



CITY OF WEST RICHLAND
PUBLIC WORKS DEPARTMENT
3801 W. VAN GIESEN
WEST RICHLAND, WA 99353
(509) 967-5434 FAX: (509) 967-2419

NOTICE OF PUBLIC HEARING BEFORE THE WEST RICHLAND CITY COUNCIL

Notice is hereby given that Resolution 15-22 was passed by the City of West Richland's City Council on March 15, 2022 setting the date for a Public Hearing to consider vacating a portion of the Desert View Drive Road Right-of-Way as described and shown on the enclosed Exhibit A and B.

Per Resolution 15-22, a virtual open Public Hearing will be held via Zoom on April 19, 2022, at 6:00pm to consider vacating a portion of Desert View Drive Road Right-of-Way per West Richland Municipal Code Chapter 12.40. Please see attached Exhibit A and B, Vicinity Map and copy of Resolution 15-22.

The land proposed to be vacated is public road right-of-way. Anyone for or objecting to the proposed vacation should attend the public hearing or send a letter to the City Clerk, Stephanie Haug, indicating his or her opinion prior to the public hearing date. Written comments must be received by the City Clerk no later than 3:00pm, April 19, 2022. Letters should be addressed to the City Clerk at the following address: 3100 Belmont Blvd. Suite 106, West Richland, Washington 99353 or via email to shaug@westrichland.org.

Please contact the West Richland Public Works Department at 967-5434 with any questions regarding the proposed road right-of-way vacation.

Roscoe C. Slade III, P.E.
City of West Richland
Director of Public Works

The link to attend the virtual City Council meeting during which the public hearing will be held is below:

Topic: West Richland City Council Meeting – Road ROW Vacation Public Hearing
Tuesday, April 19, 2022 @ 6pm

<https://us02web.zoom.us/j/86707731943>

Meeting ID: 867 0773 1943
One tap mobile
+12532158782, 86707731943# US (Tacoma)

**CITY OF WEST RICHLAND
RESOLUTION NO. 15-22**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON,
SETTING THE PUBLIC HEARING DATE TO CONSIDER VACATING A
PORTION OF DESERT VIEW DRIVE ROAD RIGHT-OF-WAY.**

WHEREAS, West Richland Municipal Code Chapter 12.40, Vacation of Streets, Alleys and Road Rights-of-Way, establishes the procedure and criteria for the city to use to decide upon vacation of road right-of-way consistent with RCW 35.79; and

WHEREAS, Policy #2e Vacate Unnecessary Rights-of-Way, Goal #2 Coordinate Transportation System Improvements and Service Level Standards with Other Jurisdictions and Providers, Transportation Element of the City of West Richland's Comprehensive Plan states, "Public right-of-way is acquired for street or utility purposes. Acquisition can occur at the time of subdivision or in conjunction with development. In some cases, changes in development plans or the public perception of where growth should occur results in unused and unnecessary right-of-way. Once it has become unnecessary for a public purpose, it should be transferred to private ownership as provided by law"; and

WHEREAS, a petition, street / access easement vacation application, was submitted to the City on January 25, 2022 requesting that a portion of Desert View Drive road rights-of-way be vacated by the City; and

WHEREAS, said petition was reviewed by city staff and determined to be complete on February 24, 2022; 1) meeting all required elements of WRMC 12.40.010(B), 2) signed by the owners of more than two-thirds of the property owners abutting the portion of Desert View Drive road rights-of-way requested to be vacated, and 3) receipt of payment of administrative fee per West Richland's Master Fee Schedule; and

WHEREAS, the City Council is required to adopt a resolution fixing a time for a public hearing when the vacation will be heard and determined and said time shall not be more than 60 days nor less than 20 days after the passage of the resolution; and

WHEREAS, following the public hearing, the city council shall consider the request in accordance with state and local law. To approve a vacation, the council must find that the street, alley, road right-of-way or access easement is not currently necessary for travel or other street purposes, nor likely to be in the future, no property will be denied all access as a result of the vacation, such vacation would not unduly jeopardize the health, safety, welfare, or public good, applicable legal requirements have been met, and any other fact or issue it deems relevant. The city council may grant the petition to vacate the street, alley, road right-of-way or access easement or any part thereof by ordinance, with or without conditions, or the city council may deny the petition; and

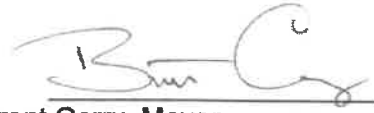
NOW, THEREFORE, the City Council of the City of West Richland, Washington does hereby resolve as follows:

Section 1. There shall be a public hearing concerning the vacation of a portion of Desert View Drive Road Rights-of-Way before the City Council of the City of West Richland, Washington, at its regularly scheduled meeting to be held on the 19th day of April, 2022, at 6:00pm.

Section 2. The proposed portion of Desert View Dive road rights-of-way to be vacated is shown in Exhibit B and described in Exhibit A herein attached.

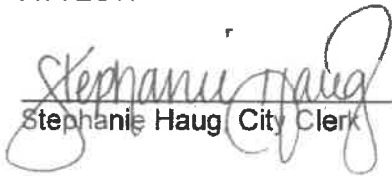
Section 3. This resolution shall be in effect immediately upon approval.

PASSED by the City Council of the City of West Richland, Washington, this 15th day of March, 2022.



Brent Gerry, Mayor

ATTEST:



Stephanie Haug, City Clerk

APPROVED AS TO FORM:



Bronson Brown, City Attorney

EXHIBIT " A "

RIGHT OF WAY VACATION

THAT PORTION OF DESERT VIEW DRIVE (FORMERLY BERNICE ROAD) AS ESTABLISHED BY THE PLAT OF HEMMINGER'S ACRES RECORDED IN VOLUME 3 OF PLATS AT PAGE 88, UNDER AUDITOR'S FEE NUMBER 220017, RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

THE NORTHERLY HALF OF DESERT VIEW DRIVE LYING SOUTHERLY OF THE SOUTHERLY MARGIN OF DEER STREET (FORMERLY JOSHUA STREET) AND EASTERLY OF A LINE PARALLEL WITH AND 50.00 FEET EASTERLY OF THE WEST LINE OF LOT 11, BLOCK 3 OF SAID PLAT, EXTENDED SOUTHERLY TO THE SOUTHERLY MARGIN OF SAID DESERT VIEW DRIVE.

TOGETHER WITH THE SOUTHERLY HALF OF DESERT VIEW DRIVE LYING EASTERLY OF A LINE PARALLEL WITH AND 50.00 FEET EASTERLY OF THE WEST LINE OF LOT 11, BLOCK 3 OF SAID PLAT, EXTENDED SOUTHERLY TO SOUTHERLY MARGIN OF SAID DESERT VIEW DRIVE, AND WESTERLY OF A LINE BEGINNING AT THE NORTHEAST CORNER OF LOT 30, BLOCK 2, OF SAID PLAT AND EXTENDED PERPENDICULAR TO THE CENTERLINE OF SAID DESERT VIEW DRIVE.

CONTAINING 7,513 SQUARE FEET MORE OR LESS.

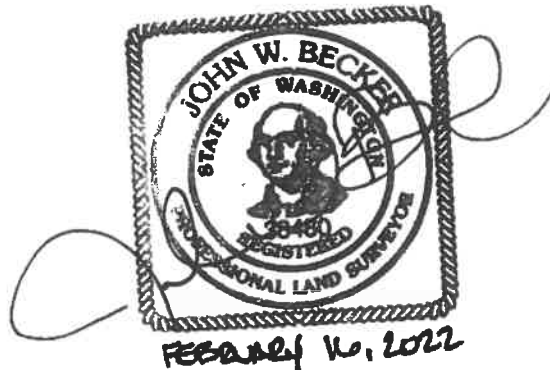
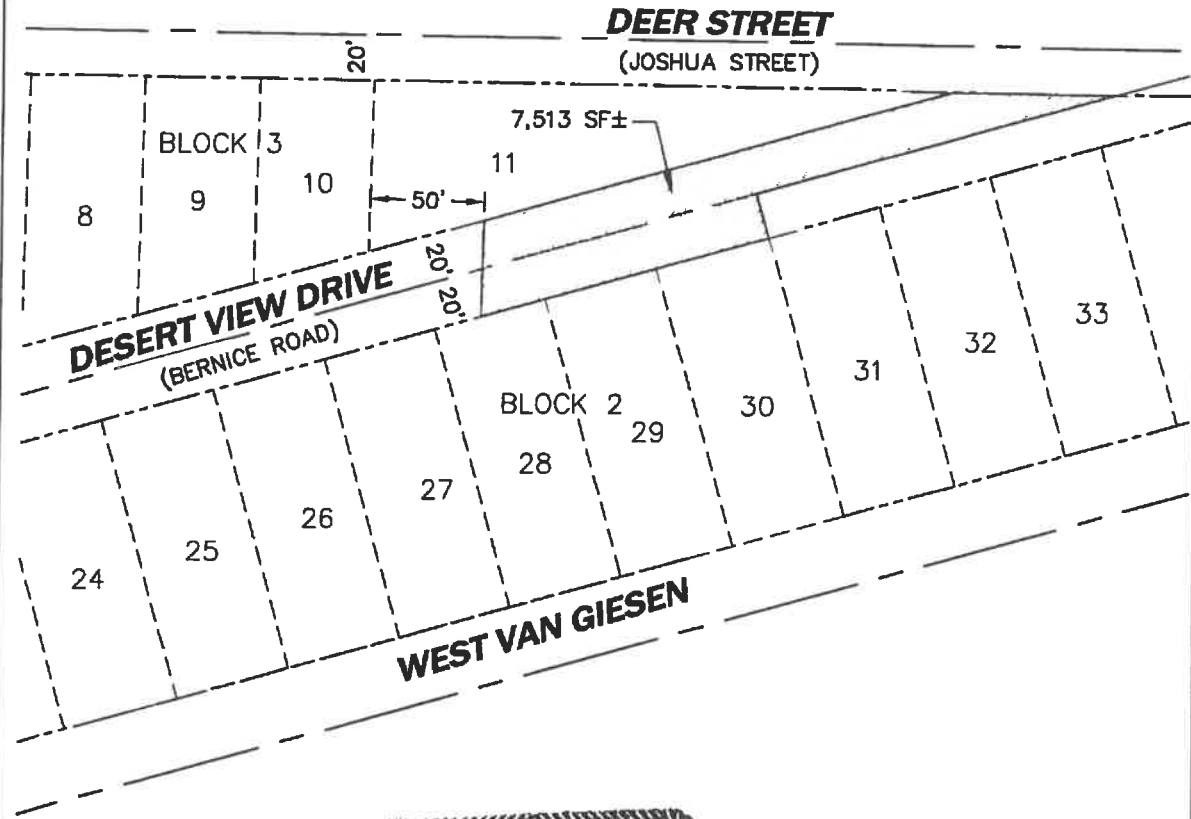


EXHIBIT " B "



1"=80'



February 11, 2022

JOB NO. 2160220.87
 January 3, 2022
 RIGHT OF WAY VACATION
 LEGAL BY: TD EXHIBIT BY: TD
 w:\adskprof\2016\2160220-87 west richland aka\row
 vacation.dwg



5804 Road 90,
 Suite H,
 Pasco, WA 99301
 509.380.5883 TEL
 509.380.5885 FAX

THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.



VICINITY MAP

DESERT VIEW DRIVE - ROW VACATION

DESIGN: JNP
 DRAWN: JNP
 CHECK: RCS



SHEET: 1
 SCALE: N/A
 DATE: 01/06/2022
 CADFILE: vicinity Map2.dwg