

A CERTIFIED TRUE COPY


CITY CLERK

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-07
Richland, WA 99352

CORRECTED - SCRIVENER'S ERROR - UPDATED PUBLICATION DATE

ORDINANCE NO. 2025-06

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
VACATING A PORTION OF GAY ROAD RIGHT-OF-WAY.**

WHEREAS, the City owns the right-of-way for Gay Road between State Route 240 (SR-240) and Snyder Street located on undeveloped land located at 1991 and 2001 Snyder Street (parcel nos. 1340-810-0001-9000 and 1340-810-0000-3000) and owned by LCR, Limited Liability Co.; and

WHEREAS, the right-of-way, as described in **Exhibit A** and depicted on **Exhibit B**, is no longer needed for public street purposes since no pavement surface currently exists, and the segment of street is not needed to support future street system connectivity; and

WHEREAS, in recognition of the City vacating this right-of-way, the property owner agrees to recordation of a pedestrian access easement on its property to facilitate pedestrian movement from the Vantage Pathway adjacent to SR-240 to the Horn Rapids Athletic Complex on Snyder Street; and

WHEREAS, on January 7, 2025, Richland City Council adopted Resolution No. 2025-02, setting February 4, 2025 at 6:00 p.m. in the City Hall Council Chambers as the time and place for a public hearing as required prior to a right-of-way vacation action; and

WHEREAS, notice was duly published on January 19, 2025 that a public hearing would be held on February 4, 2025 to take public testimony on the proposed right-of-way vacation action; and

WHEREAS, on February 4, 2025, a public hearing was held by Richland City Council to receive public testimony.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. The Gay Road right-of-way, as legally described in **Exhibit A** and depicted on **Exhibit B**, is hereby vacated.

Section 2. A pedestrian access easement encumbering either parcel no. 1340-810-0001-9000 or parcel no. 1340-810-0000-3000 shall be recorded in the public records of Benton County, Washington concurrently with the filing of this Ordinance.

Section 3. The City Clerk is directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance and the attached exhibits, duly certified by the Clerk as a true copy.

Section 4. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 5. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 6. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of March, 2025.


Theresa Richardson, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to Form:


Heather Kintzley, City Attorney

First Reading: February 4, 2025
Second Reading: March 18, 2025
Date Published: ~~March 23, 2025~~ April 13, 2025

EXHIBIT A
Legal Description

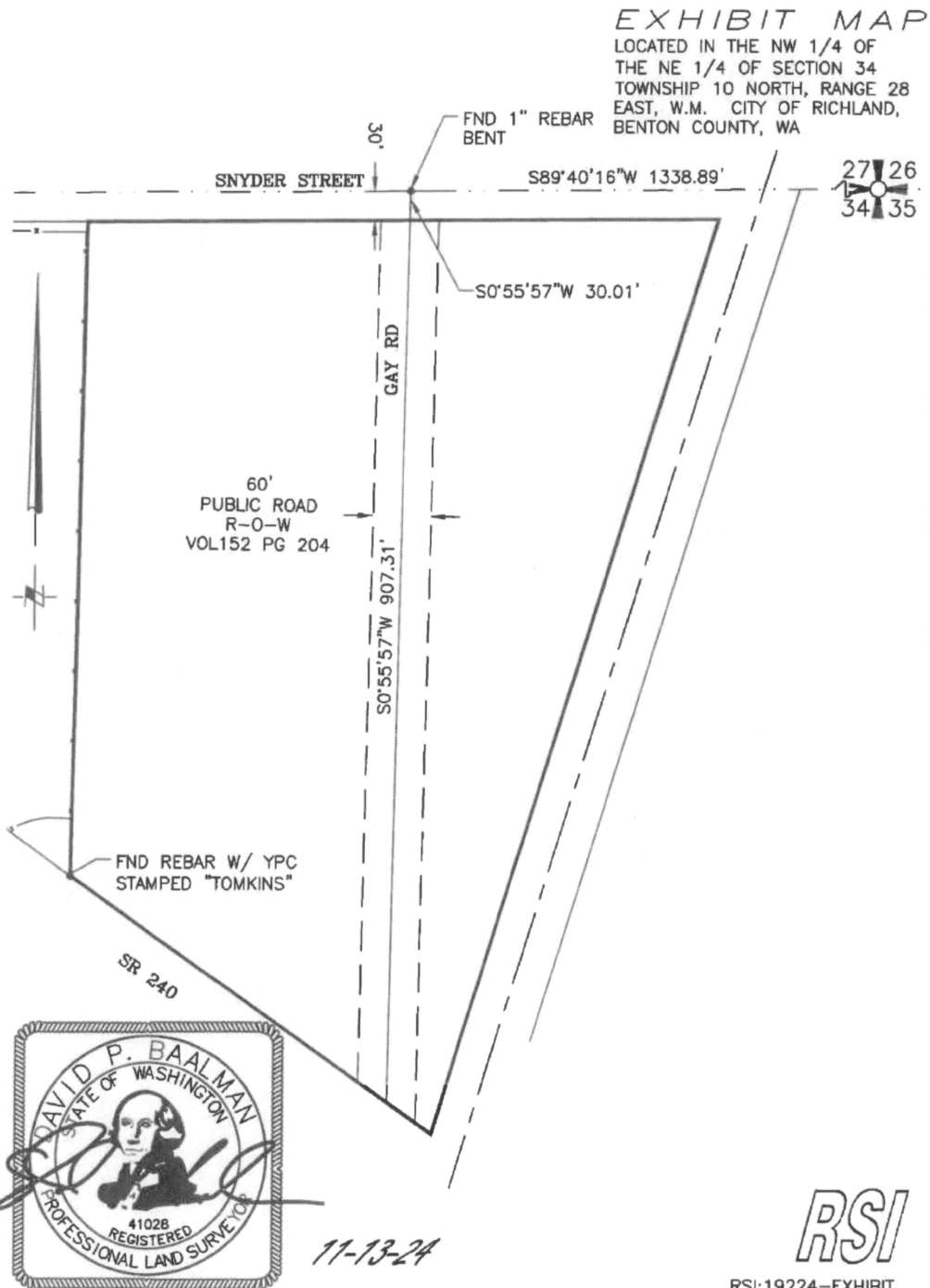
THAT PORTION OF THAT PUBLIC ROAD RIGHT-OF-WAY DEDICATED BY DEED RECORDED IN VOLUME 152 OF DEEDS, PAGE 204, RECORDS OF BENTON COUNTY, WASHINGTON, SITUATE IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 10 NORTH, RANGE 28 EAST. WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON. SAID RIGHT-OF-WAY BEING A STRIP OF LAND 60.00 FEET IN WIDTH WITH 30.00 FEET OF SAID WIDTH LYING ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 34; THENCE SOUTH 89°40'16" WEST 1338.89 FEET ALONG THE NORTH LINE OF SAID SECTION 34; THENCE SOUTH 0°55'57" WEST 30.01 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF SNYDER STREET AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 0°55'57" WEST 907.31 FEET TO THE NORTHERLY RIGHT-OF-WAY MARGIN OF STATE ROUTE 240 AND THE TERMINUS OF SAID DESCRIBED CENTERLINE.

THE SIDELINES OF SAID STRIP TO BE SHORTENED OR LENGTHENED TO TERMINATE AT THE SOUTHERLY RIGHT-OF-WAY MARGIN OF SNYDER STREET AND AT THE NORTHERLY RIGHT-OF-WAY MARGIN OF STATE ROUTE 240.

EXHIBIT B
Depiction



Aqueous Film-Forming Foam (AFFF) Products Liability Litigation (MDL 2873) **Public Water System Settlements**

April 18, 2025

Joint Message from the Special Master & Claims Administrator

The Claims Administrator and Special Master are honored to serve in our Court-appointed capacities and understand the significant impact that these claims represent for Public Water Systems (“PWS”) nationwide. Our collective teams have dedicated significant time and resources to ensure the accurate adjudication of the settlement process for all stakeholders and Class Members.

This letter provides an update on the current status of the claims process and fund disbursement related to the 3M and DuPont settlement program Action Funds. Future letters will provide updated Action Fund results and information related to both Special Needs and Supplemental Funds.

Claims Process Status Update

In our roles, the Claims Administrator performs claim review procedures and calculates Adjusted Base Scores (“ABS”), while the Special Master performs additional quality control procedures – including both claim audits and recalculations as deemed necessary. Our teams work hand-in-hand, and we have a shared belief that accuracy of Settlement Award calculations is paramount.

The Phase One Action Fund claims submission deadline for the 3M and DuPont settlements was July 26, 2024. The Claims Administrator received program registrations from over 5,200 Public Water Systems (“PWS”). There have been over 3,500 submissions from Phase One Claimants which account for over 16,000 Water Source claims. As of April 4, 2025, ABS have been published for 2,951 PWS and 16,205 Water Sources. Approximately 400 Water Source submissions remain under active review - most of which are “interconnected” across multiple PWS and require additional layers of review to mitigate potential duplicative compensation.

Although not all ABS have been finalized and published, each Water Source – including the 400 still under active review referenced above – has an ABS calculation that has contributed to a projected aggregate pool of nearly 50 billion ABS “points.” That translates to a current projected gross value of **approximately \$0.123 per ABS point for the 3M settlement and approximately \$0.0117 per ABS point for the DuPont settlement.**

The calculated projected net value of each ABS point is **approximately \$0.10 per ABS point for the 3M settlement and approximately \$0.01 for the DuPont settlement.** The net value accounts for specified deductions outlined in the Settlement Agreement(s) as well as the Class Fees and Expenses approved by the Court (see MDL Docket #s 4959, 5011). The net value also includes net income accrued by the Qualified Settlement Fund account(s). These estimated

amounts do not account for any private attorney fee and cost agreements that may exist between a Class Member and their retained legal counsel (if any). If a Class Member has outside legal counsel, their fees and expenses will be deducted from this projected net value by their legal counsel.

The calculated projected net value of each ABS point also accounts for an unallocated “holdback” of 10% (approximately \$548,000,000) which is set aside to resolve potential claim submission errors. Any amount remaining in the holdback fund is expected to be re-allocated to Qualifying Class Members on a pro-rata basis as soon as the Claims Administrator and Special Master confirm that it is safe to release those funds.

A holdback is a common contingency utilized in complex settlements to mitigate program financial risks. As our analysis has progressed for both (a) the claims under active review and (b) available remedies for potential future risks such as Claimant phase misidentification (i.e. Phase One vs. Phase Two submissions), we have determined that a reduced holdback fund of 10% is an appropriate contingency that will allow for payment distributions to occur as quickly as possible.

Payment Timeline

The Special Master and Claims Administrator will begin making 3M Phase One Action Fund settlement payments in April 2025 and the total net award amount will be paid in installments through calendar year 2033 in conjunction with the payment schedule outlined in Exhibit K of the 3M Settlement Agreement (see MDL Docket #3620-10).

Phase One Action Fund payments related to the DuPont, Tyco, and BASF settlement programs are each expected to be paid primarily in one 2025 payment pursuant to Table 1 below.

Table 1	
Payment Batch Description	Anticipated Payment Initiation Timeline
3M - Payment 1 (2024 Payment Part 1)	Q2 2025
3M - Payment 2 (2024 Payment Part 2 + 2025 Payment)	Q2/Q3 2025
DuPont - Payment 1	Q2/Q3 2025
Tyco - Payment 1	Q4 2025
BASF - Payment 1	Q4 2025

Table 2 outlines the full anticipated 3M settlement payment schedule. Column C outlines the anticipated value per ABS point of each payment batch for the 3M settlement program and Column E outlines the cumulative amount that would be paid to date as a result of each payment batch. For example, the first payment would be valued at \$0.02 per ABS point and the second payment would be valued at \$0.0456 per ABS point, so the cumulative (rolling) amount paid after two payments would be \$0.0656 per ABS point.

Table 2 Anticipated 3M Settlement Payment Schedule					
A	B	C	D	E	F
Description	Timeline	Anticipated \$ per ABS Point Payment Amount	Payment % of Net Settlement Award	Cumulative (Rolling) \$ per ABS Point Paid	Cumulative (Rolling) % of Net Settlement Award Paid
3M - Payment 1	Q2 2025	\$0.0200	20.0%	\$0.0200	20.0%
3M - Payment 2	Q2 - Q3 2025	\$0.0456	45.6%	\$0.0656	65.6%
3M - Payment 3	Q2 2026	\$0.0064	6.4%	\$0.0720	72.0%
3M - Payment 4	Q2 2027	\$0.0048	4.8%	\$0.0768	76.8%
3M - Payment 5	Q2 2028	\$0.0056	5.6%	\$0.0824	82.4%
3M - Payment 6	Q2 2029	\$0.0050	5.0%	\$0.0874	87.4%
3M - Payment 7	Q2 2030	\$0.0034	3.4%	\$0.0908	90.8%
3M - Payment 8	Q2 2031	\$0.0034	3.4%	\$0.0942	94.2%
3M - Payment 9	Q2 2032	\$0.0030	3.0%	\$0.0972	97.2%
3M - Payment 10	Q2 2033	\$0.0028	2.8%	\$0.1000	100.0%
Totals		\$0.1000	100%	\$0.1000	100.0%

Table 3 provides a breakdown of anticipated 3M Action Fund settlement payment installments over the full payment term through calendar year 2033 for a *sample* Claimant with an approved total of 100,000 ABS points across all claimed Water Sources.

Table 3 Sample Claim – 3M Distribution Schedule Total ABS Points: 100,000					
A	B	C	D	E	F
Description	Timeline	Anticipated \$ per ABS Point Payment Amount*	Anticipated Payment Amount	Cumulative (Rolling) \$ per ABS Point Paid	Cumulative (Rolling) Settlement Payment Amount
3M - Payment 1	Q2 2025	\$0.0200	\$2,000.00	\$0.0200	\$2,000.00
3M - Payment 2	Q2 - Q3 2025	\$0.0456	\$4,560.00	\$0.0656	\$6,560.00
3M - Payment 3	Q2 2026	\$0.0064	\$640.00	\$0.0720	\$7,200.00
3M - Payment 4	Q2 2027	\$0.0048	\$480.00	\$0.0768	\$7,680.00
3M - Payment 5	Q2 2028	\$0.0056	\$560.00	\$0.0824	\$8,240.00
3M - Payment 6	Q2 2029	\$0.0050	\$500.00	\$0.0874	\$8,740.00
3M - Payment 7	Q2 2030	\$0.0034	\$340.00	\$0.0908	\$9,080.00
3M - Payment 8	Q2 2031	\$0.0034	\$340.00	\$0.0942	\$9,420.00
3M - Payment 9	Q2 2032	\$0.0030	\$300.00	\$0.0972	\$9,720.00
3M - Payment 10	Q2 2033	\$0.0028	\$280.00	\$0.1000	\$10,000.00
Totals		\$0.1000	\$10,000.00	\$0.1000	\$10,000.00

* Any holdback amount that is re-allocated to Qualifying Class Members would increase the net value of each ABS point.

Once the Claims Administrator and Special Master are ready to disburse the DuPont settlement funds, a similar letter that outlines the payment schedule, percentage, and holdback will be published.

Payment Logistics

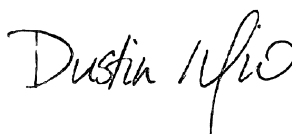
Payee information is gathered from each PWS or their authorized representative through the settlement portal. If the claim is represented by outside legal counsel, the payment information will be entered by an authorized representative from the law Firm. If the claim is unrepresented, an authorized representative from the PWS will enter payment information. All authorized representatives will be required to attest that the individual is an authorized representative for the PWS, prior to entering payment information.

To help ensure secure payment processing and fraud prevention, the Special Master oversees a process by which all payee information is verbally confirmed with recipients. The Claims Administrator also executes a process by which payee tax identification numbers are confirmed with the Internal Revenue Service (IRS) prior to payment authorization in a process called TIN matching. Claims are ready for payment once all Water Sources have received a final ABS determination, the relevant request for reconsideration (appeal) timelines have lapsed, "TIN matching" has been confirmed, and verbal confirmation of payment instructions have been completed. The Claims Administrator and Special Master then coordinate on development of payment batches to occur on a rolling basis.

Sincerely,



Matthew Garretson
Garretson, LLC
Court Appointed Special Master



Dustin Mire
EisnerAmper
Court Appointed Claims Administrator