

**CITY OF WEST RICHLAND
RESOLUTION NO. 19-20**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON, VACATING
A PORTION OF A 10' IN WIDTH PUBLIC UTILITY EASEMENT ON PARCEL
NUMBER 1-1798-102-0001-017, LOCATED IN WEST RICHLAND,
WASHINGTON**

WHEREAS, An application was submitted for a utility easement vacation for a public utility easement on Parcel Number 1-1798-102-0001-017, assigned File Number EV 2019-14; and

WHEREAS, the retention of the easement no longer serves any useful public purpose; and

WHEREAS, it appears that the vacation of the easement would not unduly jeopardize the health, safety, welfare or public good; and

WHEREAS, the RCW 35.94.040 states that a legislative authority may cause for lands, property, or equipment originally acquired for public utility purposes that is found to be surplus to the city's needs and is not required for providing continued public utility service may be conveyed; and

WHEREAS, the RCW 35.94.040 further states that the legislative authority must take such action via resolution following a public hearing; and

WHEREAS, pursuant to Resolution 17-20 passed by the City Council on March 17, 2020, setting forth the City's intention to consider approving a public utility easement vacation request for a portion of a 10' utility easement, a public hearing was held before the City Council of the City of West Richland on April 21, 2020, and

WHEREAS, on April 21, 2020 due to the public health crisis, the public hearing was postponed to May 5, 2020; and

WHEREAS, following the public hearing on May 5, 2020, the City Council voted to approve the utility vacation application; and

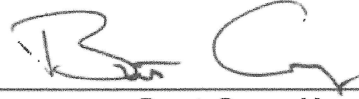
WHEREAS, all other steps and proceedings required by law to vacate a public utility easement have been duly taken and performed;

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF WEST RICHLAND, WASHINGTON, does hereby resolve as follows:

Section 1. The portion of a 10' in width utility easement per Plat of the Lakes, as set forth in exhibit A, is vacated.

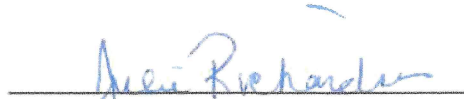
BE IT FURTHER RESOLVED that a copy of this proposal and signed resolution, provided to the applicant by the City, must be recorded at the Benton County Auditor's Office by the applicant and a copy of the recording returned to the City within 30 days of the Council's actions, or the easement vacation becomes null and void.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this 5th day of May, 2020.



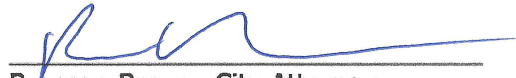
Brent Gerry, Mayor

ATTEST:



Julie Richardson, City Clerk

APPROVED AS TO FORM:



Bronson Brown, City Attorney