

When Recorded Return To:  
City of West Richland  
3100 Belmont Blvd.  
West Richland, WA 99353

**CITY OF WEST RICHLAND  
RESOLUTION NO. 72-20**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON,  
VACATING A PORTION OF THE 30' WIDE PUBLIC UTILITY EASEMENT  
LOCATED ON PARCEL NUMBER 1-0698-201-3480-002, IN WEST  
RICHLAND, WASHINGTON.**

**WHEREAS**, an application was submitted for a partial utility easement vacation for a 33' wide public utility easement, on Parcel Number 1-0698-201-3480-002 and is assigned File Number VACA 2020-01; and

**WHEREAS**, City staff contacted Franchise Utilities to provide notification of the application, and there was no objection to the proposed easement vacation; 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 and WRMC 12.60.020 further state that the legislative authority must take such action via resolution following a public hearing; and

**WHEREAS**, pursuant to Resolution 59-20 passed by the City Council on October 6, 2020, setting forth the City's intention to consider approving a public utility easement vacation request for a portion of the 33' wide utility easement, a public hearing was held before the City Council of the City of West Richland on November 17, 2020, and

**WHEREAS**, following the public hearing on November 17, 2020, the City Council voted to approve the utility vacation application; and

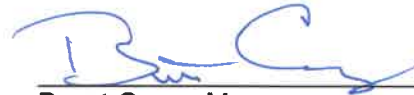
**WHEREAS**, all other steps and proceedings required by law to vacate a public access easement have been duly taken and performed;

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


**Section 1.** A portion of the 30' wide utility easement, as set forth in Exhibit A, is vacated.

**BE IT FURTHER RESOLVED** that a copy of this passed and signed ordinance, 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 17th day of November 2020.

  
Brent Gerry, Mayor

ATTEST:

  
Stephanie Haug, City Clerk

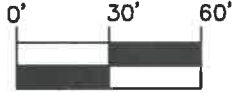
APPROVED AS TO FORM:

  
Bronson Brown, City Attorney

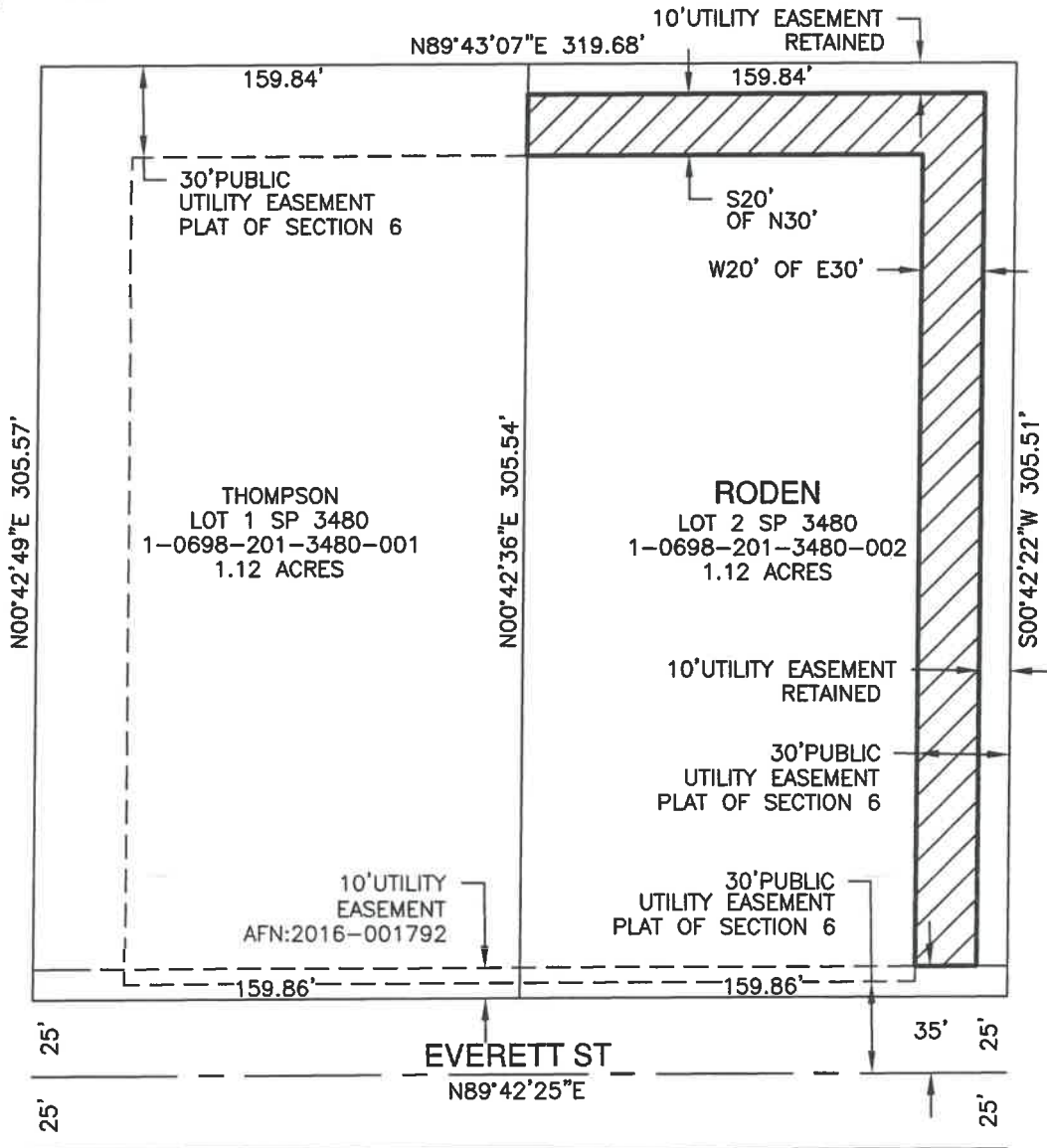
**EXHIBIT A**



**GRAPHIC SCALE**



1 INCH = 60 FT.



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 Richland, Washington 99354  
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 FAX 509-371-0999

**RYAN & MARI RODEN**

5512 EVERETT ST  
 ROADWAY & PUBLIC UTILITY EASEMENT VACATION  
 EXHIBIT MAP TO ACCOMPANY DESCRIPTIONS

WEST RICHLAND

WASHINGTON

PLOT DATE: 09/25/20

FILE:20120 EASEMENT.DWG

**RODEN - PARCEL NO. 1-0698-201-3480-002 EASEMENT VACATION DESCRIPTION**

THOSE PORTIONS OF LOT 2, SHORT PLAT NO. 3480, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 2016-001792, RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

THE WEST 20.00 FEET OF THE EAST 30.00 FEET EXCEPT THE SOUTH 10.00 FEET THEREOF;  
TOGETHER WITH THE SOUTH 20.00 FEET OF THE NORTH 30.00 FEET OF SAID LOT 2.

