

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON VACATING AS A PUBLIC THOROUGHFARE A PORTION OF THE NORTH-SOUTH ALLEY RIGHT-OF-WAY LOCATED AT 1919 HARRISON AVE NW.

WHEREAS, the Olympia City Council adopted Resolution No. M.1818 on May 5, 2015, setting a public hearing date for June 16, 2015, 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:

That part of Block 37, Woodruff Addition to the City of Olympia, as recorded in Volume 3 of Plats, Page 40, lying within a strip of land 12.00 feet in width, the centerline of which is described as follows:

Commencing at the Southeast corner of Lot 5 of said Block 37, Thence South $86^{\circ}49'32''$ East along the easterly extension of the south line of said Lot 5, a distance of 6.00 feet to the True Point of Beginning, said point being the beginning of a non-tangent curve to the left, the radius point of which bears North $86^{\circ}53'09''$ West 31.52 feet; Thence Northerly along said curve through a central angle of $40^{\circ}11'57''$, an arc length of 22.12 feet to the beginning of a tangent curve to the right having a radius of 31.52 feet; Thence northerly along said curve through a central angle of $40^{\circ}11'57''$, an arc length of 22.11 feet; Thence North $03^{\circ}06'51''$ East 109.23 feet to the beginning of a tangent curve to the right, having a radius of 21.00 feet; Thence Northeasterly along said curve through a central angle of $73^{\circ}25'22''$, an arc length of 26.91 feet to the beginning of a tangent curve to the left having a radius of 41.00 feet; Thence Northeasterly along said curve through a central angle of $73^{\circ}25'22''$, an arc length of 52.54 feet; Thence North $03^{\circ}06'51''$ East 40.42 feet to the Southerly Right-of-Way line of Harrison Avenue, and the Terminus of this described centerline.

The sidelines of said strip shall be prolonged and shortened to terminate at said Southerly Right-of-Way line.

WHEREAS, the petitioner is requesting that a portion of the north-south alley in Block 37, Woodruff Addition to the 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 June 16, 2015, at 7:00 p.m. or thereafter in the evening; and

WHEREAS, the City has received no comments 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 dedicate to the City of Olympia a north-south alley right-of-way in lieu of payment 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 dedicate 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 dedication is received within the time limit referred to above.

Section 4. I, Jane Ragland Kirkemo, City Clerk/Treasurer, hereby certify that the owners of the abutting property have ____ have not ____ dedicated to the City of Olympia a north-south alley right-of-way in lieu of payment required under OMC 12.16.030 within the time referred to above.

(Initials)

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Darre Niehaber DCA
CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: