



Legislation Details (With Text)

**File #:** 18-5465      **Version:** 1      **Name:** PUBLIC HEARING - REQUEST TO VACATE THREE SECTIONS OF EXCESS UNIMPROVED RIGHT OF WAY ABUTTING PROPERTY OWNED BY COWLITZ COUNTY

**Type:** Agenda Item      **Status:** Passed

**File created:** 5/17/2018      **In control:** City Council

**On agenda:** 5/24/2018      **Final action:** 5/24/2018

**Title:** PUBLIC HEARING - REQUEST TO VACATE THREE SECTIONS OF EXCESS UNIMPROVED RIGHT OF WAY ABUTTING PROPERTY OWNED BY COWLITZ COUNTY

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map of ROW Vacation to County

Date	Ver.	Action By	Action	Result
5/24/2018	1	City Council	approved	Pass

**PUBLIC HEARING - REQUEST TO VACATE THREE SECTIONS OF EXCESS UNIMPROVED RIGHT OF WAY ABUTTING PROPERTY OWNED BY COWLITZ COUNTY**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Preserve and enhance neighborhoods  
Continue effective financial management

**CITY ATTORNEY REVIEW: N/A**

**SUMMARY STATEMENT:**

Cowlitz County, which represents 100% of the abutting property, has submitted a request to vacate three separate sections of unimproved right-of-way lying adjacent to Cowlitz County property located near 7<sup>th</sup> Avenue. This request has been reviewed by appropriate City staff and utility companies and approval would include retaining public utility easements in the proposed vacation areas.

In accordance with state law, Resolution No. 1732 provides for charges to the abutting property owners of up to 100% of the appraised value of the vacated area if the right-of-way has been dedicated for 25 years or more. All three sections of right of way were dedicated over 25 years ago, thereby allowing the City to charge 100% of the appraised value of the vacated area.

In lieu of payment, Cowlitz County has proposed a property trade with the City for the vacated areas. A new parcel containing approximately 1.8 Acres within the Cowlitz County Event Center boundaries will be transferred to the City of Longview, along with utility easements for future development of the new parcel. The County will retain utility easements for existing utilities crossing the new parcel, and provide access to the parcel by dedicating a public street right-of-way for extension of 5<sup>th</sup> Avenue from Washington Street.

**RECOMMENDED ACTION:**

Motion to:

1. Approve the proposed vacation contingent upon transfer to the City of the proposed new parcel and associated easements by Cowlitz County.
2. Direct the City Attorney to prepare the right of way vacation ordinance for adoption after the transfer of property from Cowlitz County.