RESOLUTION NUMBER 25-13

A RESOLUTION OF THE BATTLE GROUND CITY COUNCIL SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER A UTILITY EASEMENT VACATION

WHEREAS, RCW 35A.11.020 grants to each code city the power to vacate public ways, real property of all kinds, or any other use of real property, but provides no specific process for accomplishing any said vacation; and

WHEREAS, Chapter 35.79 RCW provides a process for the owners of an interest in any real estate abutting upon any street or alley to petition the legislative authority to vacate such street or alley; and

WHEREAS, RCW 35.79.010 provides that upon receipt of such a petition signed by at least two-thirds of the abutting property owners, the legislative authority shall by resolution fix a time when the petition will be heard and determined; and

WHEREAS, the procedural provisions of Chapter 35.79 RCW provide a suitable means of giving public notice and an opportunity for due consideration by the City Council of the present proposed vacation of a utility easement; and

WHEREAS, there is an existing utility easement on Clark County Assessor parcels nos. 986056250 and 986056251 to the City of Battle Ground, grantee, for the purpose of owning and maintaining sewer and water utilities, which easement is recorded as Clark County Auditor file no. 5944474 EAS, dated July 14, 2021; and

WHEREAS, the owner of parcels nos. 986056250 and 986056251, otherwise known as 910 and 825 SW Scotton Way respectively, has filed a petition with the City Clerk requesting the City vacate said utility easement; and

WHEREAS, City staff has conducted an analysis of the vacation request and determined that the utility easement is no longer being used for sewer or water purposes and is not likely to be useful to the City at any foreseeable point in the future;

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

Section 1. The City Council will consider whether the utility easement as requested for vacation is currently being used for sewer or water purposes or is likely to be useful to the City at any foreseeable point in the future.

Section 2. The City Council will hold a public hearing on January 5, 2026, for the purposes of considering the utility easement vacation request.

Section 3. This resolution shall be effective immediately upon its adoption by City Council.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF BATTLE GROUND IN OPEN MEETING THIS 17TH DAY OF NOVEMBER 2025.

Troy McCoy (Nov 18, 2025 18:18:02 PST)

Troy McCoy, Mayor

ATTEST:

Elizabeth Halili

Elizabeth Halili, City Clerk

APPROVED AS TO FORM:

Ken Harper
Ken Harper (Nov 19, 2025 06:39:12 PST)

Ken Harper, City Attorney

Res. No. 25-13 Set Public Hearing for KinderCare Utility Easement Vacation

Final Audit Report 2025-11-19

Created:	2025-11-18
By:	Elizabeth Halili (elizabeth.halili@cityofbg.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAOIqp7FjyMICLj7FDqgQBjNF4E1n-rrIw

"Res. No. 25-13 Set Public Hearing for KinderCare Utility Easement Vacation" History

Document created by Elizabeth Halili (elizabeth.halili@cityofbg.org)
2025-11-18 - 11:41:11 PM GMT

Document emailed to Troy McCoy (troy.mccoy@cityofbg.org) for signature
2025-11-18 - 11:41:15 PM GMT

Email viewed by Troy McCoy (troy.mccoy@cityofbg.org)
2025-11-19 - 2:17:45 AM GMT

Document e-signed by Troy McCoy (troy.mccoy@cityofbg.org)
Signature Date: 2025-11-19 - 2:18:02 AM GMT - Time Source: server

Document emailed to Ken Harper (kharper@mjbe.com) for signature
2025-11-19 - 2:18:03 AM GMT

Email viewed by Ken Harper (kharper@mjbe.com)
2025-11-19 - 2:38:51 PM GMT

Document e-signed by Ken Harper (kharper@mjbe.com)
Signature Date: 2025-11-19 - 2:39:12 PM GMT - Time Source: server

Document emailed to Elizabeth Halili (elizabeth.halili@cityofbg.org) for signature
2025-11-19 - 2:39:13 PM GMT

Email viewed by Elizabeth Halili (elizabeth.halili@cityofbg.org)
2025-11-19 - 3:28:10 PM GMT

Document e-signed by Elizabeth Halili (elizabeth.halili@cityofbg.org)
Signature Date: 2025-11-19 - 3:28:22 PM GMT - Time Source: server

Adobe Acrobat Sign

Agreement completed.

2025-11-19 - 3:28:22 PM GMT

Adobe Acrobat Sign