

AGREEMENT  
CITY OF RICHLAND ----- COUNTY OF BENTON  
REVISION OF CORPORATE BOUNDARY

**WHEREAS**, RCW 35A.21.210 authorizes code cities and counties to revise any part of a corporate boundary of a city which "coincides with the centerline, edge, or any portion of a public street, road or highway right of way by substituting therefor a right of way line of the same public street, road or highway so as fully to include or fully to exclude that segment of the public street, road or highway from the corporate limits of the city"; and

**WHEREAS**, Benton County (hereafter County) owns a right of way the edge of which abuts the City limits of the City of Richland (City) which is legally described on exhibit "A" and depicted on exhibit "B" attached hereto and incorporated herein by reference (hereafter right of way); and

**WHEREAS**, the right of way was not included with previous annexations; and

**WHEREAS**, the City desires to own the right of way and the County desires to transfer the right of way to City; and

**NOW THEREFORE**, City and County agree as follows:

1. City shall pass an Ordinance in the form attached hereto as Exhibit "C" revising the City's corporate boundary by authority of this agreement to include the property described on Exhibit "A" and depicted on Exhibit "B".
2. County shall pass a Resolution in the form attached hereto as Exhibit "D" approving the City's Ordinance revising its corporate limits to include the properties listed on Exhibit "A" and depicted on Exhibit "B".
3. The revision of the City's corporate boundary will not become effective until the County's Resolution is passed by the Benton County Commissioners.
4. The Public Works Director of City and the County Engineer of County are jointly designated as responsible for implementing and administering this Agreement.
5. The City and County will not acquire any joint property pursuant to this Agreement.
6. The purpose of this Agreement is to include right-of-way currently in Benton County within the jurisdictional limits of the City of Richland.
7. Should a dispute arise regarding this Agreement, the Parties hereto shall first meet and

attempt in good faith to resolve their differences. In the event that is unsuccessful, then the Parties shall submit this matter to binding arbitration in accordance with the rules of the American Arbitration Association.

8. The Parties agree that the revision to City's corporate boundary is not subject to review by the Benton County Boundary Review Board.
9. This Agreement may be amended or modified only by written Agreement duly executed by the parties hereto. This Agreement is executed in duplicate originals. One original shall go to each party. The City shall record this agreement with the Benton County Auditor after it has been approved by City and County.

DATED:

COUNTY BY:

  
\_\_\_\_\_  
CHAIR OF THE BENTON COUNTY  
BOARD OF COMMISSIONERS

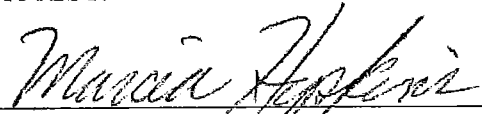
CITY BY:

  
\_\_\_\_\_  
CYNTHIA D. REENTS, CITY MANAGER


ATTEST:

  
\_\_\_\_\_  
CLERK OF THE BOARD


ATTEST:

  
\_\_\_\_\_  
MARCIA HOPKINS, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
DEPUTY PROSECUTING ATTORNEY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
HEATHER KINTZLEY  
CITY ATTORNEY

**EXHIBIT "A"**  
**Legal Description**

A portion of the Northeast ¼ of Section 22, Township 9 North, Range 28 East, W.M. Benton County, Washington, described as follows:

That portion of Jericho Road lying adjacent to Lots 6,7,12 and 13 Block 5 of the Plat of Badger Heights Subdivision and recorded in Volume 5 of Plats on Page 11, records of said County and State.

**Together With:**

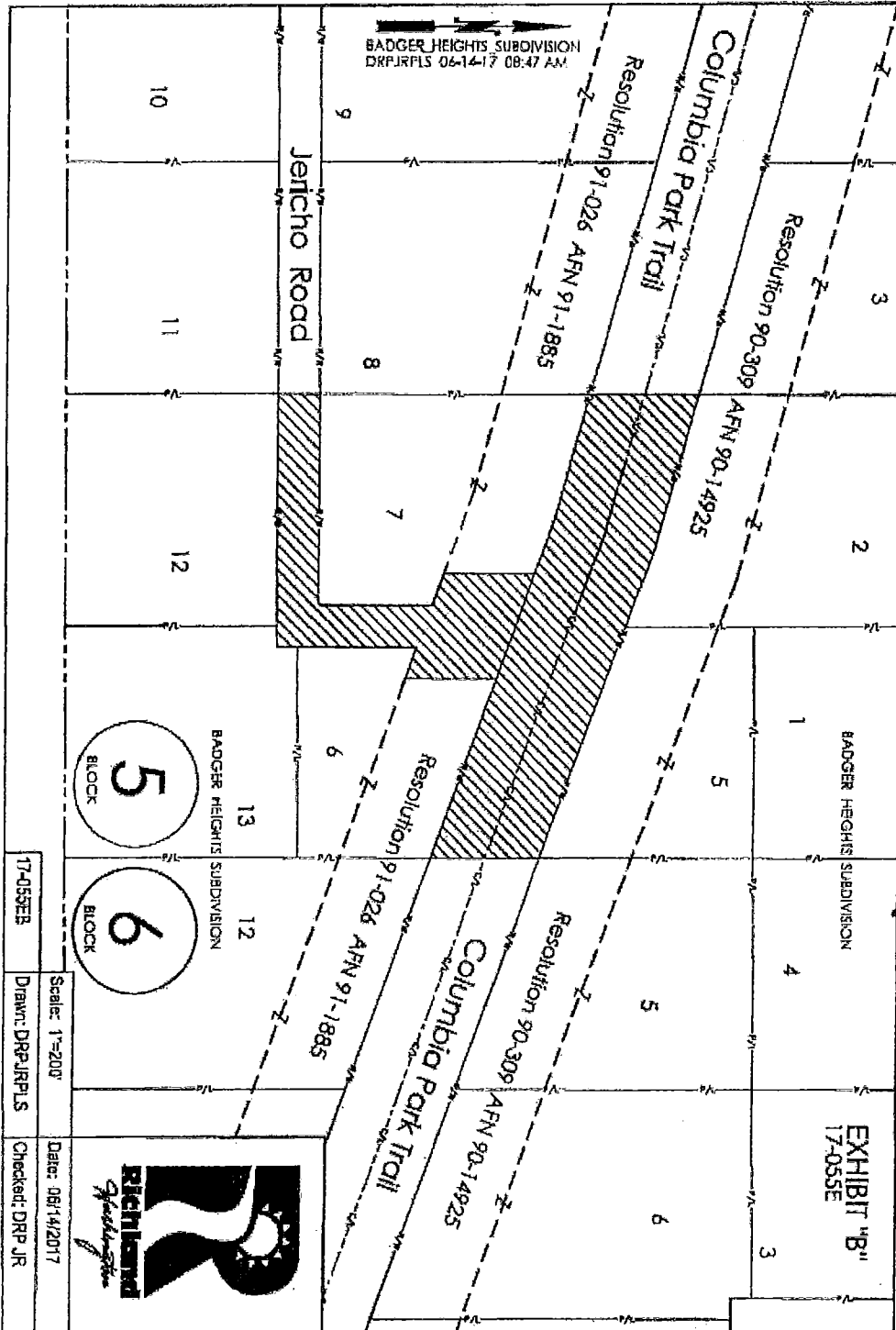
That portion of Columbia Park Trail, lying between the Northerly projections of the Westerly line of said Lot 7 Block 5 and the Northerly projection of the Easterly line of said Lot 6 Block 5 of said Plat of Badger Heights Subdivision to the Northerly right-of-way of Columbia Park Trail.

**Except:**

That portion of Columbia Park Trail Vacated by County Resolution 91-026 recorded under Auditor's File Number 91-1885 and County Resolution 90-309 recorded under Auditor's File Number 90-14925.

Containing 155,635.3 Square feet, more or less, according to the bearings and distances listed above and as depicted on the attached **Exhibit "B"**

EXHIBIT "B"



# EXHIBIT "C"

## ORDINANCE NO. 29-17

AN ORDINANCE of the City of Richland revising the corporate boundary of the City of Richland to include a portion of Columbia Park Trail and Jericho Road.

WHEREAS, the City of Richland and Benton County have entered into an Agreement for the revision of the corporate boundary of the City of Richland; and

WHEREAS, the City of Richland must pass an Ordinance to revise its corporate limits in compliance with the Agreement; and

WHEREAS, this action is exempt from review under the State Environmental Policy Act (RCW 43.21C.222) and is exempt from review by the Benton County Boundary Review Board pursuant to RCW 35A.21.210 and RCW 35.22.195; and

WHEREAS, the revision of the corporate boundary of the City of Richland, to include the property described below, is consistent with the City's Comprehensive Plan since the adjusted area is within the City's Urban Growth Area, and inclusion of the roadway within the City limits will foster economic growth in the City.

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

Section 1. The corporate limits of the City of Richland are hereby revised to include the following described real property which consists of roadway and road right-of-way:

A portion of the Northeast ¼ of Section 22, Township 9 North, Range 28 East, W.M. Benton County, Washington, described as follows:

That portion of Jericho Road lying adjacent to Lots 6,7,12 and 13 Block 5 of the Plat of Badger Heights Subdivision and recorded in Volume 5 of Plats on Page 11, records of said County and State.

**Together With:**

That portion of Columbia Park Trail, lying between the Northerly projections of the Westerly line of said Lot 7 Block 5 and the Northerly projection of the Easterly line of said Lot 6 Block 5 of said Plat of Badger Heights Subdivision to the Northerly right-of-way of Columbia Park Trail.

**Except:**

That portion of Columbia Park Trail Vacated by County Resolution 91-026 recorded under Auditor's File Number 91-1885 and County Resolution 90-309 recorded under Auditor's File Number 90-14925.

Containing 155,635.3 Square feet, more or less, according to the bearings and distances listed above and as depicted on the attached **Exhibit "A"**.

Section 2. All property within the revised corporate boundary shall be assessed and taxed at the same rate and on the same basis as property within the City, including assessments for taxes and payment of any bonds issued or debts contracted prior to or existing as of the date of annexation, and be further subject to the indebtedness of the City of Richland.

Section 3. From and after the effective date of this ordinance, the above described property shall be subject to all of the laws and ordinances of the City of Richland then and thereafter in force and effect.

Section 4. Severability. The provisions of this ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this ordinance shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid.

Section 5. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

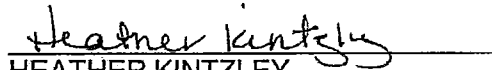
PASSED by the City Council of the City of Richland at a regular meeting on the 15<sup>th</sup> day of August, 2017.

  
ROBERT J. THOMPSON  
Mayor

ATTEST:

  
MARCIA HOPKINS  
City Clerk

APPROVED AS TO FORM:

  
HEATHER KINTZLEY  
City Attorney

Date Published: August 20, 2017

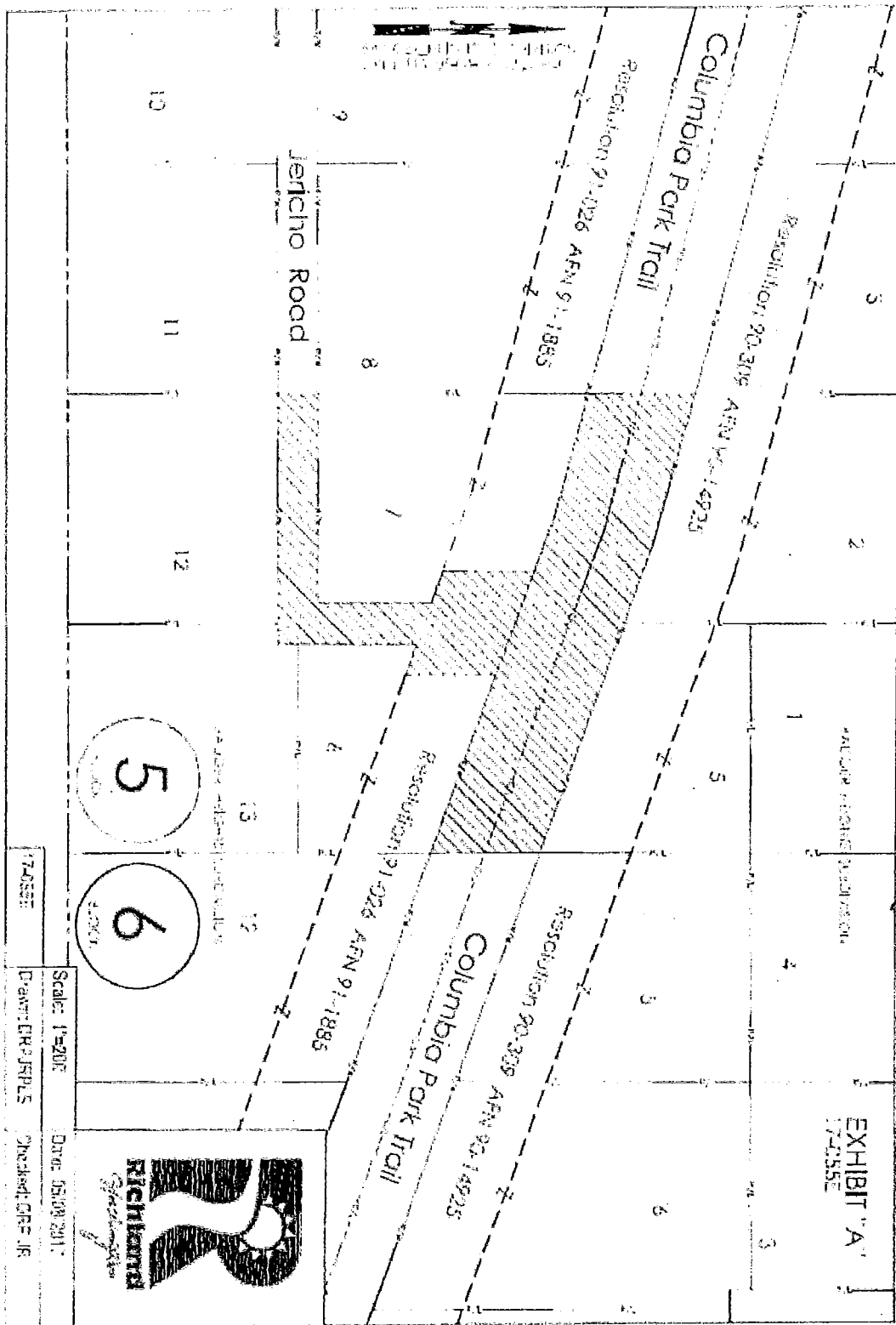


EXHIBIT "D"

RESOLUTION

2017 673

**BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:**

**IN THE MATTER OF APPROVING CITY OF RICHLAND'S ORDINANCE NUMBER 29-17 WHICH REVISES THE CITY OF RICHLAND'S CORPORATE BOUNDARY**

**WHEREAS**, Resolution 2017-486 approved the Agreement between Benton County and the City of Richland which outlined the process for revising City of Richland's corporate boundary; and

**WHEREAS**, per said Agreement, the City of Richland has passed Ordinance Number 29-17 revising their corporate boundary; **NOW THEREFORE**,

**BE IT RESOLVED** the Board of Benton County Commissioners hereby approves City of Richland's Ordinance Number 29-17 and the corporate boundary of the City of Richland is revised to include the real property described as follows:

A portion of the Northeast ¼ of Section 22, Township 9 North, Range 28 East, W.M. Benton County, Washington, described as follows:

That portion of Jericho Road lying adjacent to Lots 6,7,12 and 13 Block 5 of the Plat of Badger Heights Subdivision and recorded in Volume 5 of Plats on Page 11, records of said County and State.

**Together With:**

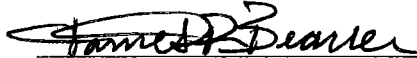
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**Except:**

That portion of Columbia Park Trail vacated by County Resolution 91-026 recorded under Auditor's File Number 91-1885 and County Resolution 90-309 recorded under Auditor's File Number 90-14925.

Containing 155,635.3 square feet, more or less, according to the bearings and distances listed above.

Dated this 3rd day of October 2017.



Chairman

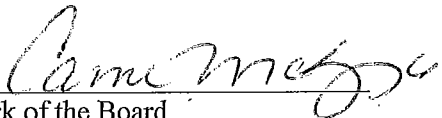
**JEROME DELVIN - ABSENT**

Chairman Pro-Tem



Member

Attest:

  
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington