

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON VACATING AS A PUBLIC THOROUGHFARE A PORTION OF THE EAST-WEST RIGHT-OF-WAY PERPENDICULAR TO KAISER ROAD SW.

WHEREAS, the Olympia City Council adopted Resolution No. M-1901 on September 19, 2017, setting a public hearing date for October 17, 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 20-foot wide street lying to the North of Block 3 in Pacific Addition to City of Olympia as recorded in Volume 4 of Plats at Page 25, records of Thurston County, Washington, extended East to a point of intersection with the East line of Lot 2, Block 1, of said Plat extended.

WHEREAS, the petitioner is requesting that a 20-foot wide unopened right-of-way remnant lying to the North of Block 3 in Pacific Addition to City 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 October 17, 2017, at 7:00 p.m. or thereafter in the evening; and

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

WHEREAS, the City has learned that the unopened right-of-way terminated by operation of law in 1895 when the plat was located in Thurston County; and

WHEREAS, the property at issue was not annexed into the City until 2007; and

WHEREAS, the City never acquired any right-of-way interest in said property by operation of law; and

WHEREAS, the unopened right-of-way remnant serves only to be a cloud on title for the Petitioners; 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 and will clear a cloud on Petitioners' title;

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 an alleged public right-of-way for the herein above-described property, which appears in public records.

Section 2. The purpose of said vacation is to correct and clarify public records relating to title ownership, and there shall be no further compensation paid for said vacation.

Section 3. The vacation meets the criteria set forth in OMC 12.16.100.

Section 4. This Ordinance shall take effect thirty (30) days after passage and publication, as required by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: