

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING
THE RELEASE OF RIGHTS TO AN ABANDONED UTILITY EASEMENT.**

WHEREAS, Drebeck Investments, LLC, is owner of Lots 3,4,5 and 6, of Block 7, Swan's Addition, as recorded in Thurston County Records, Volume 1 of Plats at Page 37, and said owner has requested the City release its rights to the City's abandoned utility easement running east-west between Lots 3,4,5, and 6 under its commercial building, as shown on Exhibit A attached hereto; and

WHEREAS, historical review of the City's records reveals that a building was constructed in 1942 upon Block 7, Swan's Addition, Vol. 1 of Plats at Page 37, and the City's utility easement under said building was abandoned at that time and has never been used, nor will it ever be used in the future; and

WHEREAS, the City's unused and abandoned easement only serves to be an encumbrance in the owner's chain of title to the aforesaid real property; and

WHEREAS, the City's rights to the abandoned easement were not released at the time the building on Block 7, Swan's Addition, was constructed in 1942 which is the typical practice; and

WHEREAS, the City's release of the abandoned utility easement will clear the owner's land title; and

WHEREAS, staff recommends releasing the abandoned utility easement upon payment of \$1,000 by the owner for staff time in processing the release request;

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

1. The Olympia City Council hereby approves release of the City's rights to the abandoned City Utility Easement crossing Lots 3,4,5 and 6 of Block 7, Swan's Addition, Vol. 1, of Plats at Page 37, records of Thurston County, Washington, as shown on Exhibit A attached hereto.
2. The City Manager or his designee is authorized and directed to execute on behalf of the City of Olympia all necessary documents consistent with the release of the City's abandoned utility easement, and to make any minor modifications as may be required and are consistent with the intent of the release, or to correct any scrivener's errors following payment by Drebeck Investments, L.L.C. of \$1,000 to the City of Olympia for staff time incurred in processing the owner's release request.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2018.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

