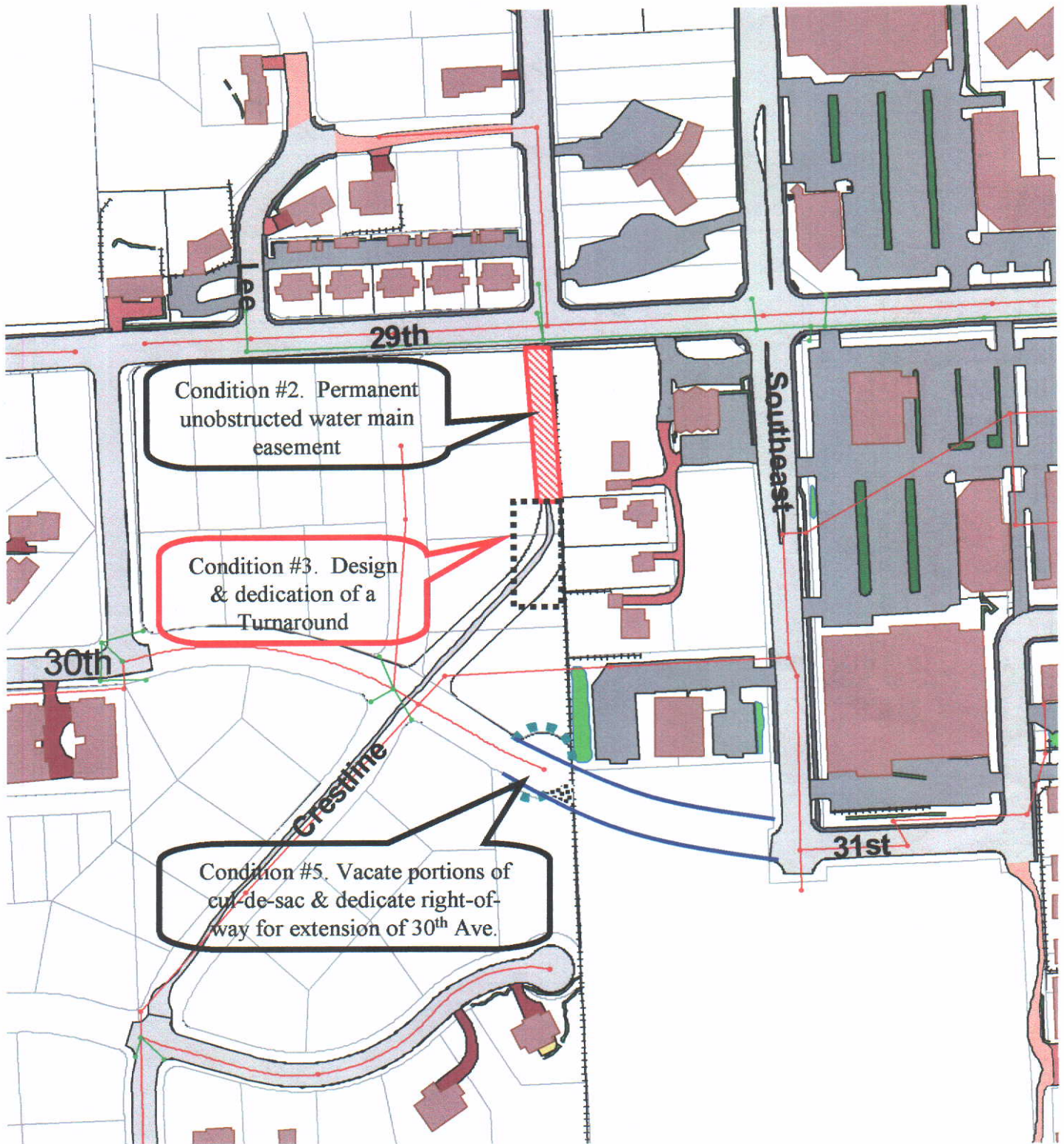
B. Burns
Assistant City Attorney



James E. Wood
Mayor

Date: 10.17.05

11.16.05
EFFECTIVE DATE



VACATION OF STONE STREET SOUTH OF 29TH AVE.

AGENDA SHEET FOR COUNCIL MEETING OF: December 4, 2000



Engineering Services
Submitting Department

Sandy Decker
Contact Person

6979
Phone Ext.

CONSENT AGENDA

- 0 Contract
- 0 Report

LEGISLATIVE SESSION

- 0 Resolution
- 0 Emergency Ordinance
- 0 Final Reading Ordinance
- 0 First Reading Ordinance
- 0 Special Consideration
- 0 Hearing

COUNCIL PRIORITY

- 0 Communications
- 0 Economic Development
- 0 Growth Management
- 0 Human Services
- 0 Neighborhoods
- 0 Public Safety
- 0 Quality Service Delivery
- 0 Racial Equity & Cultural Diversity
- 0 Rebuild & Maintain Infrastructure

RECEIVED

NOV 21 2000

CITY CLERK'S OFFICE
SPOKANE, WA

Clerk's Files: # PRO 96-6

Renews: # _____

Cross Reference: # RES 96-9

ENG/CSD/LID: # 99008

BID: # _____

NEIGHBORHOOD/COMMISSION/COMMITTEE NOTIFIED BY SUBMITTING DEPARTMENT:

Rockwood Neighborhood Council

AGENDA WORDING: Vacation of Stone Street from 29th Avenue to 30th Avenue requested by John Sonneland. (Rockwood Neighborhood Council)

BACKGROUND: At its legislative session held November 6, 2000 the City Council set hearing on the above vacation for December 4, 2000. Since that time, staff has solicited responses from all concerned parties.

RECOMMENDATION: That the vacation be approved subject to the conditions contained in the Director of Engineering Services' Report.

FISCAL IMPACT:

Expenditure - \$	Budget Account:	#
Revenue - \$		#

LIST ATTACHMENTS AS FOLLOWS:

Include in Packets: Map, Report

SIGNATURES OF SUBMITTING OFFICERS

Katy Allen
Director, Engineering Services

Dan Malenka
Assistant City Manager
Public Works & Utilities

Finance

[Signature]
Legal

[Signature]
City Manager

DISTRIBUTION AFTER COUNCIL ACTION:

See Attached List

COUNCIL ACTION:

MONDAY, DECEMBER 4, 2000

During its 6 p.m. Legislative Session held Monday, December 4, 2000, the Spokane City Council unanimously (with Council Member Eugster recused) approved, subject to conditions contained in the Director of Engineering Services' Report dated November 28, 2000, the vacation of Stone Street from 29th to 30th Avenues.

[Signature], City Clerk

PR0916-6



CITY OF SPOKANE
DEPARTMENT OF ENGINEERING SERVICES
808 West Spokane Falls Blvd, Spokane WA 99201-3343
(509) 625-6300 FAX (509) 625-6349

STREET VACATION REPORT
November 28, 2000

LOCATION: Stone Street from 29th Avenue to 30th Avenue
PROPONENT: Dr. John Sonneland
PURPOSE: To consolidate property for the Quail Run Development.
HEARING: December 4, 2000
REPORTS:

AVISTA UTILITIES – No objection, retain easement.

AT&T BROADBAND – No objection, retain easement.

QWEST – No objection, retain easement.

CAPITAL PROGRAMS – No objection.

ENGINEERING SERVICES – No objection, with the following conditions:

1. That the limits of the vacating right-of-way be from the south line of parcel number 35331.0008 to 29th Avenue, approximately 225 feet.
2. Submit to the City of Spokane, Engineering Services, for review and acceptance a design for a turnaround on Stone Street north of 30th Avenue for right-of-way access to parcel numbers 35331.0009, 35331.0010, and 35331.0016. Right-of-way must be deeded to the City.
3. Vacate portions of the cul-de-sac in 30th Avenue and dedicate a portion of Lot 7, Block 4, Estate Development for right-of-way for future extension to Southeast Boulevard.

FIRE DEPARTMENT – No objection, provided emergency vehicle access is maintained to existing and future buildings.

NEIGHBORHOOD SERVICES – No response.

HH
Revised 11/28/00

PARKS DEPARTMENT – No objection.

POLICE DEPARTMENT – No objection.

REAL ESTATE – No objection; however, Stone Street is deeded property and has not been dedicated, therefore should be sold at assessed value.

SOLID WASTE MANAGEMENT – No objection.

TRANSPORTATION DEPARTMENT – No objection, provided the following concerns are met:

1. Parcels east of and adjacent to this proposal must have appropriate deeded access.
2. A re-plat of the existing lots between vacated Crestline Street and Stone Court will be necessary to ensure appropriate access to public streets.
3. Alternative routes for circulation in this neighborhood must be secured prior to this proposed vacation. Completion of the connection between 30th Avenue and Martin Street to 31st Avenue and Southeast Boulevard would be acceptable. This would include dedication of adequate right-of-way as well as completion of paving, curbing and sidewalks.

WASTEWATER MANAGEMENT – No objection, provided a 30-foot wide easement is maintained to access and maintain existing sanitary sewer.

WATER & HYDROELECTRIC SERVICES – No objection, provide a 40-foot wide easement be retained for operation and maintenance of an existing City transmission water main. The easement area shall include the full 30-foot width of vacated Stone Street and an additional 10-foot width of property east of vacated Stone Street. Included in this easement must be language allowing permanent unobstructed access to the water main and assurances that any improvements constructed in the easement that are damaged due to repair or replacement of the water main will be restored by the property owner at the property owner's expense. No improvements may be constructed in the easement without written permission from the Director of Water and Hydroelectric Services.

ZONING – No objection.

BICYCLE ADVISORY BOARD – No objection.

RECOMMENDATION: That the petition be granted and a vacating ordinance be prepared subject to the following conditions:

H1-2

1. That the limits of the vacating right-of-way be from the south line of parcel number 35331.0008 to 29th Avenue, approximately 225 feet.
2. Provide a 40-foot wide easement be retained for operation and maintenance of an existing City transmission water main. The easement area shall include the full 30-foot width of vacated Stone Street and an additional 10-foot width of property east of vacated Stone Street. Included in this easement must be language allowing permanent unobstructed access to the water main and assurances that any improvements constructed in the easement that are damaged due to repair or replacement of the water main will be restored by the property owner at the property owner's expense. No improvements may be constructed in the easement without written permission from the Director of Water and Hydroelectric Services.
3. Submit to City of Spokane, Engineering Services for review and acceptance a design for a turnaround on Stone Street north of 30th Avenue for right-of-way access to parcel numbers 35331.0009, 35331.0010, and 35331.0016. Right-of-way must be deeded to the City.
4. If the vacation is approved, title must be transferred by deed in addition to being declared surplus by the street vacation process.
5. Vacated portions of the cul-de-sac in 30th Avenue and dedicate a portion of Lot 7, Block 4, Estate Development for right-of-way for future extension to Southeast Boulevard.
6. An unobstructed easement as requested by Qwest, Avista Utilities, and AT&T Broadband be retained to protect existing and future utilities.
7. Adequate emergency vehicle access be maintained to existing and future buildings.
8. The proponent pay to the City of Spokane the assessed valuation for the vacated land as defined by the latest information from the County Assessor's Office. This is calculated to be \$32,872.50 and is to be deposited to Budget Account #3200 49199 99999 39510.

H1-3

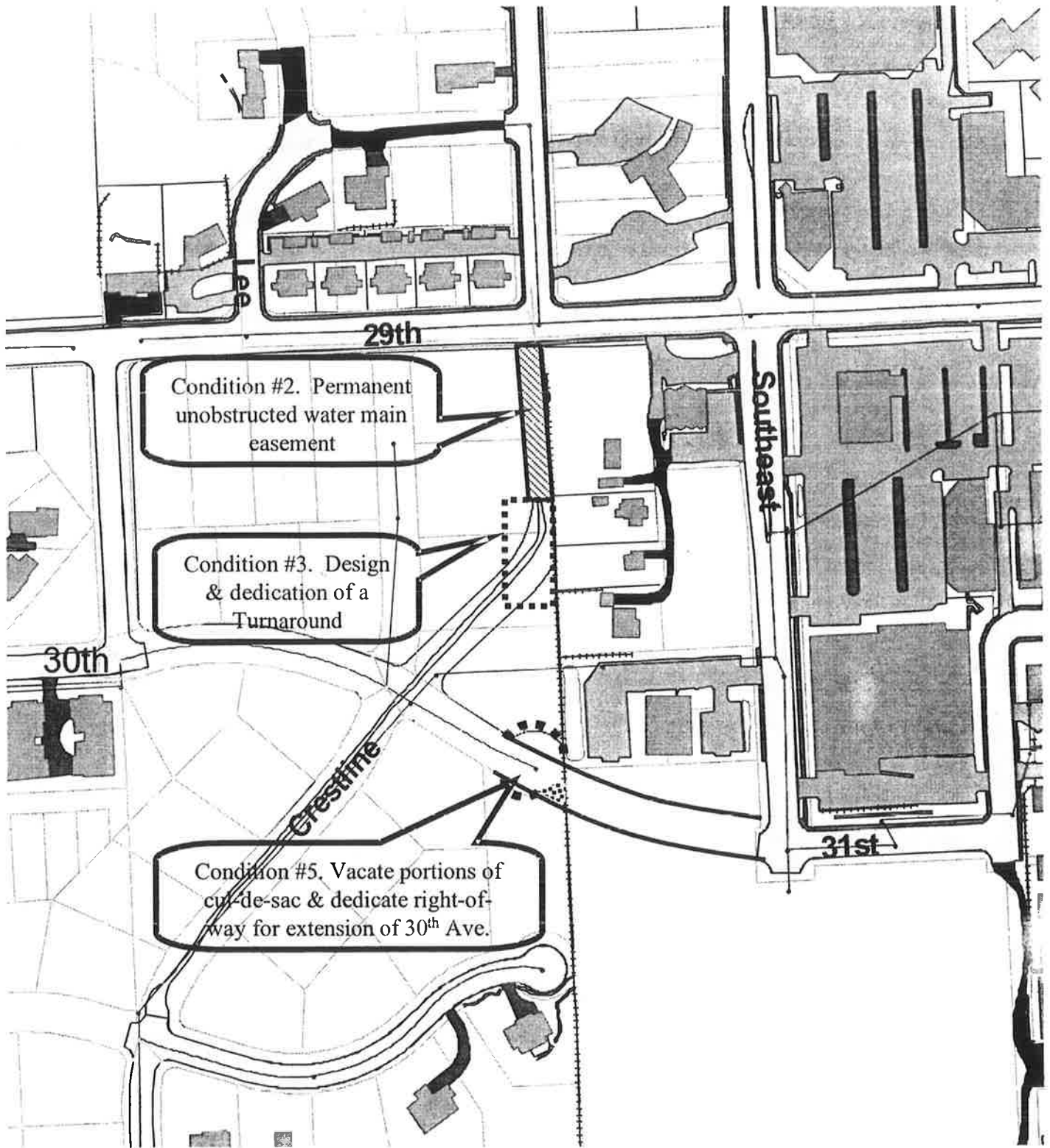
9. That the final reading of the vacation be held in abeyance until all of the above conditions are met and that the above conditions are met by September 30, 2001.

Katy Allen

Katy Allen, P.E.
Director - Engineering Services

\\stvac\Stone updated rpt.doc

1-4



VACATION OF STONE
STREET SOUTH OF 29TH AVE.

AI-5

AGENDA DATUM SHEET FOR COUNCIL MEETING OF: January 22, 1996

- For Action
- For Information

AGENDA CATEGORY RECOMMENDATION

Construction Services Dave Mandyke 6320
 Name of Submitting Department Contact Person Phone Ext.

- Consent Session 0 Accept
- Policy Session 0 Approve
- Hearings Session 0 Receive
- Mayor/Council Reports 0 Deny
- Place on File
- Set Hrg./Review Date for: 2-19-96

COUNCIL COMMITTEES: APPROVAL DISAPPROVAL
 Public Safety N/A

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ITEM CATEGORY
 0 Report

Finance N/A
 Public Works N/A
 Neighborhood X

JAN 11 1996

- Contract 0 Defer/Continue To: _____
- Resolution 0 Pass Ordinance
- Emergency Ord. 0 Adopt
- Final Reading Ord. 0 Council Direction
- First Reading Ord.
- Mayoral Appointments
- Report of City Manager

CITY CLERK'S OFFICE

NEIGHBORHOOD ASSOCIATION NOTIFIED BY SUBMITTING DEPARTMENT: SPokane, WA
 Name of Assn. Lincoln Heights CD Neighborhood
 Assn. Notified YES Assn. Unidentified _____
 Area Manager Tom Reese

Eng./LID # 3761 Bid # Clerk's Files: # PRO 96-6 #

AGENDA WORDING: Resolution setting hearing for the vacation of Stone Street from 29th Avenue to 30th Avenue requested by John Sonneland.

BACKGROUND: (Attach separate sheet if necessary) A petition was submitted representing 100% of the abutting property. Staff requests that City Council set a public hearing on the vacation petition for February 19, 1996.

RECOMMENDATION: That the Resolution be adopted.

FISCAL IMPACT: BUDGET ACCOUNT #:

ATTACHMENTS: [] On file in Office of City Clerk [X] Include in Packets
 (List Attachments)
 Map, Resolution

Signatures of submitting officers (Sign legibly):

COUNCIL ACTION:



[Signature]
 Department Head
[Signature]
 Division Director
 Finance
[Signature]
 Legal
[Signature]
 City Manager

APPROVED & ADOPTED BY
 SPOKANE CITY COUNCIL:
 January 22, 1996
[Signature]
 CMC/LAE - SPOKANE CITY CLERK
 acting

DISTRIBUTION AFTER COUNCIL ACTION:

See Attached List

RESOLUTION

WHEREAS, on January 23, 1995, the Spokane City Council received a petition for the vacation of Stone Street from 29th Avenue to 30th Avenue, in the City of Spokane from owners having an interest in real estate abutting Stone Street from 29th Avenue to 30th Avenue; and

WHEREAS, it was determined that the petition was signed by the owners of more than two-thirds of the property abutting Stone Street from 29th Avenue to 30th Avenue, in the City of Spokane; and

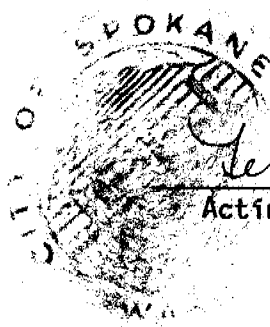
WHEREAS, the City Council desires to set a time and date through this resolution to hold a public hearing on the petition to vacate the above property in the City of Spokane;

NOW, THEREFORE,

The City Council does hereby resolve the following:

That hearing on the petition to vacate Stone Street from 29th Avenue to 30th Avenue, in the City of Spokane will be held in front of the City Council at 6:30 P.M. or as soon thereafter as possible on February 19, 1996, and the City Clerk of the City of Spokane is instructed to proceed with all proper notice according to state law.

ADOPTED by the Spokane City Council, this 22nd day of January, 1996.



Jeri R. Lott
Acting City Clerk

Approved as to form:

[Signature]
Assistant City Attorney