

Ordinance No. _____

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING
ORDINANCE NO. 4638, WHICH VACATED AN ALLEY WITHIN THE CITY OF
OLYMPIA**

WHEREAS, on October 8, 1985, the Olympia City Council adopted Ordinance No. 4638, which vacated with certain conditions the following described right-of-way situate in the City of Olympia, Thurston County, State of Washington, to wit:

The 120' by 10' wide of alley running North and South between State Street on the North and the connecting alley running East and West in mid-block between Water Street and Columbia Street on the South, Sylvester Addition, Block 73, City of Olympia.

(hereafter referred to as "the Property"); and

WHEREAS, October 11, 1985, Ordinance No. 4638 was recorded under Auditor's File No. 8510110041, Volume 1367, Page 11, Records of Thurston County; and

WHEREAS, under Ordinance No. 4638, the City retained easements and access rights for the City to the Property; and

WHEREAS, City staff has determined there are no public utilities in the vacated right-of-way or a need for access thereto; and

WHEREAS, after a thorough review, City staff has determined there is no longer a need for the rights retained by the City for easements or access to the alley vacated by Ordinance No. 4638;

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

Section 1. Amendment of Ordinance No. 4638. Ordinance No. 4638 is hereby amended to read as follows:

Section 1. That the hereinabove described property situated in the City of Olympia, Thurston County, State of Washington, be and the same is hereby vacated for use as a public thoroughfare, ~~with the following conditions:~~

~~A. Easements for public and private utilities be retained across the entire length and width of the alley.~~

~~B. Access to and through the alley for emergency services be made possible by the use of gates at the North and South ends of the pedestrian mall.~~

Section 2. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 5. Effective Date. This Ordinance shall take effect thirty (30) days after passage and publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Mark Barber

CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: