

Bond Case Briefs

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VACATION - WASHINGTON

Lake Forest Park Water Dist. v. City of Lake Forest Park

Court of Appeals of Washington, Division 1 - April 25, 2016 - Not Reported in P.3d - 2016 WL 1627823

When a city vacates a right-of-way, title transfers to the abutting property owners. Here, the City of Lake Forest Park (City) passed an ordinance that purported to vacate the right-of-way for yet unopened streets and retain title for the City.

The parties agreed that the portion of the ordinance retaining title is void.

The Court of Appeals held that the ordinance's severability clause did not preserve the vacation provision because retention of title was an integral part of the entire ordinance. Its underlying purpose and legislative history show that the City would not have passed the ordinance had the City not retained title.