

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

**CITY OF WEST RICHLAND
RESOLUTION NO. 34-22**

A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON, VACATING A PORTION OF A 30 FOOT WIDE PUBLIC UTILITY EASEMENT LOCATED ON WILLAMETTE HEIGHTS SECTION 6, LOT 210, PARCEL NUMBER 1-0698-402-0210-001.

WHEREAS, an application (under File Number VACA 005-2022) was submitted for a partial utility easement vacation for a 30' wide public utility easement on Parcel Number 1-0698-402-0210-001; 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, City staff posted public notice pursuant to WRMC 12.60.025 on May 18, 2022 and mailed said notice to affected property owners on May 18, 2022; and

WHEREAS, pursuant to Resolution 29-22 passed by the City Council on May 17, 2022 setting forth the City's intention to consider approving a public utility easement vacation request for a portion of the 30' wide utility easement, a public hearing was held before the City Council of the City of West Richland on June 7, 2022; and

WHEREAS, following the public hearing on June 7, 2022, the City Council voted to approve the irrigation easement 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. The easement sought to be vacated is the west 20.00 feet of the east 30.00 feet of lot 210, plat of section 6 of Willamette Heights, according to the plat thereof recorded in Volume 5 of Short Plats, at page 52, under Auditor's File Number 354587, Records of Benton County, Washington, except the north 30.00 feet thereof and except the south 10.00 feet thereof.

Subject to: a 10.0 foot utility easement for recorded under Auditor's File Number 1994-017893, records of Benton County, Washington.

Together with: the north 20.00 feet of the south 30.00 feet of lot 210, plat of section 6 of Willamette Heights, according to the plat thereof recorded in Volume 5 of Short Plats, at page 52, under Auditor's File Number 354587, Records of Benton County, Washington, except the west 30.00 feet thereof and except the east 10.00 feet thereof.

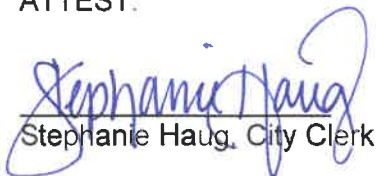
BE IT FURTHER RESOLVED that a copy of this passed and signed ordinance, provided to the applicant by the City, must be recorded at the Benton County Auditor's Office by the applicant and a copy of the recording returned to the City within 30 days of the Council's actions, or the easement vacation becomes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

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this 7th day of June, 2022.



Brent Gerry, Mayor

ATTEST:



Stephanie Haug, City Clerk

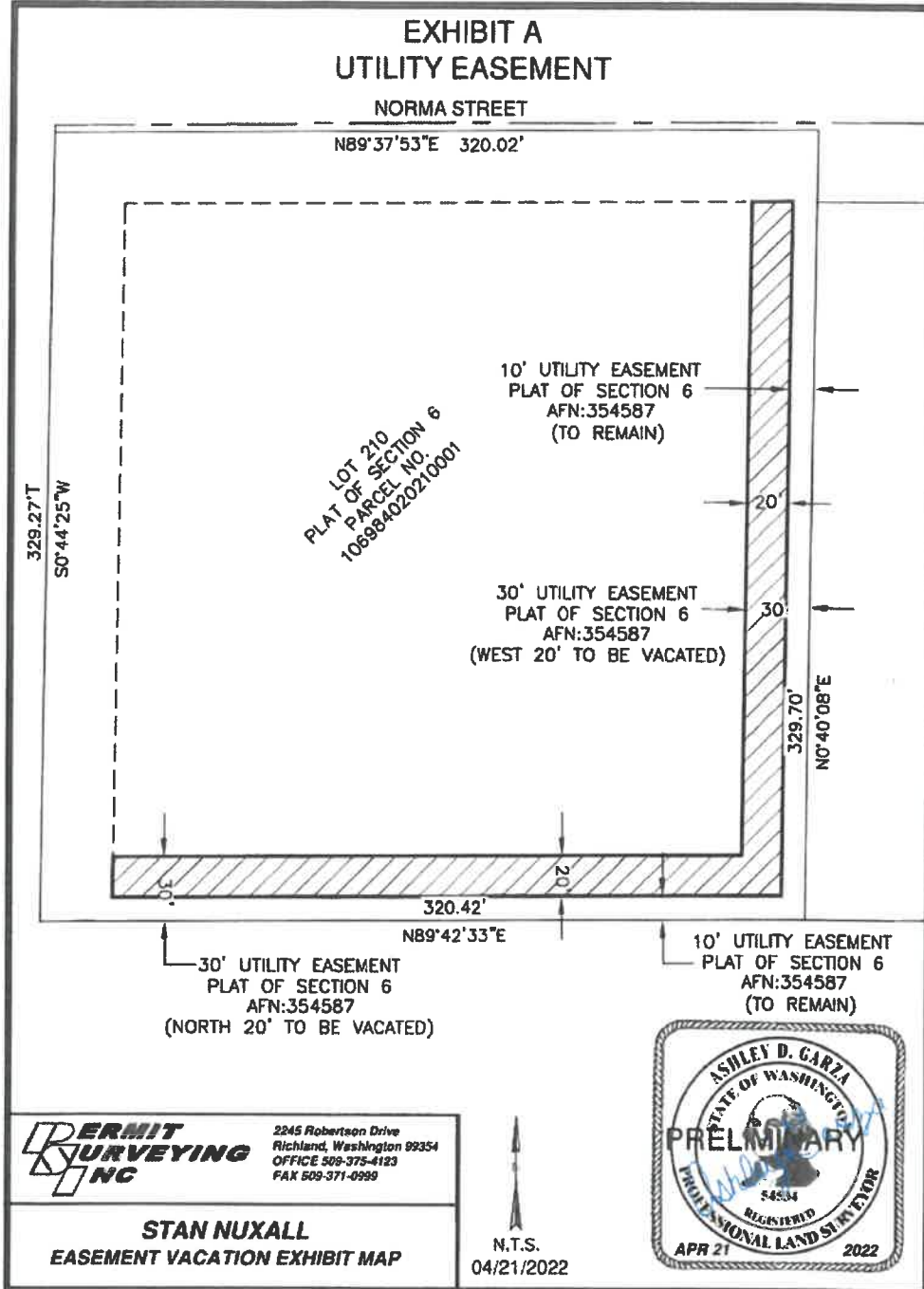
APPROVED AS TO FORM:



Bronson Brown, City Attorney

ATTACHMENT 2:

EXHIBIT A
UTILITY EASEMENT



ATTACHMENT 3:



ATTACHMENT 4:

UTILITY EASEMENT VACATION

PARCEL 1-0698-402-0210-001

THE WEST 20.00 FEET OF THE EAST 30.00 FEET OF LOT 210, PLAT OF SECTION 6 OF WILLAMETTE HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5 OF SHORT PLATS, AT PAGE 52, UNDER AUDITOR'S FILE NUMBER 354587, RECORDS OF BENTON COUNTY, WASHINGTON, EXCEPT THE NORTH 30.00 FEET THEREOF AND EXCEPT THE SOUTH 10.00 FEET THEREOF.

SUBJECT TO: A 10.0 FOOT UTILITY EASEMENT FOR RECORDED UNDER AUDITOR'S FILE NUMBER 1994-017893, RECORDS OF BENTON COUNTY, WASHINGTON.

TOGETHER WITH: THE NORTH 20.00 FEET OF THE SOUTH 30.00 FEET OF LOT 210, PLAT OF SECTION 6 OF WILLAMETTE HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5 OF SHORT PLATS, AT PAGE 52, UNDER AUDITOR'S FILE NUMBER 354587, RECORDS OF BENTON COUNTY, WASHINGTON, EXCEPT THE WEST 30.00 FEET THEREOF AND EXCEPT THE EAST 10.00 FEET THEREOF.