

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

**CITY OF WEST RICHLAND
RESOLUTION NO. 74-20**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON,
VACATING A PORTION OF THE 33 FOOT WIDE PUBLIC UTILITY
EASEMENT LOCATED ON PARCEL NUMBER 1-0898-302-0207-000, IN
WEST RICHLAND, WASHINGTON.**

WHEREAS, an application (under File Number EV 2020-13) was submitted for a partial utility easement vacation for a 33' wide public utility easement, accepted via City of West Richland Ordinance 10-20, on Parcel Number 1-0898-302-0207000; 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 61-20 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:

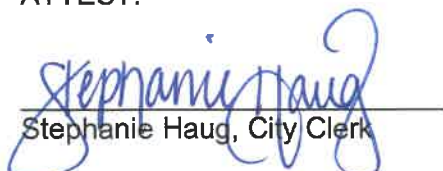
Section 1. A portion of the 33' wide utility easement, as set forth in exhibit A, is vacated.

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:


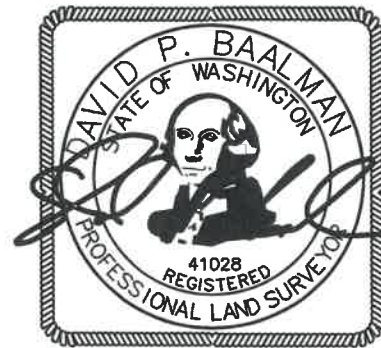
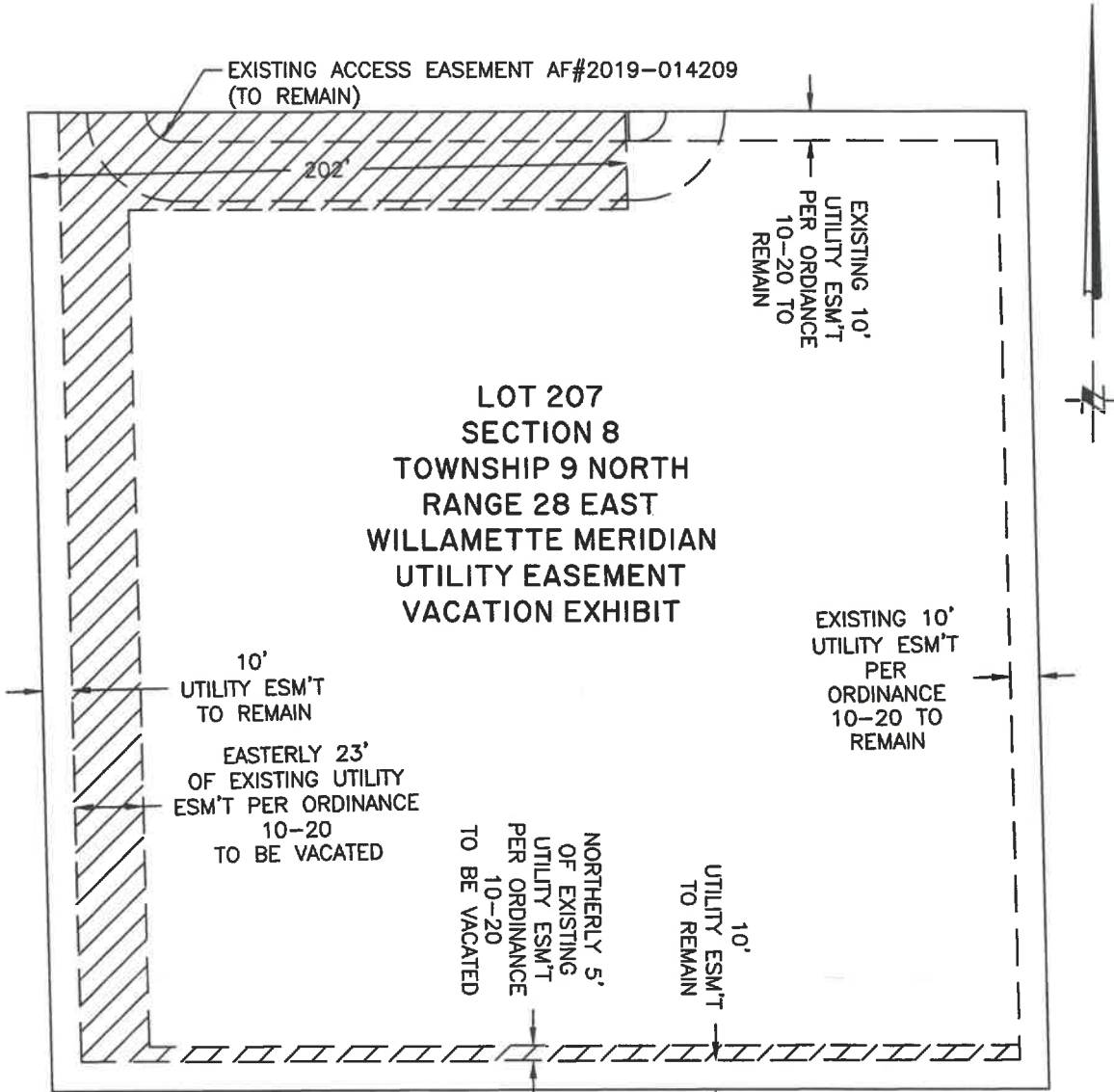

Bronson Brown, City Attorney

EXHIBIT A

EXHIBIT MAP
UTILITY EASEMENT VACATION
PTN LOT 207 SB T9N R28E W.M.
CITY OF WEST RICHLAND, BENTON COUNTY, WASHINGTON



RSI ROGERS
SURVEYING INC., P.S.
1485 COLUMBIA PARK TRAIL
RICHLAND, WA 99352
PHONE (509) 783-4141
FAX: (509) 783-5904
www.rogerssurveying.com

8-12-2020

00920

**LEGAL DESCRIPTION
UTILITY EASEMENT VACATION**

THOSE PORTIONS OF THOSE EASEMENTS DESCRIBED IN CITY OF WEST RICHLAND ORDINANCE 10-20 LYING WITHIN LOT 7, SECTION 8, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF WEST RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHERLY 5.00 FEET OF THE SOUTHERLY 15.00 FEET OF SAID LOT 207, **EXCEPT** THE WESTERLY 10.00 FEET THEREOF.

TOGETHER WITH THE EASTERLY 23.00 FEET OF THE WESTERLY 33.00 FEET OF SAID LOT 207, **EXCEPT** THE SOUTHERLY 10.00 FEET THEREOF.

AND TOGETHER WITH THE WESTERLY 202.00 FEET OF THE NORTHERLY 33.00 FEET OF SAID LOT 207.



8-12-2020

DPB
8-1-20
00920