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SENATE BILL 6798

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State of Washington 57th Legislature

2002 Regular Session

By Senators Horn and Gardner

Read first time 02/06/2002. Referred to Committee on Transportation.

1 AN ACT Relating to street vacations; and amending RCW 35.79.030.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 35.79.030 and 2001 c 202 s 1 are each amended to read  
4 as follows:

5 The hearing on such petition may be held before the legislative  
6 authority, or before a committee thereof upon the date fixed by  
7 resolution or at the time said hearing may be adjourned to. If the  
8 hearing is before such a committee the same shall, following the  
9 hearing, report its recommendation on the petition to the legislative  
10 authority which may adopt or reject the recommendation. If such  
11 hearing be held before such a committee it shall not be necessary to  
12 hold a hearing on the petition before such legislative authority. If  
13 the legislative authority determines to grant said petition or any part  
14 thereof, such city or town shall be authorized and have authority by  
15 ordinance to vacate such street, or alley, or any part thereof, and the  
16 ordinance may provide that it shall not become effective until the  
17 owners of property abutting upon the street or alley, or part thereof  
18 so vacated, shall compensate such city or town in an amount which does  
19 not exceed one-half the appraised value of the area so vacated. If the

1 street or alley has been part of a dedicated public right-of-way for  
2 twenty-five years or more, or if the subject property or portions  
3 thereof were acquired at public expense, the city or town may require  
4 the owners of the property abutting the street or alley to compensate  
5 the city or town in an amount that does not exceed the full appraised  
6 value of the area vacated. The ordinance may provide that the city  
7 retain an easement or the right to exercise and grant easements in  
8 respect to the vacated land for the construction, repair, and  
9 maintenance of public utilities and services. A certified copy of such  
10 ordinance shall be recorded by the clerk of the legislative authority  
11 and in the office of the auditor of the county in which the vacated  
12 land is located. One-half of the revenue received by the city or town  
13 as compensation for the area vacated must be dedicated to the  
14 acquisition, improvement, development, and related maintenance of  
15 public open space or transportation capital projects within the city or  
16 town.

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