

WHEN RECORDED RETURN TO:

Richland City Clerk's Office  
625 Swift Boulevard, MS-05  
Richland, WA 99352

ORDINANCE NO. 44-21

AN ORDINANCE of the City of Richland vacating a portion of Keene Court right-of-way.

WHEREAS, pursuant to an approved preliminary plat and the construction permit issued under Chapter 12.10 of the Richland Municipal Code (RMC), RP Development, Inc. ("Developer") is constructing Phase 1 of the Marcello Estates development (the "Development"); and

WHEREAS, the development plan for Marcello Estates – Phase 1 includes extending Keene Court, an existing cul-de-sac, to connect to a public street; and

WHEREAS, the modified street system will make the cul-de-sac unnecessary; and

WHEREAS, Developer's infrastructure construction project is anticipated to be complete in the coming months, enabling the processing of a final plat application; and

WHEREAS, vacating the unnecessary portions of Keene Court right-of-way will allow the final plat of Marcello Estates to correctly represent the long-term needs of the city street system and include lots unencumbered by unnecessary right-of-way; and

WHEREAS, state law requires that a public hearing be held to allow public consideration of this proposal; and

WHEREAS, on November 2, 2021, Richland City Council adopted Resolution No. 128-21, setting December 7, 2021 at 6:00 p.m. as the date and time for said hearing; and

WHEREAS, on December 5, 2021, notice was duly published that a virtual public hearing would be held on December 7, 2021 to take public testimony on the proposed vacation action; and

WHEREAS, on December 7, 2021, a virtual public hearing was held by Richland City Council to receive public testimony.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. The portion of Keene Court right-of-way described in **Exhibit A**, attached hereto and incorporated herein by this reference, is hereby vacated subject to the provisions of Chapter 35.79 RCW.

Section 2. The City Clerk is directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance and the attached exhibit, duly certified by the City Clerk as a true copy.

Section 3. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.


Section 4. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 5. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 21<sup>st</sup> day of December, 2021.

  
\_\_\_\_\_  
Ryan Lukson, Mayor

Attest:

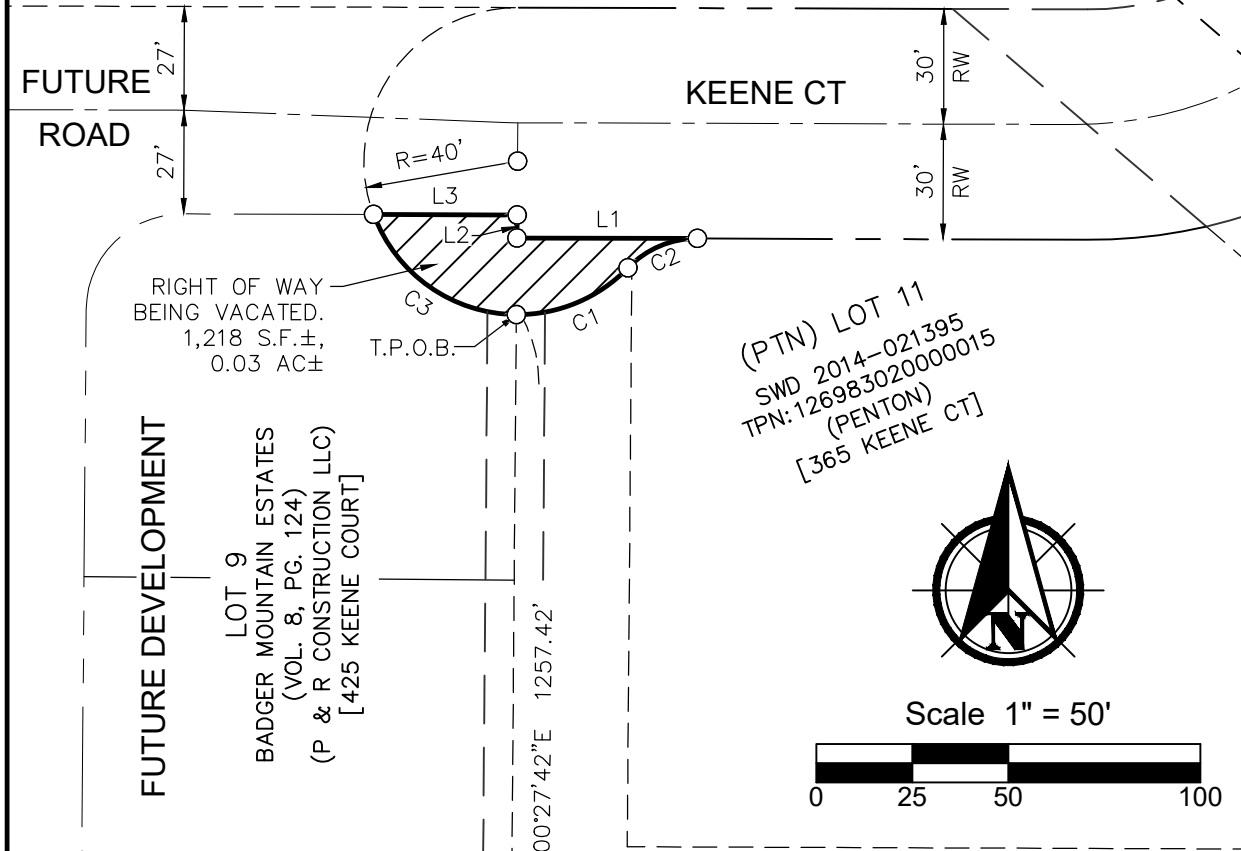
  
\_\_\_\_\_  
Jennifer Rogers, City Clerk

Approved as to Form:

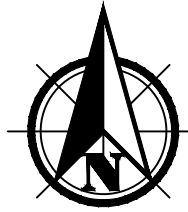
  
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Heather Kintzley, City Attorney

Date Published: December 26, 2021

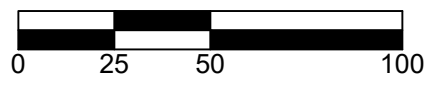
# EXHIBIT "A"



(PTN) LOT 11  
 SWD 2014-021395  
 TPN:126983020000015  
 (PENTON)  
 [365 KEENE CT]



Scale 1" = 50'



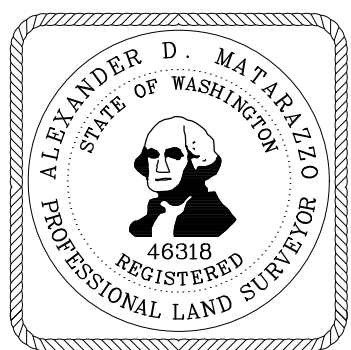
FUTURE DEVELOPMENT  
 LOT 9  
 BADGER MOUNTAIN ESTATES  
 (VOL. 8, PG. 124)  
 (P & R CONSTRUCTION LLC)  
 [425 KEENE COURT]

15' IRR. & UTILITY EASEMENT  
 PER BADGER MOUNTAIN  
 ESTATES VOL. 8, PG. 124

FD. 1/2" IRON  
 PIPE AT SW  
 CORNER OF LOT 9  
 S89°33'16"E 574.28'

LOT 1  
 SHORT PLAT 3329  
 AFN 2011-025268  
 (MCDONALD TRUSTEES  
 STEVEN & SUSAN)  
 [371 KEENE CT]

FD. 5/8" REBAR W/  
 NO CAP, 8" BELOW  
 SURFACE AT SE  
 CORNER OF LOT 9



12/08/2020

LINE	BEARING	DISTANCE
L1	N89°49'14"W	46.97'
L2	N00°27'42"E	6.00'
L3	N89°49'14"W	37.43'

NOTE: THIS MAP DOES NOT REPRESENT A  
 BOUNDARY SURVEY OF THE SUBJECT PARCEL  
 AND SHOULD NOT BE RELIED UPON AS SUCH.

SEE SHEET 2 FOR DESCRIPTION OF RIGHT OF  
 WAY VACATION.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	40.00'	32.41'	31.53'	N67°12'25"E	46°25'37"
C2	25.00'	20.15'	19.61'	N67°05'11"E	46°11'10"
C3	40.00'	48.36'	45.46'	S54°56'52"E	69°15'49"

<p><b>PBS Engineering and Environmental Inc.</b>          pbsusa.com</p>	DRAWN BY: DWW	SCALE: 1" = 50'	DATE: 12/08/2020
	CHECKED BY: ADM	PROJECT NO.: 66108.001	SHEET <u>1</u> OF <u>2</u>

## EXHIBIT "A"

PARTIAL RIGHT OF WAY VACATION LEGAL DESCRIPTION

LAND LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 9 NORTH IN RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY WASHINGTON AND DESCRIBED MORE PARTICULARLY AS FOLLOWS:


COMMENCING AT THE SOUTHWEST CORNER OF LOT 9 OF THE PLAT OF BADGER MOUNTAIN ESTATES RECORDED IN VOLUME 8 OF PLATS AT PAGE 124 RECORDS OF THE AUDITOR, BENTON COUNTY, WASHINGTON, BEING A 1/2" IRON PIPE; THENCE SOUTH 89°33'16" EAST ALONG THE SOUTH LINE OF SAID LOT 9 A DISTANCE OF 574.28 FEET TO THE SOUTHEAST CORNER OF SAID LOT 9 BEING A 5/8" REBAR WITH NO CAP; THENCE NORTH 00°27'42" EAST ALONG THE EAST LINE OF SAID LOT 9 A DISTANCE OF 1257.42 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF KEENE COURT BEING A POINT ON A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 40.00 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 00°25'13" EAST AND ALSO THE TRUE POINT OF BEGINNING;

THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 32.41 FEET, WITH A DELTA ANGLE OF 46°25'37", A CHORD BEARING OF NORTH 67°12'25" EAST, AND A CHORD LENGTH OF 31.53 FEET TO A POINT OF REVERSE CURVATURE TURNING TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 20.15 FEET, WITH A DELTA ANGLE OF 46°11'10", A CHORD BEARING OF NORTH 67°05'11" EAST, AND A CHORD LENGTH OF 19.61 FEET; THENCE NORTH 89°49'14" WEST A DISTANCE OF 46.97 FEET; THENCE NORTH 00°27'42" EAST A DISTANCE OF 6.00 FEET; THENCE NORTH 89°49'14" WEST A DISTANCE OF 37.43 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 40.00 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 69°41'02" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 48.36 FEET, WITH A DELTA ANGLE OF 69°15'49", A CHORD BEARING OF SOUTH 54°56'52" EAST, AND A CHORD LENGTH OF 45.46 FEET TO THE TRUE POINT OF BEGINNING.

HAVING AN AREA OF 1,218 SQUARE FEET, 0.03 ACRES MORE OR LESS.



12/08/2020

 <b>PBS</b> Engineering and Environmental Inc. pbsusa.com	DRAWN BY: DWW	SCALE: N.T.S.	DATE: 12/08/2020
	CHECKED BY: ADM	PROJECT NO.: 66108.001	SHEET <u>  2  </u> OF <u>  2  </u>