

CITY OF ABERDEEN

PROCEDURES FOR VACATION OF RIGHT-OF-WAY

This memo summarizes the City of Aberdeen's street vacation process. The process is defined by Chapter 12.10 of the Aberdeen Municipal Code and various resolutions and policies on file at the office of the City Engineer.

1. Applicant schedules pre-application meeting with engineering staff to discuss application requirements and feasibility of vacation.
2. Applicant submits completed application with \$650.00 fee. In order for the City to consider a property owner-initiated vacation request, a petition signed by more than $\frac{2}{3}$ of the property owners adjacent the property to be vacated must be submitted. For the purpose of determining adjacent property ownership, it goes to the centerline of the abutting right-of-way. The person filing the petition (applicant) is responsible for providing the coordination between other property owners participating in the petition in meeting all conditions of the vacation, i.e., payment of fees and charges.
3. Engineering staff evaluates application and prepares a report for Public Works Committee which recommends whether or not the street should be vacated, what conditions should be placed on the vacation, and what the land payment should be. The role and authority of the City's staff and Public Works Committee is advisory only. A final decision on a street vacation can only be made, after public comment and hearing, by the City Council.
4. The Public Works Committee considers the report from the engineering staff and makes a recommendation to the City Council.
5. The City Council may either vote to deny the application or adopt a resolution to set a public hearing to consider the application.
6. The engineering staff will provide notice of the public hearing. If any time prior to the public hearing 50 percent or more of the owners abutting the street, alley or part thereof, or underlying the easement or part thereof to be vacated, file a written objection to the vacation with the City Clerk, the City may not hold a public hearing or grant the vacation.
7. After the public hearing, the City Council can either vote to deny the application or authorize that an ordinance be prepared which provides for the vacation together with conditions deemed necessary.
8. Upon passage of the ordinance, the City has it published in the local newspaper.
9. The applicant makes the final payment for the right-of-way value. Payment is usually approximately $\frac{1}{2}$ the market value of the right-of-way being vacated.
10. Upon payment for right-of-way, the ordinance will be recorded.

11. If the application is not approved by the City Council or the applicant withdraws the application prior to the 2nd reading of the ordinance, \$450 of the application will be refunded.
12. The City Council does not make the decision on allocation of the vacated land. The person filing the petition and any other petitioner may want to contact Grays Harbor County Department of Assessments, Abstract Section, to determine which property owners will receive the land to be vacated. Vacated streets are not always distributed equally to the abutting properties, but rather are returned to the property from which the land was originally dedicated.

The time to complete the process from submittal of application to recording is approximately four (4) months.

Application for Vacation of Public Right-of-Way

Person Filing Petition

Name:

Current mailing address:

Phone :

(Daytime)

(Evening)

e-mail:

Requested Vacation

Description of location of requested vacation:

Provide map or sketch of requested vacation.

Responsibilities of Person Filing Petition

The person filing the petition for a Street Vacation is responsible to agree upon and coordinate with any other property owner(s) who signed the petition in meeting the requirements imposed by the City Council (such as monetary compensation).

Signature

I hereby certify that I have read the attached procedures for vacations, have had a pre-application meeting with a member of the Engineering staff, and that the information submitted herewith is true to the best of my knowledge.

Signature

Date

Agenda for Vacation Pre-Application Meeting

Applicant

Name:

Current mailing address:

Phone :

(Daytime)

(Evening)

e-mail:

Right-of-Way to be Vacated

General description of right-of-way to be vacated:

Identify right-of-way requested for vacation.

Explain petition requirements.

Explain adjacent property owner requirement.

Review applicant's responsibility.

Discuss special requirements if a partial street/alley is being requested.

Give application/petition, and staff evaluation checklist.

City Staff -

Date

