



STREET VACATION APPLICATION

23204 58th Avenue W
Mountlake Terrace, WA 98043
Phone 425.744.6267 / Fax
425.775.0420
PermitSpecialist@mltwa.gov
www.cityofmlt.com

FOR STAFF USE ONLY

Application # _____ Fee \$ _____ Receipt # _____

PROCESSED BY: _____ (Initials) DATE: ____/____/____

Vacation of a Street/Public Right of Way, Alley or Easement

A Street Vacation is a procedure in which the City may relinquish its interests in a street, alley or easement. Upon receipt of an application, the City Council will determine whether the right-of-way is no longer necessary for public use. The City Council may vacate all or some of the requested vacation area, or deny the application. The City may also retain certain rights to the vacated area.

Standard for vacation

The City Council may approve a vacation request only if it finds that:

- The vacation is in the public interest; and
- No property will be denied direct access because of the vacation.

Application

Well in advance of submitting, applicants are encouraged to meet with a planner from the Community and Economic Development Department to discuss the proposal and obtain guidance on the application materials that must be submitted.

The application packet is intended to obtain the necessary information allowing the City to make a well-informed decision on a vacation application. Refer to the submittal requirements for the materials that must be included with the application.

In order to meet any requirements imposed by the City Council, such as monetary compensation, the applicant is responsible to agree upon and coordinate with any other property owner who signed the petition.

Applications will be evaluated on the basis of the information provided, applicable criteria in the RCW's, and in municipal code (such as Title 17 Subdivisions), the Mountlake Terrace Comprehensive Plan, other City regulatory ordinances, inspection of the property and testimony and evidence presented through public comments.

All application materials are public information.

Pertinent City Codes and Regulations

Chapter 35.79 RCW*

MTMC 17.08.030 Procedure*

MTMC 17.08.040 Requirements for a Complete Application

***When the vacation application is specifically for a City street, the procedures for street vacations in Chapter 35.79 RCW shall be utilized for the street vacation.** When the application is for the vacation of the plat or binding site plan together with the roads/streets, the procedure for vacation in this chapter shall be used, but vacations of streets subject to RCW 35.79.035 may not be made under this procedure. (Excerpt from MTMC 17.08.010 Purpose.)



23204 58th Ave W
Mountlake Terrace, WA 98043
Phone 425.744.6267

PermitSpecialist@mltwa.gov
www.cityofmlt.com

PERMIT CONTACT INFORMATION

FOR STAFF USE ONLY
Permit(s) Number(s): _____
PROCESSED BY: _____ (Initials) DATE: ___/___/___

Project Name/Name of Business (If Applicable) _____

Subject Property Address _____ **Suite No.** _____

Parcel Number(s) _____

Applicant _____
Mailing Address _____
Street Address _____ City _____ State _____ Zip _____
Phone _____ E-Mail _____

Property Owner _____
Mailing Address _____
Street Address _____ City _____ State _____ Zip _____
Phone _____ E-Mail _____

Contractor _____
<i>If Applicable</i>
Mailing Address _____
Street Address _____ City _____ State _____ Zip _____
Phone _____ E-Mail: _____
State License # _____ Expires _____ City Business License # _____ Expires _____

Contact Person: _____
<i>This person is designated by the applicant to receive all communications, correspondence, determinations and notices as required by development regulations.</i>
Mailing Address: _____
Street Address _____ City _____ State _____ Zip _____
Phone _____ E-Mail: _____

Design Professional: _____
Mailing Address: _____
Street Address _____ City _____ State _____ Zip _____
Phone _____ E-Mail: _____

Signed: _____ **Print Name:** _____ **Date:** _____

STREET VACATION SUBMITTAL REQUIREMENTS

The application fee must be submitted with the application form and submittal requirements. All materials shall be submitted in electronic form, as prescribed by the City.

1. [Permit Contact Information](#) form, completed and signed. This is to include a signed and notarized authorization from the property owner(s) of each lot (separately signed for each lot) if applicant is not the owner of all abutting parcels of the area being vacated.
2. [Petition to vacate form](#) (attached), completed and signed (one original, one copy). The vacation petition application shall contain the signatures of the petitioning property owners who own more than two-thirds of the property abutting the portion of the street, alley or easement to be vacated.
3. [Title report\(s\)](#) documenting ownership of the abutting property. Must be current within 90 days of application. Copies of all Schedule B documents must be attached.
4. Site plan map of area to be vacated.
5. A metes and bounds [legal description](#) of the street, alley, easement or part thereof to be vacated, prepared by a State of Washington licensed surveyor.
6. [Vicinity map](#) showing the area to be vacated. The map shall show all properties with subdivision, block, lots, and open and unopened rights-of-way for a radius of 400 feet from the site of the proposed vacation. Vicinity map must be to scale and at a reproducible size (8½" x 11" preferred, 11" x 17" max).
7. [Appraisal](#), current within 90-days of application, prepared by a qualified land appraiser with an M.A.I. designation, establishing the fair market value of the proposed vacation. An appraisal is not required if a utility easement, only, is proposed to be vacated.
8. If one, and only one, of the abutting properties, was originally dedicated from the public right-of-way provide documentation.

Other submittal requirements:

1. [Electronic copy of all submittal material](#), above.
2. Application fee.
3. [Address labels](#) containing the names and addresses of owners of all property within 300 feet of any boundary of the street, alley, easement, or part thereof to be vacated, and the notarized affidavit. Include name and address of applicant and contacts on the labels. (This submittal is a deferred submittal until closer to the time of the hearing.)
4. Any additional information or material that the City determines is reasonably necessary for the City Council to consider the requested vacation.



23204 58th Avenue W
Mountlake Terrace, WA 98043
Phone 425.744.6267
www.cityofmlt.com

PETITION TO VACATE A STREET, ALLEY OR PUBLIC EASEMENT

Name of Person(s) Filing Petition: _____

Mailing Address: _____

Phone: _____ Email: _____

Legal description of street, alley, or public easement to be vacated (metes and bounds) _____

Square feet of area: _____

Tax parcel number(s) of all abutting properties: _____

Does the street, alley, public easement or part thereof abut any body of water? _____ If so, please describe: _____

Will the vacation result in any parcel of land being denied direct access?

How is the vacation in the public interest?

**PETITION TO VACATE A
STREET/RIGHT OF WAY, ALLEY, OR PUBLIC EASEMENT**

We, the owners of two-thirds of the real property abutting the street, alley, or part thereof, or underlying the public easement, or part thereof, legally described on page 1 of this Petition, petition the City Council of the City of Mountlake Terrace to vacate this street, alley, public easement, or part thereof:

NOTE: If any petitioner is purchasing the property under a real estate contract, the signature of the contract seller is also required.

Name of property owner (print)	Address	Tax account#	Signature

(Attach additional sheets if necessary)

Insert vicinity map here