

**RESOLUTION NO. R-2024-\_\_\_**

**A RESOLUTION** declaring the property rights obtained by the City in the Easement Deed recorded under Auditor's File Number 7891722 located near the intersection of Valley Mall Boulevard and Longfibre Road, Yakima, Washington, to be surplus to the uses and needs of the City of Yakima, and authorizing disposition of such property rights to Printing Press Properties.

**WHEREAS**, pursuant to RCW 35.22.280(3), the City of Yakima can purchase and dispose of real estate; and

**WHEREAS**, in 2015, as part of a development permit application, the City of Yakima (City) acquired an interest in a portion of property near Valley Mall Boulevard and Longfibre Road, Yakima, Washington, 98903 ("Subject Property") through an Easement Deed to the City of Yakima from Printing Press Properties, L.L.C.; and

**WHEREAS**, the Easement Deed conveyed the property for street access and sidewalks, street and sidewalk construction and access to maintain constructed streets and sidewalks and, based on engineering staff research, no money was paid for the rights conveyed; and

**WHEREAS**, Printing Press Properties, L.L.C. sought access off of Valley Mall Boulevard for a commercial project; and

**WHEREAS**, the City of Union Gap brought suit to deny Printing Press Properties, L.L.C. the ability to access its property off of Valley Mall Boulevard due to the limited access nature of the roadway; and

**WHEREAS**, the Court of Appeals found in favor of Union Gap, and agreed that access off of Valley Mall Boulevard was not allowed, the decision of which was not further appealed; and

**WHEREAS**, since the date of the Easement Deed the City has not used the property for public purpose, and based on the decision of the Court of Appeals, no access will be allowed from Valley Mall Boulevard to the property, rendering the Easement Deed for street access and sidewalks unusable; and

**WHEREAS**, because there is no ability to use the property as outlined in the Easement Deed, the interest in the property has negligible, if any, monetary value and should be returned to Printing Press Properties, L.L.C.; and

**WHEREAS**, the City Council finds and determines that the property described in the Easement Deed between the City of Yakima and Printing Press Properties, L.L.C., recorded under Yakima County Auditor's File Number 7891722, located in Yakima, Washington, is surplus to the uses and needs of the City of Yakima, and that a declaration that the property is surplus, and an authorization for the disposition of the property are in the best interests of the residents of the City of Yakima, and will promote the public health, safety, and welfare; now, therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:**

**Section 1.** Fee title ownership of the property described as follows, located in the vicinity of Valley Mall Boulevard and Longfibre Road, Yakima, Washington (referred to as the “Subject Property”) is hereby declared surplus to the uses and needs of the City of Yakima:

That portion of Lot 4A of Second Amended City of Yakima Short Plat recorded under Auditor’s File No. 7803506, records of Yakima County, Washington described as follows: Beginning at the Southwest corner of said Lot 4A; thence North 89°14 East, along the South line thereof, 140.38 feet; thence North 80°31’53” West 87.48 feet; thence North 54°38’23” West 32.33 feet; thence South 41°08’18” West 42.11 feet to the West line of said Lot 4A; thence South 0°11’21” West, along the West line, 3.27 feet to the Point of Beginning

including any access rights associated with the Easement Deed. The Easement Deed and survey are attached hereto as Exhibit “1” and fully incorporated herein.

**Section 2.** The City Manager is hereby authorized to dispose of the Subject Property through execution of a Quit Claim Deed which will revert the rights associated with the Easement Deed back to Printing Press Properties, L.L.C. at no cost due to the negligible value of the property and that the property was dedicated at no cost to the City as part of a plan for street and sidewalk access that is no longer allowed.

**Section 3.** Effective Date. This Resolution shall take effect immediately, as provided by law.

**ADOPTED BY THE CITY COUNCIL** this 2<sup>nd</sup> day of April, 2024.

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Patricia Byers, Mayor

ATTEST:

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Rosalinda Ibarra, City Clerk