

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A RIGHT-OF-WAY USE AGREEMENT BETWEEN THE CITY OF OLYMPIA AND SEA LEVEL COFFEE, SPC (DOING BUSINESS AS OLYMPIA COFFEE ROASTING CO.) FOR 600 4TH AVE E

WHEREAS, there exists within the City of Olympia certain publicly owned right-of-way located at 600 4th Ave E, where Sea Level Coffee, SPC (doing business as Olympia Coffee Roasting Co.) (“OCR”) operates a coffee roaster and coffee shop/cafe. OCR leases premises at that location pursuant to a premises lease agreement (“premises lease”) between OCR, as tenant, and KBJ Investments as landlord; and

WHEREAS, the City has determined that use of the right-of-way adjacent to OCR’s leased premises for outdoor cafe seating purposes is consistent with proper permitted use of said right-of-way; and

WHEREAS, by a right-of-way use agreement between the City and OCR, the City will permit all of OCR’s use of City right-of-way, so OCR will not be required to obtain or pay for a separate pedestrian interference permit;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE as follows:

1. The Olympia City Council hereby approves the form of the Right-of-Way Use Agreement between the City of Olympia and Sea Level Coffee, SPC (doing business as Olympia Coffee Roasting Co.) for use of 600 4th Ave E and the terms and conditions contained therein.
2. The City Manager is authorized and directed to execute on behalf of the City of Olympia the Right-of-Way Use Agreement, and any other documents necessary to execute said Agreement, and to make any amendments or minor modifications as may be required and are consistent with the intent of the Agreement, or to correct any scrivener’s errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2023.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Michael M. Young

DEPUTY CITY ATTORNEY