

Ordinance No. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, ACCEPTING A GIFT AND DONATION OF AN INTEREST IN REAL PROPERTY FOR PUBLIC RIGHT-OF-WAY WITHOUT TERMS OR CONDITIONS.**

**WHEREAS**, Drebeck Investments, LLC, donor and title owner of certain real property located in the City of Olympia, has offered to donate, gift and convey a right-of-way dedication of a portion of its real property to the City of Olympia without any terms or conditions; and

**WHEREAS**, the donor agrees to grant and convey a deed dedicating a portion of its real property to the City of Olympia for a public highway right-of-way easement, to be used for all lawful right-of-way purposes, surface and subsurface, including but not limited to right-of-way uses as well as sidewalks, plantings, right-of-way beautification improvements where deemed appropriate by the City of Olympia, including but not limited to installation, operation and maintenance of utilities, storm water and such other uses that municipalities may make of rights-of-way from time to time, now or in the future, for the use and benefit of the public, over, under, upon and across said right-of-way dedication; and

**WHEREAS**, the real property of Drebeck Investments, LLC, is situated in the City of Olympia, Thurston County, State of Washington, and the donor's right-of-way dedication is legally described as follows:

*A twenty (20) foot right-of-way dedication previously vacated by Ordinance No. 138, being the north twenty feet of Lots 1-4, Block 7, Swan's Addition, as recorded in Thurston County Records, Volume 1 of Plats at Page 37.*

**WHEREAS**, the Olympia City Council has considered the recommendation of the Public Works Department (PW), to accept the donation from Drebeck Investments, LLC, of a portion of its real property for a public highway right-of-way easement to be used for all lawful right-of-way purposes; and

**WHEREAS**, the Olympia City Council finds this gift and donation of an interest in real property owned by Drebeck Investments, LLC, for a public right-of-way easement for all lawful right-of-way purposes is in the public interest and serves the public welfare;

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

**Section 1. Acceptance of Donation.** As recommended by the Public Works Department (PW), the Olympia City Council, pursuant to RCW 35.21.100, hereby accepts the gift and donation of an interest in real property from Drebeck Investments, LLC, for a public right-of-way easement, as hereinabove legally described.

**Section 2. Terms and Conditions.** The gift and donation is without terms or conditions attached to it, and the City of Olympia may expend or use said gift and donation for any municipal purpose as stated in RCW 35.21.100.

**Section 3. Conveyance.** The donor, Drebeck Investments, LLC, shall convey said gift and donation of an interest in real property for a public right-of-way easement to the City of Olympia by a quit claim right-of-way dedication deed without any statutory warranties. Said gift and donation shall not be deemed complete until the deed is recorded with the Thurston County Auditor.

**Section 4. Authorization.** The City Manager is authorized and directed to execute on behalf of the City of Olympia all necessary documents consistent with acceptance of the donation of the interest in real property for a public right-of-way easement described herein, and to make any minor modifications as may be required and are consistent with the intent of the donation, or to correct any scrivener's errors.

**Section 5. Effective Date.** The effective date of this Ordinance shall be thirty (30) days after publication, as provided by law.

---

MAYOR

**ATTEST:**

---

CITY CLERK

**APPROVED AS TO FORM:**

A handwritten signature in blue ink, appearing to read "Mark Barber", is written over a horizontal line.

CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**