

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

**CITY OF WEST RICHLAND
RESOLUTION NO. 78-20**

A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON, VACATING A PORTION OF THE 33 FOOT WIDE PUBLIC UTILITY EASEMENT LOCATED ON WILLAMETTE HEIGHTS SECTION 8 LOT 139, PARCEL NUMBER 1-0689-302-0139-000 IN WEST RICHLAND, WASHINGTON.

WHEREAS, an application (under File Number VACA 04-2020) was submitted for a partial utility easement vacation for a 33' wide public utility easement, accepted via City of West Richland Ordinance 10-20, on Parcel Number 1-0689-302-0139-000; 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, pursuant to Resolution 70-20 passed by the City Council on November, 17 2020, 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 December 15, 2020, and

WHEREAS, following the public hearing on December 15, 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:

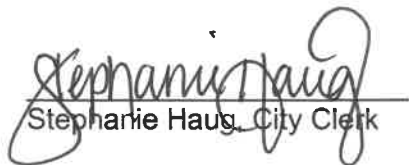
Section 1. A portion of the 33' wide utility easement, as set forth in exhibit A, is vacated.

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 15th day of December, 2020.


Brent Gerry, Mayor

ATTEST:

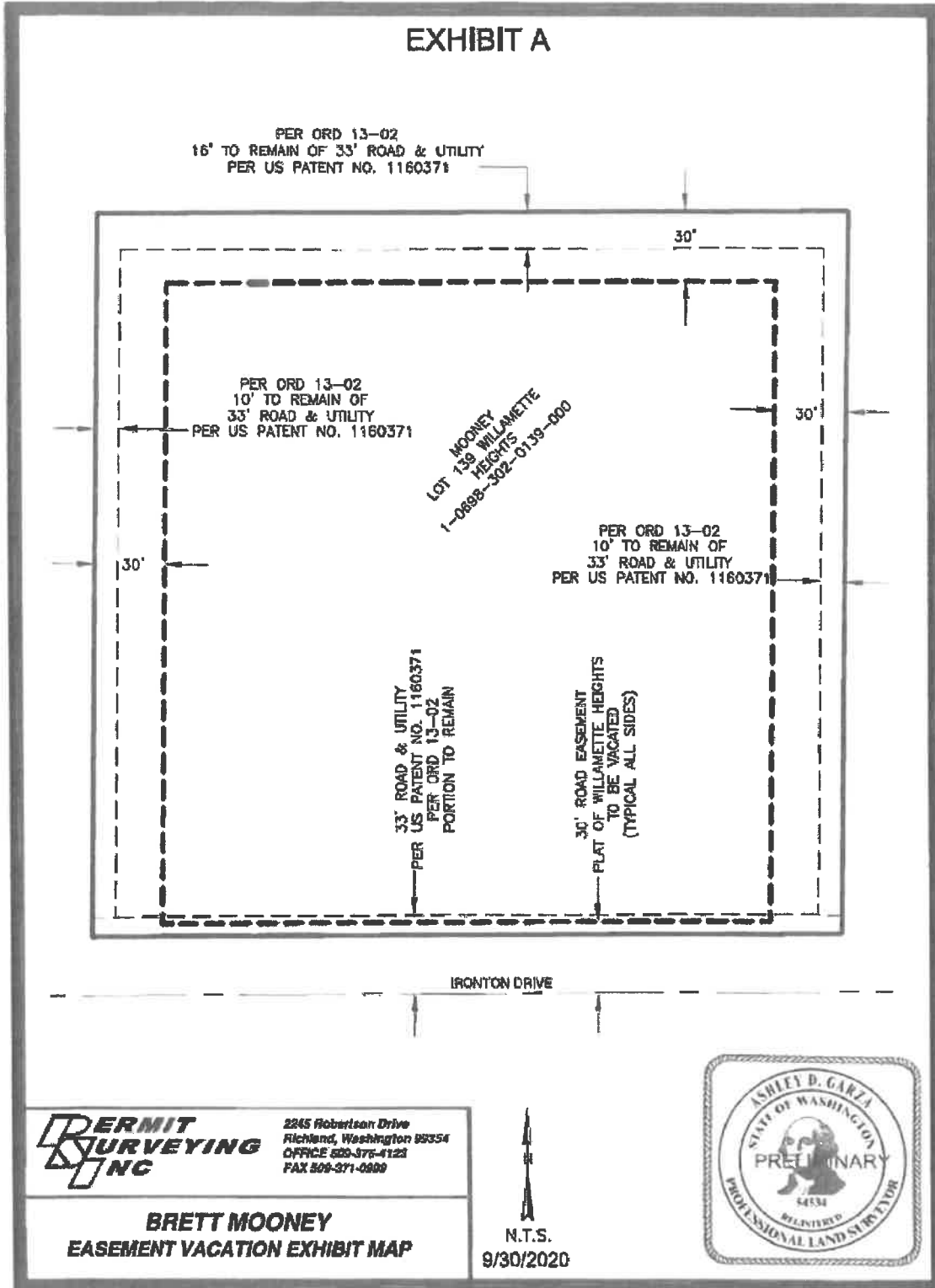

Stephanie Haug, City Clerk

APPROVED AS TO FORM:


Bronson Brown, City Attorney

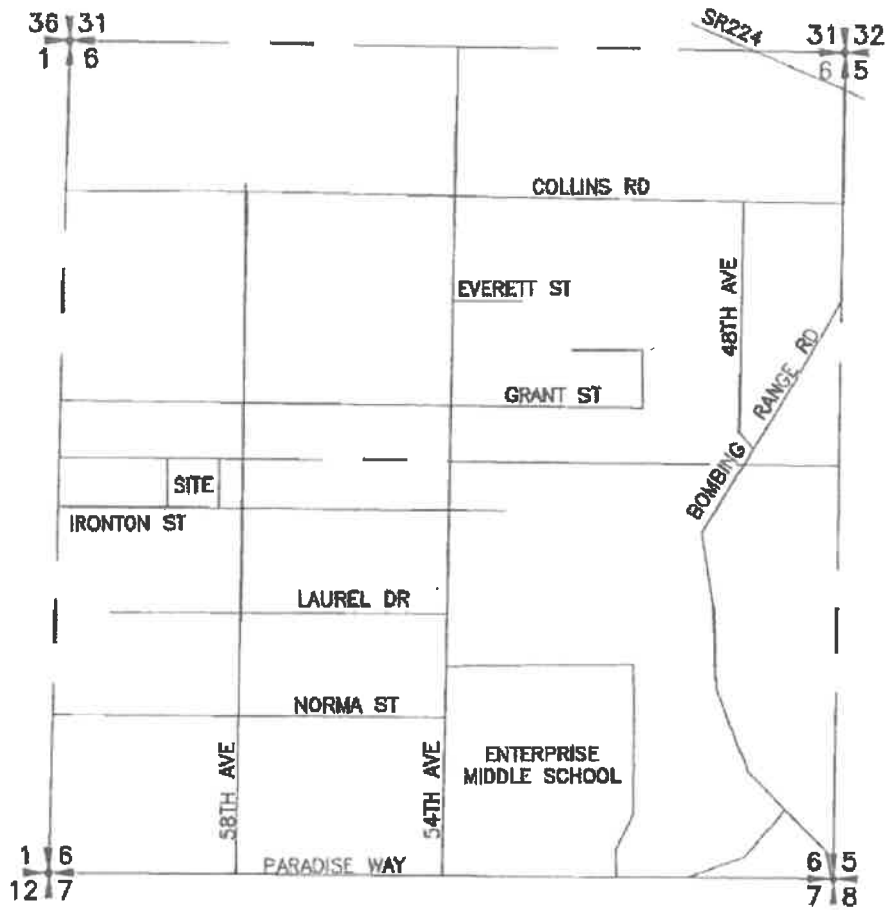
ATTACHMENT 2:

EXHIBIT A



ATTACHMENT 3:

VICINITY MAP



2245 Robinson Drive
Richland, Washington 99354
OFFICE 509-373-4123
FAX 509-371-0899

BRETT MOONEY
EASEMENT VACATION EXHIBIT MAP



N.T.S.
10/19/2020



ATTACHMENT 3:

THE NORTH 30.00 FEET, THE SOUTH 30.00 FEET, THE EAST 30.00 FEET AND THE WEST 30.00 FEET OF THAT ROAD EASEMENT LYING WITHIN LOT 139, WILLAMETTE HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5 OF PLATS, PAGE 52, RECORDS OF BENTON COUNTY, WASHINGTON.

