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STREET VACATION PACKAGE

City of Renton • Technical Services Section
1055 South Grady Way • Renton, WA • 98057
Phone: 425.430.7209 • Fax: 425.430.7241

Any property owner whose land abuts upon any street or alley within the City may petition the City Council for the vacation of all or part of such street or alley. The petition shall be on a form prescribed by the City. Persons interested in seeking a street vacation should call the Technical Services Section for information and possible alternatives, as a vacation may not serve their desired purpose.

COMPLETE CONTENTS OF THIS PACKAGE:

1. Petitioner Information Sheets on the Street Vacation Process [*yellow sheets*]
2. Chapter 14 of the Renton Municipal Code [*green sheets*]
3. Guidelines (for the preparation of legal descriptions and map exhibits) [*blue sheets*]
4. A blank Petition for Street Vacation [*white sheets*]

EARLY CONSULTATION: Prior to submitting a petition, the applicant should informally discuss the proposed vacation with the staff of the Technical Services Section. The Technical Services Section staff will provide assistance and answer specific questions about the City's Street Vacation Process. To contact the Technical Services Section staff, please call 425.430.7209.

COMPLETE PETITION PACKAGE REQUIRED: In order to accept your petition, each of the numbered items below must be submitted at the **same time** to the Office of the City Clerk on the 7th floor of Renton City Hall.

1. Completed Petition:

- a. Complete contact information must be provided by the individual circulating the petition.
- b. This petition must be signed by the owners of more than two-thirds (2/3) of the property abutting upon the part of the street or alley to be vacated.
- c. **Without the appropriate authorization documentation, a petition will not be considered complete. In the case of ownership by a corporation, the signature of any officer authorized by the bylaws or resolution of the board of directors of the corporation shall be sufficient *when evidenced by 1) an excerpt of the bylaws or 2) resolution granting such authority and certified by the secretary of the corporation.* In the case of property owned by the estate of a decedent or incompetent, the signature of the duly qualified personal representative or guardian shall be equivalent to the signature of the owner of the property. In the case where the "owner of interest" cannot be determined, a current title report may be required to be furnished by the applicant, at the petitioner's expense, for each abutting parcel of land.**

2. An Explanation of Public Benefit:

A brief explanation of the purpose and public benefit of the requested vacation.

3. Full and correct legal description

The petitioner must submit a legal description that is suitable for recording with the final ordinance. **The legal description must include indexing information.** This means that the pertinent section, township and range information must be included and that the description must situate the described area in the City of Renton. **The legal description should be labeled "EXHIBIT A".**

4. Two (2) map exhibits:

a. Vacation Area Map Exhibit:

The petitioner must submit a map exhibit that is suitable for recording with the final ordinance. The map shall clearly identify and highlight the requested vacation area from the surrounding properties and include at least two cross streets in all directions showing the location of the subject site relative to property boundaries of surrounding parcels. The map shall also show: abutting property's lot lines; lot lines of surrounding properties; boundaries of the City of Renton (if applicable); north arrow (oriented to the top of the plan sheet); graphic scale used for the map; and City of Renton (not King County) street names for all streets shown. Please ensure all information fits on a single 8.5" by 11" sheet. **The Vacation Area Map Exhibit should be labeled "EXHIBIT B".**

b. Vicinity Map:

A map drawn at a scale of 1" = 100' or 1" = 200' (or other scale approved by the Technical Services Section) to be used to identify the site location on public notices. The map shall clearly identify and highlight the requested vacation area with a much darker perimeter line than surrounding properties and include at least two cross streets in all directions showing the location of the subject site relative to property boundaries of surrounding parcels. The map shall also show: abutting property's lot lines; lot lines of surrounding properties; boundaries of the City of Renton (if applicable); north arrow (oriented to the top of the plan sheet); graphic scale used for the map; and City of Renton (not King County) street names for all streets shown. Please ensure all information fits on a single 8.5" by 11" sheet. Please ensure the Vicinity Map is legible and will display enough cross streets to easily identify the project location when cropped to fit in a 4" by 6" public notice space.

PETITION SUBMITTAL HOURS: Applications should be submitted to the Office of the City Clerk on the 7th floor of Renton City Hall, 1055 South Grady Way, between 8:00 A.M. and 5:00 P.M. Monday through Friday. An appointment to submit your application is not necessary. A filing fee of \$500.00 is required.

EXPIRATION OF PETITION APPROVAL: Once a petition has been approved by City Council, the petitioner has two years to comply with all conditions of approval and to submit an appraisal before the approval becomes null and void. A new petition may be resubmitted and the entire vacation process started over.

ADDITIONAL COPIES OF THIS PACKAGE CAN BE FOUND ONLINE AT:

<http://rentonwa.gov/uploadedFiles/Government/PBPW/UTILITIES/pwstvacpk.pdf>

STREET VACATION PROCESS

PETITIONER INFORMATION SHEETS

City of Renton • Technical Services Section
1055 South Grady Way • Renton, WA • 98057
Phone: 425.430.7209 • Fax: 425.430.7241

Any property owner whose land abuts upon any right-of-way within the City may petition the City Council for the vacation of all or part of such right-of-way. The petition shall be on a form prescribed by the City. Persons interested in seeking a street vacation should call the Technical Services Section for information and possible alternatives, as a vacation may not serve their desired purpose. The following information sheet provides information on the typical steps in the street vacation process and the timeframe for each step.

EARLY CONSULTATION: Prior to submitting a petition, the applicant should informally discuss the proposed street vacation with the staff of the Technical Services Section. The Technical Services Section staff will provide assistance and answer specific questions about the City's Street Vacation Process. To contact the Technical Services Section staff, please call 425.430.7209.

GENERAL INFORMATION: Right-of-way is property that is encumbered by a public easement and administered by the City. The City often acquires right-of-way for the provision of public passage and for utility corridors. When a street is vacated, the public easement encumbering the underlying title is extinguished. Please note, however, that this does not necessarily mean that the property will be completely unencumbered of public easements. In many cases, the property may remain encumbered by other easements should the City choose to retain easements for the construction, repair and maintenance of public utilities and public services.

After a street vacation takes effect, the vacated right-of-way is distributed to each abutting property owner according to the law. In most cases, the abutting property owner's share in the newly vacated street extends the owner's current property lines to the centerline of the right-of-way. However, this is not true in all cases.

Finally, please be aware that potential vacations are reviewed with the public interest in mind. Future and existing uses of the right-of-way are examined for access, traffic circulation, utility lines, safety concerns, and other land use issues. **A public benefit of a long-term nature must be provided by the vacation.**

◆ THE PETITION CHECKLIST

TIMEFRAME: VARIES - depends on time required for petitioner(s) to obtain and submit signatures, map and legal description

- LEGAL DESCRIPTION:** Please attach a full and correct legal description of the right-of-way for which a vacation is requested. The legal description must include the pertinent section, township and range information and must state that the described area is situated in the City of Renton. It should be labeled Exhibit A and be suitable for recording with the final ordinance.
- PUBLIC BENEFIT EXPLANATION:** Please attach a brief explanation of the purpose and public benefit of the requested vacation.
- MAP EXHIBITS:** Please attach two map exhibits of the right-of-way for which a vacation is requested. The first map exhibit, the Vacation Area Map Exhibit, should be labeled Exhibit B and be suitable for recording with the final ordinance. The second map exhibit, the Vicinity Map, should be legible and display enough cross streets to easily identify the project location when cropped to fit in a 4" by 6" public notice space.
- SIGNATURES:** Please submit a completed Petition For Street Vacation in the City of Renton. This petition must be signed by the owners of more than two-thirds (2/3) of the property abutting upon the part of the right-of-way to be vacated. (Ord. 3635, 6-7-1982)
[Note: It is recommended that the petitioner(s) obtain the signatures of all (100%) of the owners whose property abuts upon the part of the right-of-way to be vacated. It is also recommended that the petitioner work out all potential objections or, at a minimum, identify areas of concern from abutting property owners prior to the public hearing.]
- FILING:** Please submit for filing: 1) the completed Petition, 2) a full and correct Legal Description labeled as "Exhibit A", 3) a brief Statement of Purpose which explains the public benefit, 4) a Vacation Area Map Exhibit labeled as "Exhibit B" and 5) a Vicinity Map to the City Clerk. The City Clerk's Office is located on the 7th Floor of Renton City Hall and is open Monday through Friday during the hours of 8:00 A.M. to 5:00 P.M.
- PAYMENT:** A street vacation filing fee of \$500.00 is required. This fee compensates the City for administrative costs and expenses in the processing, checking and handling of the initial vacation petition. This fee also includes the publication and posting expense of any notice pertaining to the vacation. (Ord. 4266, 4-16-1990; amd. Ord. 4723, 5-11-1998)

◆ STAFF REVIEW

TIMEFRAME: Approximately two (2) weeks
+ a concurrent eight (8) weeks for resolution to set and
hold public hearing

- **SUFFICIENCY OF SIGNATURES:** Staff shall review the petition to determine if the sufficiency criteria have been met.

For the purpose of determining the sufficiency of signatures of “owners of private property” on the petition, or consent to vacate, the following rules shall govern:

1. The signature of an owner, as determined by the County Comptroller, shall be sufficient without the signature of his or her spouse.
2. In the case of mortgaged property or property subject to a contract of purchase, the signature of the mortgagor or the contract vendee, as the case may be, shall be sufficient.
3. In the case of ownership by a corporation, the signature of any officer authorized by the bylaws or resolution of the board of directors of the corporation shall be sufficient when evidenced by an excerpt of the bylaws or resolution, certified by the secretary of the corporation, granting such authority.
4. In the case of property owned by the estate of a decedent or incompetent, the signature of the duly qualified personal representative or guardian shall be equivalent to the signature of the owner of the property.

In the case where the “owner of interest” cannot be determined, a current title report may be required to be furnished by the applicant, at the applicant’s expense, for each abutting parcel of land. (Ord. 3635, 6-7-1982)

- **SUFFICIENCY OF LEGAL DESCRIPTION:** Staff shall review the petition to determine if the legal description is sufficient. Regardless of the method used to describe the proposed vacation area, ***the description must include indexing information.*** This means that the pertinent section, township and range information must be included and that the description must situate the described area in the City of Renton.
- **SUFFICIENCY OF MAP EXHIBIT(S):** Staff shall review the petition to determine if the map exhibit is sufficient. At a minimum, the map exhibit should include a north arrow and the map scale.
- **SUFFICIENCY OF PUBLIC BENEFIT EXPLANATION:** Staff will review the petition to determine if the explanation of public benefit is sufficient.
- **REVIEW OF VACATION REQUEST:** A validated petition will be circulated for review and comments to all City departments, as well as other local agencies and utilities. The purpose of this review is to determine if the requested vacation is acceptable and to determine if easements are needed. This review must be completed before the public is held and takes approximately eight weeks.
- **SCHEDULE PUBLIC HEARING DATE:** In coordination with the City Clerk, staff will set a date for the public hearing. If attendance on the date set for the public hearing will cause undue hardship to the petitioner, please notify staff. Staff shall try to accommodate the petitioner’s preferences.
- **PREPARATION FOR PUBLIC HEARING:** Staff shall prepare a report and presentation for the public hearing.

◆ **PUBLIC HEARING**

TIMEFRAME: Approximately fifteen (15) to forty-five (45) minutes

- The hearing shall be held before the City Council as provided for by RCW 35.79.020. During this hearing, the City Council shall seek the recommendation of the Public Works Department as to the following:

- the advisability of the proposed vacation
- the necessity for the retention of a utility or other easement(s)

The City Council shall also take testimony at the public hearing to determine the following:

- if the vacation is in the public interest
- if the property is required for overall circulation of traffic within the City
- if the requested vacation is detrimental to the public health, safety and general welfare

After the close of the public hearing, the City Council shall determine whether the vacation should be granted, the classification of the right-of-way and the compensation to be paid, if any, in accordance with Section 9-14-5 of the Renton Municipal Code.

The City further reserves the right to retain an easement for the construction, repair and maintenance of public utilities and public services. (Ord. 3635, 6-7-1982)

IF THE PETITION FOR STREET VACATION IS APPROVED BY THE CITY COUNCIL, THE FOLLOWING TWO STEPS MUST ALSO BE COMPLETED.

◆ **COMPENSATION**

TIMEFRAME: VARIES - depends on time required for petitioner(s) to obtain and submit appraisal
+ approximately two (2) weeks to set compensation

- **PAYMENT:** A processing and completion fee is required. This fee defrays the remaining administrative costs of processing and completing the proposed vacation. Thus, after Council has approved the petition request, a processing fee will be due before staff's compensation recommendation is taken to Council. This fee is based on the value of right-of-way according to the following schedule:

Value of Right-of-Way	Processing Fee
Less than \$25,000	\$750.00
\$25,000 to \$75,000	\$1,250.00
Over \$75,000	\$2,000.00

- **APPRAISAL:** Following a recommendation for vacation after the public hearing, the petitioner(s) shall obtain a written appraisal from an M.A.I. or other qualified appraiser, as approved by the City, and furnish the results to the Planning/Building/Public Works Administrator for evaluation. Petitioner(s) shall pay the actual cost for preparation of the appraisal report. The appraisal fees are in addition to the filing fee and the processing fee. (Ord. 4266, 4-16-1990; amd. Ord.

4860, 9-18-2000; Ord. 4943, 1-14-2002)

- **EVALUATION AND RECOMMENDATION:** Through the Planning/Building/Public Works Administrator, staff shall evaluate the appraisal and make a recommendation to the City Council regarding its acceptance. The appraisal is used to help the City Council make a determination of the compensation due the City.

[Note: If compensation for the vacation has not been paid within ninety (90) days of the determination by the City Council, the petition shall be deemed to have been abandoned and shall be denied. (Ord. 3635, 6-7-1982)]

- **PAYMENT:** The City shall receive compensation in accordance with RCW 35.79.030. The City Council shall have authority, upon recommendation of the administration, to accept real property or a property right in lieu of a part or all of the cash compensation that would be paid.

[Note: In the event other property or property rights are accepted in lieu of payment, the petitioner shall obtain additional appraisals of the fair market value of property or property rights to be given to the City in lieu of cash compensation. (Ord. 4266, 4-16-1990; amd. Ord. 4860, 9-18-2000) The petitioner shall pay the actual cost for preparation of these additional appraisal reports. Any such appraisals will be subject to an evaluation and recommendation process as described above.]

◆ **ORDINANCE**

TIMEFRAME: Approximately three to six (3-6) weeks

- **DRAFT ORDINANCE REQUEST:** Staff shall request a draft ordinance from the City Attorney.
- **REVIEW OF DRAFT ORDINANCE:** Staff shall review the draft ordinance.
- **READING AND ADOPTION OF ORDINANCE:** Staff schedules the ordinance for reading and adoption at two successive City Council meetings.
*[Note: The vacation takes effect and attaches to the property of the abutting owners by operation of law according to the **effective** date of the ordinance.]*
- **RECORDING OF ORDINANCE:** The adopted ordinance is recorded.
- **MAILING OF COPIES:** Staff mails a copy of the recorded ordinance to each petitioner.

Chapter 14
VACATIONS

SECTION:

- 9-14-1: Intent
- 9-14-2: Petition For Vacation
- 9-14-3: Hearing, Notice Required
- 9-14-4: Street, Alley Right-of-Way
- 9-14-5: Street Vacation Process
- 9-14-6: Vacation Restrictions
- 9-14-7: Abutting Property Owners, Limits Vacated
- 9-14-8: Compensation From Vacations
- 9-14-9: Appraisal Fees
- 9-14-10: Administrative Procedure For Right-of-Way Vacations

9-14-1 INTENT:

It is the intention of the City Council that provisions of State law governing the street vacation procedure as set forth in chapter 35.79 RCW as it presently exists or as it may be amended shall control and that this Chapter shall be supplemental thereto. (Ord. 3635, 6-7-1982)

9-14-2 PETITION FOR VACATION:

A. Requirements For Petition: The owners of an interest in any real estate abutting upon any street or alley within the City may petition the City Council for the vacation of the street or alley or any part thereof. The petition shall be on a form prescribed by the City, shall contain a full and correct description of the property sought to be vacated and shall be signed by the owners of more than two-thirds (2/3) of the property abutting upon the part of such street or alley to be vacated. (Ord. 3635, 6-7-1982)

B. Filing Fee: Upon the filing of the petition with the City Clerk, the petitioning owners shall simultaneously pay a street vacation filing fee in the amount stipulated in Section 4-1-180 to compensate the City for administrative cost and expense in the processing, checking and handling such application, which fee shall likewise include the publication and posting expense of any notice pertaining to the vacation. (Ord. 4266, 4-16-1990; amd. Ord. 4723, 5-11-98)

C. Sufficiency Of Signature: For the purpose of determining the sufficiency of signatures of “owners of private property” on the petition, or consent to vacate, the following rules shall govern:

1. The signature of an owner, as determined by the County Comptroller, shall be sufficient without the signature of his or her spouse.

2. In the case of mortgaged property or property subject to a contract of purchase, the signature of the mortgagor or the contract vendee, as the case may be, shall be sufficient.

3. In the case of ownership by a corporation, the signature of any officer authorized by the bylaws or resolution of the board of directors of the corporation shall be sufficient when evidenced by an excerpt of the bylaws or resolution, certified by the secretary of the corporation, granting such authority.

4. In the case of property owned by the estate of a decedent or incompetent, the signature of the duly qualified personal representative or guardian shall be equivalent to the signature of the owner of the property.

D. Undetermined Owner: In the case where the “owner of interest” cannot be determined, a current

title report may be required to be furnished by the applicant, at the applicant's expense, for each abutting parcel of land. (Ord. 3635, 6-7-1982)

9-14-3 HEARING, NOTICE REQUIRED:

A. After verification of the petition by the Planning/Building/Public Works Administrator or duly authorized representative, the City Council shall by resolution fix the time for the hearing on such petition, which time shall not be more than sixty (60) days nor less than twenty (20) days after the passage of such resolution. Notice thereof shall be given as provided for by RCW 35.79.020. Additional notice shall be required for vacation petitions of a developed street. Notice shall be mailed to all property owners within a radius of three hundred feet (300') of the proposed vacation area. The hearing shall be held before the City Council as provided for in RCW 35.79.020, as amended. (Amd. Ord. 4943, 1-14-2002)

B. The City Council shall seek the recommendation of the Public Works Department as to the advisability of the proposed vacation, the necessity for retention of utility easement, and the classification of the street or alley pursuant to RMC 9-14-4 of this Chapter. (Amd. Ord. 4860, 9-18-2000)

C. The City Council shall take testimony at the public hearing to determine whether the vacation is in the public interest, whether the property is not required for overall circulation of traffic within the City, and that the requested vacation is not detrimental to the public health, safety and general welfare.

D. After the close of the public hearing, the City Council shall determine whether the vacation should be granted, the classification of the street or alley and the compensation to be paid, if any, in accordance with RMC 9-14-5 of this Chapter.

E. The City further reserves the right to retain an easement for the construction, repair and maintenance of public utilities and public services. (Ord. 3635, 6-7-1982)

9-14-4 STREET, ALLEY RIGHT-OF-WAY:

For the purposes of this Ordinance, all streets and alleys within the City, whether acquired by plat, grant, dedication, gift, acquisition or condemnation are subject to provisions of this Ordinance. (Ord. 4266, 4-16-1990)

9-14-5 STREET VACATION PROCESS:

If the petition for street vacation is approved by the City Council the applicant may complete the process as follows: (Ord. 3635, 6-7-1982)

A. Applicant shall pay a street vacation processing fee in the amount stipulated by RMC 4-1-180G to defray the remaining administrative costs of processing and completing the proposed vacation.

B. The City shall receive compensation in accordance with RCW 35.79.030, which amount for the purpose of this Chapter is to be determined by an appraisal; provided, that the City Council shall have authority, upon recommendation of the administration, to accept real property or a property right in lieu of a part or all of the cash compensation that would be paid. When the value of the property or property right is less than the cash compensation required for the alley or street right-of-way to be vacated, the petitioner shall pay the difference to the City. When the value of the property or property right exceeds the value of the alley or street right-of-way to be vacated, the City shall pay the difference to the petitioner.

C. Following a recommendation for vacation after a public hearing by the City Council or committee thereof, the petitioner shall make, or cause to be made, an appraisal in writing by an M.A.I. or other qualified appraiser, as approved by the City, and furnish the results thereof unto the

Planning/Building/Public Works Administrator for evaluation and recommendation to the City Council for acceptance and determination of the compensation due the City. In the event other property or property rights are accepted in lieu of payment, the petitioner shall further obtain appraisals of the fair market value of property or property rights to be given to the City in lieu of cash compensation as contemplated in subsection B of this Section. (Ord. 4266, 4-16-1990; amd. Ord. 4860, 9-18-2000)

D. Financial Incentives For Area A Of The Auto Mall Improvement Area: All street vacation fees and compensation for right-of-way may be waived by the City Council for developing properties in Auto Mall Improvement Area A (that area bounded by Grady Way South, Rainier Avenue South, I-405, and Lind Avenue South) when:

1. The properties are designated to be vacated on the Auto Mall Improvement Plan Map (Resolution No. 3182);
2. The application for street vacation conforms to RMC 9-14-10, Administrative Procedure For Right-Of-Way Vacations; and
3. The uses proposed conform to RMC 4-2-060, Zoning Use Table. (Ord. 4723, 5-11-1998)

E. When a street or alley is vacated for a governmental agency, and compensation is required, compensation shall be based upon the administrative costs of the vacation and may, at the discretion of the City Council, be based upon original cost to the City of acquisition. No governmental agency is exempt from compensating the City for the vacation of a street or alley right-of-way. (Ord. 4266, 4-16-1990)

F. In the event that the compensation for the vacation has not been paid within ninety (90) days of the determination by the City Council of the compensation to be paid, the petition shall be deemed to have been abandoned and shall be denied. (Ord. 3635, 6-7-1982)

9-14-6 VACATION RESTRICTIONS:

(Rep. by Ord. 4266, 4-16-1990)

9-14-7 9-14-7

ABUTTING PROPERTY OWNERS, LIMITS VACATED:

Upon the vacation of any street or alley as hereinabove provided for, the property within the limits so vacated shall belong to the abutting property owners, one-half (1/2) to each. If the City Council ascertains and determines during the public hearing on the vacation petition that the acquisition of the right-of-way by the City occurred in some proportion other than equally from abutting ownerships, the Council shall set forth in its decision the proportions so established and the vacated property shall be conveyed to the abutting owners in such proportions. A certified copy of the ordinance vacating any such street or alley or part thereof shall be filed for record with the King County Recorder's office. Additional copies thereof may be furnished to such governmental agencies as may have an interest therein. (Ord. 3635, 6-7-1982)

9-14-8 COMPENSATION FROM VACATIONS:

Compensation received from the vacation shall be placed in the Street Fund, unless otherwise provided by the City Council. (Ord. 3635, 6-7-1982)

9-14-9 APPRAISAL FEES:

Petitioner shall pay the actual cost for preparation of the appraisal report. The appraisal fees are in addition to the filing fee and the processing fee. (Ord. 4266, 4-16-1990; amd. Ord. 4860, 9-18-2000; Ord. 4943, 1-14-2002)

9-14-10 ADMINISTRATIVE PROCEDURE FOR RIGHT-OF-WAY VACATIONS:

Municipal Code

Exception: In the Auto Mall (Area A), bounded by S.W. Grady Way, Rainier Avenue South, Seneca Avenue S.W. and I-405, as well as the half block bounded by S.W. Grady Way, Seneca Avenue S.W., the alley between S.W. 12th Street and S.W. Grady Way, and Raymond Avenue S.W., applications for vacations of right-of-way, or portions thereof, whether initiated by the City or the property owners, will follow the normal procedure for establishing public hearings, but thereafter will be processed according to the following procedure for uses which comply with RMC 4-3-040C, Uses Permitted In Auto Mall Improvement District:

- A. Property Services completes a master appraisal for the entire Auto Mall.
- B. Property Services processes all private and City initiated applications (all fees waived) for vacations.
- C. City staff review applications to insure that the proposal conforms to the adopted plan, and that access to individual properties is maintained and does not impede street configuration and public safety. Comments are given to Property Services.
- D. Property Services provides an appraisal reconciliation for each application, transfer of title, and final report with recommendations. The applicant will provide legal description and map exhibits. The City Clerk provides requisite notice to adjacent property owners and interested parties.
- E. Planning/Building/Public Works Administrator reviews and approves final report.
- F. Transfer of property ordinance adopted by City Council. (Ord. 4608, 5-20-1996; amd. Ord. 4845, 6-5-2000; Ord. 4943, 1-14-2002)

LEGAL DESCRIPTION GUIDELINES

- The objective of a legal description is twofold: first, to describe a land area in definite, accurate, and detailed terms to permit a competent person having no familiarity with the land to locate the boundaries of a piece of property; and second, to meet the legal requirements of conveying interests in real property from one individual to another. Although the definition is correctly stated as a “land” description, it is generally called a “legal” description because it must stand up under the law and litigation.
- There are generally **five** types of legal descriptions:
 - (1) A series of lines around the perimeter of an area known as a metes and bounds description; “metes” means bearings and distances and “bounds” means and refers to monuments both physical and legal.
 - (2) A boundary description stated totally by reference to other parcels already on record in the public repository. It merely makes ties by reference to the deeds of the owners adjoining each boundary line of the property being described.
 - (3) All or part of a section in the Public Land Survey System.
 - (4) A lot in a recorded subdivision.
 - (5) Strip descriptions for right-of-ways of pipelines, roads, etc. which may cross many parcels.
- The following guidelines consist of elements which are recommended for use in the preparation of legal descriptions. *They are not intended to be all inclusive and may not be applicable in all situations:*
 - (1) **In a description of a lot, tract, parcel or portion thereof in a recorded plat, short plat, or record of survey:**
 - (a) Lot and block number or designation and addition or subdivision name;
 - (b) Official recording data and identification of recording office;
 - (c) Location by section, township, and range with respect to the Willamette Meridian, (if applicable);
 - (d) Property location by city, county and state.
 - (2) **In a description of an easement, lot, tract, or parcel described by metes and bounds:**
 - (a) Parcel location by the subdivision(s) of the section; or portion of any other official subdivisional tract from a Government Land Office (GLO) or Bureau of Land Management (BLM) plat; or portion of a recorded plat, short plat, or record of survey;
 - (b) Section, township, and range with respect to the Willamette Meridian;
 - (c) Property location by city, county and state;
 - (d) Direction and distance to GLO or BLM corners or properly determined section subdivision corners with description of the physical corners, if applicable;
 - (e) A description of the boundary giving:
 - (i) Place of beginning and/or initial point;
 - (ii) Basis of bearings or azimuths;
 - (iii) Bearings, angles or azimuths in degrees, minutes and seconds;
 - (iv) Distances in feet and decimals of feet or record units, where applicable;
 - (v) Curve data showing the controlling elements;
 - (vi) Identification of senior adjoiners giving recording office and filing reference;
 - (vii) Calls to existing controlling monuments, both artificial and natural;
 - (viii) Calls which indicate if a course is a section line, subdivisional line, a line of record or parallel therewith;

- (ix) A bearing and distance for each boundary line of the described parcel with a closing course returning to the point of beginning, except where the boundary can be described by a record, physical or natural feature.

(3) In a description based on a Public Land Survey System subdivision:

- (a) Special segregations such as donation land claims, homestead entry surveys, townsites, tracts, and Indian or military reservations;
- (b) Government lot number(s);
- (c) Aliquot part designation;
- (d) Section, township, and range with respect to the Willamette Meridian;
- (e) Property location by city, county and state.

(4) Other elements of consideration for any land description:

- (a) Avoid ambiguities when exceptions to a parcel are stated;
- (b) Indicate width of strip description and its relationship to described centerline or survey line;
- (c) Delineate the dividing line when designating a fractional portion of a parcel;
- (d) When designating one-half or other fractional portion of an aliquot part by government subdivision procedures, follow with "according to U.S. Government subdivision procedures."

Sources:

1. [IRWA] International Right of Way Association. *Principles of Right of Way*. Torrance, CA: International Right of Way Association, 2001.
2. Washington State. Office of the Code Reviser. *WAC 332-130-040*. 9 Aug. 2000. 11 Aug. 2003
<<http://www.leg.wa.gov/wac/index.cfm?fuseaction=Section&Section=332-130-040>>.
3. Wattles, Gurdon H. *Writing Legal Descriptions: In Conjunction With Survey Boundary Control*. Orange, CA: G.H. Wattles Publications, c1979.

MAP EXHIBIT GUIDELINES

- Map exhibits submitted as part of a street vacation petition must be able to reproduce a legible copy - including stamps (raised stamps must be smudged prior to recording).
- Map exhibits must measure 8 ½" x 14", preferably 8 ½" x 11".
- Font sizes must be at least 8-point. (This is 8-point type)
- All map exhibits, especially color map exhibits, must be legible when reproduced in black and white. In color map exhibits, please pay particular attention to the color of highlighting as some colors copy dark which obscures text.
- Map exhibits must have a 1" margin on all sides.
- In the margins, incidental writing and stamps are allowed.

ORDINANCE NO. 5164
EXHIBIT A

CORE DESIGN, INC.
BELLEVUE WA 98007

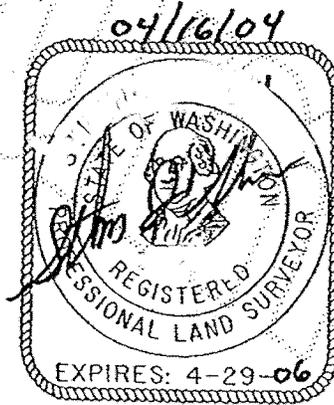
Core Project No: 02087
4/16/04

Legal Description – Right-of-Way Vacation

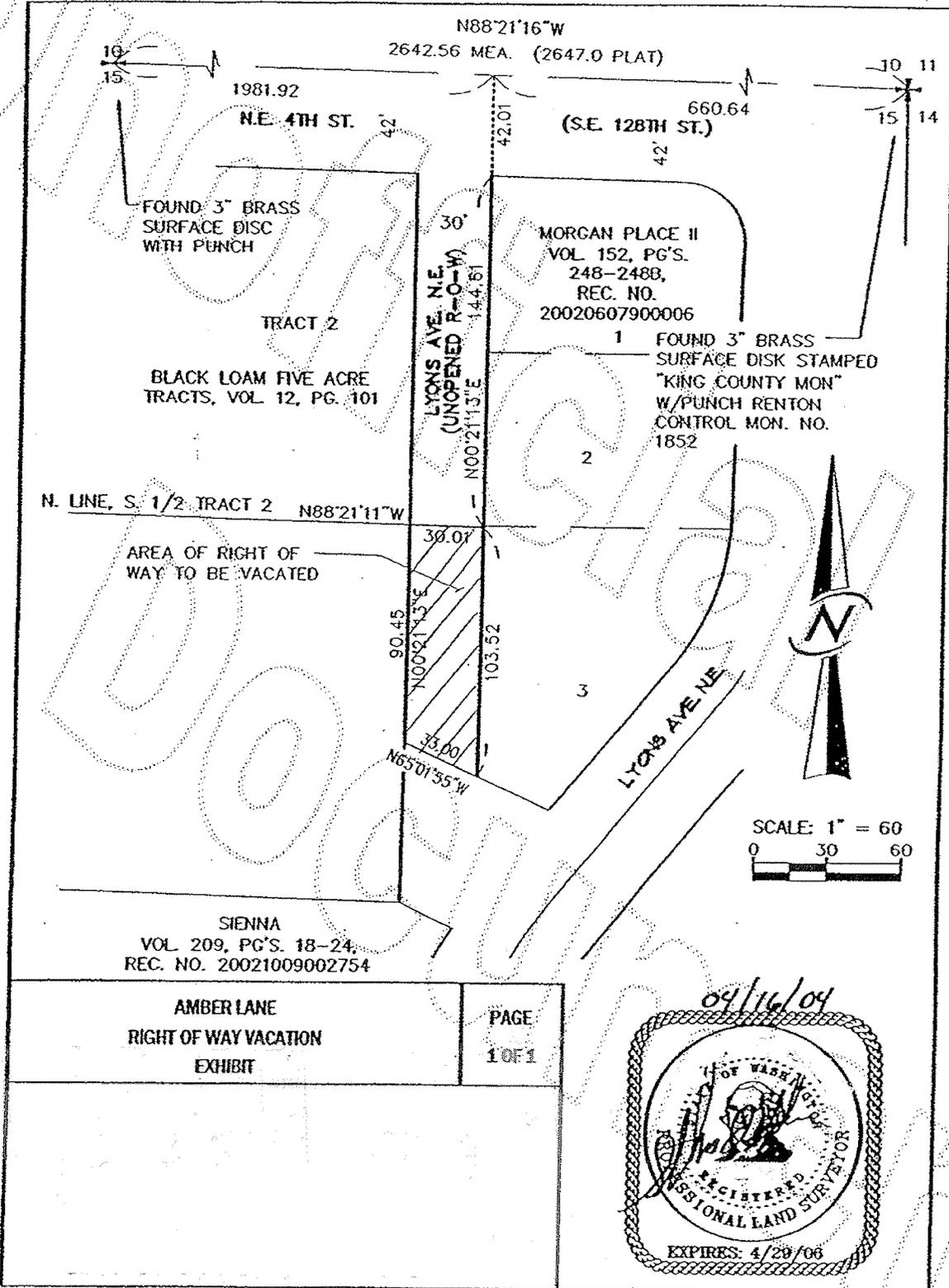
That portion of the northeast quarter of the northeast quarter of Section 15, Township 23 North, Range 5 East, W.M., in the City of Renton, King County, Washington described as follows:

COMMENCING at the northwest corner of Morgan Place II, according to the Short Plat thereof recorded in Volume 152 of Plats, pages 248 and 248B under Recording No. 20020607900006, records of said county; thence S00°21'13"W, along the west line of said Short Plat and the east right-of-way margin of Lyons Avenue NE as established by City of Renton Ordinance No. 4958, recorded under Recording No. 20020404000988, records of said county, 144.61 feet to the POINT OF BEGINNING of the herein described tract; thence continuing S00°21'13", along said west line and east margin 103.52 feet to the southwesterly corner of said Short Plat; thence N65°01'55"W, along the northwesterly prolongation of the southerly line of said Short Plat 33.00 feet to the east line of Tract 2, Black Loam five acre Tracts, according to the Plat thereof recorded in Volume 12 of Plats, page 101, records of said county and the west right-of-way margin of said Lyons Avenue NE; thence N00°21'13"E, along the east line of said Tract 2 and west margin 90.45 feet to the north line of the south half of said Tract 2; thence S88°21'11"E, along the easterly prolongation of said north line, 30.01 feet; to the POINT OF BEGINNING.

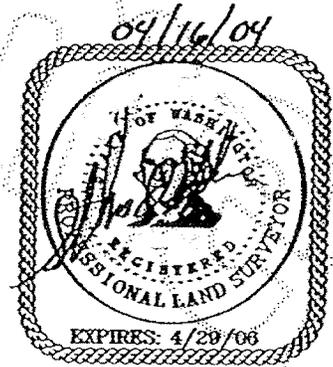
Contains 2,909 ± square feet (0.0668 ± acres)



ORDINANCE NO. 5164
EXHIBIT B



<p>AMBER LANE RIGHT OF WAY VACATION EXHIBIT</p>	<p>PAGE 1 OF 1</p>
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City of Renton

PETITION FOR VACATION OF RIGHT-OF-WAY

To the Honorable Mayor and
Members of the City Council
City of Renton
1055 S. Grady Way
Renton, WA 98055

Dear Mayor and Council Members:

We, the undersigned property owners abutting a certain portion of public right-of-way, respectfully request the vacation of the right-of-way as described on the attached "Exhibit A" and

commonly known as: _____.

(Insert closest cross streets and reference the street name, i.e. NE Bog Street from Bicycle Alley to Slalom Avenue NE.)

We request a time and place be fixed when this petition will be heard by the City Council.

Of the property owners abutting the area of this petition _____% [**2/3 or more required**] of the lineal frontage have agreed and indicated their joining this petition with their signatures below:

PROPERTY OWNER(S)	
Property Identification Number:	_ _ _ _ _ - _ _ _ _ <i>(first 10 digits of your 12-digit property tax account number)</i>
Signature:	
NAME:	
ADDRESS:	
CITY:	ZIP:
TELEPHONE NUMBER:	

PROPERTY OWNER(S)	
Property Identification Number:	_ _ _ _ _ - _ _ _ _ <i>(first 10 digits of your 12-digit property tax account number)</i>
Signature:	
NAME:	
ADDRESS:	
CITY:	ZIP:
TELEPHONE NUMBER:	

PETITIONER

NAME:

COMPANY (if applicable):

ADDRESS:

CITY:

ZIP:

TELEPHONE NUMBER

AFFIDAVIT OF AUTHORIZATION

I, (Print Name/s) _____, declare that I am (please check one) ____ the current owner of the property involved in this petition or _____ an authorized representative for the petitioners and that the foregoing statements and signatures herein contained and the information herewith are in all respects true and correct to the best of my knowledge and belief.

I certify that I know or have satisfactory evidence that _____ signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in the instrument.

(Signature of Owner/Representative)

Notary Public in and for the State of Washington

(Signature of Owner/Representative)

Notary (Print)

My appointment expires: _____

Dated: _____

****SUBMIT PETITION and FILING FEE TO
THE CITY CLERK, 7th FLOOR, RENTON CITY HALL****

For City Use:

Legal Description Vacation Area Map Vicinity Map Public Benefit Explanation