

**CITY OF ROSLYN  
WASHINGTON**

**ORDINANCE NO. 1099**

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**AN ORDINANCE OF THE CITY OF ROSLYN,  
WASHINGTON, VACATING A PORTION OF AN ALLEY  
INCLUDED IN LOT 1, BLOCK 1 OF THE  
NORTHWESTERN IMPROVEMENT COMPANY'S SOUTH  
ADDITION TO ROSLYN**

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**WHEREAS**, on November 12, 2013, the City Council passed AB13-046a purporting to vacate a 20 foot by 140 foot alley between parcel numbers 20-15-17043-0003 (506234) (hereinafter "Parcel 2") and 20-15-17056-0101 (129334) (hereinafter "Parcel 1") of Lot 1, Block 1 of the Northwestern Improvement Company's South Addition to Roslyn; and

**WHEREAS**, procedural irregularities have resulted in some ambiguities regarding the validity of the alley vacation; and

**WHEREAS**, a legal description of the area to be vacated was not included in the Ordinance attached to AB13-046a and the City wishes to clearly specify the area that is subject to vacation by inclusion of a detailed legal description,

**WHEREAS**, on January 14, 2014, following the required public notification, the City Council conducted a public hearing on the matter and at the conclusion of such hearing determined that the aforementioned right-of-way, legally described in Exhibit A attached hereto, should be vacated;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROSLYN, WASHINGTON, HEREBY ORDAIN AS FOLLOWS:**

**Section 1. Findings and Conclusions.** The City Council makes the following findings and conclusions:

An unused twenty-foot by one hundred forty-foot alley is situated on Parcel no. 20-15017043 (506234) of Lot 1, Block 1 of the Northwestern Improvement Company's South Addition to Roslyn. The alley is positioned in between Parcel no. 20-15017043 (506234) and parcel no. 20-15-17056-0101 (129334), both owned by Scott and Jamie Gray. The proposed alley vacation meets the review criteria of RMC 12.30.050 for approval. Therefore, there is no remaining public use or benefit to these portions of right-of-way.

**Section 2. Alley Vacation.** After making the above findings regarding the proposed alley vacation, the City Council finds that the easement for public travel on the northwesterly most twenty (20) by one hundred forty (140) feet of parcel number 20-15-17043-0003 of Lot 1, Block 1

of the Northwestern Improvement Company's South Addition to Roslyn as right-of-way, legally described in Exhibit A and depicted on the map attached as Exhibit B, shall be vacated upon the conditions set forth herein.

**Section 3. Consideration.** The consideration for this vacation is the grant of a temporary easement by the Grays to the City and subsequent boundary line adjustment as more fully described in the Property Transfer Agreement dated October 28, 2013.

**Section 4. 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.

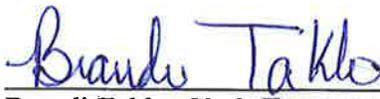
**Section 5. Effective Date.** The City Clerk is hereby directed to record a certified copy of this ordinance with the Kittitas County Assessor. This ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force five days after passage and publication as provided by law.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF  
THE 14th DAY OF JANUARY, 2014.**

CITY OF ROSLYN

  
\_\_\_\_\_  
Lockett Neal, Mayor

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Brandi Taklo, Clerk-Treasurer

Approved as to form:

  
\_\_\_\_\_  
Ann Marie Soto, City Attorney

Attachment: Exhibit A – Legal Description  
Exhibit B – Map

**EXHIBIT A**

**LEGAL DESCRIPTION OF ALLEY VACATION AREA**

**EXHIBIT B**  
**SURVEY MAP**