



City of Dayton Planning and Community Development

111 S. 1st St., Dayton, WA 99328
509-382-2361

Application to Vacate Street, Alley, or Public Easement

Introduction:

This application packet is designed to obtain all the information necessary to allow the City of Dayton to make a well-informed decision on your application. Please refer to the attached application checklist to determine the materials which must be submitted to complete your application. All application materials are public information. Your application will be evaluated on the basis of the information you provide, the criteria listed in the pertinent section of the Municipal Code, the Dayton Comprehensive Plan, 35.79 RCW other City regulatory ordinances, inspection of the property, as well as testimony and evidence presented through public comments.

You are encouraged to meet with the City of Dayton well in advance of submitting your Application to discuss your proposal and obtain guidance on the application materials you must submit.

Copies of City ordinances such as the Comprehensive Plan, Zoning Ordinance, Shoreline Master Plan, and others, are available online at www.daytonwa.com or at Dayton City Hall, 111 S. 1st St., Dayton, Washington 99328.

General Notes:

1. The information provided by City of Dayton is a preliminary, qualified assessment which is based on the information provided by the applicant/contact person. More detailed technical review of a specific development permit application may disclose additional substantive or procedural requirements. Furthermore, the role and the authority of the City staff will be advisory only. A final decision on a street vacation can only be made, after public comment and hearing, by the City Council.
2. The person filing the petition for street vacation is responsible to agree upon and coordinate with any other property owner who signed the petition in meeting the requirements imposed by the City Council, such as monetary compensation. If monetary compensation, land dedication, or an easement is required, the monetary compensation, dedication, or easement requirement must be fulfilled by the person filing the petition before the Ordinance granting the Vacation will be signed by Mayor.

3. The City Council does not make the decision on allocation of the vacated land. The person filing the petition and any other petitioner may want to contact Columbia County Assessor's Office to determine which property owners will receive the land to be vacated. 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.

Petition to Vacate a Street, Alley, or Public Easement:

1. Name of Person Filing Petition (Agent): _____
2. Mailing Address: _____
3. Email Address: _____
4. Legal Description of Street, Alley, of Public Easement to be Vacated:

5. Tax Parcel Number: _____
6. Does the Street, Alley, Public Easement or Part Thereof abut a body of water?
If yes, please describe.

7. Will the vacation result in any parcel of land being denied direct access via legal egress?

8. How is the vacation in the public interest?

9. Size of Street, Alley, or Public Easement to be Vacated (square feet):

Petition to Vacate a Street, Alley, or Public Easement

I/we, the legal owner(s) of two-thirds of the real property abutting the street, alley, or part thereof, or underlying the public easement, or part thereof, legally described herein of this petition, petition the City Council of the City of Dayton to vacate this street, alley, public easement, or part thereof, as described herein.

Name & Address	Signature	Date
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Name & Address	Signature	Date
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Name & Address	Signature	Date
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Name & Address	Signature	Date
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Application Checklist:

The following is a list of materials which must be submitted with your petition for vacation. For some applications, it may not be necessary to include all the listed materials. Consult with the City of Dayton if you have questions. Please do not turn in your application until all materials that are applicable to your proposal have been checked off. A hearing date will not be assigned until your application is complete with the specified materials.

Return this checklist with your application

Applicant to check if included with petition:

A pre-application meeting is suggested but not required.

1. Application

- Petition form signed by the owners of more than two-thirds of the lineal frontage of the property abutting the portion of the street or alley to be vacated, or in the case of an easement, more than two-thirds of the property underlying the portion of the easement to be vacated. If any petitioner is purchasing abutting or underlying property under a real estate contract, the seller of that property must also sign the vacation petition.
- Statement of why the proposed vacation is in the public interest.
- Statement explaining how no property will be denied direct access as a result of the vacation.
- Legal description of the street, alley or easement to be vacated; together with a statement certifying the validity of the legal description, signed by a licensed surveyor or registered engineer. The requirement for certifying the legal description may be waived by the Director of the Planning and Community Development Department if he/she or his/her designee certifies to the validity of the legal description. The legal description should be for a full street, alley, or easement vacation. Only in rare and unusual circumstances does the City approve a partial vacation.
- For each petitioner, a title report indicating ownership and providing a legal description of the property owned by the petitioner.

2. Fees

- Application fee per the effective Master Fee Schedule submitted when filing the application

The applicant understand that he/she is responsible for all fees associated with appraisals, filing requirement, surveying and other legal requirements associated with this request.

3. Plans

- o Two (2) copies of plans, drawn to scale at 1" = 100' on a minimum of 17" X 22" (ANSI C) size, showing the street, alley, easement, or part thereof to be vacated, and showing all properties with subdivision, blocks, lots, and specifying open and unopen rights-of-way for a radius of 400 feet from any boundary of the street, alley, easement, or part thereof to be vacated. The map must designate alternate access ways if the vacation will have the effect of eliminating access to or from any property. The map must also identify each petitioner's property.
- o One (1) copy of all plans reduced onto 8 ½ x 11" sheets.

4. Public Notice

- o Applicant is responsible for obtaining names and addresses of property owners within a radius of 300 feet all sides of the street or alley requested for vacation. Each property owner within 300 feet of the street or alley will receive notice of said petition and public hearing. If any time prior to the public hearing, 50 percent or more of all the owners of property abutting the street, alley or part thereof, or underlying the easement or part thereof, to be vacated file a written objection to the vacation with the City, the City may not hold a public hearing or grant the vacation.