RESOLUTION NUMBER 21-02

A RESOLUTION OF THE BATTLE GROUND CITY COUNCIL SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER A STREET VACATION

WHEREAS, Chapter 35.29 RCW provides a process for the owners of an interest in any real estate abutting upon any street or alley to petition the legislative authority to vacate such street or alley; and

WHEREAS, RCW 35.79.010 provides that upon receipt of such a petition signed by at least two-thirds of the abutting property owners, the legislative authority shall by resolution fix a time when the petition will be heard and determined; and

WHEREAS, SW 2nd Avenue is a dead-end street stub between 201 SW 19th Street and 205 SW 19th Street; and

WHEREAS, The owners of parcels No. 91150416 and 91150414, otherwise known as 201 and 205 SW 19th Street respectively, have filed a petition with the City Clerk requesting the City vacate SW 2nd Avenue; and

WHEREAS, The city staff has conducted the analysis required in RCW 35.79.035(2) and determined SW 2nd Avenue is not suitable for use by the city or town for any of the following purposes: Port, boat moorage, launching sites, beach or water access, park, public view, recreation, or education; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Battle Ground, Washington as follows:

Section 1. The City Council will consider whether SW 2nd Avenue, Battle Ground, Washington as requested for street vacation is currently being used as a street or alley and whether it is suitable for port, boat moorage, launching sites, beach or water access, park, public view, recreation or education.

Section 2. The City Council will hold a public hearing on March 15, 2021 for the purposes of considering the SW 2nd Avenue street vacation request.

Section 3. This resolution shall be effective immediately upon its adoption by City Council.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF BATTLE GROUND IN OPEN MEETING THIS 16st DAY OF FEBRUARY 2021.

Adrian Cortes, Mayor

ATTEST:

Kay Kammer, City Clerk

APPROVED AS TO FORM:

Christine Hayes, City Attorney