

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON  
VACATING AS A PUBLIC THOROUGHFARE A PORTION OF THE  
UNOPENED RIGHT-OF-WAY LOCATED AT 1063 CAPITOL WAY  
SOUTH.**

**WHEREAS**, the Olympia City Council adopted Resolution No. M-1801 on February 4, 2014, setting a public hearing date for April 1, 2014, at 7:00 p.m. to allow public comment for or against vacation of the following described public thoroughfare situated in the City of Olympia, Thurston County, State of Washington, to wit:

The north-south 10-foot alley in Mackay and Burr's Subdivision of Block 81, Sylvester's Plat of Olympia, as recorded in Volume 8 of Plats, Page 34, records of Thurston County, Washington, bounded by Union Avenue on the north and 11<sup>th</sup> Avenue on the south.

**WHEREAS**, the petitioner is requesting that a portion of the north-south 10-foot alley in Mackay and Burr's Subdivision of Block 81, Sylvester's Plat of Olympia be vacated; and

**WHEREAS**, notice of this proposed vacation was posted physically on site, and adjoining neighbors were mailed notice of the hearing; and

**WHEREAS**, a public hearing was held by the City Council of the City of Olympia on said petition on April 1, 2014, at 7:00 p.m. or thereafter in the evening; and

**WHEREAS**, the City has received no comments from utility providers with regard to this vacation; and

**WHEREAS**, the Public Works Department has indicated that the property has no known current or foreseeable future use to the City as a right-of-way; and

**WHEREAS**, this vacation is deemed to be in the public interest and serve the public welfare;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1.** As recommended by the City of Olympia Public Works Department and as requested by the owner of the abutting parcels, the Olympia City Council, pursuant to RCW 35.79.010, hereby vacates as a public thoroughfare the herein above described property.

**Section 2.** The vacation meets the criteria set forth in OMC 12.16.100.

**Section 3.** This Ordinance shall not become effective until the owners of the abutting property pay to the City of Olympia the amount required under OMC 12.16.030, .080, .090 and RCW 35.79.030 for the area so vacated. Failure of the abutting property owners to remit this amount within ninety (90) days of the passage of this Ordinance shall automatically void the petition and

this Ordinance without it being brought back before the City Council. The City Clerk/Treasurer shall certify on the face of this Ordinance whether or not the payment is received within the time limit referred to above.

**Section 4.** I, Jane Ragland Kirkemo, City Clerk/Treasurer, hereby certify that an amount equal to one-half of the appraised value of property above vacated was \_\_\_ was not \_\_\_ received within the time referred to above.

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM:**

Darren Pienaber Dct  
CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**