

ORDINANCE NO. 2007

AN ORDINANCE OF THE CITY OF SELAH, WASHINGTON VACATING
PORTIONS OF RIGHT-OF-WAY

Whereas, Ronimo, LLC acquired real property which partially abuts certain City of Selah rights of way;

Whereas, those rights of way have not been opened as public roads, the City does not use them, and the City has no plans for future use of the same;

Whereas, Ronimo, LLC, when it acquired its real property, it obtained property that would be beneficial to the City for its municipal purposes;

Whereas, the parties, Ronimo, LLC, and the City of Selah, have agreed that the exchange of a portion of the Ronimo, LLC real property that the City desires, along with an access easement the City desires for access to the Taylor Ditch, for the City's non-used rights of way and other City property, properties bearing an approximately equivalent value, is in the best interest of both Ronimo, LLC and the City of Selah;

Whereas, based on the needs and agreement of the parties, the parties have previously entered into a Real Property Transfer Agreement requiring the exchange and conveyance of portions of real property, the vacation and conveyance of rights of way and the execution of an easement;

Whereas, in order to convey the City's interest in the non-used rights of way, the City must vacate the same; and,

Whereas, because there is no petition for the vacation, because no others parties abut or are affected by the rights of way subject to the agreement of the parties and proposed vacation, and because the rights of way do not constitute open public street or roads, it is not necessary for the City to conduct a public hearing under RCW 35.79 to vacate the right of way;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON DOES ORDAIN AS FOLLOWS:

The City Council for the City of Selah determines and declares that the vacation of certain rights of way is in the public interest, and finds and orders that the vacated rights of way be merged into contiguous property owned by Ronimo, LLC, which abut the rights of way vacated.

The rights of way to be vacated hereby are legally described as follows:

Portions of Auditor's Parcel Nos. 181301-23015, 181301-23009, 181301-32408, and 181301-32004, subject to utility and access easement described as follows:

That portion of Section 1, Township 13 North, Range 18 East, W.M., being a strip of land 40.00 feet in width and described as follows:

Commencing at the Northwest corner of Lot 9, Block 3, DUNCAN ADDITION, according to the official plat thereof recorded in Volume 'M' of Plats, Page 46, records of Yakima County, Washington;

Thence South 89°57'04" East along the South right of way line of 11th Avenue a distance of 30.00 feet to the Point of Beginning;

Thence continuing South 89°57'04" East along said right of way line and the Easterly extension thereof 256.38 feet to a point that is 15.00 feet Northwesterly of the Northwesterly right of way line of the Burlington Northern Railroad, as measured perpendicular thereto;

Thence North 16°06'56" East parallel with said railroad right of way line 41.63 feet to a point that is 40.00 feet North of the South line right of way of said 11th Avenue and the Easterly extension thereof, as measured perpendicular thereto;

Thence North 89°57'04" West parallel with said South right of line 267.90 feet to a point bearing North 0°02'56" East 40.00 feet from the Point of Beginning;

Thence South 0°02'56" West 40.00 feet to the Point of Beginning;

Situate in Yakima County, Washington.

And,

Portions of Auditor's Parcel Nos. 181301-32408 and 181301-32004 as follows:

All that part of Wenas Avenue as shown on DUNCAN ADDITION, according to the official plat thereof recorded in Volume 'M' of Plats, Page 46, records of Yakima County, Washington, lying North of the following described line:

Beginning at the Southeast corner of Lot 4, Block 3 of said plat;

Thence East along the Easterly extension of the South line of said Lot 4 to the East right of way line of said Wenas Avenue and terminus of said line;

AND TOGETHER with that Portion of 11th Avenue as shown on said DUNCAN ADDITION, lying Easterly of the following described line;

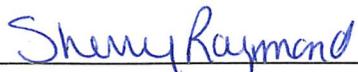
Commencing at the Northwest corner of Lot 9, Block 3, of said plat;

Thence South 89°57'04" East along the South right of way line of said 11th Avenue a distance of 30.00 feet to the Point of Beginning of said line;

Thence North 0°02'56" East 50.00 feet to the North right of way line of said 11th Avenue and terminus of said line;

Situate in Yakima County, Washington.

ORDAINED by the City Council of the City of Selah, Washington this 8th day of November, 2016.



Sherry Raymond, Mayor

ATTEST:



Dale Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:



City Attorney

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