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THE HONORABLE ERIK D. PRICE

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THURSTON COUNTY

RUTH MILROY, an individual Plaintiff, v. CITY OF OLYMPIA, a municipal corporation, Defendant.

NO. 13-2-01755-2
STIPULATED JUDGMENT VACATING
STREET AND ALLEYWAY AND
QUIETING TITLE

THIS MATTER comes before this Court on Plaintiff Ruth Milroy’s Complaint to Vacate Street and to Quite Title, and this Stipulated Judgment.

The parties, Plaintiff Ruth Milroy, an individual, and the City of Olympia, a municipal corporation in the State of Washington, by and through their respective undersigned counsel, hereby stipulate and agree that that the portion of the street and alleys described below adjoining Plaintiff’s property and part of the Plat of Wilson’s Addition to Olympia, as represented and described on the attached Exhibit A are and have been vacated by operation of law, and further stipulate to entry of the following order and judgment.

1 **ORDER AND JUDGMENT**

2 The Court, having considered the above stipulation, and being otherwise fully advised in
3 the premises, HEREBY FINDS, ORDERS, ADJUDGES, AND DECREES as follows:

4 1. The unopened road and alley consisting of the adjoining portion of McClellan
5 Street on the north and the north one-half of the platted alley on the south are and have been
6 vacated by operation of law pursuant to the LAWS OF 1889-1890, Section 32, chapter 19, which
7 provides that “[a]ny county road, or part thereof, which has heretofore been, or may hereafter be
8 authorized, which remains unopened for public use for the space of five years after the order is
9 made or authority granted for opening the same, shall be, and the same is hereby vacated, and the
10 authority of building the same barred by lapse of time.”

11 2. Plaintiff Ruth Milroy is the owner of Lot 4 in Block 1 of Wilson’s Addition to
12 Olympia, according to the plat thereof recorded in Volume 3 of Plats, Page 37, situated in the
13 City of Olympia, County of Thurston, State of Washington, and identified by Thurston County
14 Tax Parcel Number 84100100400, which property abuts the following described vacated street
15 and alleyway. The unopened and vacated McClellan Street represents the north perimeter of
16 Wilson’s Addition to Olympia, located entirely within the plat thereof.

17 3. The following described property is hereby DECLARED VACATED:

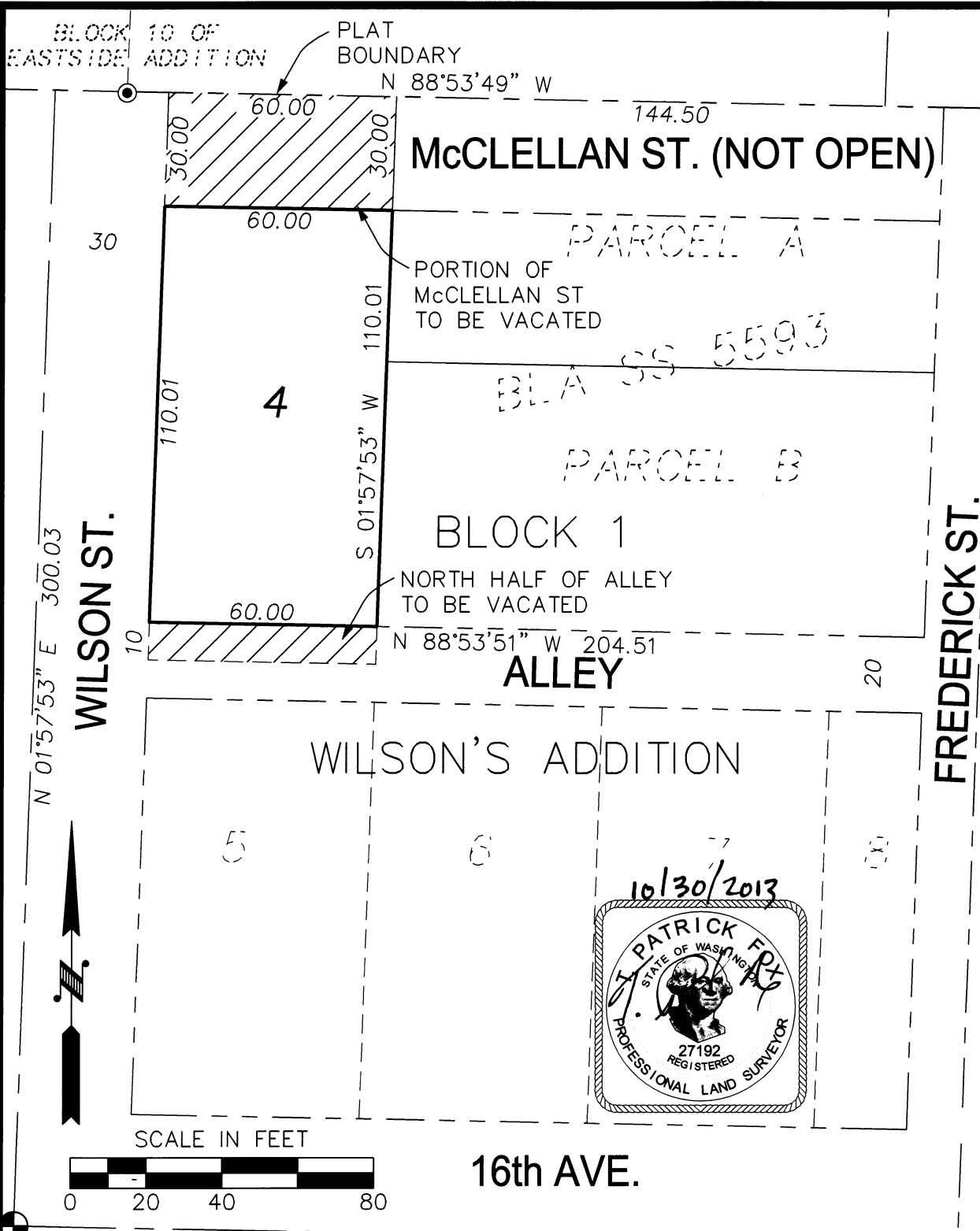
18 Those portions of McClellan Street and of the north half of the
19 alley abutting Lot 4 in Block 1 of Wilson’s Addition to the City of
20 Olympia according to the plat thereof recorded in Volume 3 of
Plats, Page 37, records of Thurston County, Washington.

21 The City of Olympia has no title claim to previously platted property vacated by the Order and
22 Judgment. Title to the above referenced vacated street and alleyway is hereby vested by
23 operation of law, in accordance with the laws of the state of Washington.

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EXHIBIT A



**WILSON'S ADDITION
R/W VACATION**

JOB NO. 07497	PAGE 2
DATE 10/28/2013	OF 2

WILSON'S ADDITION RIGHT-OF-WAY VACATION

LEGAL DESCRIPTION

Those portions of McClellan Street and of the north half of the alley abutting Lot 4 in Block 1 of Wilson's Addition to the City of Olympia according to the plat thereof recorded in Volume 3 of Plats, Page 37, records of Thurston County Washington.



10/30/2013