

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

**CITY OF WEST RICHLAND
RESOLUTION NO. 53-20**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON,
VACATING A PORTION OF THE 33' IN WIDTH PUBLIC UTILITY
EASEMENT LOCATED ON WILLAMETTE HEIGHTS SECTION 8 LOT 227, IN
WEST RICHLAND, WASHINGTON.**

BENTON COUNTY PARCEL # 1-0898-402-0227-000

WHEREAS, an application was submitted for a partial utility easement vacation for a 33' in with public utility easement, dedicated with City of West Richland Ordinance 10-20, on Parcel Number 1-0898-402-0227-000, and is assigned File Number EV 2020-10; 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 46-20 passed by the City Council on August 18, 2020, setting forth the City's intention to consider approving a public utility easement vacation request for a portion of the 33' in width utility easement, a public hearing was held before the City Council of the City of West Richland on September 15, 2020, and

WHEREAS, following the public hearing on September 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 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. A portion of the 33' in width utility easement, as set forth in exhibit A, is vacated.

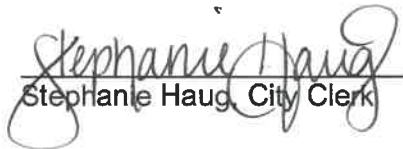
BE IT FURTHER RESOLVED that a copy of this passed and signed resolution, provided to the applicant by the City, must be recorded at the Benton County Auditor's Office by the applicant and a copy of the recording returned to the City within 30 days of the Council's actions, or the easement vacation becomes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

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this 15th day of September, 2020.



Brent Gerry, Mayor

ATTEST:



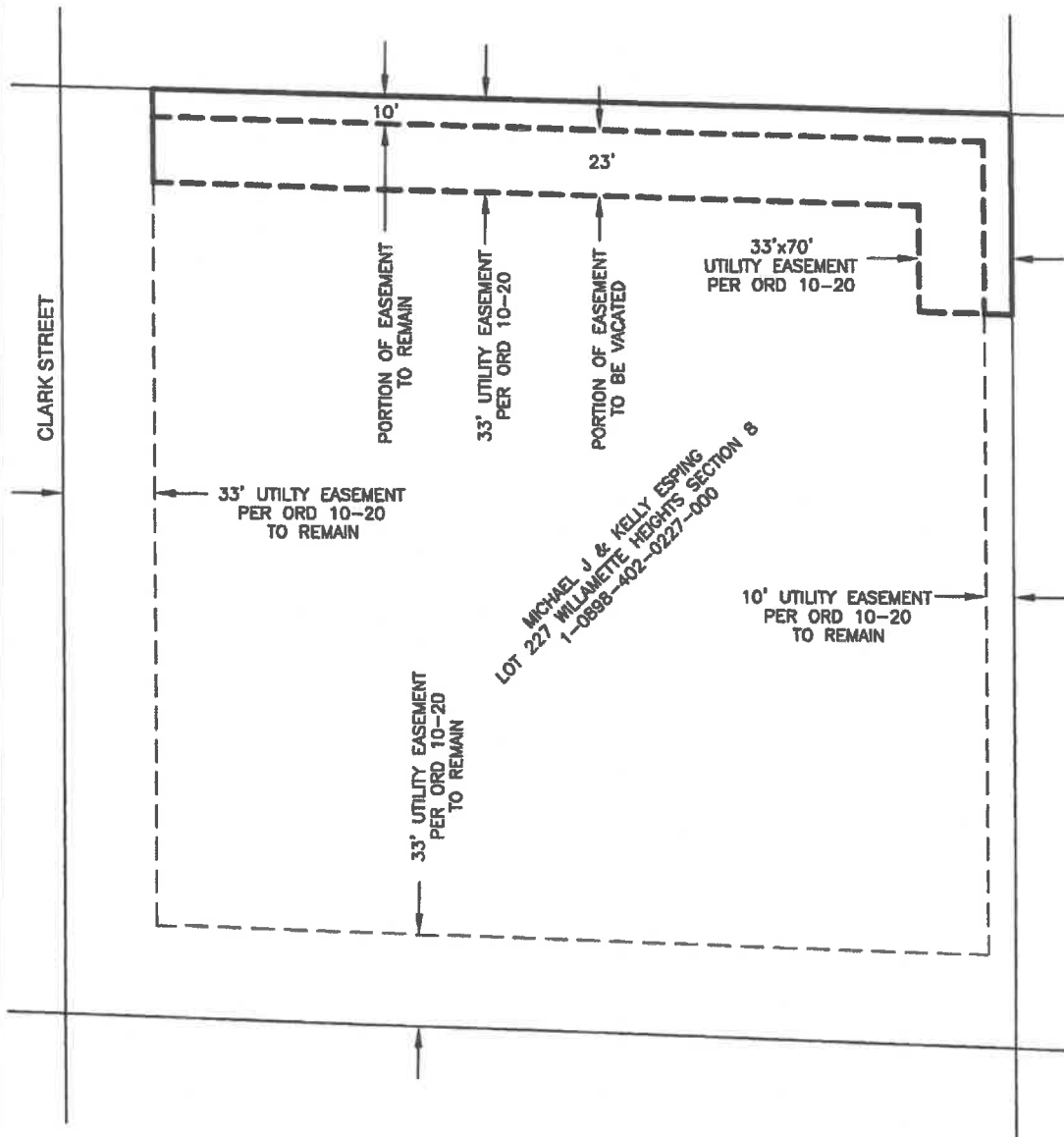
Stephanie Haug, City Clerk

APPROVED AS TO FORM:



Bronson Brown, City Attorney

EXHIBIT A UTILITY EASEMENT



2245 Robertson Drive
Richland, Washington 98354
OFFICE 509-375-4123
FAX 509-371-0999

MICHAEL & KELLY ESPING
EASEMENT VACATION EXHIBIT MAP



N.T.S.
7/30/2020



THE SOUTH 23.00 FEET OF THE NORTH 33.00 FEET AND THE WEST 23.00 FEET OF THE EAST 33.00 FEET OF THE NORTH 70.00 FEET OF LOT 227, WILLAMETTE HEIGHTS, SECTION 8, TOWNSHIP 9 NORTH, RANGE 28 EAST OF WILLAMETTE MERIDIAN, RECORDS OF BENTON COUNTY, WASHINGTON.

EXCEPT THE WEST 33.00 FEET OF SAID LOT 227.

