

2 **HB 1750** - S COMM AMD
3 By Committee on Transportation

4 ADOPTED AS AMENDED 04/12/01

5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 35.79.030 and 1987 c 228 s 1 are each amended to read
8 as follows:

9 The hearing on such petition may be held before the legislative
10 authority, or before a committee thereof upon the date fixed by
11 resolution or at the time said hearing may be adjourned to. If the
12 hearing is before such a committee the same shall, following the
13 hearing, report its recommendation on the petition to the legislative
14 authority which may adopt or reject the recommendation. If such
15 hearing be held before such a committee it shall not be necessary to
16 hold a hearing on the petition before such legislative authority. If
17 the legislative authority determines to grant said petition or any part
18 thereof, such city or town shall be authorized and have authority by
19 ordinance to vacate such street, or alley, or any part thereof, and the
20 ordinance may provide that it shall not become effective until the
21 owners of property abutting upon the street or alley, or part thereof
22 so vacated, shall compensate such city or town in an amount which does
23 not exceed one-half the appraised value of the area so vacated(~~(7~~
24 ~~except in the event the subject property or portions thereof were~~
25 ~~acquired at public expense, compensation may be required in an amount~~
26 ~~equal to the full appraised value of the vacation: PROVIDED, That~~
27 ~~such)). If the street or alley has been part of a dedicated public
28 right-of-way for twenty-five years or more, the city or town may
29 require the owners of the property abutting the street or alley to
30 compensate the city or town in an amount that does not exceed the full
31 appraised value of the area vacated. The ordinance may provide that
32 the city retain an easement or the right to exercise and grant
33 easements in respect to the vacated land for the construction, repair,
34 and maintenance of public utilities and services. A certified copy of
35 such ordinance shall be recorded by the clerk of the legislative
36 authority and in the office of the auditor of the county in which the~~

1 vacated land is located. One-half of the revenue received by the city
2 or town as compensation for the area vacated, must be dedicated to the
3 acquisition, improvement, development, and related maintenance of
4 public open space or transportation capital projects within the city or
5 town."

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9 In line 1 of the title, after "vacations;" strike the remainder of
10 the title and insert "and amending RCW 35.79.030."

EFFECT: If a property has been a dedicated public right-of-way for 25 years or more, the city or town can receive up to the full appraised value of the property. If the property has been a dedicated public right-of-way for less than 25 years, the city or town can receive up to half of the appraised value of the property.

Requires a city to spend one-half of the revenues received from vacated areas on public open space or transportation capital projects.

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