

**RESOLUTION 2026-03**

**A RESOLUTION OF THE PORT OF SUNNYSIDE  
SURPLUSING CERTAIN IMPROVEMENTS PURSUANT TO RCW 53.08.090(1) AND  
AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE RIGHT-OF-WAY DEDICATION  
DEED TO THE CITY OF SUNNYSIDE**

**WHEREAS**, the Port of Sunnyside (the "Port") is authorized by RCW 53.08.090 to sell real or personal property provided the Commission declares the property to be no longer needed for district purposes and finds the property surplus to port needs;

**WHEREAS**, in Resolution No. 2022-22, the Port modified its comprehensive scheme of harbor improvements and found certain real property located in the Port's Midvale Industrial Park surplus to the Port's needs and no longer needed for Port purposes;

**WHEREAS**, the real property identified in Resolution No. 2022-22 includes certain road and utility improvements, commonly referred to as St. Clair Road (hereinafter "St. Clair Road Improvements") that were constructed by the Port after the date of Resolution No. 2022-22;

**WHEREAS**, on May 26, 2026, the Port executed an Access and Utility Easement granting the City of Sunnyside an easement over the area including the St. Clair Road Improvements, a copy of which is attached to this Resolution as **Exhibit A**;

**WHEREAS**, the St. Clair Road Improvements are required to be dedicated to the City of Sunnyside pursuant to the Binding Site Plan for the Port of Sunnyside on parcels Nos. 220901-13002, -42002, -41406, -44401, -43001, -34002, -220912-21003, and -11002 (the "BSP");

**WHEREAS**, upon recording of the BSP, the Port intends to dedicate a right-of-way to the City of Sunnyside for the St. Clair Road Improvements and underlying real property; and

**WHEREAS**, on May 26, 2026, the Port Commission approved the BSP.

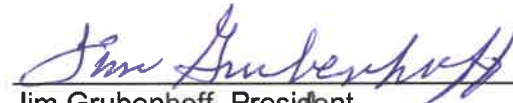
**NOW, THEREFORE, BE IT RESOLVED** by the Port Commission of the Port of Sunnyside as follows:


1. Acting pursuant to RCW 53.08.090, the Commission declares the property identified in this Resolution as the St. Clair Road Improvements to be surplus and no longer needed for Port purposes.
2. Acting pursuant to RCW 53.12.270, the Commission authorizes the Port Executive Director to execute a right-of-way dedication deed, in a form to be approved by Port legal counsel, to dedicate to the City of Sunnyside the St. Clair Road Improvements and underlying real property consistent with the BSP.

**IT IS FURTHER RESOLVED** that the Port of Sunnyside Executive Director is authorized to execute any documents necessary to implement this Resolution and to complete the dedication to the City of Sunnyside of the St. Clair Road Improvements and underlying real property.

**ADOPTED** by the Port Commission of the Port of Sunnyside this 15<sup>th</sup> day of June 2026, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof.

**PORT OF SUNNYSIDE COMMISSION**

  
\_\_\_\_\_  
Jim Grubenhoff, President

  
\_\_\_\_\_  
Tyler Schilperoort, Vice-President

  
\_\_\_\_\_  
Arnold Martin, Secretary

**EXHIBIT A**  
**[Access and Utility Easement]**

**RETURN ADDRESS:**

**HALVERSON NORTHWEST LAW GROUP, P.C.  
ATTN: ROBERT N. FABER  
P.O. BOX 210  
SUNNYSIDE WA 98944**

NOT SUBJECT TO  
REAL ESTATE EXCISE TAX  
*Jess Suttler* MAY 26 2026  
DEPUTY TREASURER

**ACCESS AND UTILITY EASEMENT**

**GRANTOR:**

1. **PORT OF SUNNYSIDE, a Washington municipal corporation**

**GRANTEE:**

1. **CITY OF SUNNYSIDE, a Washington municipal corporation**

**Legal Descriptions (abbreviated):**

- W $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec 1, Twn 9 N, Rng 22, EWM, as to Parcel 1.**
- W $\frac{1}{2}$  N $\frac{1}{2}$  N $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec 1 Twn 9 N R22, EWM, as to Parcel 2.**
- Lots 1, 2 & 3 SP N-61, as to Parcel 3.**
- Ptn E $\frac{1}{2}$  Sec 1, Twn 9 N, Rng 22, EWM, as to Parcel 4.**
- E $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec 1, Twn 9 N, Rng 22, EWM, as to Parcel 5.**
- E $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  & PTN S $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec 1, Twn 9 N, Rng 22, EWM, as to Parcel 6.**
- Ptn NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec 1, Twn 9 N, Rng 22, EWM, as to Parcel 7.**
- NW $\frac{1}{4}$  SE $\frac{1}{4}$  & NE $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec 1, Twn 9 N, Rng 22, EWM, as to Parcel 8.**

**Additional (complete) legal descriptions are on pages 4 – 9 of document.**

- Assessor's Parcel No. 220901-11005**
- Assessor's Parcel No. 220901-14001**
- Assessor's Parcel No. 220901-14403**
- Assessor's Parcel No. 220901-41405**
- Assessor's Parcel No. 220901-12008**
- Assessor's Parcel No. 220901-13002**
- Assessor's Parcel No. 220901-41406**
- Assessor's Parcel No. 220901-42002**

**GRANTOR:** PORT OF SUNNYSIDE, a Washington municipal corporation

**GRANTEE:** CITY OF SUNNYSIDE, a Washington municipal corporation

**DATE:** May 26 2026

### **RECITALS**

A. The Grantor, the **Port of Sunnyside, a Washington municipal corporation**, is the current owner of real property described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property"):

B. The Grantor intends to install a road and utility lines within the Property, with the road and utility lines being located within the area legally described on Exhibit "B" and depicted on Exhibit "C", both of which are attached hereto and incorporated herein by reference (the "Easement Area").

C. Upon completion of the installation of the road and utility lines, the Grantee, the **City of Sunnyside, a Washington municipal corporation**, shall be responsible for the maintenance, repair, and replacement of the road and utility lines. The Grantor intends to dedicate a right of way over the Easement Area at such time as a Binding Site Plan(s) is(are) recorded.

D. The Grantee will maintain the road and utility lines for public use.

### **EASEMENT**

**NOW, THEREFORE**, the Grantor hereby grants, conveys, and warrants to the Grantee an easement for the public use, access, maintenance, repair, and replacement of a road and utility lines over, along and across a portion of the Property described on Exhibit "B" and depicted on Exhibit "C" herein.

The location of this access and utility easement is legally described on Exhibit "B" attached hereto and incorporated herein by reference, and the location of this access and utility easement is depicted on Exhibit "C" attached hereto and incorporated herein by reference.

Upon completion of the installation of the road and utility lines, the Grantee shall be responsible for the maintenance, repair, and replacement of the road and utility lines.

This easement shall be appurtenant to the Property, a covenant that runs with the land, and be binding upon the Grantor and the Grantor's successors and assigns.



**EXHIBIT "A"**

**Legal Descriptions of the Property  
Which the Access & Utility Easement Crosses**

Parcel 1:

That portion of the Northeast 1/4 of the Northeast 1/4 of Section 1, Township 9 North, Range 22, E.W.M., lying Westerly of the right of way for Drainage Improvement District No. 3 (Sub 4) Drain;

EXCEPT that portion conveyed to Yakima County, Washington, for road right of way by deed recorded under Auditor's File Number 1833778, records of Yakima County, Washington;

AND EXCEPT that portion of said subdivision conveyed to State of Washington for road right of way by deed recorded as Yakima County Auditor's File Number 2545430, records of Yakima County, Washington;

TOGETHER WITH the South 1/2 of the East 1/2 of the Northwest 1/4 (Government Lot 2) of the Northeast 1/4 of Section 1, Township 9 North, Range 22, E.W.M.

Situated in Yakima County, State of Washington.

**Assessor's Parcel No. 220901-11005**

Parcel 2:

The West 1/2 of the North 1/2 of the North 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 9 North, Range 22, E.W.M.;

EXCEPT the North 30 feet conveyed to Yakima County Drainage Irrigation District No. 3 by instrument recorded in Volume 598 of Deeds, under Auditor's File Number 1789150.

Situated in Yakima County, State of Washington.

**Assessor's Parcel No. 220901-14001**

Parcel 3:

Lots 1, 2 and 3 of Short Plat filed in Book "N" of Short Plats, Page 61, under Auditor's File Number 2499129, records of Yakima County, Washington.

Situated in Yakima County, State of Washington.

**Assessor's Parcel No. 220901-14403**

Parcel 4:

That portion of the East half of Section 1, Township 9 North, Range 22 East W.M., described as follows:

Commencing at the Southeast corner of said Section 1;  
Thence North 0°00'30" West along the East line of the Southeast quarter of said Section 1 a distance of 2694.92 feet to the East quarter corner of said Section 1;  
Thence North 89°49'41" West along the North line of said Southeast quarter a distance of 30.00 feet to a point that is 30.00 feet Westerly of the East line of said Southeast quarter as measured perpendicular thereto and being the Point of Beginning;  
Thence south 0°00'30" East parallel with said East line 1064.76 feet to the point of curvature of a curve concave the Northwest and having a radius of 40.00 feet;  
Thence Southwesterly along said curve consuming a central angle of 90°14'09" an arc length of 63.00 feet;  
Thence North 89°46'21" West 1182.66 feet to the point of curvature of a curve concave to the Northeast having a radius of 40.00 feet;  
Thence Northwesterly along said curve consuming a central angle of 89°45'54" an arc length of 62.67 feet;  
Thence North 0°00'27" West 1734.41 feet to the North line of the South half of Southeast quarter of said Section 1;  
Thence South 89°51'45" East along said North line 999.18 feet to a point that is 293.20 feet West of the East line of the Northeast quarter of said Section 1, as measured perpendicular thereto;  
Thence South 0°01'45" East parallel with the East line of the Northeast quarter of said Section 1 a distance of 335.57 feet to the North line of South half of the South half of Southeast quarter of the Northeast quarter of said Section 1;  
Thence South 89°50'43" East along said North line 263.20 feet to a point that is 30.00 feet Westerly of the East line of the Northeast quarter of said Section 1, as measured perpendicular thereto;  
Thence South 0°01'45" East parallel with East line of the Northeast quarter of said Section 1 a distance of 335.65 feet to the Point of Beginning;

Situated in Yakima County, State of Washington.

**Assessor's Parcel No. 220901-41405**

Parcel 5:

The East 1/2 of the Northwest 1/4 (Government Lot 2) of the Northeast 1/4 of Section 1, Township 9 North, Range 22, E.W.M.;

EXCEPT that portion of said subdivision conveyed to Yakima County, Washington, for road right of way by deed recorded under Auditor's File Number 1833778, records of Yakima County, Washington;

AND EXCEPT that portion of said subdivision conveyed to State of Washington for road right of way by deed recorded under Auditor's File Number 2545430, records of Yakima County Washington.

Situated in Yakima County, State of Washington.

**Assessor's Parcel No. 220901-12008**

Parcel 6:

The East 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 1, Township 9 North, Range 22, E.W.M.;

AND

The South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 9 North, Range 22, E.W.M.;

EXCEPT any portion of the above described parcels lying Easterly of the following described line;

Commencing at the Southeast corner of said Section 1;

Thence North 0°00'30" West along the East line of the Southeast quarter of said Section 1 a distance of 2694.92 feet to the East quarter corner of said Section 1;

Thence North 89°49'41" West along the North line of said Southeast quarter a distance of 30.00 feet to a point that is 30.00 feet Westerly of the East line of said Southeast quarter as measured perpendicular thereto;

Thence South 0°00'30" East parallel with said East line 1064.76 feet to the point of curvature of a curve concave the Northwest and having a radius of 40.00 feet;

Thence Southwesterly along said curve consuming a central angle of 90°14'09" an arc length of 63.00 feet;

Thence North 89°46'21" West 1182.66 feet to the point of curvature of a curve concave to the Northeast and having a radius of 40.00 feet;

Thence Northwesterly along said curve consuming a central angle of 89°45'54" an arc length of 62.67 feet;

Thence North 0°00'27" West 1063.87 feet to the North line of the Northeast quarter of Southeast quarter of said Section 1 and the Point of Beginning of said line;  
Thence continuing North 0°00'27" West 670.54 feet to the North line of the South half of Southeast quarter of the Northeast quarter of said Section 1 and terminus of said line;

Situate in Yakima County, State of Washington.

**Assessor's Parcel No. 220901-13002**

Parcel 7:

The Northeast 1/4 of the Southeast 1/4 of Section 1, Township 9 North, Range 22, E.W.M.;

EXCEPT any portion lying Northerly and Easterly of the following described line;  
Commencing at the Southeast corner of said Section 1;  
Thence North 0°00'30" West along the East line of the Southeast quarter of said Section 1 a distance of 2694.92 feet to the East quarter corner of said Section 1;  
Thence North 89°49'41" West along the North line of said Southeast quarter a distance of 30.00 feet to a point that is 30.00 feet Westerly of the East line of said Southeast quarter as measured perpendicular thereto;  
Thence South 0°00'30" East parallel with said East line 1064.76 feet to the point of curvature of a curve concave the Northwest and having a radius of 40.00 feet and being the Point of Beginning of said line;  
Thence Southwesterly along said curve consuming a central angle of 90°14'09" an arc length of 63.00 feet;  
Thence North 89°46'21" West 1182.66 feet to the point of curvature of a curve concave to the Northeast and having a radius of 40.00 feet;  
Thence Northwesterly along said curve consuming a central angle of 89°45'54" an arc length of 62.67 feet;  
Thence North 0°00'27" West 1063.87 feet to the North line of the Northeast quarter of Southeast quarter of said Section 1 and terminus of said line;

AND EXCEPT the East 30 feet thereof for road.

Situated in Yakima County, State of Washington.

**Assessor's Parcel No. 220901-41406**

Parcel 8:

A portion of Parcels B and C, Record of Survey 7972149, records of Yakima County, Washington, lying in a portion of the Northeast ¼ of the Southwest ¼ and a portion of the Northwest ¼ of the

Southeast ¼ of Section 1, Township 9 North, Range 22, East, Willamette Meridian, Yakima County, Washington, more particularly described as follows:

Beginning at an aluminum cap marking the Southwest corner of said Section 1 from which an aluminum cap marking the Northwest corner of the Southwest ¼ of said Section 1 bears North 00°55'34" West, 2640.71 feet; thence North 00°55'34" West, 1320.35 feet to the Northwest corner of the Southwest ¼ of the Southwest ¼ of said Section 1;  
thence leaving the West line of the Southwest ¼ of said Section 1, South 89°45'30" East, 1376.54 feet to the Southwest corner of said Parcel B and the true point of beginning of the parcel to be described;  
thence North 00°18'30" West, 1321.36 feet to the Northwest corner of said Parcel B;  
thence South 89°48'30" East, 1272.01 feet to the Northeast corner of said Parcel B, said point being on the Westerly right-of-way line of a 20.00 foot wide road right-of-way;  
thence South 00°25'57" East along the Easterly boundary of said Parcel B and said Westerly right-of-way line for a distance of 661.25 feet to an interior corner of said Parcel C;  
thence leaving the Easterly boundary of said Parcel B and said Westerly right-of-way line, South 89°47'53" East along the boundary of said Parcel C and the Southerly right-of-way line of said 20.00 foot road right-of-way for a distance of 20.00 feet;  
thence leaving said Southerly right-of-way line and continuing along the boundary of said Parcel C and the Easterly right-of-way line of said 20.00 foot road right-of-way, North 00°25'57" West, 661.26 feet to the Northwest corner of said Parcel C;  
thence leaving Easterly right-of-way line, South 89°49'34" East, 1309.90 feet to the Northeast corner of said  
Parcel C;  
thence South 00°13'16" East, 1323.75 feet to the Southeast corner of said Parcel C;  
thence North 89°46'11" West, 1325.03 feet to the Southwest corner of said Parcel C, said point also being the Southeast corner of said Parcel B;  
thence leaving the boundary of said Parcel C, South 89°45'30" West, 1274.88 feet to the Southwest corner of said Parcel B and the true point of beginning and the end of this legal description;

EXCEPT that portion of said Parcel B, more particularly described as follows:

Beginning at an aluminum cap marking the Southwest corner of said Section 1 from which an aluminum cap marking the Southwest corner of said Section 1 from which an aluminum cap marking the Northwest of the Southwest ¼ of said section bears North 00°55'34" West, 2640.71 feet;  
thence North 00°55'34" West, 1320.36 feet to the Northwest corner of the Southwest ¼ of the Southwest ¼ of said Section 1;  
thence leaving the West line of the Southwest ¼ of said Section 1, South 89°45'30" East, 1376.54 feet to the Southwest corner of said Parcel B;  
thence North 00°18'30" West along the West line of said Parcel B for a distance of 134.83 feet;  
thence leaving the West line of said Parcel B, North 89°50'30" East, 35.00 feet to the true point of beginning of the parcel to be described;  
thence continuing North 89°50'30" East, 685.25 feet;

thence North 00°18'30" West, parallel to the West line of said Parcel B for a distance of 633.31 feet;  
thence North 89°45'30" West, 685.28 feet;  
thence South 00°18'30" East, parallel to the West line of said Parcel B for a distance of 638.09 feet to the true point of beginning and the end of this legal description.

Situated in Yakima County, State of Washington.

**Assessor's Parcel No. 220901-42002**

## EXHIBIT "B"

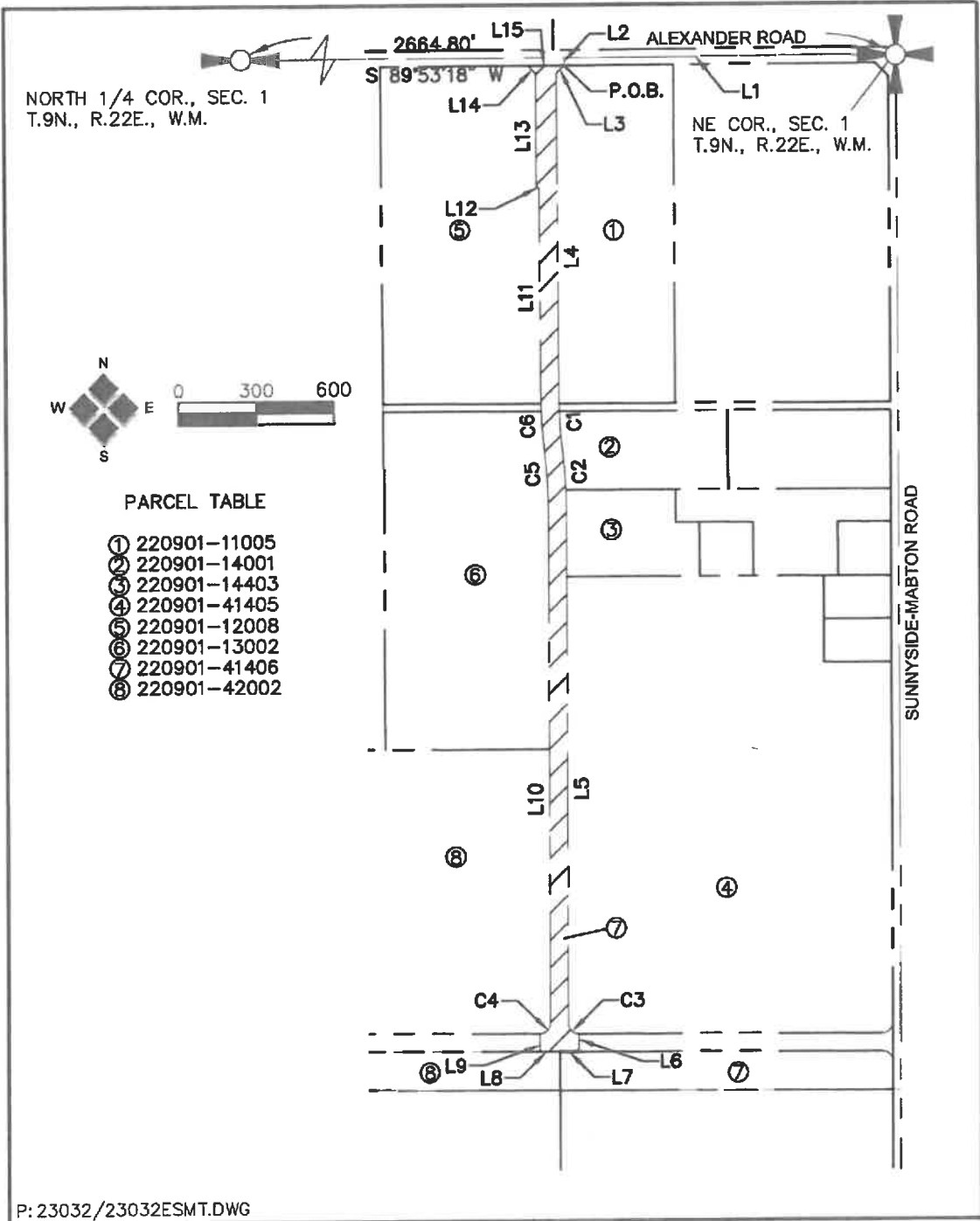
### Legal Description of the Access and Utility Easement

That portion of Section 1, Township 9 North, Range 22 East, W.M., described as follows:  
Commencing at the Northeast corner of said Section 1;  
Thence South 89°53'18" West along the Northerly line of said Section 1290.91 feet;  
Thence South 00°06'42" East 30.00 feet to the Southerly right of way line of Alexander Road and the Point of Beginning;  
Thence South 44° 54'14" West 42.44 feet;  
Thence South 00°04'55" East 1237.52 feet to the point of curvature of a curve concave to the East, said curve having a radius of 1968.50;  
Thence Southeasterly along said curve consuming a central angle of 06°39'32", an arc length of 228.78 feet to the point of reverse curvature of a curve concave to the West, said curve having a radius of 2031.50 feet;  
Thence Southerly along said curve consuming a central angle of 06°44'00", an arc length of 238.74 feet;  
Thence South 00°00'27" East 1978.75 feet to the point of curvature of a curve concave to the Northeast, said curve having a radius of 40.00 feet;  
Thence Southeasterly along said curve consuming a central angle of 89°45'54", an arc length of 62.67 feet;  
Thence South 00°13'49" West 70.00 feet;  
Thence North 89°43'45" West 72.48 feet;  
Thence North 89°46'11" West 77.53 feet;  
Thence North 00°13'49" East 70.00 feet to a point on a curve concave to the Northwest, the center of said curve bearing North 00°13'49" East a distance of 40.00 feet;  
Thence Northeasterly along said curve consuming a central angle of 90°14'16", an arc length of 63.00 feet;  
Thence N 00°00'27" West 1978.08 feet to the point of curvature of a curve concave to the West, said curve having a radius of 1961.50 feet;  
Thence Northerly along said curve consuming a central angle of 06°44'00", an arc length of 230.51 feet to the point of reverse curvature of a curve concave to the East, said curve having a radius of 2038.50 feet;  
Thence Northeasterly along said curve consuming a central angle of 06°39'32", an arc length of 236.91 feet;  
Thence North 00°04'58" West 791.35 feet;  
Thence North 45°03'57" West 14.15 feet;  
Thence North 00°04'53" West 436.12 feet;  
Thence North 45°09'33" West 42.45 feet to the Southerly right of way line of Alexander Road;  
Thence North 89°53'04" East 140.06 feet to the Point of Beginning.

Situated in Yakima County, Washington.

**EXHIBIT "C"**

**Depiction of the Access and Utility Easement**



2803 River Road  
Yakima, WA 98902  
509.966.7000  
Fax 509.965.3800  
www.hlacivil.com

**EASEMENT EXHIBIT**  
**PORT OF SUNNYSIDE**  
**ACCESS AND UTILITY EASEMENT**  
CITY OF SUNNYSIDE, YAKIMA COUNTY, WASHINGTON

**CURVE TABLE**

CURVE	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	6°39'32"	1968.50	228.78	N 03°24'41" W	228.65
C2	6°44'00"	2031.50	238.74	N 03°22'27" W	238.60
C3	89°45'54"	40.00	62.67	S 44°53'24" E	56.45
C4	90°14'16"	40.00	63.00	N 45°06'41" E	56.69
C5	6°44'00"	1961.50	230.51	N 03°22'27" W	230.38
C6	6°39'32"	2038.50	236.91	N 03°24'41" W	236.78

**LINE TABLE**

LINE	BEARING	LENGTH
L1	S 89°53'18" W	1290.91
L2	S 00°06'42" E	30.00
L3	S 44°54'14" W	42.44
L4	S 00°04'55" E	1237.52
L5	S 00°00'27" E	1978.75
L6	S 00°13'49" W	70.00
L7	N 89°43'45" W	72.48
L8	N 89°46'11" W	77.53
L9	N 00°13'49" E	70.00
L10	N 00°00'27" W	1978.08
L11	N 00°04'58" W	791.35
L12	N 45°03'57" W	14.14
L13	N 00°04'53" W	436.12
L14	N 45°09'33" W	42.45
L15	N 89°53'05" E	140.06

P: 23032/23032ESMT.DWG



**HLA**  
Engineering and Land Surveying, Inc.

2803 River Road  
Yakima, WA 98902  
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**EASEMENT EXHIBIT  
PORT OF SUNNYSIDE  
ACCESS AND UTILITY EASEMENT  
CITY OF SUNNYSIDE, YAKIMA COUNTY, WASHINGTON**