

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

**CITY OF WEST RICHLAND
RESOLUTION NO. 11-21**

**AN ORDINANCE OF THE CITY OF WEST RICHLAND, WASHINGTON,
AMENDING THE VACATION OF A PORTION OF THE 33 FOOT WIDE
ACCESS EASEMENTS LOCATED ON SHORT PLAT 1950 LOTS 3 AND
4, PARCEL NUMBERS 1-0898-401-1950-003 AND 1-0898-401-1950-
004.**

WHEREAS, an application (under File Number EV 2020-17) was submitted for a partial utility easement vacation for 33' wide public utility easements, accepted via City of West Richland Ordinance 10-20, on Parcel Numbers 1-0898-401-1950-003 and 1-0898-401-1950-004; 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 utility easement vacations were granted through Resolution 04-21 and on February 2, 2021; and

WHEREAS, City staff found errors in the legal descriptions and exhibit maps for File No. EV 2020-17 after the easement vacations were granted; and

WHEREAS, RES 04-21 must be amended to reflect the correct easement vacations; and

WHEREAS, the retention of the easements no longer serves any useful public purpose; and

WHEREAS, it appears that the vacation of the easements 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 02-21 passed by the City Council on January 5, 2021, setting forth the City's intention to consider approving a public utility easement vacation request for a portion of the 33' wide utility easements, a public hearing was held before the City Council of the City of West Richland on February 2, 2021, and

WHEREAS, following the public hearing on February 2, 2021, 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:

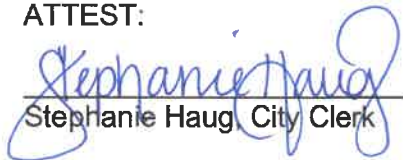
Section 1. A portion of the 33' wide utility easements, as set forth in exhibits A and B, is vacated.

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 16th day of March, 2021.


Brent Gerry, Mayor

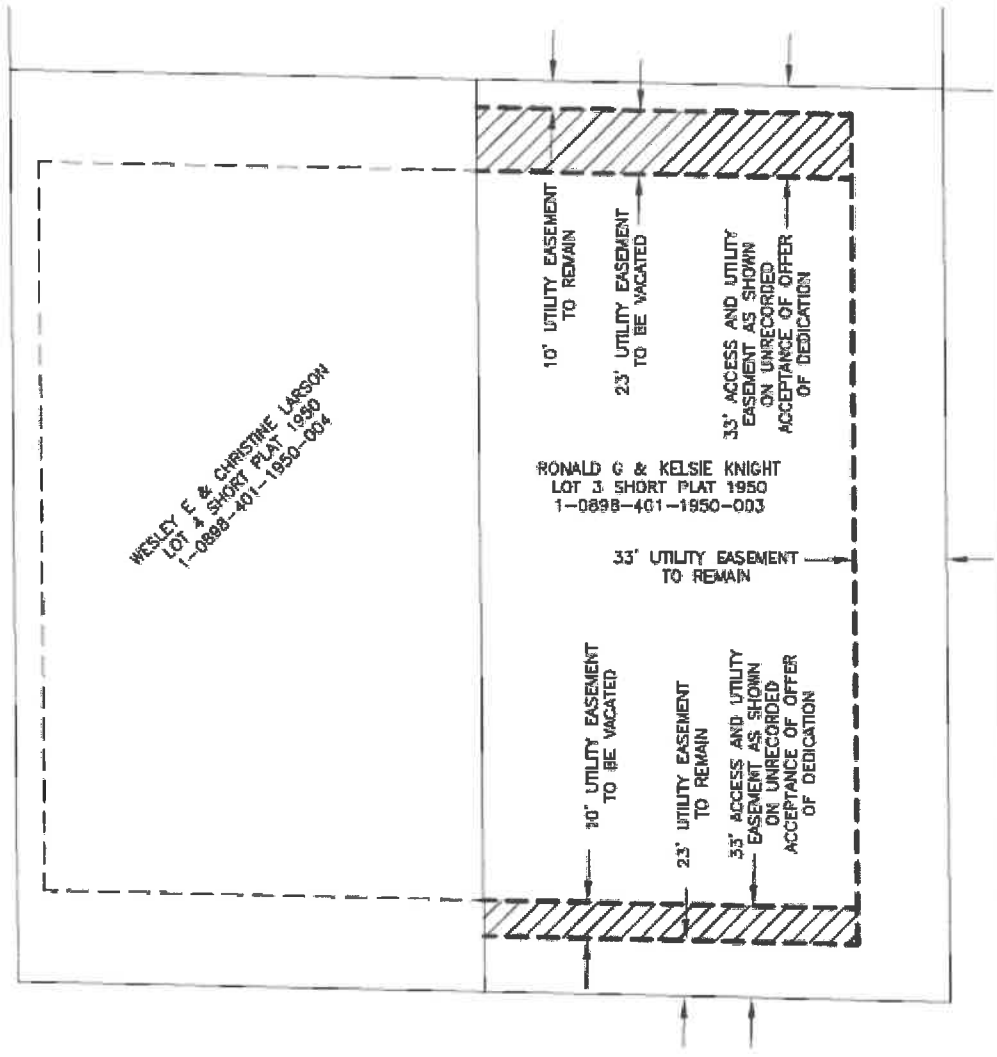
ATTEST:


Stephanie Haug, City Clerk

APPROVED AS TO FORM:


Bronson Brown, City Attorney

EXHIBIT A UTILITY VACATION



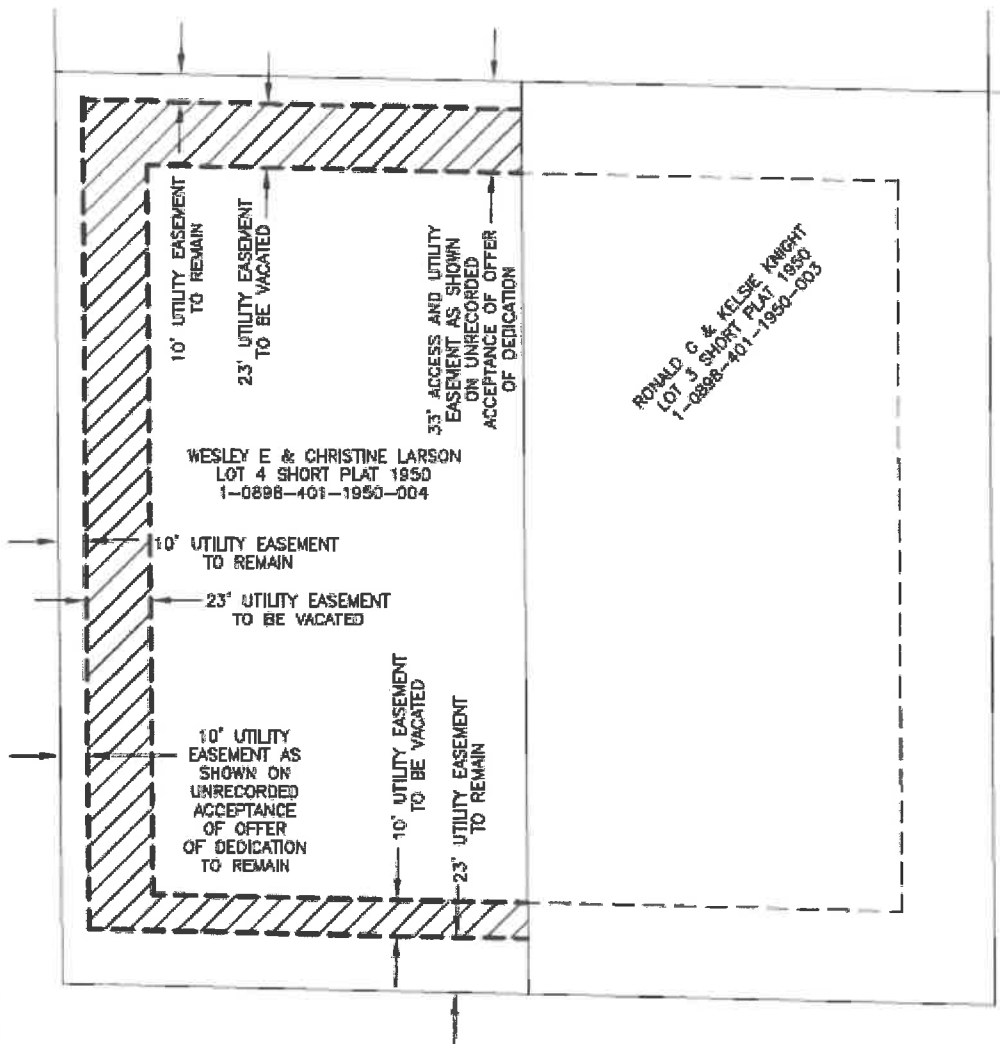
PERMIT SURVEYING INC
2245 Robertson Drive
Richland, Washington 99354
OFFICE 509-375-4123
FAX 509-371-0999

**RONALD G & KELSIE KNIGHT
EASEMENT VACATION EXHIBIT MAP**

N.T.S.
02/15/2021



EXHIBIT B UTILITY VACATION



2245 Robertson Drive
Richland, Washington 99354
OFFICE 809-375-4123
FAX 509-371-0999

**WESLEY & CHRISTINE LARSON
EASEMENT VACATION EXHIBIT MAP**

N.T.S.
02/15/2021



KNIGHT UTILITY EASEMENT VACATION

THAT PORTION OF THE UTILITY EASEMENT CONVEYED IN PATENT NUMBER 1182242, RECORDED UNDER AUDITOR'S FILE NUMBER 678720, RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

THE SOUTH 23.00 FEET OF THE NORTH 33.00 FEET EXCEPT THE EAST 33.00 FEET THEREOF AND THE NORTH 10.00 FEET OF THE SOUTH 33.00 FEET EXCEPT THE EAST 33.00 FEET THEREOF, OF LOT 3, SHORT PLAT NO. 1950, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 1993-28200, RECORDS OF BENTON COUNTY, WASHINGTON.



LARSON UTILITY EASEMENT VACATION

THAT PORTION OF THE UTILITY EASEMENT CONVEYED IN PATENT NUMBER 1182242 RECORDED UNDER AUDITOR'S FILE NUMBER 678720, RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

THE SOUTH 23.00 FEET OF THE NORTH 33.00 FEET EXCEPT THE WEST 10.00 FEET THEREOF, THE EAST 23.00 FEET OF THE WEST 33.00 FEET EXCEPT THE NORTH 10.00 FEET AND THE SOUTH 23.00 FEET THEREOF, AND THE NORTH 10.00 FEET OF THE SOUTH 33.00 FEET EXCEPT THE WEST 10.00 FEET THEREOF, OF LOT 4, SHORT PLAT NO. 1950, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 1993-28200, RECORDS OF BENTON COUNTY, WASHINGTON.

