

# RESOLUTION 2021 865

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF AUTHORIZING AN AGREEMENT WITH THE CITY OF RICHLAND CONCERNING A REVISION OF THE CITY OF RICHLAND'S 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 owns right of way at Reata Road, the edge of which abuts the City limits of the City of Richland; and

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

WHEREAS, the City of Richland and Benton County have the authority to enter into this agreement pursuant to RCW 35A.21.210; **NOW, THEREFORE,**

**BE IT RESOLVED** that the Agreement with the City of Richland – County of Benton Revision of Corporate Boundary be approved and the Chairman of the Board of Benton County Commissioners is authorized to sign said agreement.

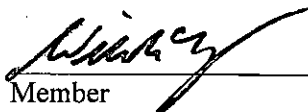
Dated this 7<sup>th</sup> day of December 2021.

JEROME DELVIN - ABSENT

Chairman

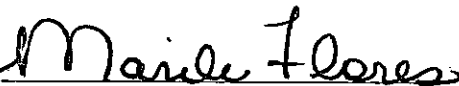


Chairman Pro-Tem



Member

Attest:



Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

After recording return to:  
Richland City Clerk  
625 Swift Blvd. MS-02  
Richland, WA 99352

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

**WHEREAS**, RCW 35A.21.210 and RCW 35.22.195 authorize charter 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.

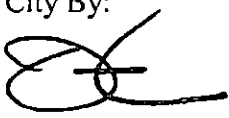
5. The City and County will not acquire any joint property pursuant to this Agreement.
6. The purpose of this Agreement is to include right-of-way currently in Benton County within the jurisdictional limits of the City of Richland.
7. Should a dispute arise regarding this Agreement, the Parties hereto 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. 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: 12/16/2021

County By:

  
\_\_\_\_\_  
Chair of the Benton County  
Board of Commissioners


City By:

  
\_\_\_\_\_  
Jon Amundson, ICMA-CM  
City Manager


Attest:

  
\_\_\_\_\_  
Marilu Flores  
Clerk of the Board

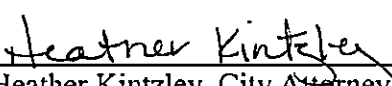
Attest:

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

Approved as to form:

  
\_\_\_\_\_  
Reid Hay, Deputy Prosecuting Attorney

Approved as to form:

  
\_\_\_\_\_  
Heather Kintzley, City Attorney

**EXHIBIT A  
LEGAL DESCRIPTION**

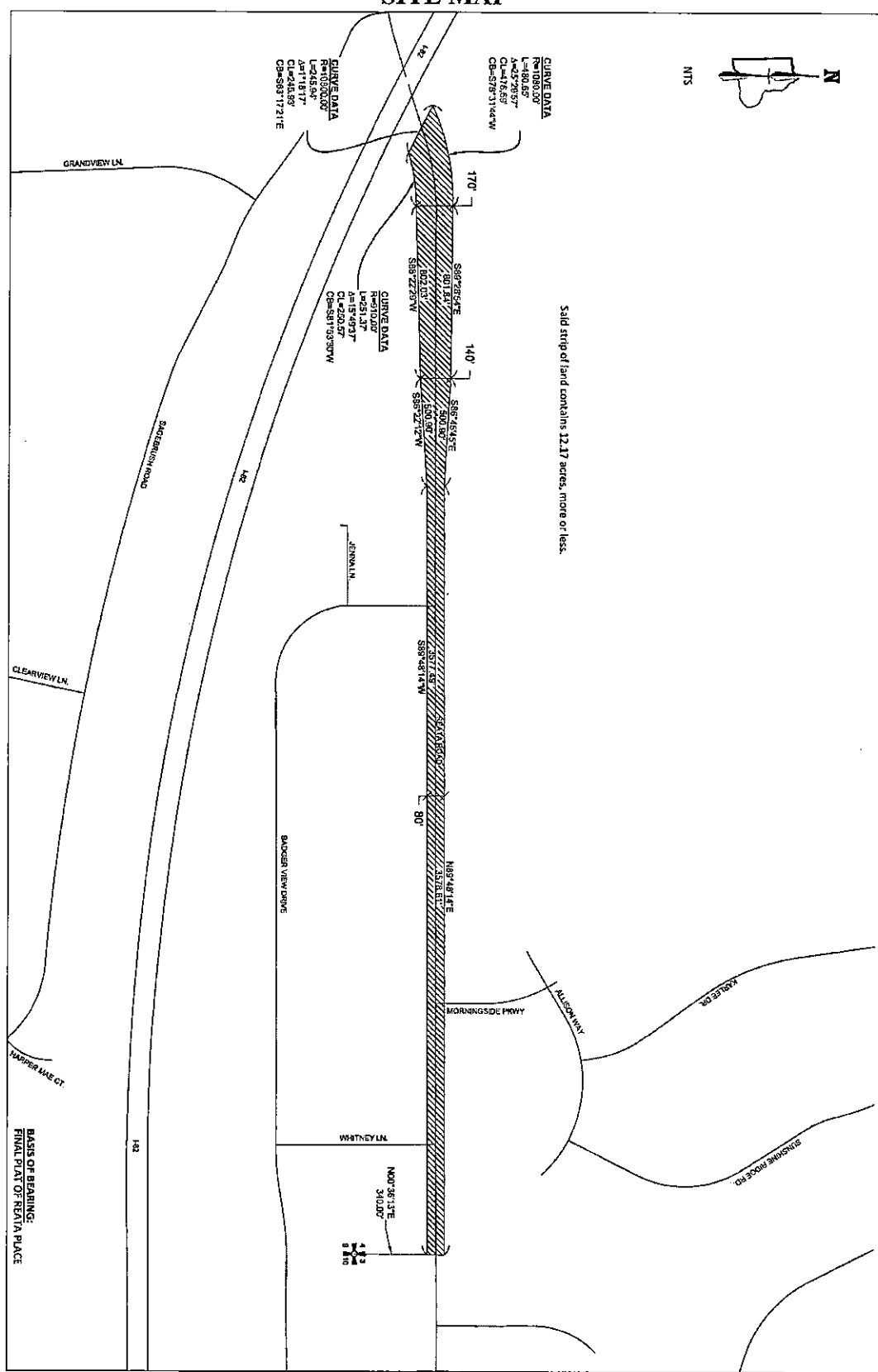
That portion of Reata Road beginning at the north right-of-way of Interstate 82 and extending east to the east line of Section 4, Township 8N, Range 28E, W.M. containing 12.17 acres, more or less.

Also being depicted on the attached **Exhibit "B"**.

# EXHIBIT B SITE MAP



Said strip of land contains 12.17 acres, more or less.



CURVE DATA  
 R=1080.00'  
 L=480.85'  
 A=45°28'57"  
 C=4176.63'  
 CB=S89°31'04\"/>

CURVE DATA  
 R=1030.00'  
 L=345.84'  
 A=41°18'17"  
 C=4248.85'  
 CB=S85°17'21\"/>

CURVE DATA  
 R=1030.00'  
 L=345.84'  
 A=41°18'17"  
 C=4248.85'  
 CB=S85°17'21\"/>

1/23  
 8:00  
 BASIS OF BEARING:  
 FINAL PLAN OF REITA PLACE

EXHIBIT C

RESOLUTION NO. 139-21

A RESOLUTION of the City of Richland authorizing an agreement with Benton County for revision of a corporate boundary at Reata Road.

WHEREAS, RCW 35A.21.210 and RCW 35.22.195 authorize charter 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 at Reata Road, the edge of which abuts the city limits of the City of Richland (hereafter "City"); and

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

WHEREAS, the preliminary plat of South Orchard, proposed by the developers of the Badger Mountain South development, adjoins the Reata Road right-of-way and will bring substantial urban development to this area; and

WHEREAS, the development will require improvements to the Reata Road right-of-way; and

WHEREAS, the City and the County agree that the City should oversee the street improvements needed as a result of the South Orchard development due to the urban nature of the development; and

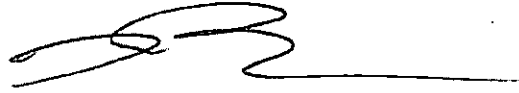
WHEREAS, the City desires to own the right-of-way and the County desires to transfer the right-of-way to the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute an agreement with Benton County for revision of the corporate boundary at the Reata Road right-of-way.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

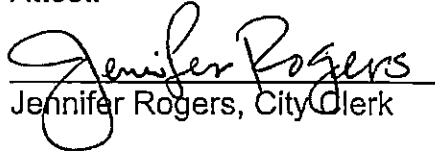
*This space intentionally left blank.*

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 16<sup>th</sup> day of November, 2021.

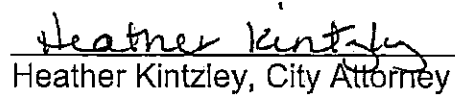


Ryan Lukson, Mayor

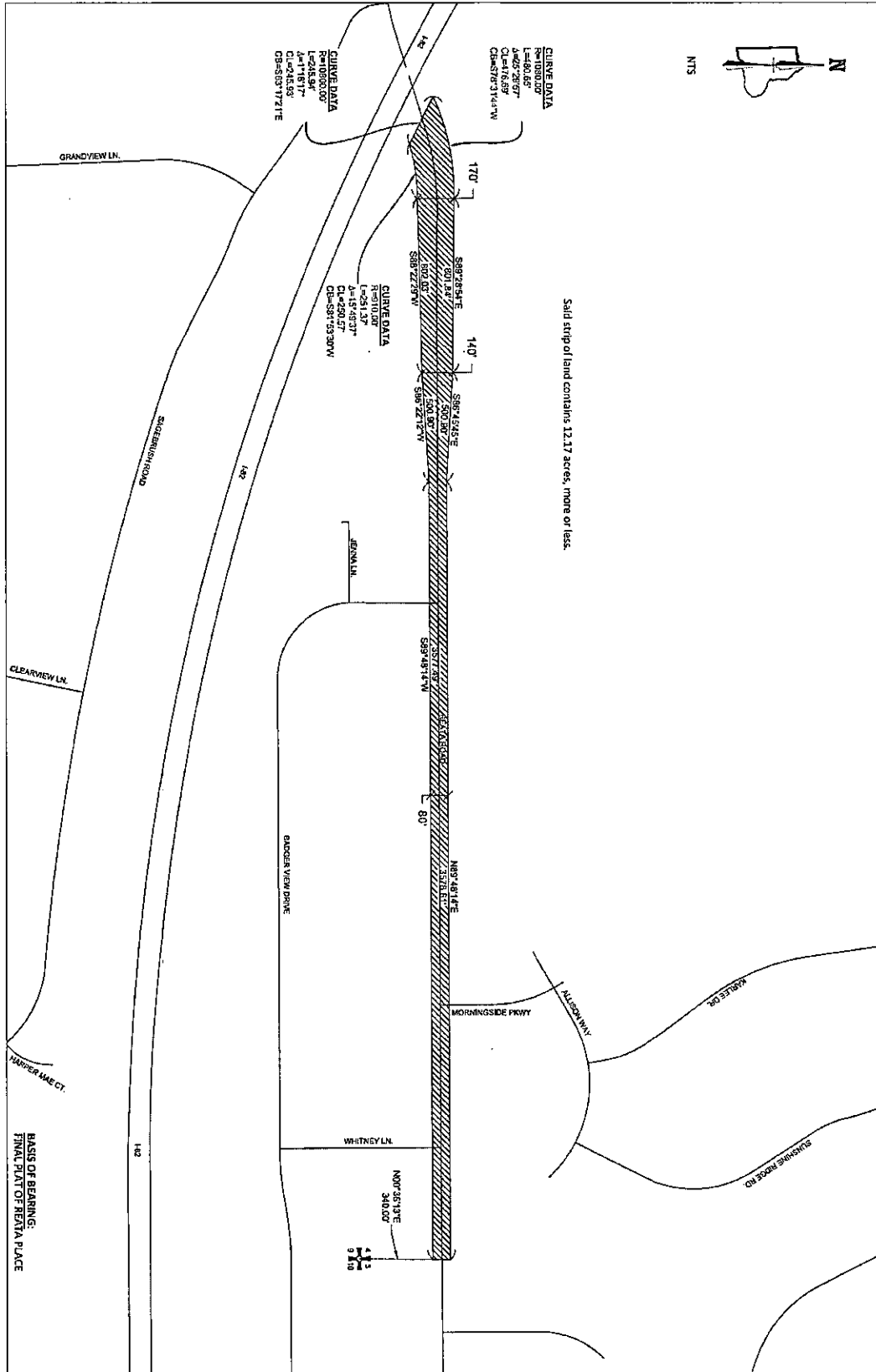
Attest:

  
Jennifer Rogers, City Clerk

Approved as to form:

  
Heather Kintzley, City Attorney

# EXHIBIT 1 TO CITY RESOLUTION SITE MAP



**EXHIBIT D  
RESOLUTION      2021 865**

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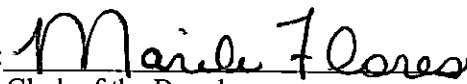
Dated this 7<sup>th</sup> day of December 2021.

JEROME DELVIN - ABSENT

\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Chairman Pro-Tem

  
\_\_\_\_\_  
Member

Attest:   
Clerk of the Board

Constituting the Board of County  
Commissioners of Benton County,  
Washington

Return Name and Address:  
Doug D'Hondt  
102206 E Wiser Parkway  
Kennewick, WA 99338

COPY

PLEASE PRINT OR TYPE INFORMATION:

Document Title: <del>Dedication of Right of Way to the City of Richland</del> Resolution #2021-86S
Grantor(s)(Last name first, first name, middle initials):  1. Benton County 2. 3. 4. Additional names on page _____ of document.
Grantee(s)(Last name first, first name, middle initials):  1. City of Richland 2. 3. 4. Additional names on page _____ of document.
Legal description (abbreviated: i.e., lot, block, plat or section, township, range, qtr./qtr.) Section 4, Township 8N, Range 28E. Reata Road Right of Way, from Interstate 82 to the east section line of Section 4, Township 8N, Range 28E.  Additional legal is on page <u>5</u> of document.
Reference Number(s) of documents assigned or released:  N/A  Additional numbers on page _____ of document.
Assessor's Property Tax Parcel/Account Number: <u>(MUST HAVE 15 DIGITS)</u>  N/A  Property Tax Parcel ID is not yet assigned. Additional parcel numbers on page _____ of document.
The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information.