

**CITY OF WEST RICHLAND
RESOLUTION NO. 36-20**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON, VACATING
A 30' IN WIDTH PUBLIC UTILITY & ACCESS EASEMENTS ON PARCEL NUMBER
1-0698-202-0052-000, LOCATED IN WEST RICHLAND, WASHINGTON.**

WHEREAS, An application was submitted for a utility easement vacation for a public utility easement on Parcel Number 1-0698-202-0052-000, assigned File Number EV 2020-04; 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, WRMC 12.60.020(F), and WRMC 12.40.035 further state that the legislative authority must take such action via resolution following a public hearing; and

WHEREAS, pursuant to Resolution 27-20 passed by the City Council on June 16, 2020, setting forth the City's intention to consider approving a public utility and access easement vacation request for a 30' utility and access easement, a public hearing was held before the City Council of the City of West Richland on July 7, 2020, and

WHEREAS, following the public hearing on July 7, 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 utility easement have been duly taken and performed;

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

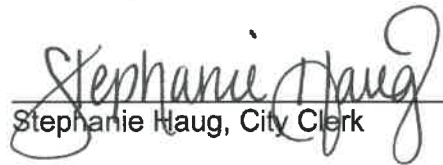
Section 1. The 30' in width utility and access easement per Plat of Section 6 of Willamette Heights, as set forth in exhibit A, is vacated.

BE IT FURTHER RESOLVED that 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.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this 7 day of July, 2020.


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 99336
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FAX: (509) 735-6560
E-MAIL: stratton@strattonsurvey.com

DATE: 04/30/2020
DRAWING NO. 4859SK1.DWG
UTILITY & ACCESS EASEMENT RELINQUISHED

DESCRIPTION

RELINQUISHMENT OF EASEMENTS AFFECTING PORTIONS OF LOT 52 OF SECTION 6 OF WILLAMETTE HEIGHTS PLAT, RECORDED IN VOLUME 5 OF PLATS AT PAGE 52, RECORDS OF BENTON COUNTY, WASHINGTON, THOSE PORTIONS BEING DESCRIBED AS FOLLOWS:

THE NORTH, EAST, SOUTH, AND WEST 30.00 FEET OF ABOVE SAID LOT.

SEE ATTACHED EXHIBIT A

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

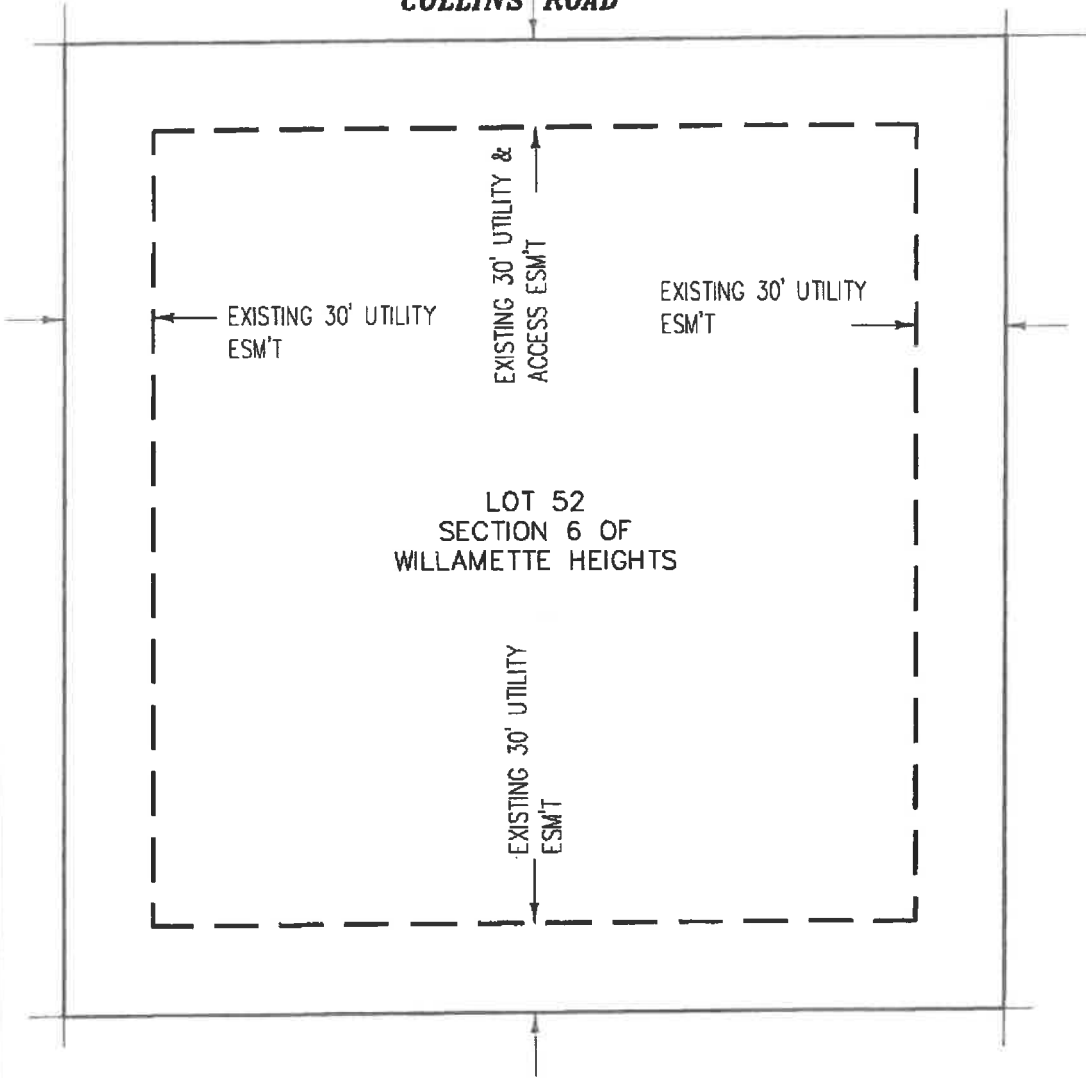


05/12/2020

N.W. OF SEC. 06, T09N, R28E, W.M.

EXHIBIT A

COLLINS ROAD



LOT 52
SECTION 6 OF
WILLAMETTE HEIGHTS

SCALE 1" = 60'
SKETCH FOR
CORE DEVELOPMENT

NORTH



**STRATTON SURVEYING
& MAPPING P.C.**

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DRAWN BY: KGD	JOB # 4859