

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

**CITY OF WEST RICHLAND
RESOLUTION NO. 73-20**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON,
VACATING A 30 FOOT WIDE PUBLIC UTILITY EASEMENT LOCATED ON
PARCEL NUMBERS 1-0698402-0236-002 & 1-0698-402-0237-001, IN WEST
RICHLAND, WASHINGTON.**

WHEREAS, an application was submitted for a partial utility easement vacation for a 30' wide public utility easement, on Parcel Numbers 1-0698402-0236-002 & 1-0698-402-0237-001 and is assigned File Number VACA 2020-02; 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, pursuant to Resolution 60-20 passed by the City Council on October 6, 2020, setting forth the City's intention to consider approving a public utility easement vacation request for a portion of the 30' in width utility easement, a public hearing was held before the City Council of the City of West Richland on November 17, 2020, and

WHEREAS, following the public hearing on November 17, 2020, the City Council voted to approve the utility vacation application; and

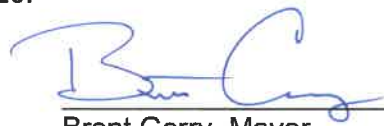
WHEREAS, all other steps and proceedings required by law to vacate a public access easement have been duly taken and performed;

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

Section 1. The 30' wide utility 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 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 17th day of November 2020.



Brent Gerry, Mayor

ATTEST:



Stephanie Haug, City Clerk

APPROVED AS TO FORM:



Bronson Brown, City Attorney



STRATTON SURVEYING & MAPPING, PC

313 NORTH MORAIN STREET
KENNEWICK, WA 99336
PHONE: (509) 735-7364
FAX: (509) 735-6560
E-MAIL: stratton@strattonsurvey.com

DATE: 08/14/2020
DRAWING NO. 3739SK3.DWG
UTILITY EASEMENT RELINQUISHED

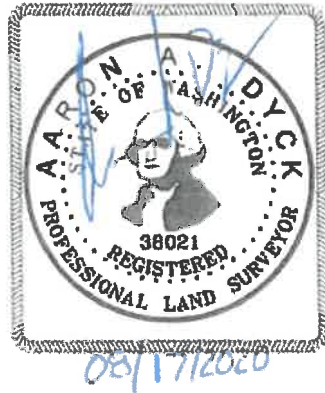
DESCRIPTION

RELINQUISHMENT OF AN EASEMENT AFFECTING A PORTIONS OF LOT 236 AND 237 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:

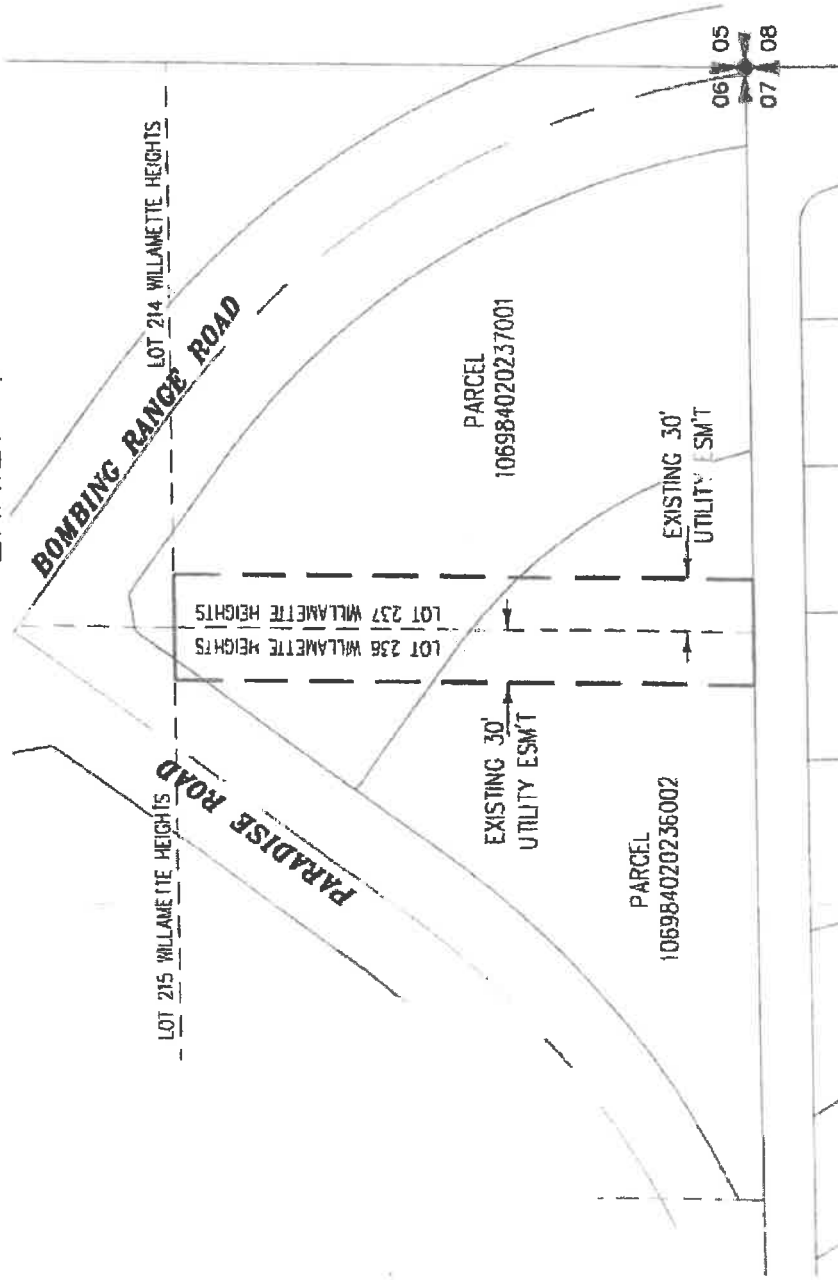
THE WEST 30.00 FEET OF ABOVE SAID LOT 237 AND THE EAST 30.00 FEET OF ABOVE SAID LOT 236.

SEE ATTACHED EXHIBIT A

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



S.E. 1/4 OF SEC. 06 AND THE N.E. 1/4 OF SEC. 07, T.9N, R.28E, W.M.
 CITY OF WEST RICHLAND,
 BENTON COUNTY, WASHINGTON
EXHIBIT A



SKETCH FOR GESA		3739SK3.DWG © 2020
DATE: 08/14/2020 DRAWN BY: AAD	DATE: 08/14/2020 DRAWN BY: AAD	SHT. 1 OF 2 JOB # 3739