

# Rainier Rd ROW Vacation

December 2022 – Transportation Committee



# Right of Way Vacation

- A vacation occurs when a government relinquishes its interest in a public right-of-way (ROW) on a piece of property.
- If ROW is vacated by the city, the property within the limits so vacated shall belong to the abutting property owners, one-half to each.
- Can be initiated by petition of 2/3 property owners or initiated by the City by resolution.
- Rules for ROW Vacations are set in RCW 35.79



# 40 ft Unnamed Right of Way

- ROW dedicated in a 1921 plat for future roadways
- Portions of ROW from the original plat were vacated when the area was further subdivided to create Indian Summer and The Links subdivisions
- Development of The Links subdivision shown above eliminated the need for a roadway in the location of the existing unnamed right of way



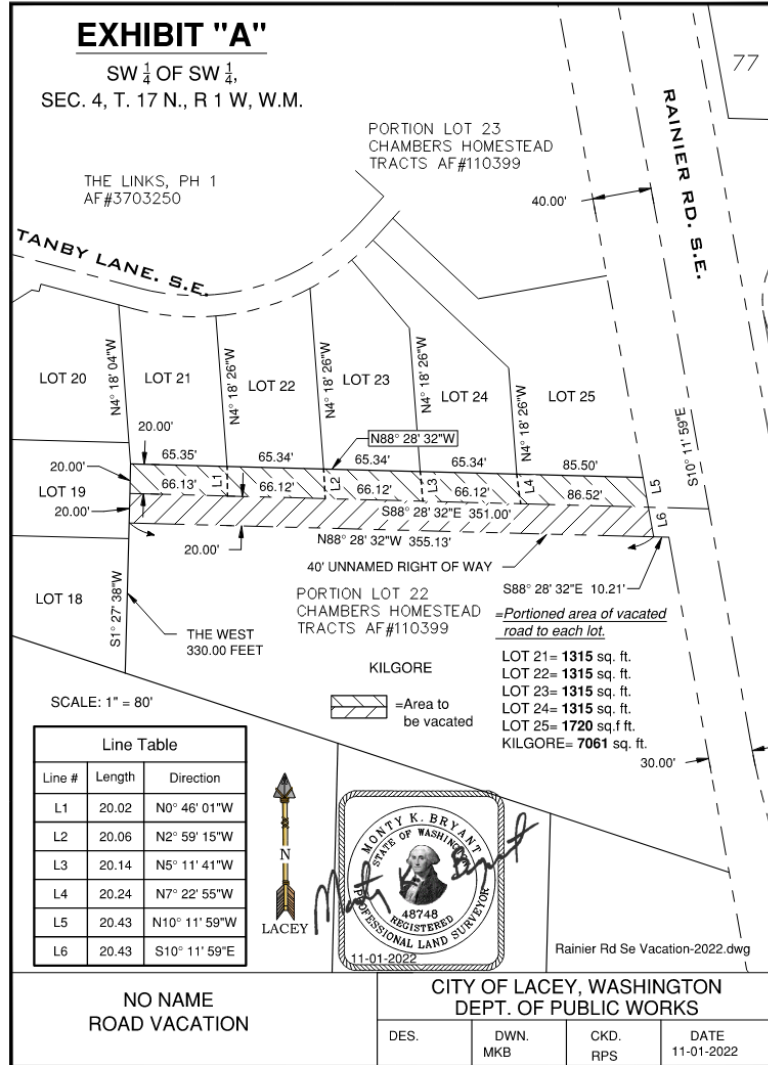
# 40 ft Unnamed Right of Way

- The City does not have any maintenance responsibility
- This ROW serves no public purpose
- If the City paid for ROW, we would require compensation to vacate the ROW
- In this case the City did not pay for ROW, so it would not be appropriate to charge the property owners for us to vacate the ROW



# 40 ft Unnamed Right of Way

- Property owners have been notified of the City's interest in vacating this right of way
- Additional outreach will occur prior to the resolution being brought to Council



# ROW Vacation – Next Steps

- City resolution at a future Council meeting ~ January
- Set a public hearing date no more than 60 days from the resolution date
- Provide a minimum of 20 day notice to property owners of the intent to vacate and hearing date
- If property owners object they would need to file a written protest prior to the hearing
- If 50% of property owners object, the City will be prohibited from vacating
- After the public hearing, Council will decide whether to pass an ordinance to vacate the unnamed right of way



# ROW Vacation – Next Steps

- If the Ordinance is approved by City Council the City Manager will sign quit-claim deeds for each property abutting the unnamed ROW
- The signed quit claim deeds will the be recorded at the County Auditors Office.
- Copies of the recorded quit claim deeds will be mailed to each property owner.

