



## 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: \_\_\_\_\_

Address: \_\_\_\_\_ Zoning: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Day time Phone: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

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

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### 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 \_\_\_\_\_

Print Name: \_\_\_\_\_

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 _____	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 _____

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



## PAYMENT FOR APPRAISAL AGREEMENT

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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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Applicant(s) Signature

Print Name

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**GENERAL DESCRIPTION**

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**LEGAL DESCRIPTION OF RIGHT OF WAY TO BE VACATED:**

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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):

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**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](mailto: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](mailto:steve.botts@pse.com)

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

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

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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](http://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

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### **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  
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## INSTRUCTIONS AND INFORMATION continued

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### 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)