

ORDINANCE 2025 - 17

**AN ORDINANCE OF THE CITY COUNCIL OF SUNNYSIDE,
WASHINGTON, VACATING A PORTION OF UNIMPROVED
RIGHT-OF-WAY IN THE 300 BLOCK OF W. EDISON AVE**

WHEREAS, the City of Sunnyside has received a petition (City File# RWV-25-2) from Blue Mountain Ventures, LLC, to vacate the right-of-way between 216 W. Edison and 300 W. Edison, which real property is more fully described and shown on the attached Exhibit A, incorporated herein by this reference; and

WHEREAS, the existing right-of-way extends from W. Edison north to Blue Mountain Ventures LLC property, between 216 W. Edison and 300 W. Edison; and,

WHEREAS, pursuant to RCW 35.79.010 and SMC Ch. 12.24, on November 24, 2025 the City Council passed a Resolution setting December 8, 2025, as the date for a public hearing to consider the proposed vacation of public right-of-way; and,

WHEREAS, notice of the public hearing was provided in accordance with RCW 35.79.020 and SMC 12.24.030, and the City Council held the public hearing on December 8, 2025, and all persons wishing to provide testimony were heard; and,

WHEREAS, the City Council finds that vacation of the petitioned right-of-way, as legally described in Exhibit A, has no anticipated adverse effect to the public and is consistent with the Street Vacation Procedure outlined in SMC Ch. 12.24;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

SECTION 1: The portion of right-of-way, legally described in Exhibit A, is hereby vacated by the City of Sunnyside.

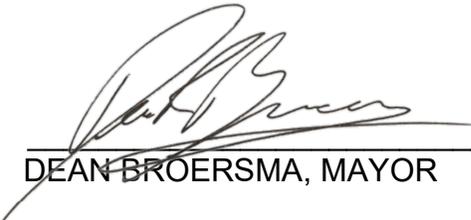
SECTION 2: The right-of-way vacation granted by this Ordinance is expressly conditioned on the applicant's satisfaction of the following conditions:

1. The vacated right-of-way shall belong to the owners of lots abutting each side of the vacated area, one-half to each.
2. In accordance with SMC 12.24.070, and based on the average of the assessed land values for Parcel # 221026-14458 and #221026-14457 per the Yakima County Assessor's office as of December 08, 2025, the required compensation for this right-of-way vacation shall be \$5,758.75 ($\$0.85/\text{SF} \times 6,775 \text{ SF}$). The appraised amount shall be paid by the adjacent owners in proportion to the vacated right-of-way acquired. The payment must be made to the City within 5 days of the date of passage of this Ordinance.
 - a. Per RCW 35.79.030, one-half of the revenue received by the city as compensation for the vacated area must be dedicated to the acquisition, improvement, development, and related maintenance of public open space or transportation capital projects within Sunnyside.
3. The vacated area shall include necessary easements for access and public utilities, with the specific width and easement language determined by the Public Works Director, or designee.
4. The vacated area shall be zoned High Density Residential (R-3) and shall have a Comprehensive Plan Future Land Use Designation of Residential.

SECTION 3: If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

SECTION 4: This Ordinance shall be effective five days after passage, approval and publication as required by law – the Ordinance will not be published until the required conditions in Section 2 have been satisfied.

PASSED this 8th day of December, 2025.



DEAN BROERSMA, MAYOR

ATTEST:



JACQUELINE RENTERIA, CITY CLERK

APPROVED AS TO FORM:

A handwritten signature in blue ink, reading "Julie Norton", enclosed within a thin yellow rectangular border.

BY: JULIE K. NORTON, CITY ATTORNEY

Date of Publication: December 17, 2025

“Exhibit A”

Legal Description and Map

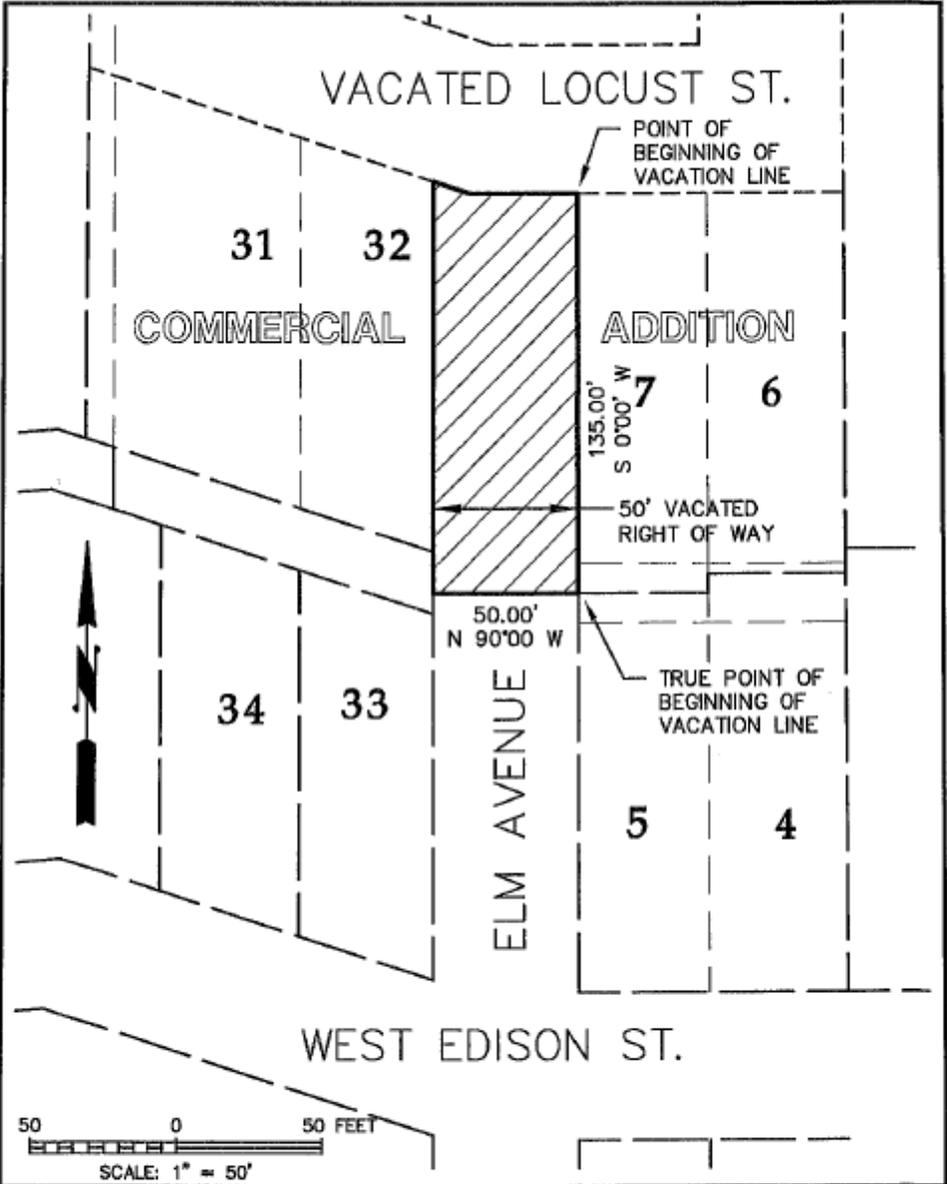
LEGAL DESCRIPTION OF THAT PORTION OF ELM AVENUE TO BE VACATED

That portion of Elm Avenue, per the Plat of Commercial Addition to the Town of Sunnyside, Washington, according to the plat thereof recorded in Volume “D” of Plats, Page 9, records of Yakima County, Washington lying Southerly of the South Right-of-way line of (vacated) Locust Street and Northerly of the following described line: Beginning at the intersection of the South line of (vacated) Locust Street and the East line of Elm Avenue; thence South 0°00” West, along the East line of said Elm Avenue, a distance of 135.00 feet to the True Point of Beginning; thence North 90°00’ West 50.00 feet to the West line of Elm Avenue and the terminus point of the herein described line.

Containing 6,775 square feet, more or less.



8-5-25



RIGHT OF WAY VACATION EXHIBIT

PLSA

ENGINEERING-SURVEYING-PLANNING
 521 NORTH 20th AVENUE, SUITE 3
 YAKIMA, WASHINGTON 98902
 (509) 575-6990