

CITY OF PULLMAN

Public Works and Planning Departments

325 S.E. Paradise Street, Pullman, WA 99163
(509) 338-3220 or (509) 338-3213 Fax (509) 338-3282
www.pullman-wa.gov

MEMORANDUM TO: Pullman Planning Commission

FROM: Pete Dickinson, Planning Director PD
Jason Radtke, Assistant Planner JR

FOR: Meeting of January 25, 2017

SUBJECT: Proposed Valley Road Right-of-Way Vacation

DATE: January 18, 2017

Staff Report No. 17-2

On December 2, 2016, Itani Rentals, LLC, and L.R. Cornerstone, LLC, submitted to the Pullman Finance Director a petition to vacate real property in order to begin vacation procedures for approximately 1,488 square feet of right-of-way on NE Valley Road adjacent to the northernmost property line at 1235, 1245, and 1255 NE Valley Road (See Attachment A, Petition to Vacate; and Attachment B, Location Map). The property proposed to be vacated is an approximately 12-foot by 124-foot segment of right-of-way. While this property is listed as "County Road" on certain deeds of record, Whitman County has no documentation regarding this right-of-way (See Attachment C, Title Deed indicating subject right-of-way; and Attachment D, Email from Dan Hall to Edward Ranck-Copher). As the subject property is within city limits, this matter is considered to be under city jurisdiction.

According to Zoning Code Subsection 17.20.070(13), when the City receives a request to vacate a public way, the Planning Commission must review the proposal and recommend to the City Council whether said proposal is consistent with the Pullman Comprehensive Plan. The Comprehensive Plan includes several guidelines which should be considered when vacation proposals are submitted for review. The pertinent standards are cited below.

GOAL T1: Provide facilities, access and circulation for all land uses to ensure free and safe movement of people and goods.

Policy T1.1: Promote safe, energy-efficient methods of transportation.

GOAL T2: Maintain and enhance the nonmotorized transportation system consistent with the city's approved pedestrian/bicycle circulation plan.

Policy T2.6: Disallow proposed street vacations unless adequate provision is made to ensure continuity of the pedestrian and/or bicycle network.

The right-of-way intended for vacation is a vestigial portion of an unnamed Whitman County road south of and adjacent to the Valley Road right-of-way. Its abandonment would not affect existing vehicular or pedestrian/bicycle facilities along this street. As such, staff believes it is unnecessary to retain this property for expansion of Valley Road. Given these circumstances, the proposed vacation is acceptable to city staff, as long as a utility easement is furnished by the petitioners to accommodate applicable utility lines.

The Commission is requested to review the proposed vacation of the subject right-of-way and report to the City Council on its consistency with the Comprehensive Plan. Planning staff believes the petitioners' request is in conformance with the provisions of the Comprehensive Plan.

ATTACHMENTS

- "A" Petition to Vacate
- "B" Location Map
- "C" Title Deed indicating subject right-of-way
- "D" Email from Dan Hall to Edward Ranck-Copher, dated 1/11/17

FILED

DEC 02 2016

RECEIVED

DEC - 5 2016

\$200 Fee

Receipt No. 002215-0016

Receipt Date 12/2/16

CITY CLERK'S OFFICE
PULLMAN WASHINGTON

PUBLIC WORKS/PLANNING

PETITION TO VACATE

(A MAP OF THE AREA TO BE VACATED MUST BE ATTACHED TO THIS PETITION)

TO THE CITY COUNCIL OF THE CITY OF PULLMAN, WASHINGTON - ATTN: CITY CLERK:

COMES NOW, the undersigned petitioners and pursuant to RCW 35.79 and 35A.47.020 and City Code Chapter 11.52 respectfully show:

1. The undersigned petitioners request that the following described portion of Valley Road street/alley in the City of Pullman be vacated pursuant to RCW 35A.47.020 and 35.79 (DESCRIPTION OF AREA OF STREET TO BE VACATED): 12ft strip of land located behind 60ft Valley Rd Right-of-Way and in front of 1235, 1245, & 1255 NE Valley Rd (see attached survey)
2. Each of the undersigned petitioners is the owner of an interest in real estate abutting on the above-described area.
3. Two persons or entities own property abutting on said area.
4. The names and addresses of the owners of property abutting on said area are as follows:

<u>NAME</u>	<u>ADDRESS</u>
<u>Itani Rentals, LLC</u>	<u>1515 SW Wadleigh Dr, Pullman WA, 99163</u>
<u>L.R. Cornerstone LLC</u>	<u>252 E. Main St. Pullman, WA 99163</u>

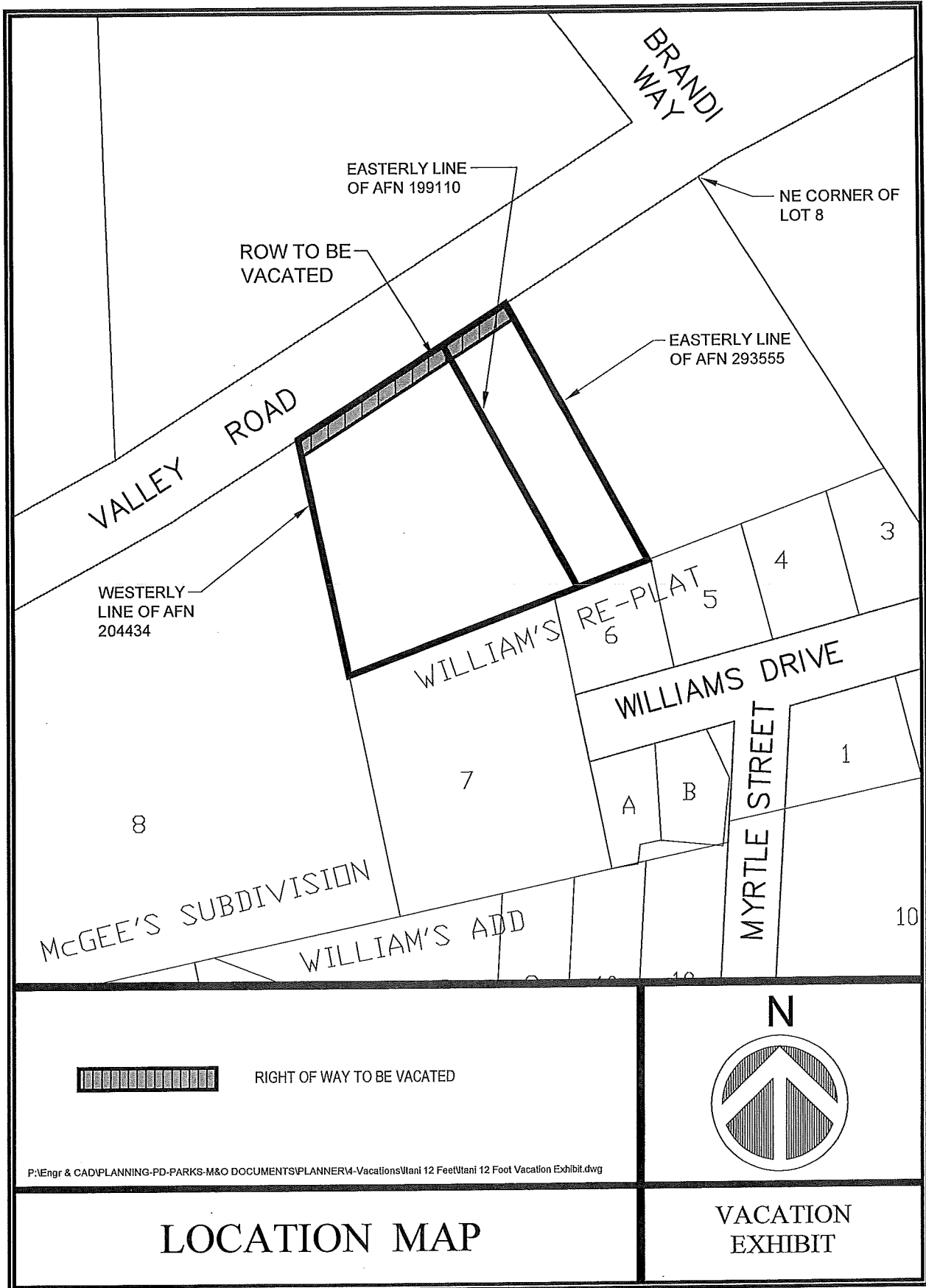
5. Undersigned petitioners are owners of more than two-thirds (2/3) of said abutting property.
6. The petitioners understand that, as a condition to vacation, the City Council may require that the owners of property abutting upon that portion of the street or alley vacated make payment to the City of up to one hundred percent (100%) of the appraised value of the area vacated.

WHEREFORE, petitioners pray as follows:

1. That the City Council adopt a resolution fixing the time and place for public hearing upon this petition for vacation.
2. That upon said public hearing, the City Council adopt an ordinance vacating that portion of the above street or alley sought to be vacated.

<u>NAME</u>	<u>DATE</u>	<u>ADDRESS</u>
<u>JAMIE HAWES, MANAGING MEMBER</u> <u>Jamie Hawes</u> <u>L.R. Cornerstone LLC</u>	<u>12/2/16</u>	<u>252 E. main St Pullman, WA 99163</u>
<u>[Signature]</u>	<u>12/2/2016</u>	<u>5015 SW Wadleigh, Pullman, WA 99163</u>

WARNING: Every person who signs this petition with any other than his true name or knowingly signs more than one of these petitions, or signs a petition when he is not otherwise qualified to sign, or who makes herein any false statements, shall be guilty of a misdemeanor.



Attachment "B"

STEWART TITLE GUARANTY COMPANY

SCHEDULE A

Order No.: 008834

Policy No.: O-9993-2067527

Date of Policy: September 11, 2002 at 1:29 P.M.

Amount of Insurance: \$72,500.00

1. Name of Insured: [REDACTED] a married man as his sole and separate property

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

[REDACTED] a married man as his sole and separate property

4. The land referred to in this policy is:

That portion of Lot 8, McGee's Subdivision of the southeast quarter of Section 32, Township 15 North, Range 45 East, W.M., according to plat thereof recorded in Volume E of Plats, page 36, in Whitman County, Washington, described as follows:

COMMENCING at the northeast corner of said Lot 8, running thence South 59°50'00" West, along the northerly line of said Lot 8, a distance of 169.00 feet to the TRUE POINT OF BEGINNING; thence continuing South 59°50'00" West 55.10 feet; thence South 26°56'00" East 202.00 feet, more or less, to a point on the north line of William's Replat to the City of Pullman, according to plat thereof, recorded in Volume H of Plats, page 59, records of said County; thence North 71°31'00" East, along the north line of said Williams Subdivision, a distance of 61.10 feet; thence North 26°56'00" West 212.00 feet, more or less, to the TRUE POINT OF BEGINNING;

EXCEPT the northerly 12 feet conveyed to Whitman County for county road purposes;

AND EXCEPT that portion described as follows:

COMMENCING at the northeast corner of said Lot 8, McGee's Subdivision; running thence South 59°50'00" West, along the northerly line of said Lot 8, a distance of 224.10 feet; thence South 26°56'00" East 202.00 feet, more or less, to a point on the north line of William's Replat to the City of Pullman, according to plat thereof, recorded in Volume H of Plats, page 59, records of said County, which is the TRUE POINT OF BEGINNING; thence North 71°31'00" East, along the north line of said Williams Subdivision, a distance of 61.10 feet; thence North 26°56'00" West 40.00 feet; thence South 71°31'00" West 61.10 feet; thence South 26°56'00" East 40.00 feet to the TRUE POINT OF BEGINNING.

Attachment "C"

Valley Road
(formerly Co. Rd.)

12' strip for Co. Rd.
is exception to deed.
Verify w/ Title Co. for
ownership. Not verified
this survey.

12' wide strip excepted
in deed (for Co. Rd.)

347.99'
349.00' (deed)

S 57°18'12" W 511.23 (mon. to mon.)

71.80' (deed)
held

52.09'
51.90' (deed)

12.15'

12.02'

S 23°32'22" E
47.63'

S 66°27'38" W
10.00'

S 23°32'22" E
30.00'

S 66°27'38" W
10.00'

RE: W.C.A.M.N.
222062

S 23°32'22" E
96.48'

N 57°18'12" E
50.55'

S 29°32'22" E - 202 ±
183.12'

149.98 house

subject to
final right-
of-way

LEGAL DEED
PARCEL OF
DEED FILED
MICROFILM

10,830 sq. ft.
more or less
(11,430 sq. ft.
more or less
inc. uncertain
southerly strip)

these triangles
quit claimed by a
234651 and 234
W.C.A.M.N. and d.
calc. as a straight
line as it is later
described in Will
Replat.

boundary
uncertain 61.1 ±

LINE IF 200 ±
HELD

10.51'

N 69°25'46" E 419.91'

alc. Williams

S 12°21'22" E
346.09'
(346.8' rec.)

167.40' rec. held

6.19'
alternate
soln's.
exist

N 69°49'09" E
228.47'
calc. deed

AREA OF
REVISIONS

Williams Replat line
Williams Replat alt.
G.C. deed 234652
W.C.A.M.N. line

61.1

90°
held

Spring City Control
7°38'36" E
1027.7 McGee's

142.5' rec. held

Radtke, Jason

From: Radtke, Jason
Sent: Wednesday, January 11, 2017 2:12 PM
To: Ranck-Copher, Edward
Subject: RE: Valley Road

Thanks Edward.

From: Ranck-Copher, Edward
Sent: Wednesday, January 11, 2017 2:12 PM
To: Radtke, Jason
Subject: FW: Valley Road

From: Dan Hall [<mailto:Dan.Hall@co.whitman.wa.us>]
Sent: Wednesday, January 11, 2017 2:05 PM
To: Ranck-Copher, Edward <edward.ranck-copher@pullman-wa.gov>
Subject: Valley Road

To whom it may concern,
Dan Crimmons and Edward Ranck-Copher requested any information Whitman County may have in their records regarding a referenced 12' of County Road right of way adjacent to Valley Road as stated on certain deeds of record. I performed an extensive search through County records and could not find any information on the said 12' of County Road right of way.

Sincerely,
Dan Hall / Right of Way Agent
Whitman County Public Works
509-397-5202

Attachment "D"