

RESOLUTION NO. 21-1250

**A RESOLUTION OF THE CITY OF KELSO, WASHINGTON INITIATING THE PROCESS TO VACATE THAT PORTION OF UNDEVELOPED RIGHT OF WAY OF N 10<sup>th</sup> AVENUE, ABUTTING EAST OF 1210 N 7<sup>th</sup> AVENUE (Government Lot 4 (SE1/4 NW1/4) and Government Lot 5 (NE1/4 NW1/4) Section 26, TWN. 8 N., RNG 2 W., W.M)).**

WHEREAS, the City of Kelso ("City") has received a Petition from Larry Wood to purchase a portion of undeveloped property, that portion of right of way of N 10<sup>th</sup> Avenue abutting east of 1210 N 7<sup>th</sup> Avenue to develop multifamily housing; and

WHEREAS, the City has reviewed the petition and the requested right of way and has determined that the right of way is no longer required for street purposes; and

WHEREAS, pursuant to RCW Chapter 35.79 Revised Code of Washington and Chapter 12.16 Kelso Municipal Code the City wishes to set a hearing on the Petition  
WHEREAS, after adopting the resolution initiating the street vacation process, the City Clerk shall fix a time when the petition will be heard;

NOW THEREFORE, be it resolved by the City Council of the City of Kelso, Washington, as follows:

**Section 1.** The City hereby initiates the street vacation procedures set forth in RCW 35.79 and KMC 12.16, pursuant to a Petition received by Larry Wood, to vacate the portion of right of way of N 10<sup>th</sup> Avenue abutting east of 1210 N 7<sup>th</sup> Avenue as shown in Exhibit A.

**Section 2.** The City Clerk is directed to set a public hearing on October 19, 2021 on this Petition for vacation of the portion of right of way of N 10<sup>th</sup> Avenue abutting east of 1210 N 7<sup>th</sup> Avenue as set forth in Section 1. Furthermore, the City Clerk shall publish an official notice of the public hearing date and shall post a notice of the public hearing on this petition to vacate in three of the most public places of the City as required by RCW 35.79.020.

**Section 3.** The Planning Department shall post prominent notices of the public

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hearing and the date of the hearing in close proximity to the portion of the right-of-way subject to the petition which shall be readily observable by the general public in the vicinity. The Planning Department shall also provide written notice to owners of property within 300 feet of the subject right-of-way and distribute them to these owners as required in RCW 35.79.020

**Section 4.** Effective Date. This Resolution shall be in full force and effect immediately upon adoption.

ADOPTED AT A REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF KELSO, WASHINGTON THIS 21<sup>st</sup> DAY OF September, 2021.

CITY OF KELSO

  
\_\_\_\_\_  
Nancy Malone  
Mayor

Approved as to form:

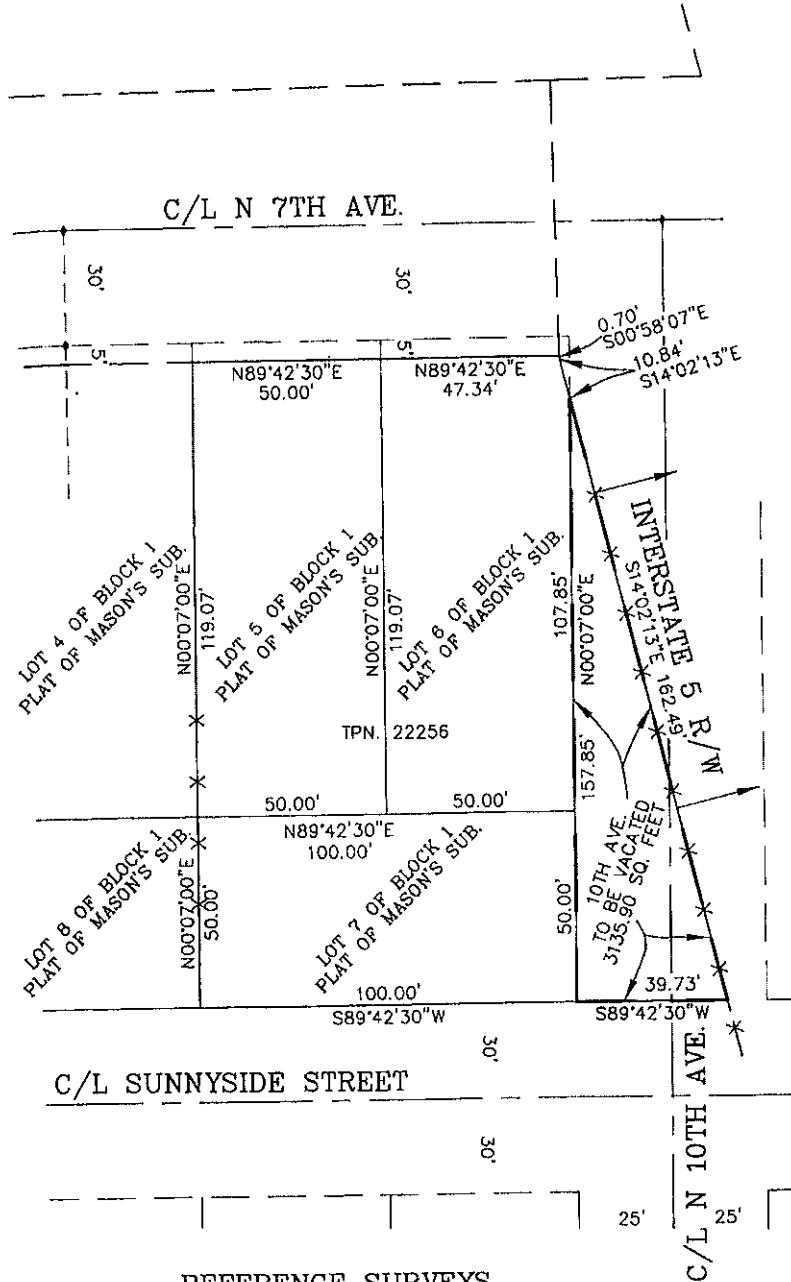
  
\_\_\_\_\_  
City Attorney

Attest:/Authentication:

  
\_\_\_\_\_  
City Clerk

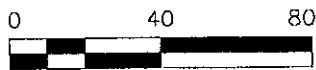
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EXHIBIT MAP FOR ROAD VACATION  
 PART OF THE  
 GOVERNMENT LOT 4 (SE1/4 NW1/4)  
 AND GOVERNMENT LOT 5 (NE1/4 NW1/4)  
 SECTION 26,  
 TWN. 8 N., RNG. 2 W., W.M.  
 COWLITZ COUNTY, WASHINGTON



REFERENCE SURVEYS

- 1) PLAT OF MASON'S SUBDIVISION FILED IN VOL. 7 OF PLATS, PG. 77, BY LS 462
- 2) RIGHT OF WAY PLANS TITLED LONGVIEW WYE INTERCHANGE VICINTY TO ROCKY POINT DATED AUG. 11, 1972 SHEET 9 OF 12 ON FILE AT THE BLUHM ASSOCIATES OFFICE



<b>Bluhm &amp; Associates</b>		1068 S. MARKET BLVD. CHEHALIS, WA 98532	
<b>Land Surveyors, Inc.</b>		PHONE (360) 748-1551	
		FAX (360) 748-6282	
		E-MAIL: kbluhm@surveyservices.com	
DRAWN BY: JF	DATE: 5-1-2020	JOB#	19-507
		COMP	
CHECKED BY:	SCALE: 1" = 40'	SHEET 1 OF 1	

## **10<sup>TH</sup> Avenue Vacation**

That portion of 10<sup>th</sup> Avenue lying between Blocks 1 and 2 of the Plat of Mason's Subdivision filed in Volume 7, Page 77, records of Cowlitz County, Washington, more particularly described as follows:

Beginning at the Southeast Corner of said Block 1; thence N00°07'00"E along the East line of said Block 1 a distance of 157.85 feet to the Westerly margin of Interstate No. 5; thence S14°02'13"E along said margin a distance of 162.49 feet to the Easterly extension of the South line of said Block 1; thence S89°42'30"W a distance of 39.73 feet to the Point of Beginning.