

ORDINANCE NO. 1641

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, VACATING CERTAIN UNOPENED RIGHT-OF-WAY ABUTTING RAINIER ROAD IN THE CITY AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, on July 20, 2023, the Council passed Resolution No. 1135 providing for a Public Hearing to consider a proposal to vacate an unopened street right of way as shown in the attached Exhibits A and B that was initially acquired through annexation, and

WHEREAS, in conformity with legal requirements proper notice of the public hearing was posted and mailed to all required parties; and

WHEREAS, on August 17, 2023, such Public Hearing was held at which an opportunity for public comment was provided, and

WHEREAS, the City Council, after consideration of all matters presented at the public hearing, finds that there will be no detriment to the public since said portion of right-of-way has no current or future public use and is in excess of the needs of the City and the traveling public; and

WHEREAS, The City Council hereby finds that the vacation of that certain unopened right-of-way is appropriate and that the transfer of property at issue in this matter in the manner set forth below is in the best interests of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. That certain unopened right-of-way shown on Exhibit A attached hereto and described on Exhibit B attached hereto, is hereby vacated subject to the

reservations contained herein. Such vacated property shall belong to the abutting property owners, one half to each, as required by RCW 35.79.040.

Section 2. The right-of-way vacation specified in this Ordinance shall take place upon passage of this Ordinance. No payment is required from the abutting property owners as no portion of the property was acquired at public expense.

Section 3. Such vacation is subject to the reservation of easements within such vacated right-of-way including, but not limited to those easements accommodating public facilities owned by the City of Lacey and Puget Sound Energy.

Section 4. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.


Section 6. The Summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,
WASHINGTON, at a regularly-called meeting thereof, held this 17th day of
August, 2023.

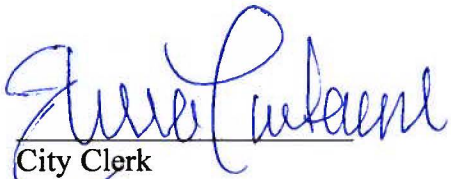
CITY COUNCIL

By: 
Mayor

Approved as to form:


City Attorney

Attest:


City Clerk

SUMMARY FOR PUBLICATION

EXHIBIT "A"

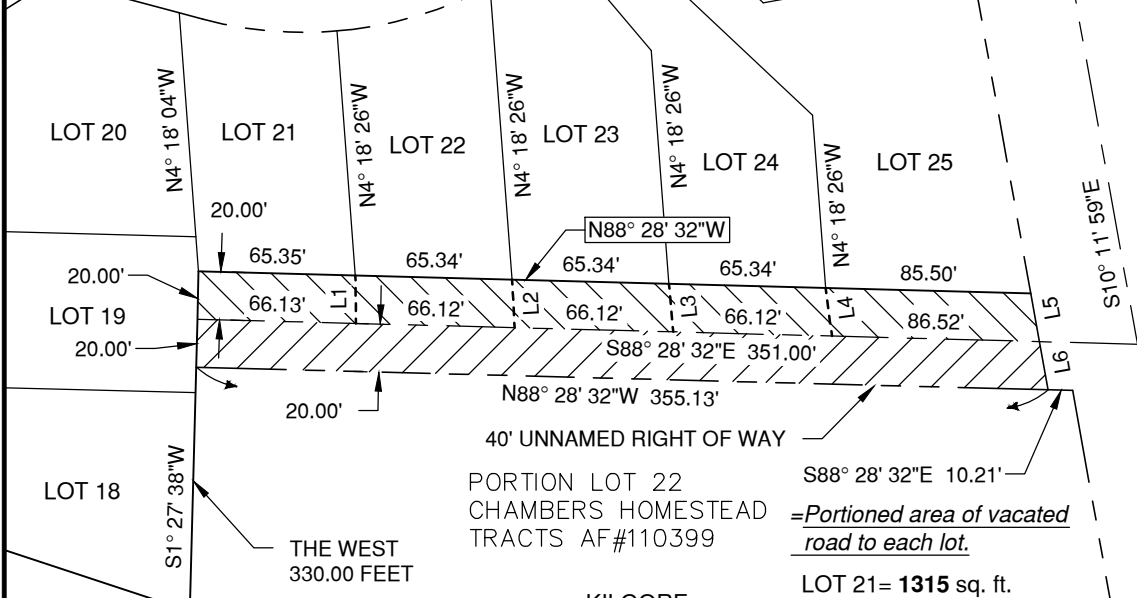
SW $\frac{1}{4}$ OF SW $\frac{1}{4}$,
SEC. 4, T. 17 N., R 1 W, W.M.

THE LINKS, PH 1
AF#3703250

PORTION LOT 23
CHAMBERS HOMESTEAD
TRACTS AF#110399

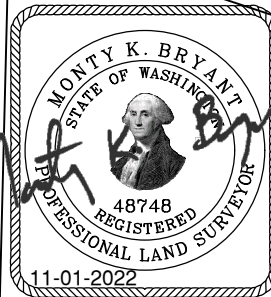
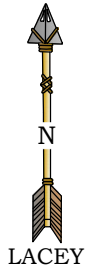
TANBY LANE. S.E.

RAINIER RD. S.E.



SCALE: 1" = 80'

Line Table		
Line #	Length	Direction
L1	20.02	N0° 46' 01"W
L2	20.06	N2° 59' 15"W
L3	20.14	N5° 11' 41"W
L4	20.24	N7° 22' 55"W
L5	20.43	N10° 11' 59"W
L6	20.43	S10° 11' 59"E



Rainier Rd Se Vacation-2022.dwg

NO NAME
ROAD VACATION

CITY OF LACEY, WASHINGTON
DEPT. OF PUBLIC WORKS

DES.	DWN. MKB	CKD. RPS	DATE 11-01-2022
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EXHIBIT "B"

UNNAMED RIGHT OF WAY AREA

All those portions of a 40.00-foot unnamed right of way abutting Tracts 22 and 23 of the plat of Chambers Homestead Tracts, recorded on June 20th, 1921 under Auditor's File No. 110399, records of Thurston County, Washington, lying easterly of the West 330.00 feet of said Tracts and Westerly of the West line of Rainier Road Southeast, which is 40.00 feet westerly, measured perpendicular of the center line of said Rainier Road Southeast.

All Situate in the Southwest Quarter of the Southwest Quarter of Section 4, Township 17 North, Range 1 West, W.M..

