

AGENDA REQUEST FORM

**Return completed form and complete agenda item to the Clerk of the Board
Yakima County Commissioners' Office, Room 232**

Prepared by:
Matt Pietrusiewicz

Department: County Roads

Requested Agenda Date: 02/16/2021

Presenting: _____

Board of County Commissioners Record Assigned

045-2021

APPROVED FOR AGENDA:
 Consent Regular
Board of County Commissioners Determined

Document Title:

In the Matter of the Intention to Vacate and Abandon Certain Unopened Road Right-Of-Way Located West of 39th Street Located in Section 21 of Township 13 North, Range 19 East W.M. and to Set a Date for Public Hearing

Action Requested: *Check Applicable Box*

PASS RESOLUTION EXECUTE or AMEND **AGREEMENT** CONTRACT or GRANT
 ISSUE PROCLAMATION PASS ORDINANCE OTHER _____

Describe Fiscal Impact:

N/A

Background Information:

The office of the Yakima County Engineer has received a petition to vacate and abandon certain road rights-of-way from the property owner(s) of the below mentioned parcels. Said rights-of-way is an unopened section of roadway (dedicated via Quit Claim Deed recorded under Auditor's File Number 1359728) that has not been accepted into the Yakima County maintained road system.


Summary & Recommendation:

The office of the Yakima County Engineer will present to the Board of County Commissioners during a public hearing for the consideration in abandoning and vacating said right-of-way.

Motion:

Department Head/ Elected Official

AGREEMENT Attached Is Approved as to Form
Corporate Counsel Initial _____



Signature

Late Agenda Requests Require BOCC Chairman Signature:

**BOARD OF YAKIMA COUNTY COMMISSIONERS
RESOLUTION**

**IN THE MATTER OF THE INTENTION TO VACATE
AND ABANDON CERTAIN UNOPENED ROAD
RIGHT- OF-WAY LOCATED WEST OF 39TH STREET
LOCATED IN SECTION 21 OF TOWNSHIP 13
NORTH, RANGE 19 EAST W.M. AND TO SET A
DATE FOR PUBLIC HEARING**

045-2021

WHEREAS, the office of the Yakima County Engineer has received a petition to vacate and abandon certain road rights-of-way from the property owner(s) of the below mentioned parcels. Said rights-of-way is an unopened section of roadway (dedicated via Quit Claim Deed recorded under Auditor's File Number 1359728) that has not been accepted into the Yakima County maintained road system. The office of the Yakima County Engineer will present to the Board of County Commissioners during a public hearing for the consideration in abandoning and vacating said right-of-way; **and**,

WHEREAS, said rights-of-way is described as follows:

Vacate that portion of Right of Way, 30 feet in width, conveyed to Yakima County, by Quit Claim Deed, recorded under Auditor's File Number 1359728, dated April 26th, 1951. Records of Yakima County, Washington, lying in the Southwest quarter of Section 21, Township 13 North, Range 19 East, W.M., specifically described as:

The South 30.00 feet of the Northwest quarter of the Northeast quarter of the Northeast quarter of Section 21, Township 13 North, Range 19 East, W.M.

AND EXCEPT for the East 130.00 feet.

AND EXCEPT reserving the right for the existing utility companies to maintain and repair their facilities as they existed in February 2021.

Situated in Yakima County, State of Washington; **and**,

WHEREAS, the procedure for vacation of Yakima County roads is governed by RCW 36.76 supplemented by Yakima County Ordinance No. 2-1971 dated February 24, 1971; **and**,

WHEREAS, in accordance with Sections 2, 3 and 7 of Ordinance No. 2-1971, there is insufficient cause for requiring compensation for the right-of-way proposed to be vacated; **now, therefore**,

BE IT HEREBY RESOLVED by the Board of County Commissioners of Yakima County, Washington that a virtual public hearing be held on **Tuesday, March 9, 2021 at 10:00 a.m.**, or as soon thereafter as possible, be and hereby is, set as the date for a Public Hearing to consider the

**BOARD OF YAKIMA COUNTY COMMISSIONERS
RESOLUTION**

intention to vacate the aforesaid portion of County road right-of-way. For comment and participation in the virtual meeting call 509-574-1500 for instructions Monday March 8, 2021. Written testimony for the Public Hearing may be submitted to the Clerk of the Board by email to julie.lawrence@co.yakima.wa.us. These specific instructions for commenting at the virtual Public meeting to be published within required hearing notice as provided by RCW 36.87.050.

BE IT FURTHER RESOLVED that the Clerk of the Board shall advertise said public hearing as prescribed by law.

BE IT FURTHER RESOLVED by the Board that no compensation be requested for right-of-way if vacated as it was originally acquired at no cost and therefore no cause for the County Assessor to make appraisal.

BE IT FURTHER RESOLVED by the Board that the County Engineer, in accordance with RCW 36.87, shall examine and report to the Board whether the portion of County road right-of-way as described should be vacated and abandoned.

DONE FEB 16 2021

Attest:

Julie Lawrence, Clerk of the Board *or*
Linda Kay O'Hara, Deputy Clerk of the Board

Ron Anderson, Chairman

Amanda McKinney, Commissioner

LaDon Linde, Commissioner
*Constituting the Board of County Commissioners
for Yakima County, Washington*

**BOARD OF YAKIMA COUNTY COMMISSIONERS
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN by the Board of Yakima County Commissioners that pursuant to Resolution No. ■-2021, the Board of County Commissioners of Yakima County, Washington will consider vacating and abandoning certain road rights-of-way of an unopened section of road dedicated via Quit Claim Deed (specifically the portion located West of 39th Street and running east/west has been petitioned for vacation from its reservation to the Yakima County road system; Said rights-of-way are described as follows:

Vacate that portion of Right of Way, 30 feet in width, conveyed to Yakima County, by Quit Claim Deed, recorded under Auditor's File Number 1359728, dated April 26th, 1951. Records of Yakima County, Washington, lying in the Southwest quarter of Section 3, Township 12 North, Range 17 East, W.M.,

A virtual Public Hearing be held on **Tuesday, March 9, 2021 at 10:00 a.m.**, or as soon thereafter as possible, be and hereby is, set as the date for a Public Hearing to consider the intention to vacate the aforesaid portion of County road right-of-way. For comment and participation in the virtual meeting call 509-574-1500 for instructions Monday March 8, 2021. Written testimony for the Public Hearing may be submitted to the Clerk of the Board by email to Julie.lawrence@co.yakima.wa.us. These specific instructions for commenting at the virtual Public meeting to be published within required hearing notice as provided by RCW 36.87.050.

If you are a person with a disability who needs any accommodation to participate in this program, hearing, or service, you may be entitled to receive certain assistance at no cost to you. Please contact the ADA Coordinator at Yakima County no later than five (5) working days prior to the date service is needed.

Yakima County ADA Coordinator
128 N. 2nd Street, Room B27
Yakima, WA 98901
(509) 574-2210
7-1-1 or 1-800-833-6384 (Washington Relay Services for deaf and hard of hearing)

DONE this 16th day of February 2021.

ATTEST: _____
Julie Lawrence, Clerk of the Board

PUBLISH: Yakima Herald Republic – February 18, 2021

Bill to: **Account No. 10830, Yakima County Auditor #14
Yakima County Road Department
128 North 2nd Street, 4th Floor, Yakima, Washington 98901**