

# 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: Yakima County Roads

Requested Agenda Date: 06/27/2023

Presenting: n/a

Document Title:  
Resolution to Vacate Right-of-Way

*Board of County Commissioners Record Assigned*  
# **156-2023**

APPROVED FOR AGENDA:  
 Consent       Regular  
*Board of County Commissioners Determined*

Action Requested: *Check Applicable Box*


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

Describe Fiscal Impact:  
None

Background Information:  
This Right-of-Way has remained unopened and unimproved since its reservation in 1906. As in accordance with RCW Chapter 36.87 the BOCC reviewed the petition to vacate received by the Roads Department. This right-of-way has been determined unnecessary for public use and/or incorporation into the County Road system by the County Road Department and County Engineer. The engineer's report recommends finalizing approval of vacation to the abutting property owners by the BOCC and the Board concurred in the Public Hearing on

Summary & Recommendation:  
Recommend finalizing the Resolution to vacate that unopened and unimproved right-of-way petitioned by the abutting property owners and reviewed by the Board of County Commissioners in Public Hearing date of June 13, 2023

Motion:  
 

Department Head/ Elected Official  
  
\_\_\_\_\_  
Signature

**AGREEMENT** Attached Is Approved as to Form  
Corporate Counsel Initial \_\_\_\_\_

*Late Agenda Requests Require BOCC Chairman Signature:*  
\_\_\_\_\_

**BOARD OF YAKIMA COUNTY COMMISSIONERS  
RESOLUTION**

**IN THE MATTER OF VACATING AND  
ABANDONING THAT CERTAIN  
UNOPENED ROAD RIGHT-OF-WAY  
LOCATED ALONG THE WEST SIDE OF  
NORTHWEST QUARTER OF SECTION 7  
TOWNSHIP 13 NORTH, RANGE 18 EAST,  
W.M.; FOR APPROXIMATELY 935 FEET  
SOUTH FROM THE NORTHWEST  
CORNER OF SECTION 7 FOR 40 FEET  
WIDE**

**15 6 - 2 0 2 3**

**WHEREAS**, the Board of County Commissioners of Yakima County, Washington, did give notice of its intention to vacate a portion of right-of-way no longer required as part of the county road system; **and**,

**WHEREAS**, pursuant to Resolution No. 129-2023, signed May 23, 2023, the Board did order the County Engineer to examine and report on said portion of road right-of-way to be vacated and said report has been filed recommending approval; **and**,

**WHEREAS**, a review of said vacation was made in accordance with Yakima County Ordinance No. 2-1971 regarding classification of said county road right-of-way on which public funds have been expended or not and determined no compensation is necessary and further that no appraisal value from the County Assessor is required; **and**,

**WHEREAS**, the Board, by Resolution No. 129-2023, set June 13, 2023, at 10:00 a.m., in the BOCC Basement Conference Room, Room 33B, 128 N. 2<sup>nd</sup> Street, Yakima, Washington, as the time and place for a public hearing on the proposed vacation; **and**,

**WHEREAS**, staff from the Yakima County Road Department appeared to give testimony in favor of the proposed right-of-way vacation; **and**,

**WHEREAS**, this proposed right-of-way vacation is justified; **now, therefore**,

**BE IT HEREBY RESOLVED** by the Board of Yakima County Commissioners of Yakima County, Washington that a portion of County Road right-of-way be, and hereby is, VACATED, and described as follows:

A portion of right-of-way, 40 feet in width, conveyed to Yakima County by Ditter Brothers Orchard Tract Plat B-12, dated December 3, 1906 recorded in Yakima County, Washington. Lying along the West side of Northwest Quarter of Section 7, Township 13 North, Range 18 East, W.M.

Beginning at the Northwest Corner of Lot 17 of Ditter Brothers Orchard Tracts;

**BOARD OF YAKIMA COUNTY COMMISSIONERS  
RESOLUTION**

Thence South along the West line of Lots 17 and 18 of Ditter Brothers Orchard Tracts for a Distance of 935.0 feet;

Thence West for a distance of 40.0 feet to a point on the East line of lot 31 of Ditter Brothers Orchard Tracts;

Thence North along the East line of Lots 31 and 32 of Ditter Brothers Orchard Tracts to the Northeast corner of Lot 32 of Ditter Brothers Orchard Tracts;

Thence East for a distance of 40.0 feet to Northwest corner of Lot 17 of Ditter Brothers Orchard Tracts and to the point of beginning.

Containing 0.86 acres

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

**BE IT FURTHER RESOLVED** that the vacated right-of-way shall be merged with the adjacent property and zoned consistent with the zoning of the abutting property into which the vacated right-of-way is merged.

**DONE**      JUN 27 2023

*Attest:*

\_\_\_\_\_  
Julie Lawrence, Clerk of the Board *or*  
Erin Franklin, Deputy Clerk of the Board

\_\_\_\_\_  
LaDon Linde, Chair

\_\_\_\_\_  
Amanda McKinney, Commissioner

\_\_\_\_\_  
Kyle Curtis, Commissioner  
*Constituting the Board of County Commissioners  
for Yakima County, Washington*