



RIGHT OF WAY VACATION APPLICATION

When preparing this application, please print or type the reply to each question. If you have any questions, please contact Engineering Services at (253) 841-5577. Plans, specifications and other documents pertaining to the application shall be submitted at the time of application.

Petitioner Information:

Petitioner: City of Puyallup - PW Engineering

Address: 333 S Meridian Zoning: PF

City: Puyallup State: WA Zip: 98371

Day time Phone: 253-435-3641

Fax Number: 253-841-5484

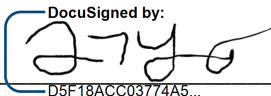
E-mail Address: DYoung@PuyallupWa.gov

Describe the proposed use of right of way to be vacated (Please be specific and attach building or site plans where applicable)

The proposed use of the right of way vacation would be to continue to utilize the area as a Public Park, Pioneer Park. This proposed right-of-way vacation is necessary to correct current non-compliance with zoning setbacks established as part of the PF zone for the existing restroom.

CERTIFICATION:

I hereby state that I am the applicant listed above, and certify that all information contained above and in exhibits attached hereto is true and correct to the best of my knowledge and belief and is submitted for consideration by the City of Puyallup. It is understood that the processing of this application may require additional supporting evidence, data or statements upon request of City staff.

Signature of Applicant:  Date 10/11/2022

Print Name: Drew Young

City of Puyallup | Engineering Services
333 S Meridian | Puyallup WA 98371
253-841-5577



We, the undersigned, support this request, and represent two-thirds of the lineal frontage of the property abutting the portion of the right of way to be vacated:

Signature	<small>DocuSigned by:</small> <i>Steve Kinkelie</i> <small>3E2B419FE1D84A5...</small>	Assessor's Parcel No.	5745001680
Name (Print)	City of Puyallup - City Manager	Phone	253-435-3640
Street	324 S Meridian	City	Puyallup Zip 98371

Signature	_____	Assessor's Parcel No.	_____
Name (Print)	_____	Phone	_____
Street	_____	City	_____ Zip _____

Signature	_____	Assessor's Parcel No.	_____
Name (Print)	_____	Phone	_____
Street	_____	City	_____ Zip _____

Signature	_____	Assessor's Parcel No.	_____
Name (Print)	_____	Phone	_____
Street	_____	City	_____ Zip _____

Signature	_____	Assessor's Parcel No.	_____
Name (Print)	_____	Phone	_____
Street	_____	City	_____ Zip _____

Signature	_____	Assessor's Parcel No.	_____
Name (Print)	_____	Phone	_____
Street	_____	City	_____ Zip _____



PAYMENT FOR APPRAISAL AGREEMENT

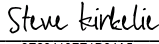
To Whom It May Concern:

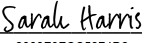
I / we, the undersigned Applicant(s), hereby agree to pay the full cost of an appraisal and will submit payment prior to the appraisal being completed. Development Services is authorized to obtain an appraisal from a qualified, independent appraiser as part of the staff report of the vacation.

Dated at Puyallup, Washington, this 11th day of October, 2022

Applicant(s) Signature

Print Name

DocuSigned by:

 3E28419FE1D84A5...

DocuSigned by:

 2883F0FCC5374D2...

Steve Kirkelie - City Manager

Sarah Harris - Director of Parks and Recreation



GENERAL DESCRIPTION

LEGAL DESCRIPTION OF RIGHT OF WAY TO BE VACATED:

That portion of the Northeast Quarter of the Southeast Quarter of Section 28,
Township 20 North, Range 4 East, Willamette Meridian described as follows:
The South half (30 feet) of Elm Place as recorded in the plat of Meeker's Second
Addition to the town of Puyallup W.T. according to the plat thereof recorded in
Volume 2 of Plats, Page 93, records of Pierce County, Washington; lying
easterly of the westerly 127.5 feet thereof and lying westerly of a line parallel
with and 30 feet west of the centerline of Meridian Street.

Situated in the City of Puyallup, County of Pierce, State of Washington.

Does the right of way abut any body of water? Yes No

If so, please describe: _____

Will the vacation result in any parcel of land being denied direct access? Yes No

If so, please describe: _____

Provide the dimensions of the right of way to be vacated (in square feet):

129.5 x 30 = 3,885 SF



**REQUEST FOR PRIVATE UTILITY REVIEW
CITY OF PUYALLUP
RIGHT OF WAY VACATION PROPOSAL**

_____ Comcast Cable
Attn: Terry Britton
410 Valley Ave NW, Suite 9
Puyallup, WA 98371
(253) 864-4293
Terry_Britton@cable.comcast.com

_____ Puget Sound Energy
Attn: Steve Botts
3130 S 38th St
Tacoma, WA 98409
(253) 476-6416
steve.botts@pse.com

_____ Fruitland Mutual Water
Attn: Ted Hardiman
PO Box 73759
Puyallup, WA 98373-0759
(253) 848-5519
Ted@fruitlandwater.com

_____ QWEST Communications
Attn: Marge Bailey
2510 - 84th St. S., Suite 18
Lakewood, WA 98499
(253) 597-4024
Marge.bailey@qwest.com

A petition for _____ vacation has been submitted
(street or alley)

By _____ to the City of Puyallup.
(name of applicant)

We request a statement within fourteen (14) days of receipt of this notice furnishing the following information in order to complete the City's review of the requested vacation:

1. There is is not an existing utility route within the area described.
2. We have have not an interest in a potential utility route being retained in the vacated right of way.
3. For additional information call Linda Lansing, Engineering Services 253-841-5577.

Please address reply to:

City of Puyallup
Attn: Linda Lansing
Engineering Services
333 S. Meridian
Puyallup, WA 98371

Attachments: Address and Legal Description of Proposed Right of Way Vacation Request
Vicinity Map

City of Puyallup | Engineering Services
333 S Meridian | Puyallup WA 98371
253-841-5577



CITY OF PUYALLUP PETITION TO VACATE RIGHT OF WAY INSTRUCTIONS AND INFORMATION

Following are instructions for completing your petition. If you have any questions, please contact Linda Lansing at 253-841-5577.

FILLING OUT THE APPLICATION

- Petitioner:** Must be the owner of a property adjacent to the area in the vacation request. Note: if the petitioner is purchasing the property under a real estate contract, the signature of the contract seller is also required.
- Address:** Mailing address of the Petitioner.
- Phone:** Telephone number where Petitioner can be reached during normal business hours.
- Assessor's Parcel No.** The Assessor's Parcel Number identifying Petitioner's property. This may be found on your tax statement and/or valuation notice, or on the internet at www.co.pierce.wa.us/atr
- Signature:** Petitioner must sign and date the form. If property is in joint ownership, all co-owners must sign the petition. By signing this document, Petitioner(s) acknowledge(s) the potential financial obligations and necessary conditions that may be required prior to City Council's consideration of an authorizing ordinance.
- More than two-thirds of all property owners abutting the right of way to be vacated must sign the petition indicating that they are in agreement with the vacation request.
- Proposed Use:** How do you intend to use the right of way? Describe your plans in detail and submit development / site plans to aid City staff in understanding your request.
- Legal Description:** A legal description of the right of way to be vacated must be written and signed by a licensed surveyor or registered engineer.
- Site Plan:** Submit on an 8.5" X 11" or 11" X 17" sheet of paper only.



INSTRUCTIONS AND INFORMATION continued

FILING FEE

A fee of \$1,370.00 is required for all vacation requests.

OTHER COSTS

The Petitioner(s) will be required to submit payment for the appraisal prior to the appraisal assignment being completed. The City reserves the right to select the appraiser for the assignment.

The Petitioner(s) will be required to submit a final processing fee of \$780.00 if the Council, by resolution, agrees to hold a public hearing.

State law states that, if the right of way has been part of a dedicated public right of way for twenty-five years or less, the City may be compensated at one half of the appraised value of the area to be vacated. (RCW 35.79.030) If the subject right of way has been in the inventory for more than 25 years, the City requires the owners of the abutting property to compensate the City in an amount not to exceed the full-appraised value of the area to be vacated.

NOTES

1. All conditions must be met within ninety (90) days following the first reading of the ordinance, except when “good cause” is shown for the delay.
2. If the City Council grants the Vacation, it may require monetary compensation or land dedication. This monetary compensation or dedication must be fulfilled by the person filing the petition before the Ordinance granting the Vacation will be signed by the Mayor.
3. If any time prior to the public hearing, 50 percent or more of all the owners of properties adjacent to the street, alley or part thereof, to be vacated file a written objection to the vacation with the Department of Development Services, the City may not hold a public hearing or grant the vacation.
4. The City Council does not make the decision on allocation of the vacated land. 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.
5. In vacating a street, alley, or part thereof, the City will, usually, reserve an easement for both public and private utilities and their successors or the right to exercise and grant an easement, in the location of the vacation. If the petitioner requests that an easement not be reserved or that the easement be moved or reduced in area, the petitioner must:
 - A. Submit written approvals from all private utilities holding a City franchise within the area proposed to be vacated (see *Request for Private Utility Review* form attached).
 - B. When mailing out the request form, include a vicinity map, explanation of the vacation request, and the address and legal description of the area to be vacated.
 - C. The written approvals from all private utilities must be submitted before the vacation can be scheduled for a public hearing. It is the applicant’s responsibility to see that the public utilities submit the written approval.

City of Puyallup | Engineering Services
333 S Meridian | Puyallup WA 98371
253-841-5577



INSTRUCTIONS AND INFORMATION continued

CONDITIONS / CONSIDERATIONS

Advice will be solicited from various agencies with an interest in the right of way (City of Puyallup's Water Department, City of Puyallup's Sewer Department, City of Puyallup's Stormwater Department, City of Puyallup's Street Department, Fruitland Mutual Water Company, Comcast Cable, Puget Sound Energy, Qwest Communications, etc. The City of Puyallup will, usually, reserve an easement for public and private utilities. No permanent structures may be built over these easements (RCW 35.79.030). If the petitioner requests that an easement not be reserved or that the easement be moved or reduced in area, the petitioner must submit written approvals from those affected private utilities holding a franchise with the City of Puyallup.

City staff will consider the following criteria when making recommendation to Council:

1. Will the vacation provide a public benefit?
2. Will the vacation adversely affect the traffic pattern?
3. Will the greater public good be adversely affected by the vacation?
4. Will the right of way be needed for future public use?
5. Will any parcel become landlocked or denied direct access?
6. Is the right of way abutting bodies of water? (RCW35.79.035)