

ORDINANCE 1842

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, VACATING A PORTION OF PUBLIC RIGHT-OF-WAY THAT INTERSECTS NW 8TH STREET EAST OF PARCEL 0823089001 AND WEST OF PARCEL 0923089027; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on September 16, 2025, the City Council of the City of North Bend (“City”) initiated a potential vacation of a segment of the public right-of-way (“ROW”) located east of tax parcel number 082308-9001 and west of tax parcel number 092308- 9027; and

WHEREAS, the subject segment of ROW is approximately 22,000 square feet (0.51 acres), long (1,100 feet) and narrow (20 feet wide), as legally described in Exhibit A and depicted in Exhibit B hereto; and

WHEREAS, through passage of Resolution 2164, the City gave notice of the time and place fixed for a public hearing regarding the potential ROW vacation in the manner required by state law and to allow public testimony regarding the ROW vacation; and

WHEREAS, the City further mailed a notice to the owners or reputed owners of all lots, tracts, or parcels of land or other property abutting the portion of the public ROW sought to be vacated, as such owners or reputed owners are shown on the rolls of the County Treasurer; and

WHEREAS, a public hearing was held on the vacation of said ROW on October 21, 2025; and

WHEREAS, the Council finds there are sufficient grounds for the vacation and that said portion of City ROW is not needed for any public purpose, and that vacation thereof would be in the public interest;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Street Vacation and Reservation of Easements: The following described portion of City right-of-way legally described in Exhibit A and depicted in Exhibit B attached hereto is hereby vacated.

Section 2. Consideration for Street Vacation: In consideration for the vacation of the portion of City right-of-way identified in Section 1 of this Ordinance, the John R. Tennant Trust and Victoria T. Bettes shall pay Eighty-Eight Thousand and No/100 Dollars

(\$88,000.00) to the City of North Bend. The vacation authorized by this Ordinance shall not become effective, and the recording of this Ordinance pursuant to Section 3 herein shall not occur, until the City receives payment and the City's bank confirms the funds.

Section 3. Recording With County Auditor: Pursuant to RCW 35.79.030, the City Clerk or her designee is hereby requested to deliver and have recorded with the King County Auditor a certified copy of this ordinance and the quit claim deed after their execution.

Section 4. Mayor Authorized to Administer and Execute Required Transaction Documents: The City Council hereby authorizes the Mayor or Mayor's designee to administer and execute all required transaction documents to legally create the parcel described in Section 1 of this Ordinance and to take all necessary administrative measures.

Section 5. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 6. Effective Date: This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 21ST DAY OF
OCTOBER, 2025.**

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Mary Miller, Mayor

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

Published: October 31, 2025
Effective: November 5, 2025

Susie Oppedal, City Clerk