

RESOLUTION 2017 - 23

 ORIGINAL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, INITIATING AND SETTING A DATE FOR PUBLIC HEARING REGARDING RIGHT-OF-WAY VACATION FOR ALLEYWAY BEHIND 416 E EDISON AVENUE

WHEREAS, the City of Sunnyside has received from the Port of Sunnyside a petition to vacate the right-of-way behind the property located at 416 E Edison Ave, which real property is more fully described and shown on attached exhibit "A: (petition) incorporated herein by this reference; and

WHEREAS, the existing right-of-way extends from south 5th street west along the north property line of 416 E. Edison Ave; and

WHEREAS, such right-of-way is identified to be surplus to the uses and needs of the City of Sunnyside, subject to the right to retain appropriate easements for public signs, utilities or other purposes; and

WHEREAS, such procedure and recommendation of surplus has been verified by the Director of Public works in accordance with SMC 12.24.030 and the City manager has estimated the value of such property is less than \$5,000.00, and the City Council is authorized and desires to set a date for public hearing on such proposed vacation and declaration of surplus; and

WHEREAS, the City Council of the City of Sunnyside finds and determines that such right-of-way is preliminarily deemed surplus to the uses and needs of the City of Sunnyside, and that such vacation will create a more efficient network of public streets and rights-of-way, and will promote the general health, safety and welfare.

IT IS HEREBY RESOLVED by the City Council of the City of Sunnyside, Washington, as follows:

Section 1. That the initiation of vacation of the property as described and shown in the Petition attached as Exhibit "A", which is incorporated herein by this reference, is hereby approved.

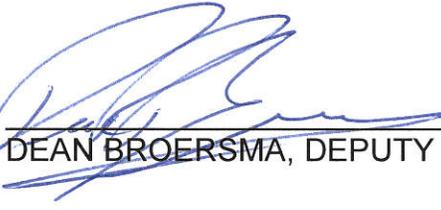
Section 2. That the City Manager or his designee is hereby directed to set a public hearing for consideration of such proposed declaration of surplus and vacation on a date and time not less than twenty (20) days nor more than sixty (60) days from the date this

Resolution is approved at a meeting of the City Council of the City of Sunnyside, and the City Manager is further authorized to appraise or determine market value of such right-of-way, and is authorized to offset and waive any minimum sales price if he determines that the value to the City resulting from such vacation, including but not limited to value of retained easements, exceeds the value of any sale to any abutting landowner.

Section 3. That the City Manager is hereby authorized to enter into negotiations with The Port of Sunnyside regarding such vacation, and regarding appropriate designation, configuration and timing of any recommended conveyance, and reserving unto the City appropriate easements for utilities and other public services as deemed necessary or appropriate.

Section 4. That this Resolution shall be in full force and effect upon passage and signatures according to law.

PASSED this 9th day of October 2017.


DEAN BROERSMA, DEPUTY MAYOR

ATTEST:

DEBORAH A. ESTRADA, CITY CLERK

APPROVED AS TO FORM:

KERR LAW GROUP
Attorneys for the City of Sunnyside

EXHIBIT A

City of Sunnyside
Petition for Vacation of Right-of-Way
(Chapter 12.24 SMC)

Procedure: The owners of an interest in any real estate abutting upon any street or alley within the City may petition the City Council for the vacation of such street or alley or any part thereof. Such petition shall contain a full and correct description of the property sought to be vacated, and such petition shall be signed by the owners of more than two-thirds of the property abutting upon the part of such street or alley to be vacated. The Petition must be submitted with a \$50 filing fee to the City Clerk, Sunnyside City Hall, 818 East Edison Avenue, Sunnyside, Washington 98944.

The Petition shall be subject to review and approval by the Director of Public Works. Upon approval, the City Council shall by resolution fix the time for hearing on such petition, which time shall not be more than 60 days nor less than 20 days after the passage of such resolution.

The City Clerk shall give 20 days' notice of the pendency of the petition by written notice posted in three of the most public places in the City and a like notice in a conspicuous place on the street or alley sought to be vacated, and any other notice deemed necessary or beneficial.

Prior to the hearing on the Petition, the City manager may conduct an appraisal of the property to be vacated and determine any extra fee to be paid by property owners benefited by the vacation, but such fee is waived or reduced if a city department joins in the request to vacate the public right-of-way, or a portion thereof. The City of Sunnyside reserves the right in all cases to reserve any and all easements in the vacated property necessary to accommodate public utilities operated by the city and to grant to third parties easements necessary and appropriate to utilities or services deemed to be in the public interest.

A full description of the applicable procedure is set forth in Chapter 12.24 SMC, which chapter controls and supplements the summary of procedure set forth above.

Description of Right-of-Way to be Vacated. Describe the portion of street, alleyway or other right-of-way to be vacated. Attach a map of the proposed right-of-way to be vacated, showing parcels or lots owned by abutting property owners with corresponding Yakima County Assessor's Parcel Numbers.

Reason(s) Supporting Vacation. Please state all reasons supporting the requested vacation.

Vacation is being requested to allow for ease of access to the property as well as access for maintenance and utilities.

Primary Contact Person: Name: _____ Phone: _____

Address: _____

EXHIBIT A

(This page may be duplicated to provide for additional signatories)

Signatures of Abutting Property Owners: The Petition must contain the signatures of the owners of at least two-thirds of the property abutting the right-of-way proposed for vacation. By signature below, each agrees and petitions for the vacation of the described right-of-way.

Parcel: Yakima County Assessor's Parcel No.: 22102524538
Street Address: 416. E. Edison, Sunnyside WA 98941
Owner: Port of Sunnyside Signature: [Signature]
Date Signed: 12-16-2016

Owner: _____ Signature: _____
Date Signed: _____

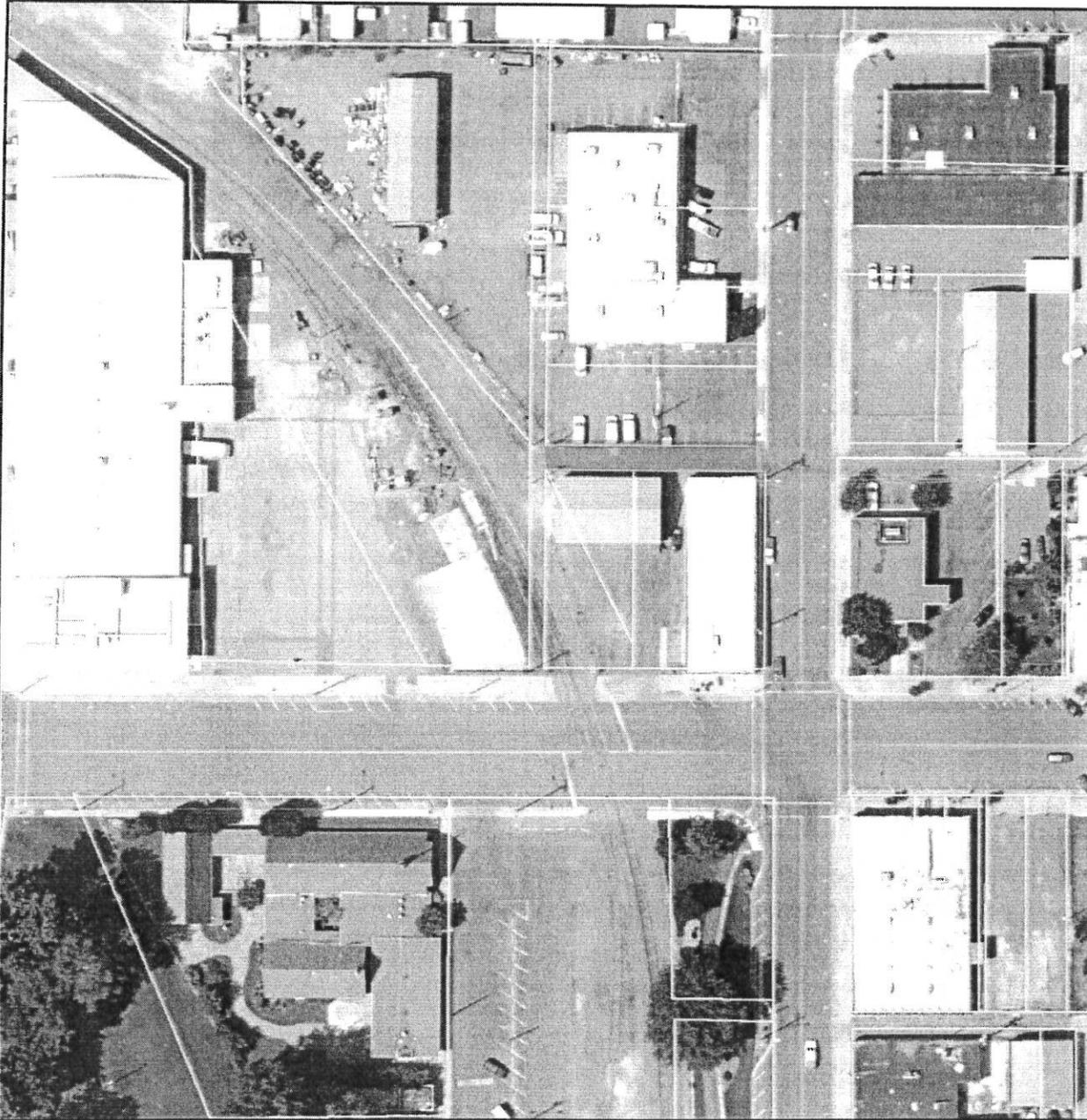
Parcel: Yakima County Assessor's Parcel No.: 22102524599
Street Address: E. Edison, Edison, Sunnyside WA 98941
Owner: Port of Sunnyside Signature: [Signature]
Date Signed: 12-16-2016

Owner: _____ Signature: _____
Date Signed: _____

Parcel: Yakima County Assessor's Parcel No.: _____
Street Address: _____

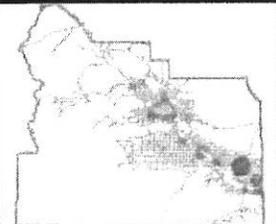
Owner: _____ Signature: _____
Date Signed: _____

Owner: _____ Signature: _____
Date Signed: _____



2013 Ortho Photography

Map Center: Range: 22 Township: 10 Section: 25



City Limits
Sections

WWW.YAKIMAP.COM
Yakima County GIS
128 N 2nd Street
Yakima, WA 98901
(509)574-2992



One Inch = 100 Feet
Feet 50 100 150

MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE BUT ACCURACY IS NOT GUARANTEED. THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION.

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Alley to be vacated