

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C 2
DATE: July 10, 2008
SUBJECT: Council Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

SUMMARY:

Attached are the minutes of the June 26, 2008 Public Hearing on the Request to Vacate a Portion of Sultan Basin Road as on file in the office of the City Clerk.

RECOMMENDED ACTION:

Approve as submitted

MOTION:

Move to accept the consent agenda as presented.

CITY OF SULTAN COUNCIL MEETING – June 26, 2008

PUBLIC HEARINGS:

The Public Hearing on a request to Vacate a Portion of Sultan Basin Road was called to order by Mayor Eslick.

Councilmembers present: Wiediger, Slawson, Flower, Blair and Doornek, Champeaux and Davenport-Smith.

There were no objections to the Council participation.

Staff: Bob Martin, Community Development Director.

The hearing was opened, however, due to a posting error, no public input will be received and staff will request the hearing be continued to a later date.

Vacation of a public right-of-way is a process controlled by statute (RCW 35.79). Once a petitioner has completed the submittals required by the statute, it is necessary for the Council to hold a public hearing. In a vacation, the petitioner is not purchasing land. The petitioner is purchasing the public right-of-way (the public's right to access across the land) that is a legal encumbrance on the land.

Terra Ex Land Group is requesting vacation of approximately 860 lineal feet of un-used right-of-way of Sultan Basin Road north of its previous intersection with Hwy. 2. Sultan Basin Road has been reconstructed such that its intersection with Hwy. 2 is approximately 600 feet east of its previous intersection. The right-of-way proposed for vacation is no longer used as a public traveled way. The application has been submitted, fees have been received and an appraisal has been submitted. There are several utility easements in the portion of the street to be vacated and no building will be allowed on the easements. The vacation has been requested to allow the property owner to control the property and limit public access. The City will received payment for the vacated portion of the street.

On a motion by Councilmember Flower, seconded by Councilmember Champeaux, the public meeting was continued to July 10, 2008. All ayes.

Carolyn Eslick, Mayor

Laura J. Koenig, City Clerk