

**CITY OF WEST RICHLAND
RESOLUTION NO. 43-20**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON, VACATING
A 30' IN WIDTH PUBLIC UTILITY EASEMENT LOCATED IN WEST RICHLAND,
WASHINGTON.**

WHEREAS, an application was submitted for a utility easement vacation for a public utility easement on parent Parcel Number 1-0698-102-0003-000, recently subdivided into three lots with pending parcel numbers, and is assigned File Number EV 2020-03; 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 30-20 passed by the City Council on July 7, 2020, setting forth the City's intention to consider approving a public utility easement vacation request for a 30' utility easement, a public hearing was held before the City Council of the City of West Richland on August 4, 2020, and

WHEREAS, following the public hearing on August 4, 2020, the City Council voted to approve the utility vacation application; and

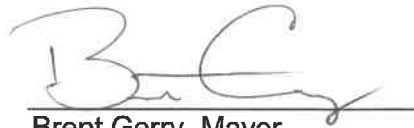
WHEREAS, all other steps and proceedings required by law to vacate a public utility easement have been duly taken and performed;

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

Section 1. The 30' in width utility easement established in the Plat of Section 6 of Willamette Heights (AFN 354587), as set forth in exhibit A, is vacated.

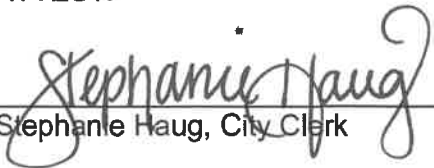
BE IT FURTHER RESOLVED that a copy of this passed and signed resolution, provided to the applicant by the City, must be recorded at the Benton County Auditor's Office by the applicant and a copy of the recording returned to the City within 30 days of the Council's actions, or the easement vacation becomes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

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this 4th day of August, 2020.



Brent Gerry, Mayor

ATTEST:



Stephanie Haug, City Clerk

APPROVED TO FORM:



Bronson Brown, City Attorney

EXHIBIT A

EXISTING UTILITY EASEMENT DESCRIPTION

THE WEST 30.00 FEET OF LOT 1 AND LOT 2, AND THE NORTH 30.00 FEET OF LOT 2 AND LOT 3, SHORT PLAT NO. 3645, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 2020-005052, RECORDS OF BENTON COUNTY, WASHINGTON.

UTILITY EASEMENT VACATION DESCRIPTION

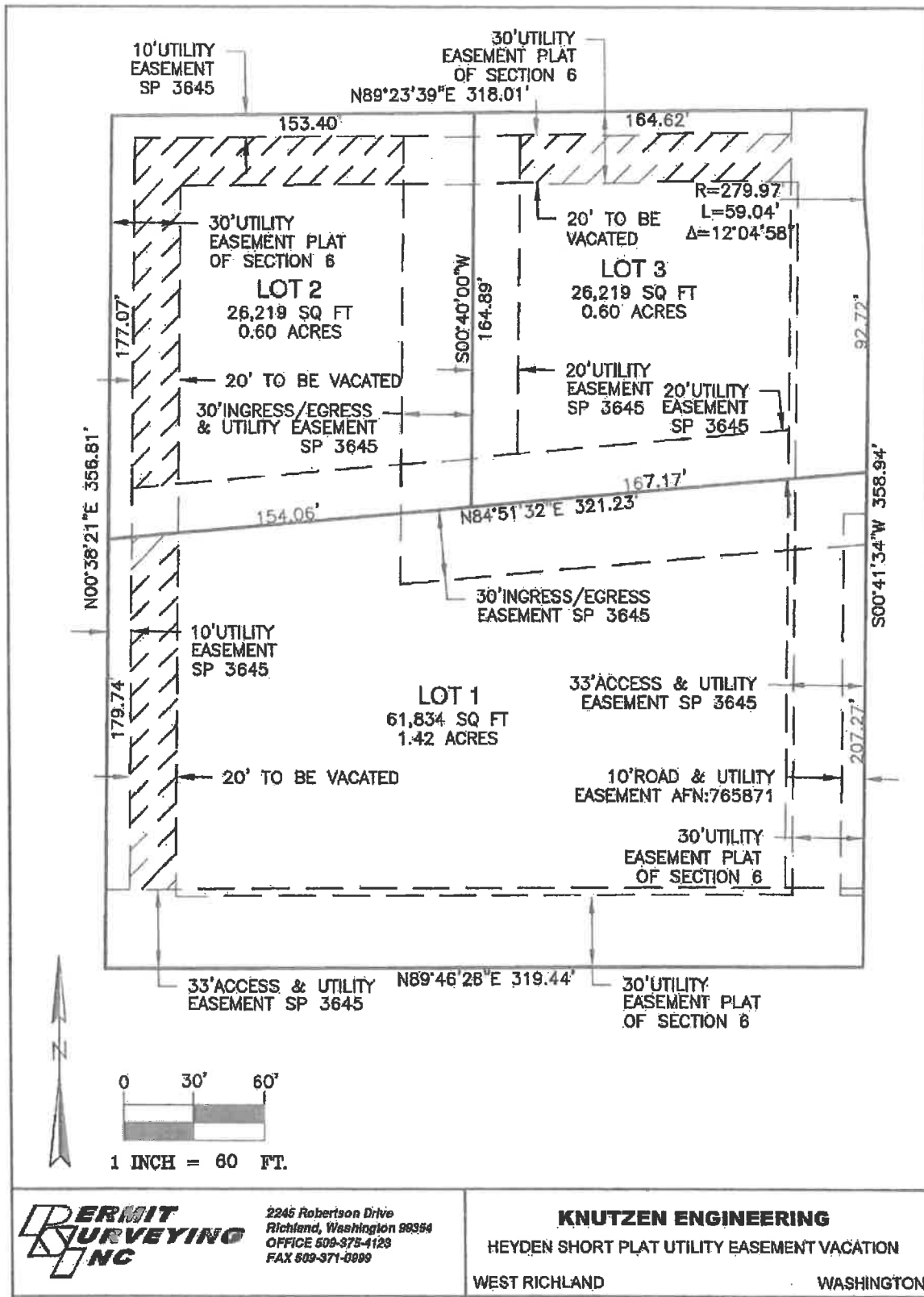
THE EAST 20.00 FEET OF THE WEST 30.00 FEET OF LOT 1, SHORT PLAT NO. 3645, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 2020-005052, RECORDS OF BENTON COUNTY, WASHINGTON, EXCEPT THE SOUTH 33.00 FEET THEREOF.

TOGETHER WITH THE EAST 20.00 FEET OF THE WEST 30.00 FEET OF LOT 2 OF SAID SHORT PLAT NO. 3645, EXCEPT THE SOUTH 20.00 FEET THEREOF.

TOGETHER WITH THE SOUTH 20.00 FEET OF THE NORTH 30.00 FEET OF SAID LOT 2, EXCEPT THE EAST 30.00 FEET THEREOF.

TOGETHER WITH THE SOUTH 20.00 FEET OF THE NORTH 30.00 FEET OF LOT 3 OF SAID SHORT PLAT NO. 3645, EXCEPT THE WEST 20.00 FEET THEREOF. ALSO EXCEPT THAT PORTION LYING EAST OF A PROJECTED LINE DRAWN PARALLEL WITH AND 33.00 FEET WEST OF THE EAST LINE OF SAID LOT 1.





2245 Robertson Drive
 Richland, Washington 98354
 OFFICE 509-375-4129
 FAX 509-371-8888

KNUTZEN ENGINEERING
 HEYDEN SHORT PLAT UTILITY EASEMENT VACATION
 WEST RICHLAND WASHINGTON
 PLOT DATE: 03/19/20

1916B EASEMENT VACATION.DWG