

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON VACATING A RIGHT-OF-WAY  
ALONG GARFIELD AVENUE ABUTTING WEST BAY DRIVE**

**WHEREAS**, the Olympia City Council adopted Resolution No. M-2666 on November 10, 2025, setting a public hearing to allow public comment relating to a petition to vacate a right-of-way along Garfield Avenue Abutting West Bay Drive 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 the 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 and as compensation for the City's vacation of the subject right-of-way, the Applicant is granting the City an access and utility Easement; the provision of this access and utility easement is a necessary condition of the vacation of the subject right-of-way; and

**WHEREAS**, the Public Works Department has indicated the area to be vacated has no known current or foreseeable future use to the City as a right-of-way and any anticipated City need to utilize the vacated area will be addressed by the access and utility easement being granted to the City in conjunction with this right-of-way vacation; and

**WHEREAS**, the City Council determines it to be in the public interest to grant the petition to vacate a right-of-way along Garfield Avenue Abutting West Bay Drive 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:

*THE SOUTH 10.00 FEET OF GARFIELD AVENUE ADJACENT TO THE FOLLOWING DESCRIBED PARCEL:*

*LOT 16 IN BLOCK 26 OF WOODRUFF'S ADDITION TO THE CITY OF OLYMPIA, WASHINGTON, AS RECORDED IN VOLUME 3 OF PLATS, PAGE 40 AND 41, TOGETHER WITH THE VACATED WEST 12.50 FEET OF WEST BAY DRIVE ADJOINING ON THE EAST.*

*SUBJECT TO EASEMENT OVER SAID SOUTH 10.00 FEET FOR ACCESS, REPAIR AND MAINTENANCE OF UTILITIES.*

*SITUATE IN THE 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 access and 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. Required Compensation.** In lieu of any monetary compensation, the owner of the abutting property shall grant to the City an access and utility easement that must, prior to acceptance by the City, be deemed acceptable by the Director of Public Works and the City Attorney, or their designees. Such easement must be recorded with the Thurston County Auditor at the property owner’s expense after acceptance by the City’s representatives.

**Section 4. Effective Date.** This Ordinance does not become effective until the owner of the abutting Property grants and records the easement required by Section 3, above.

Failure of the abutting property owner to grant and record the easement within 0 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.

**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 Receipt of Compensation.** I, Sean Krier, City Clerk, hereby certify that the access and utility easement required to be granted by this Ordinance was \_\_\_ was not \_\_\_ received within the required timeframe.

\_\_\_\_\_  
CITY CLERK