

**CITY OF WEST RICHLAND
RESOLUTION NO. 11-23**

**A RESOLUTION OF THE CITY OF WEST RICHLAND,
WASHINGTON, VACATING A PORTION OF A 33-FOOT-WIDE
PUBLIC UTILITY EASEMENT LOCATED ON WILLAMETTE
HEIGHTS SECTION 8, LOT 208, PARCEL NUMBER 1-0898-302-
0208-000.**

WHEREAS, an application (under File Number VACA-007-2022) was submitted for a partial utility easement vacation for a 33' wide public utility easement on Parcel Number 1-0898-302-0208-000; 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 January 18, 2023 and mailed said notice to affected property owners on January 18, 2023; and

WHEREAS, pursuant to Resolution 03-23 passed by the City Council on January 17, 2023, 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 February 7, 2023; and

WHEREAS, following the public hearing on February 7, 2023, the City Council voted to approve the utility easement vacation application; and

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

Section 1. The 33' wide utility easement as set forth in Exhibit A is hereby vacated.

Section 2. A copy of this passed 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.

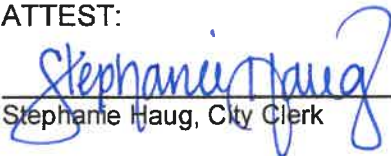
Section 3. This resolution shall be in effect immediately upon approval.

PASSED by the City Council of the City of West Richland, Washington, this 7th day of February, 2023.




Brent Gerry, Mayor

ATTEST:



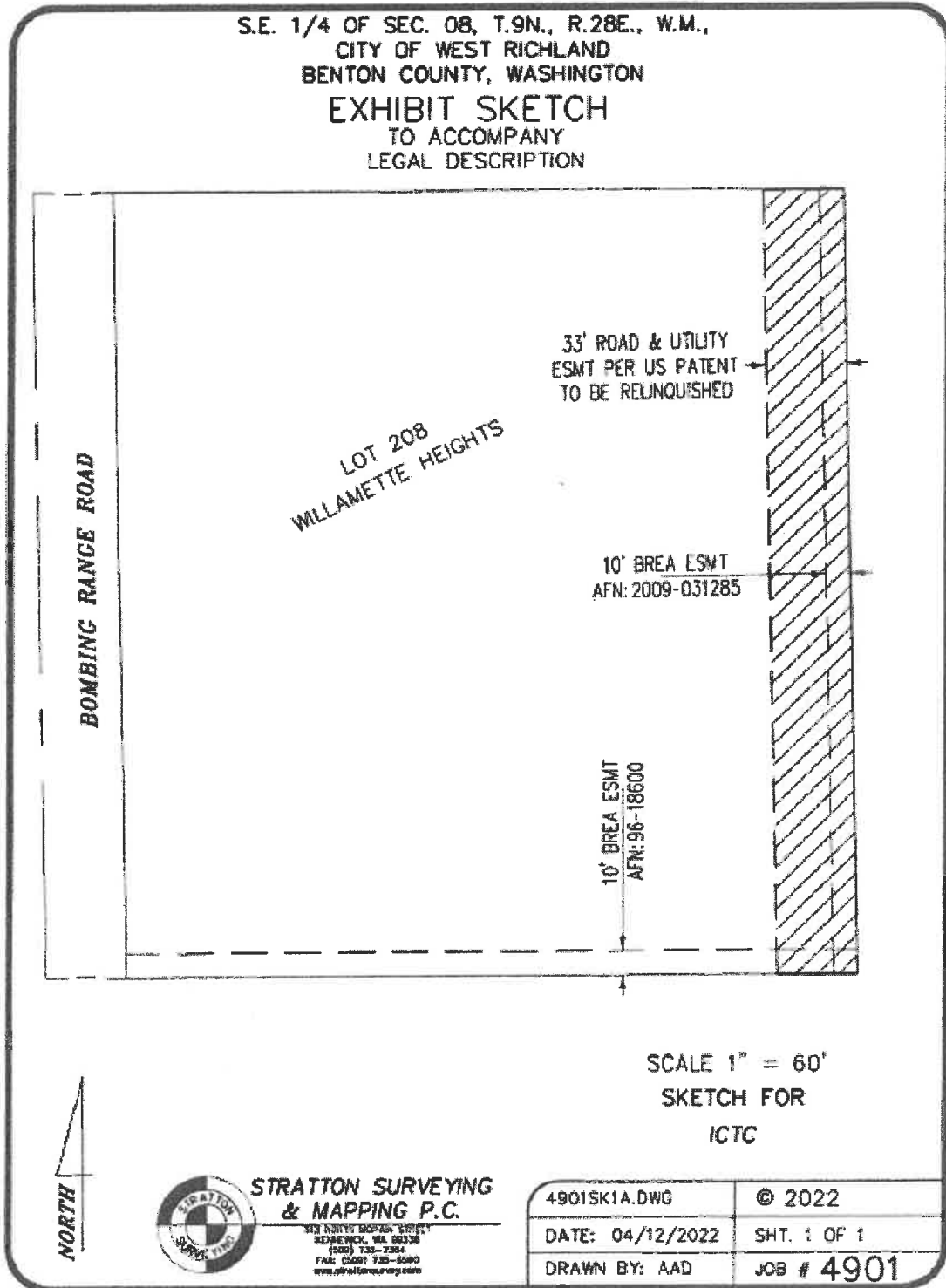
Stephanie Haug, City Clerk

APPROVED AS TO FORM:



Bronson Brown, City Attorney

EXHIBIT A:





STRATTON SURVEYING & MAPPING, PC

313 NORTH MORAIN STREET
KENNEWICK, WA 99338
PHONE: (509) 735-7364
FAX: (509) 735-6560
E-MAIL: stratton@strattonsurvey.com

DATE: 03/31/2022
DRAWING NO. 4901SK1A.DWG
UTILITY & ACCESS EASEMENT RELINQUISHED

DESCRIPTION

RELINQUISHMENT OF EASEMENTS AFFECTING PORTIONS OF LOT 208 OF SECTION 8 OF THE WILLAMETTE HEIGHTS PLAT, RECORDED IN VOLUME 5 OF PLATS AT PAGE 52, RECORDS OF BENTON COUNTY, WASHINGTON, THOSE PORTIONS BEING DESCRIBED AS FOLLOWS:

THE EAST 33.00 FEET OF ABOVE SAID LOT.

SEE ATTACHED EXHIBIT SKETCH TO ACCOMPANY THIS LEGAL DESCRIPTION.

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD AND IN VIEW.



03/31/2022