

RESOLUTION NO. 2023-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG to declare certain City-owned property as surplus to City of Ellensburg's needs for the purpose of completing a land exchange with the United States Bureau of Reclamation.

WHEREAS, the United States Bureau of Reclamation ("BOR") has been working on the "Schaake Habitat Improvement Project" promoting habitat on and adjacent to the Yakima River since 2003; and

WHEREAS, the City of Ellensburg ("the City") through its Sewer Division owns property around the Wastewater Treatment Facility adjacent to the Yakima River located off of Berry Road; and

WHEREAS, it has been determined by the parties that a land exchange of parcels of roughly equal size and value would promote and enable the needs of the Schaake Habitat Improvement Project as well as protect the City's interests; and

WHEREAS, the BOR and City agreed to an Opinion of Approximately Equal Value of Land to Be Exchanged regarding the Schaake Habitat Improvement Project in April 2019; and

WHEREAS, the City Manager has determined that the disposal of real property declared surplus in this Resolution would realize greater benefit to the City through consideration other than a cash sale; and

WHEREAS, to accomplish the land exchange with BOR, the City must surplus four tracts of land identified by Kittitas County Assessor's Office as Parcels No. 258733 (Tract 1), 228733 (Tract 2), 028733 (Tract 3) and 598733 (Tract 4) as legally described in Exhibit A, attached hereto and incorporated herein; and

WHEREAS, Ellensburg City Code 2.06.220 authorizes the City to surplus said property as well as perform a land exchange under certain conditions;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ellensburg, Washington, as follows:

Section 1. The real property identified by Kittitas County Assessor's Office as Parcels No. 258733 (Tract 1), 228733 (Tract 2), 028733 (Tract 3) and 598733 (Tract 4) as legally described in in Exhibit A is hereby declared surplus to the City of Ellensburg's need and is no longer required for providing municipal services.

Section 2. The City Council finds that proposed land exchange referenced above has more value or benefit to the City than any other bid or offer that might be considered and is therefore in the best interests of the City.

Section 3. Disposition of the property shall be through an exchange of land between the United States Bureau of Reclamation and the City of Ellensburg upon such terms and conditions as the parties may agree upon. The Mayor and/or City Manager are authorized to execute any and all documents required to complete the property exchange.

ADOPTED by the City Council of the City of Ellensburg this 16th day of October, 2023.


Mayor

Attest:


City Clerk

EXHIBIT A

LEGAL DESCRIPTIONS

Parcel No. 258733

TRACT 1:

That portion of the East Half of the Northwest Quarter of Section 14, Township 17 North, Range 18 East, W.M., Kittitas County, Washington, which lies Easterly and Northeasterly of the Yakima River and Southwesterly of the Tjossem Ditch right of way.

EXCEPT:

Lot 21 of that certain survey as recorded July 25, 2002 in Book 27 of Surveys at pages 148 and 149, under Auditor's File No. 200207250001, records of Kittitas County, Washington.

Parcel No. 228733

TRACT 2:

That portion of the Northwest Quarter of the Northeast Quarter of Section 14, Township 17 North, Range 18 East, W.M., Kittitas County, Washington, which lies Southwesterly of the Tjossem Ditch and Southeasterly of the Southeastern boundary of Lot 21 of that certain survey recorded July 25, 2002 in Book 27 of Surveys at pages 148 and 149, under Auditor's File No. 200207250001, records of Kittitas County, Washington, and being more particularly described as follows:

Commencing at the East quarter corner of said Section 14, being a 1" iron pipe; thence North 89°44'42" West along the South line of said Northeast Quarter of Section 14, a distance of 490.29 feet;

Thence North 52°10'37" West, a distance of 668.32 feet;

thence North 25°05'37" West a distance of 370.40 feet;

Thence North 45°09'37" West a distance of 190.60 feet to the centerline of Tjossem Ditch;

Thence continuing along said ditch centerline, the following courses:

North 55°31'46" West a distance of 23.80 feet, more or less, to the West line of the Southeast Quarter of the Northeast Quarter of Section 14;

North 55°31'46" West a distance of 18.00 feet;

North 83°33'53" West a distance of 159.19 feet;

South 87°06'58" West a distance of 70.55 feet;

North 77°06'13" West a distance of 158.62 feet;

North 83°20'59" West a distance of 101.53 feet;

North 70°57'04" West a distance of 48.90 feet;

North 15°31'57" West a distance of 61.14 feet;

North 22°50'14" West a distance of 93.41 feet;

Thence North 12°46'50" West a distance of 86.29 feet, more or less to the South line of the Northwest Quarter of the Northeast Quarter of said Section 14 and the Point of Beginning;

Thence continuing along the centerline of said Tjossem Ditch, the following courses:

North 04°38'15" West a distance of 121.16 feet;
North 10°03'30 West a distance of 90.32 feet;
North 11°41'59" East a distance of 88.17 feet;
North 02°29'54" West a distance of 71.65 feet;
North 08°20'35" West a distance of 76.48 feet;
North 13°16'16" West a distance of 149.41 feet;

Thence North 27°21'08" West a distance of 58.74 feet to the South line of Lot 13 of said survey, from which point a found 5/8" rebar & cap marked "LS 180925 Nelson" bears North 82°45'57" East a distance of 34.41 feet;
Thence South 82°54'12" West along said South line, a distance of 25.64 feet to the Southwest corner thereof;
Thence North 21°10'12" West along the Southwest line of said Lot 13, a distance of 60.32 feet;
Thence continuing along said line, North 56°51'13" West a distance of 105.03 feet; thence North 64°39'53"

West a distance of 171.96 feet to the Northeast corner of Lot 21 of said survey;

Thence South 34°24'16" West along the Southeasterly line thereof, a distance of 444.35 feet more or less to the West line of said Northwest Quarter of the Northeast Quarter of Section 14;
Thence South 0°54'33" East along said line, a distance of 455.75 feet to the South line of said Northwest Quarter of the Northeast Quarter;
Thence South 89°45'10" East along said South line, a distance of 617.63 feet to the Point of Beginning.

Parcel No. 028733

TRACT 3:

That portion of the South Half of the Northeast Quarter of Section 14, Township 17 North, Range 18 East, W.M., Kittitas County, Washington, which lies Southwesterly of Tjossem Ditch and Northeasterly of the Yakima River, and being more particularly described as follows:

Commencing at the East Quarter corner of said Section 14, being a 1" iron pipe;
thence North 89°44'42" West along the South line of said Northeast Quarter of Section 14, a distance of 490.29 feet to the Point of Beginning;
Thence leaving said South line, North 52°10'37" West, a distance of 668.32 feet; thence North 25°05'37" West a distance of 370.40 feet;
Thence North 45°09'37" West a distance of 190.60 feet to the centerline of Tjossem Ditch;
Thence continuing along said ditch centerline, the following courses:

North 55°31'46" West a distance of 23.80 feet, more or less, to the West line of the Southeast Quarter of the Northeast Quarter of Section 14;
North 55°31'46" West a distance of 18.00 feet;
North 83°33'53" West a distance of 159.19 feet;

South 87°06'58" West a distance of 70.55 feet;
North 77°06'13" West a distance of 158.62 feet;
North 83°20'59" West a distance of 101.53 feet;
North 70°57'04" West a distance of 48.90 feet;
North 15°31'57" West a distance of 61.14 feet;
North 22°50'14" West a distance of 93.41 feet;

Thence North 12°46'50" West a distance of 86.29 feet, more or less to the South line of the Northwest Quarter of the Northeast Quarter of said Section 14;
thence North 89°45'10" West along said South line, a distance of 617.63 feet to the West line of the Southwest Quarter of the Northeast Quarter of said Section 14;
Thence South 0°54'33" West along said West line, a distance of 1098.33 feet to the Northerly line of ordinary high water of the Yakima River;
Thence South 73°49'57" East along said ordinary high water line, a distance of 5.72 feet;
Thence continuing along said line, North 65°50'49" East a distance of 44.44 feet;
thence South 56°52'04" West a distance of 53.95 feet;
Thence South 67°42'03" East a distance of 46.48 feet;
thence South 68°57'34" East a distance of 240.52 feet;
thence South 62°22'42" East a distance of 137.64 feet;
Thence South 71°51'26" East a distance of 137.68 feet to said South line of the Northeast quarter of Section 14;

Thence leaving said ordinary high water line, South 89°44'42" East along said South Quarter section line, a distance of 696.41 feet to the East line of the Southwest Quarter of said Northeast Quarter;
Thence North 01°39'07" West along said East line, a distance of 54.57 feet; thence leaving said East line, South 75°00'00" East a distance of 214.29 feet to a point on said South line of the Northeast Quarter which lies North 89°44'42" West a distance of 1099.00 feet from the Southeast corner thereof;
Thence South 89°44'42" East along said South line, a distance of 608.71 feet to the Point of Beginning.

EXCEPT that portion of the Southeast Quarter of the Northeast Quarter of Section 14 which is described as follows:

A tract of land bounded by a line beginning at a point on the South boundary line of said quarter of quarter section which is 1099.0 feet West of the Southeast corner of said quarter of quarter section and running thence North 75°00' West, 213.0 feet, more or less, to the West boundary line of said quarter of quarter section; thence South along said boundary line to the Southwest corner of said quarter of quarter section; and thence East on the South boundary of said quarter of quarter section to the point of beginning.

Parcel No. 598733

TRACT 4:

That portion of the Northeast Quarter of the Southeast Quarter of Section 14, Township 17 North, Range 18 East, W.M., in the County of Kittitas, State of Washington, described as follows:

A tract of land bounded by a line beginning at the Northeast corner of said Northeast Quarter of the Southeast Quarter and running thence West on the North boundary line thereof 1099 feet; thence South 57° East, 913 feet; thence South 32°36' East, 618 feet to the East boundary line of said Northeast Quarter of the Southeast Quarter, thence North 1018 feet to the Point of Beginning.

As depicted on the attached map made part hereof by this reference.

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