

CITY OF FEDERAL WAY RIGHT OF WAY VACATION CHECKLIST

This checklist is intended to provide an overview of key requirements for submission, see the Administrative Street Vacation Policies for additional information.

STEP 1: Before Applying -

- Contact Public Works - Development Services to discuss feasibility and alternatives
- Schedule and conduct a pre-application meeting
- Prepare a written initial community engagement plan consistent with the WSDOT Community Engagement Plan Guide
- Conduct early community engagement and collect feedback

STEP 2: Petition -

1. Complete the attached Request for Petition Form and submit it to Public Works.
2. Collect signatures on the provided form(s).
3. Once signatures have been collected, proceed to Step 3.

Note: The City will provide the petition signature form after the information in step 1 is submitted.

STEP 3: Application for Vacation -

Submit the completed Right of Way Vacation Application Form, all pages of the signed petition forms, and all required supporting documentation.

Applications submitted without all required information will be returned to petitioner with no action. Once Public Works has determined all required information has been provided and is complete, Public Works will file it with the City Clerk, which commences the review process.

Five (5) hard copies and an electronic copy, in file formats acceptable to the City, of the following minimum information is required:

- Completed petition forms with notarized signatures of 2/3 of adjacent property owners proposed to be vacated.
 - Petition must contain signatures of property owners on both sides of street, even if only a portion of the Right of Way is sought for vacation.
 - For property owned by other than an individual, petition must include notarized signatures of two authorized officers. Submittal must also include documentation demonstrating the authorized officer's authority to bind the entity.
- Project description, including:
 - Dimensions, height, stories, parking, land use and site access for all modes of transportation for both existing and proposed conditions
 - Site plans, elevations, conceptual building drawings and renderings demonstrating proposed conditions
 - Description for the reason the vacation is needed, including what the vacation contributes to the property, and the increase in development potential attributable to the vacation
 - Provision for a "no vacation" alternative, describing what could be built on site without a vacation. Site plans showing a layout with no vacation must be provided and document why it is in the public's interest to vacate the Right of Way
 - Proposed development timeline
 - Project construction value, itemized by AIA specification numbering
 - Project taxable value

- Site Information:
 - Legal description of street proposed to be vacated, prepared and sealed by a Licensed Surveyor
 - Site, zoning, overlay and topographical maps, identified site constraints
- Project Information:
 - Development and consultant team contact information
 - Background information on petitioner proposing vacation
 - Documentation showing the petitioner has legal authority to initiate the petition
 - Map of Right of Way proposed for vacation
 - Description of existing conditions and uses
- Land Use Information:
 - Current Zoning and Comprehensive Plan Land Use designations
 - Summary of City plans and policies impacted
 - Identification of land use actions by both the City and other regulatory authorities required to develop the project
 - Comparison of development with and without the vacation
 - Urban design analysis of area surrounding the project site that includes a minimum of ½ mile in all directions
 - Analysis of land use and urban design impacts of development
 - Analysis of impacts on essential public facilities
- Transportation Information:
 - Current use and design of the Right of Way
 - Roadway designation, including street type
 - Analysis of transportation impacts from vacation, for both a build and no build condition, for:
 - Vehicles
 - Transit
 - Bicycle
 - Pedestrian
 - Freight
- Utilities Information:
 - Identification of current utilities within the area proposed for vacation
 - Potential future utilities
 - Proposed mitigation for impacts to current and future utilities
- Historic sites or buildings Information:
 - Identification of any designated historical site or building within ½ mile in all directions
 - Proposed mitigation for impacts
- Community Engagement Plan:
 - Preliminary community engagement plan
 - All comments and feedback received from preliminary community engagement
 - Full community engagement plan
- Vacation Policies:
 - Public Trust Analysis
 - Public Benefit Proposal
- Environmental Review:
 - SEPA/NEPA checklist
- Previously rejected vacation proposal:
 - Explanation of altered circumstances since previous rejection
- Filing Fee

CITY OF FEDERAL WAY RIGHT OF WAY VACATION REQUEST FOR PETITION FORM

PROJECT INFORMATION

Project Name: _____

Short Name of Right of Way to be vacated: _____

Pre-application Meeting Date: _____

CONTACT INFORMATION

Company Name: _____

Individual Point of Contact: _____

Phone Number: _____ Email: _____

Address: _____

GENERAL INFORMATION

Street Name requested to be vacated: _____

Nearest intersection on each side of requested vacation:

(1) _____

(2) _____

Centerline length of requested vacation: _____ feet

Number of total adjacent property owners between identified intersections: _____

REQUIRED ATTACHMENTS

- Legal description of Right of Way proposed to be vacated
- Map of proposed vacation
- Plan for the proposed project
- Names and addresses of all property owners adjacent to vacation area, inclusive of the entire Right of Way to the nearest intersections adjacent to the proposed vacation
- Initial Community Engagement Plan
- Collected community feedback
- Proof of Signature Authority (not applicable to a request by an individual)

I certify under penalty of perjury that I am the property owner. I certify that to the best of my knowledge, the information submitted is true and correct. I certify that I will comply with all applicable City of Federal Way regulations pertaining to the Right of Way vacation process. I understand that a Right of Way vacation does not remove the owner's responsibility for compliance with local, state, or federal laws and understand it is my responsibility to obtain all other required permits prior to the commencement of work.

I further agree to hold harmless the City of Federal Way as to any claim (including costs, expenses, and attorneys' fees incurred in the investigation and defense of such claim), which may be made by any person, including the undersigned, and filed against the city, but only where such claim arises out of the reliance of the city, including its officers and employees, upon the accuracy of the information supplied to the city by the petitioner.

Signature

Typed Name

Title

Date

CITY OF FEDERAL WAY RIGHT OF WAY VACATION APPLICATION FORM

PROJECT INFORMATION

Project Name: _____

Short Name of Right of Way to be vacated: _____

CONTACT INFORMATION

Company Name: _____

Individual Point of Contact: _____

Phone Number: _____ Email: _____

Address: _____

GENERAL INFORMATION

Street Name requested to be vacated: _____

Nearest intersection on each side of requested vacation:

(1) _____

(2) _____

Centerline length of requested vacation: _____ feet

Number of total adjacent property owners between identified intersections: _____

Number of adjacent property owners who signed in favor of petition: _____

REQUIRED ATTACHMENTS

Submit five (5) hard copies and an electronic copy of each of the following:

- | | |
|--|--|
| <input type="checkbox"/> Completed, notarized, petition forms | <input type="checkbox"/> Historic Sites or Buildings Information |
| <input type="checkbox"/> Written description of proposed project | <input type="checkbox"/> Community Engagement Plan |
| <input type="checkbox"/> Project plans and renderings | <input type="checkbox"/> Public Trust Analysis |
| <input type="checkbox"/> Site Information | <input type="checkbox"/> Public Benefit Analysis |
| <input type="checkbox"/> Project Information and contact information | <input type="checkbox"/> Environmental Review Information |
| <input type="checkbox"/> Land Use Information | <input type="checkbox"/> Alterations from previous application (if applicable) |
| <input type="checkbox"/> Transportation Information | <input type="checkbox"/> Filing Fee |
| <input type="checkbox"/> Utilities Information | |

(Signature Page Follows)

PROJECT INFORMATION

Project Name: _____

Short Name of Right of Way to be vacated: _____

I certify under penalty of perjury that I am the property owner. I certify that to the best of my knowledge, the information submitted is true and correct. I certify that I will comply with all applicable City of Federal Way regulations pertaining to the Right of Way vacation process. I understand that a Right of Way vacation does not remove the owner’s responsibility for compliance with local, state, or federal laws and understand it is my responsibility to obtain all other required permits prior to the commencement of work.

I further agree to hold harmless the City of Federal Way as to any claim (including costs, expenses, and attorneys’ fees incurred in the investigation and defense of such claim), which may be made by any person, including the undersigned, and filed against the city, but only where such claim arises out of the reliance of the city, including its officers and employees, upon the accuracy of the information supplied to the city by the petitioner.

Signature	Typed Name	Title	Date
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STATE OF WASHINGTON)
) ss.
 COUNTY OF _____)

On this day personally appeared before me _____, to me known to be the _____ of _____ that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation/ limited liability company, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said corporation.

GIVEN my hand and official seal this _____ day of _____, 20__.

(typed/printed name of notary)
Notary Public in and for the State of Washington.
My commission expires _____

**CITY OF FEDERAL WAY
RIGHT OF WAY VACATION
SAMPLE PETITION FORM**

Owner Name:
Address:
Parcel No.:

The City has received a request from _____ to vacate a Right of Way in association with _____ project. City Code and State Law governs the process for vacation of a Right of Way and requires a petition of adjacent property owners with support of 2/3s for the vacation process to proceed. If a petition does not receive support from 2/3s of the adjacent property owners the vacation process does not continue.

Information related to the vacation request:

Street Name requested to be vacated:
Nearest intersection on each side of requested vacation:
(1)
(2)
Centerline length of requested vacation: feet
Number of total adjacent property owners:

I, as the owner identified above:

- DO support vacation of the above Right of Way
- DO NOT support vacation of the above Right of Way

I certify under penalty of perjury that I am the property owner and the information submitted is true and correct.

_____ Signature	_____ Typed Name	_____ Title	_____ Date
_____ Signature	_____ Typed Name	_____ Title	_____ Date

Corporate:

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

On this day personally appeared before me _____, to me known to be the _____ of _____ that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said corporation.

GIVEN my hand and official seal this _____ day of _____, 20__.

Notary's signature _____
Notary's printed name _____
Notary Public in and for the State of Washington.
My commission expires _____

LLC:

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

On this day personally appeared before me _____, to me known to be the _____ of _____ that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited liability company, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

GIVEN my hand and official seal this _____ day of _____, 20__.

Notary's signature _____
Notary's printed name _____
Notary Public in and for the State of Washington.
My commission expires _____

Individual:

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

On this day personally appeared before me, _____, to me known to be the individual described in and who executed the foregoing instrument, and on oath swore that he/she/they executed the foregoing instrument as his/her/their free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN my hand and official seal this _____ day of _____, 20__.

Notary's signature _____
Notary's printed name _____
Notary Public in and for the State of Washington.
My commission expires _____