

Ordinance No. _____

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON
VACATING AS A PUBLIC THOROUGHFARE THE EAST-WEST
ALLEY RIGHT-OF-WAY LOCATED IN BLOCK 4 OF CHURCH'S
SUBDIVISION.**

WHEREAS, the Olympia City Council adopted Resolution No. M-1882 on June 20, 2017, setting a public hearing date for July 25, 2017, 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 east-west, 20 foot wide, alley in Block 4 of Church's Subdivision, Block 26, Ayers Addition to Olympia as recorded in Volume 4 of Plats, Page 21, Thurston County, Washington.

WHEREAS, the petitioner is requesting that the east-west alley in Block 4, of Church's Subdivision 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 July 25, 2017, at 7:00 p.m. or thereafter in the evening; and

WHEREAS, the City has received no comments objecting to the vacation 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 an amount equal to one-half the appraised value as 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, _____, 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 Nienaber DCA

CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: