

WHEN RECORDED RETURN TO:

Richland City Clerk
P.O. Box 190, MS-05
Richland, WA 99352

ORDINANCE NO. 55-18

AN ORDINANCE of the City of Richland vacating portions of Shockley Road.

WHEREAS, in 1954, the Badger Heights subdivision dedicated a public street right-of-way connecting to the south side of what is now Columbia Park Trail; and

WHEREAS, the connecting right-of-way is now designated as Shockley Road by City plans; and

WHEREAS, in 1991, Benton County Resolution No. 91-026 resulted in vacation of 125 feet of the 200-foot width of Columbia Park Trail on the segment of Columbia Park Trail at the Shockley Road intersection, and

WHEREAS, Benton County Resolution No. 91-026 retained 150 feet as the width for the connection with Shockley Road; and

WHEREAS, in 2004, Ordinance No. 42-04 provided for annexation of approximately 9.4 acres along the south side of Columbia Park Trail; and

WHEREAS, until 2018, the intersection of Columbia Park Trail and Shockley Road was not improved; and

WHEREAS, the Columbia Park Trail intersection with Shockley Road has been constructed to City standards requiring a right-of-way width of 60 feet; and

WHEREAS, Donna Busche and James Giesa purchased the property at the southeast corner of Shockley Road and Columbia Park Trail with a street address of 315 Columbia Park Trail; and

WHEREAS, Donna Busche and James Giesa have formally requested vacation of the portion of right-of-way that parallels Shockley Road; and

WHEREAS, this portion of the Shockley Road right-of-way is surplus to the City's needs; and

WHEREAS, Chapter 35.79 RCW authorizes a city to initiate a vacation action by resolution; and

WHEREAS, state law requires that a public hearing be held to allow public consideration of a street vacation proposal; and

WHEREAS, at a regularly scheduled meeting on September 18, 2018, the Richland City Council, by adoption of Resolution No. 126-18, set the time and place of a hearing thereon for October 16, 2018 at 7:30 p.m. in the City Hall Council Chambers, located at 505 Swift Boulevard, Richland, Washington; and

WHEREAS, notice was published on October 7, 2018 that a public hearing would be held on October 16, 2018 concerning vacation of this portion of right-of-way; and

WHEREAS, at the time and place fixed and designated in the notice, a hearing was held by the City Council to receive public testimony, which was duly considered.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. The portion of Shockley Road right-of-way, as described and shown in **Exhibits A and B**, attached hereto, is hereby ordered to be vacated, subject to the provisions of RCW 35.79.

Section 2. The portion of Shockley Road right-of-way, as described and shown in **Exhibits C and D**, attached hereto, is hereby ordered to be vacated, subject to the provisions of RCW 35.79.

Section 3. The City Clerk is directed to file with the Auditor of Benton County, Washington, a copy of this ordinance and the attached exhibits, duly certified by the Clerk as a true copy.

Section 4. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 6th of November, 2018.


ROBERT J. THOMPSON
Mayor

ATTEST:


MARCIA HOPKINS, City Clerk

APPROVED AS TO FORM:


HEATHER KINTZLEY, City Attorney

Date Published: November 11, 2018

EXHIBIT A



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: 2018-08-30

DRAWING: 4395SK22.DWG

SITE: COLUMBIA VISTA RIGHT-OF-WAY VACATION

DESCRIPTION:

RIGHT-OF-WAY VACATION AFFECTING THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 09 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF LOT 6, BLOCK 5, BADGER HEIGHTS SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5 OF PLATS, PAGE 11, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE SOUTH $69^{\circ}53'29''$ EAST ALONG THE NORTHERLY LINE THEREOF 47.86 FEET TO THE SOUTHEAST CORNER OF THE 150.00 FOOT WIDE RIGHT OF WAY DEPICTED ON THE SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 3645, RECORDS OF ABOVE SAID COUNTY; THENCE NORTH $00^{\circ}11'42''$ EAST ALONG THE EASTERLY LINE OF SAID 150.00 FOOT WIDE RIGHT OF WAY 132.95 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF COLUMBIA PARK TRAIL; THENCE NORTH $69^{\circ}53'29''$ WEST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 10.05 FEET; THENCE SOUTH $16^{\circ}41'10''$ WEST 125.22 FEET TO THE SAID POINT OF BEGINNING.

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

SEE EXHIBIT B

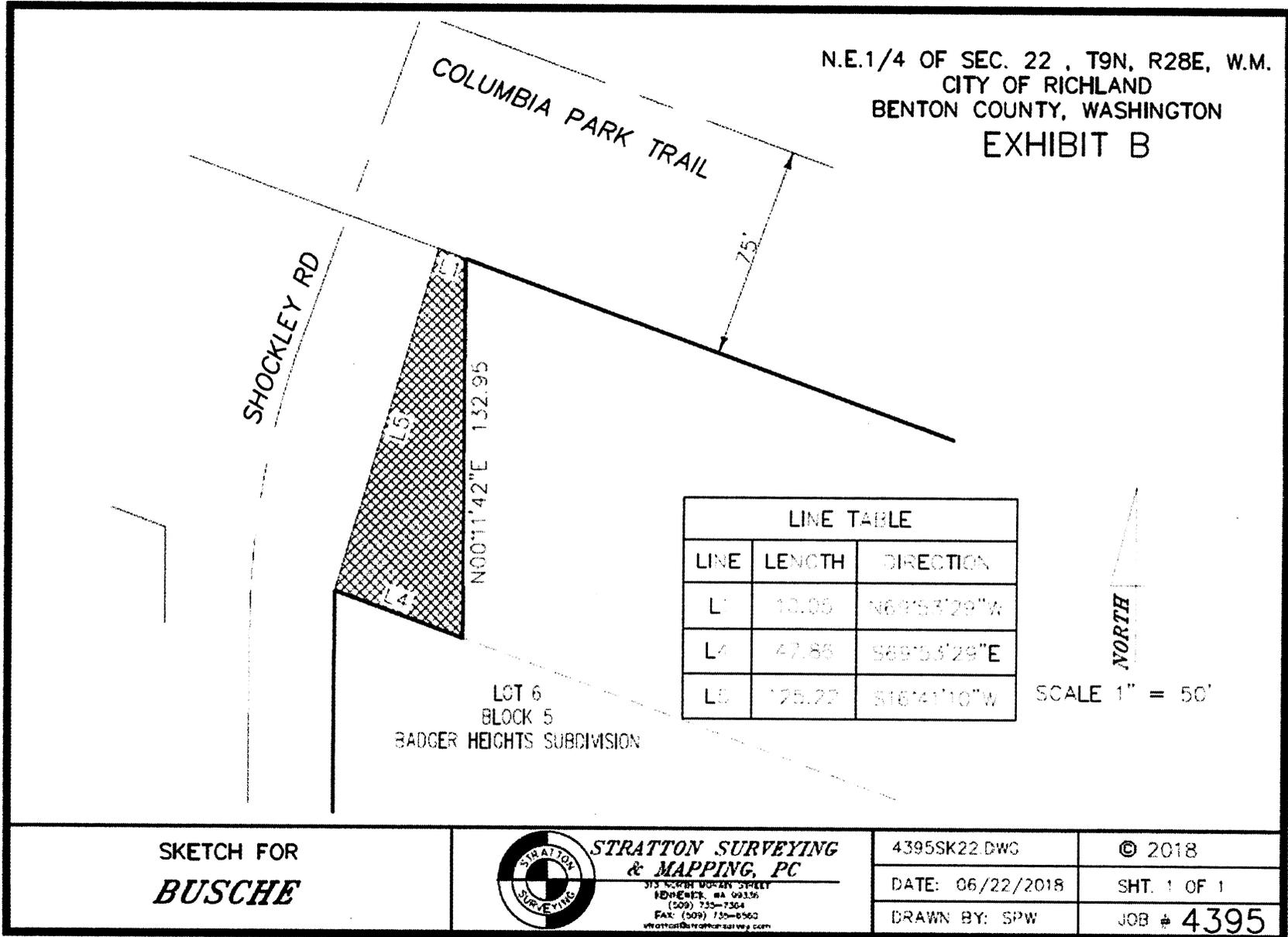


EXHIBIT C

Shockley Road Vacation
301 Columbia Park Trail
1-2298-202-0005-007
Legal Description

A portion of the Northeast $\frac{1}{4}$ of Section 22, Township 9 North, Range 28 East, W.M. City of Richland, Benton County Washington, described as follows:

A portion of Columbia Park Trail retained by the Vacation as recorded in Auditor's File Number 1991-001885, records of said County and State, more particularly described as follows:

Beginning at the Southwest corner of Lot 7 Block 5 of the Plat of Badger Heights Subdivision as recorded in Volume 5 of Plats on Page 11, records of said County and State; Thence North $89^{\circ}41'30''$ East a distance of 300.68 feet along the South line of said Lot 7 as shown on Record of Survey Number 3645, as recorded in Volume 1 of Surveys on Page 3645, records of said County and State, to the Southeast corner of said Lot 7; Thence North $00^{\circ}13'43''$ East a distance of 169.87 feet to the Northeast corner of said Lot 7 and the **TRUE POINT of BEGINNING**; Thence North $69^{\circ}51'28''$ West 47.86 feet along the Northerly line of said Lot 7 to a point on the vacated portion of Columbia Park Trail as described Auditor's File Number 91-1885, records of said County and State; Thence North $00^{\circ}13'43''$ East a distance of 132.95 feet along said Vacation and said Survey; Thence South $69^{\circ}51'28''$ East a distance of 75.00 feet to the beginning of a 400.00 foot radius non-tangent curve concave to the Southeast, and having a radial bearing of South $69^{\circ}01'58''$ East; Thence Southwesterly a distance of 126.84 feet along said curve through a central angle of $18^{\circ}10'08''$ back to the true point of beginning.

Containing 7,255.9 Square feet, more or less, according to the bearings and distances listed above and as depicted on the attached **Exhibit "D"**

