

Tidelands—
Use by upland
owners.

maintaining docks: Tidelands of the second class owned by the state of Washington situated in front of, adjacent to, or abutting upon, the entire west side of lot 1, section 5, Township 34 North, Range 2 West, W. M., to the northernmost tip of said lot, and lots 2 and 3, section 8, Township 34 North, Range 2 West, W. M. (Cattle Point).

Passed the Senate April 28, 1967.

Passed the House April 28, 1967.

Approved by the Governor May 10, 1967.

CHAPTER 129.

[Reengrossed Senate Bill No. 419.]

VACATION OF STREETS AND ALLEYS.

AN ACT relating to the vacation of streets and alleys; and amending section 35.79.030, chapter 7, Laws of 1965 and RCW 35.79.030.

Be it enacted by the Legislature of the State of Washington:

RCW 35.79.030
amended.

Section 1. Section 35.79.030, chapter 7, Laws of 1965 and RCW 35.79.030 are each amended to read as follows:

Cities and
towns—Vacation
of streets
and alleys.

The hearing on such petition may be held before the legislative authority, or before a committee thereof upon the date fixed by resolution or at the time said hearing may be adjourned to. If the hearing is before such a committee the same shall, following the hearing, report its recommendation on the petition to the legislative authority which may adopt or reject the recommendation. If such hearing be held before such a committee it shall not be necessary to hold a hearing on the petition before such legislative authority. If the legislative authority determines to grant said petition or any part thereof, such city or town shall be authorized and

have authority by ordinance to vacate such street, or alley, or any part thereof, and the ordinance may provide that it shall not become effective until the owners of property abutting upon the street or alley, or part thereof so vacated, shall compensate such city or town in an amount which does not exceed one-half the appraised value of the area so vacated: *Provided*, That such ordinance may provide that the city retain an easement or the right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services: *Provided further*, That no city or town shall be authorized or have authority to vacate such street, or alley, or any parts thereof if any portion thereof abuts on a body of salt or fresh water unless such vacation be sought to enable the city, town, port district or state to acquire the property for port purposes, boat moorage or launching sites, park, viewpoint, recreational, or educational purposes, or other public uses. This proviso shall not apply to industrial zoned property.

Note: See also section 1, chapter 123, Laws of 1967.

Passed the Senate April 28, 1967.

Passed the House April 27, 1967.

Approved by the Governor May 10, 1967.