



Development Services Department  
865 S.E. Barrington Drive  
Oak Harbor, WA 98277  
360-279-4500  
fax 360-279-4519

## CITY OF OAK HARBOR RIGHT-OF-WAY VACATION PROCESS SUMMARY

A right-of-way vacation is the legal process by which owners of an interest in any real estate abutting upon any street or alley who desire to vacate the street or alley, may petition the legislative authority to make vacation.

The following outlines the City of Oak Harbor right-of-way vacation process:

- (1) A petition for right-of-way vacation (attached) shall be submitted to the Development Services Department. A **fee of \$664.00**, title reports, legal descriptions and parcel maps must accompany the petition. The City and applicable agencies will review the request prior to making a recommendation to the City Council to schedule a public hearing. In addition to the above, a survey of the actual right-of-way to be vacated including any utilities and any easements may be required to continue the review of the request.
- (2) The City Council will set a time for a public hearing by resolution. The public hearing must be held no earlier than 20 days but within 60 days of the Council adopting the resolution.
- (3) Notice of application shall be circulated for public comment.
- (4) The City Council will hold a public hearing to consider the request.
- (5) If the City Council decides to vacate the right-of-way, they may also require compensation for the vacated right-of-way. If the Council requires compensation, the decision is not effective until the applicant pays for an appraisal of the property and pays the City for no more than the appraised value of the land. The Council may elect to accept less than full value for the property. The City may retain an easement over all or a portion of the property.
- (6) Upon receipt of the required compensation the City will record the ordinance and vacate the right-of-way.

Attached is a copy of RCW 35.79 Streets - Vacation.

**Should you have further questions please feel free to call (360) 279-4512.**