



CITY OF LYNNWOOD

RESOLUTION NO. 2022-07

A RESOLUTION OF THE CITY OF LYNNWOOD, WASHINGTON, SETTING A DATE FOR A HEARING BEFORE THE CITY COUNCIL ON A PETITION TO VACATE A SECTION OF THE 64<sup>th</sup> AVE. WEST RIGHT OF WAY.

WHEREAS, the City has authority to consider the vacation of public right-of-way held by the City, pursuant to Chapter 35.79 RCW and Chapter 12.16 of the City code; and

WHEREAS, 64<sup>th</sup> Ave. West is a public right-of-way located within the City of Lynnwood; and

WHEREAS, the City has received a petition to vacate (the "Petition") a section of the 64<sup>th</sup> Ave. West, legally described on **Exhibit A** attached hereto and incorporated by this reference (the "Subject Right-of-Way"); and

WHEREAS, based on the City's records, it appears that the owners of more than two-thirds of the property abutting the Subject Right-of-Way have signed the Petition; and

WHEREAS, in accordance with RCW 39.79.010 and LMC 12.16.020, the City Council desires to fix a date and time when the Petition will be heard and determined by the City Council, which date is not more than 60 days and not less than 20 days after the passage of this Resolution: now, therefore

THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO RESOLVE AS FOLLOWS:

Section 1. Hearing Set. Pursuant to the requirements of RCW 35.79.010 and LMC 12.16.020, the City Council hereby sets a public hearing on the Petition to vacate the proposed section of the 64<sup>th</sup> Ave. West right-of-way. The hearing shall be held on May 23<sup>rd</sup>, 2022, at 6:00 p.m., or as soon thereafter as the matter may be heard, at the Lynnwood City Council Chambers, 19100 44<sup>th</sup> Ave. W., Lynnwood WA, or virtually via the Zoom link and phone number identified on the City Council website at <https://www.lynnwoodwa.gov/Government/City-Council>. Said date is not more than sixty days nor less than twenty days after the date of passage of this Resolution.

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Section 2. Notice of Hearing. Pursuant to RCW 35.79.020 and LMC 12.16.020 and 12.16.050, at least twenty days before the date of the hearing, written notice of the hearing on the proposed 64<sup>th</sup> Ave. West right-of-way vacation shall be posted in three of the most public places in the City and in a conspicuous place on the segment of 64<sup>th</sup> Ave. West proposed to be vacated.

PASSED BY THE CITY COUNCIL this 25<sup>th</sup> day of April, 2022.

APPROVED:

DocuSigned by:

*Christine Frizzell*

5/2/2022

Christine Frizzell, Mayor

ATTEST/AUTHENTICATED:

DocuSigned by:

*Karen Fitzthum*

Karen Fitzthum, City Clerk