

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON VACATING A PORTION OF AN ALLEY RIGHT-OF-WAY SOUTH OF LEGION WAY, BETWEEN ADAMS AND JEFFERSON STREET

WHEREAS, the Olympia City Council adopted Resolution No. M-2668 on November 10, 2025, setting a public hearing to allow public comment relating to a petition to vacate a portion of an alley right-of-way south of Legion Way, between Adams and Jefferson Street as a public thoroughfare; and

WHEREAS, as required by OMC 12.16.050, written notice of the proposed vacation and public hearing was posted at Olympia City Hall, posted on site, and mailed to all property owners abutting and within 300 feet of the boundaries of the rights-of-way to be vacated; and

WHEREAS, a public hearing was held by the Olympia City Council on said petition on December 9, 2025, at the City Council's regular 6:00 p.m. business meeting; and

WHEREAS, the City has received no comments objecting to the vacation from any member of the public nor from any utility provider regarding this vacation; and

WHEREAS, in conjunction with the City's vacation of the subject right-of-way, the Applicant is granting the City a utility easement, for sewer service; the provision of this utility easement is a necessary condition of the vacation of the subject right-of-way; and

WHEREAS, the Public Works Department has indicated the property has no known current or foreseeable future use to the City as a right-of-way, provided the utility easement referenced above is granted to the City; and

WHEREAS, the City Council determines it to be in the public interest to grant the petition to vacate a portion of an alley right-of-way south of Legion Way, between Adams and Jefferson Street as a public thoroughfare, subject to the requirements of OMC 12.16.080, OMC 12.16.090, and RCW 35.79.030;

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 parcel(s), the Olympia City Council, pursuant to OMC 12.16.050 and RCW 35.79.010, hereby vacates as a public thoroughfare the following described public thoroughfare situated in the City of Olympia, Thurston County, State of Washington, to wit:

THAT PORTION OF THE EAST-WEST ALLEY ADJACENT TO LOTS 4 AND 5 OF BLOCK 46 OF SYLVESTER'S PLAT AS RECORDED IN VOLUME 1 OF PLATS, PAGE 14, RECORDS OF THURSTON COUNTY, WASHINGTON, LYING WESTERLY OF JEFFERSON ST AND ADJACENT TO AND EASTERLY OF ALLEY VACATION 1282 IN SAID BLOCK 46 (BEING APPROXIMATELY 10 FEET WIDE BY 60 FEET LONG);

TOGETHER WITH THE EAST HALF OF THE NORTH-SOUTH ALLEY IN SAID BLOCK 46, LYING SOUTH OF THE NORTH LINE OF THE EAST-WEST ALLEY OF SAID BLOCK 46 AND LYING NORTH OF THE SOUTH LINE OF SAID EAST-WEST ALLEY (BEING APPROXIMATELY 10 FEET WIDE BY 5 FEET LONG);

SITUATE IN THE CITY OF OLYMPIA, COUNTY OF THURSTON, STATE OF WASHINGTON.

Section 2. The vacation meets the criteria set forth in OMC 12.16.100, which is summarized as follows:

- The proposed vacation will not be materially detrimental to other properties in the vicinity, nor will it endanger public health, safety, or welfare.
- The subject right-of-way is not needed for general access, emergency services, utility facilities, or other similar public purposes, nor is it necessary as part of a long-range circulation plan, pedestrian/bicycle pathway plan or street improvement plan. This criteria is met because the Applicant is granting the utility easement referenced in the recitals above.
- The subject vacation is consistent with the adopted Olympia Comprehensive Plan and all other related land use and circulation regulations and policies.
- The subject vacation would not directly or indirectly result in an adverse impact on historical or cultural resources, the natural environment, or otherwise negatively affect environmentally sensitive areas.

Section 3. Method of Calculation for Required Compensation. The owners of the abutting property shall make payment to the City; each abutting property owner shall pay to the City the appraised value of the property to be acquired as a result of this vacation. Such compensation must be calculated based on an appraisal of the value of the affected rights-of-way, completed by a qualified appraiser.

Section 4. Effective Date. This Ordinance is not effective until the owners of the abutting property make payment required under OMC 12.16.080, OMC 12.16.090, and RCW 35.79.030 for the area vacated and the Applicant grants to the City the utility easement referenced in the recitals above. Failure of the abutting property owners to make payment within 90 days of the passage of this Ordinance automatically (without further Council action) voids the petition and the vacation of right-of-way approved by this Ordinance. If payment is made immediately upon approval of the Ordinance, the Ordinance take effects five days after passage and publication.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2026.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS

TO FORM:

Michael M. Young

DEPUTY CITY ATTORNEY

Certification of Payment. I, Sean Krier, City Clerk, hereby certify that an amount equal to one-half of the appraised value of property above vacated was was not received within the required Timeframe.

CITY CLERK