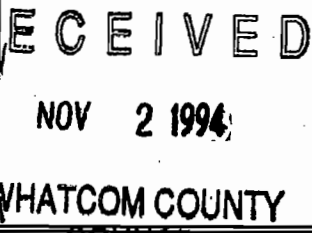


CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Petitioners				11/8/94	Pub SVCS + SW Comm. + Council
Division Head: Ed Henken	EH	10/24/94			
Dept. Head: Jeffrey M. Monsen	JM	10/24/94			
Prosecutor:	DG	10/25/94			
Purchasing/Budget:					
Executive:	SG	11/1/94			

SUBJECT:

**Resolution for vacation of a portion of Brannian Lake Shore Plat;
Petition for the vacation of a portion of 60 foot Right-of-Way, filed by William N. Brannian (Revision)**

This is a resolution and revision of the cost share for each abutting property owner based on Fair Market Value and reduced by 50% due to restrictions placed upon said property.

ATTACHMENTS:

- Resolution
- Petition
- Revision of cost share for abutting property owners, fair market value reduced by 50%.
- Various documents, on file

SUMMARY STATEMENT:

Please complete sections of box as appropriate & explain the item below.

Related County contract #: N/A	Should Clerk schedule a hearing? NO / __ / YES / __ / Requested date:
Amount budgeted for this item/project:	Is it (or will it be) within budget? YES / __ / NO / __ / (Please explain below)
Budget line item number(s):	

The road proposed to be vacated is described as follows: "All of a 60 foot wide right-of-way, dedicated in Brannians Lake Shore Plat as recorded in Vol. 7 Pg. 27 of plat, section 27, township 37 north, range 4 east of w.m., Whatcom County, WA. Said right-of-way more particularly described as follows: All of said 60 foot wide right-of-way abutting the south line of lots 19, 20, 21, 22, 23, 24, 25 and 26 of aforesaid plat." The petitioner offers the following pertinent facts in support of the petition: "The dedicated right-of-way is of no use to the County or adjacent property owners as all have access to County Road 553 (South Bay Drive)."

ORIGINATOR'S RECOMMENDED ACTION:

Adoption by Council.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

./8/94: Council approved the resolution. 7-0

Related File Numbers:

Ordinance or Resolution Number (this item only):

SPONSORED BY : Transportation Services - Engineering

PROPOSED BY : Consent

INTRODUCTION DATE : 11/8/94

RESOLUTION NO. 94-055

ABANDONMENT AND VACATION OF A PORTION OF COUNTY RIGHT-OF-WAY ADJACENT TO ROAD NO. 553 DEDICATED IN BRANNIANS LAKE SHORE PLAT AS RECORDED IN VOL 7 PG. 27 OF PLAT, SECTION 27, TOWNSHIP 37 NORTH, RANGE 4 EAST OF W.M..

WHEREAS, it has been previously determined by petition for a vacation of a 60 foot right-of-way in the plat of Brannians Lake Shore Plat abutting the south line of lots 19, 20, 21, 22, 23, 24, 25 and 26 of aforesaid plat.

WHEREAS, The dedicated right-of-way is of no use to the County or adjacent property owners as all have access to County Road 553 (South Bay Drive)

WHEREAS, In exchange for relinquishing the easement, the Whatcom County Council has mandated that the property remain in its' natural state.

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that it is the intention of the Council to vacate and abandon that portion of County right-of-way more particularly described as follows :

All of a 60 foot wide right-of-way, dedicated in Brannians Lake Shore Plat as recorded in Vol 7 pg 27 of plat, section 27, township 37 north range 4 east of w.m. Whatcom County WA., abutting the south line of lots 19, 20, 21, 22, 23, 24, 25 and 26 of aforesaid plat.

Said vacation shall be contingent upon the granting of an easement by the recipients to the County which requires the property to be maintained in its' natural state.

Due to aforementioned restrictions placed upon said property, vacation shall be based upon a 50% reduction from the existing fair market value for each abutting property owner.

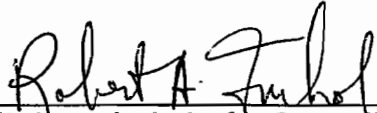
APPROVED this 8th day of Nov., 1994.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

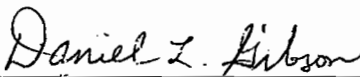


Ramona Reeves, Council Clerk



Robert A. Imhof, Council Chair

APPROVED AS TO FORM :



Civil Deputy Prosecuting Atty.

BRANNIANS LAKE SHORE PLAT

ABUTTING OWNERS (cost revision 9/23/94)

Listed below are the Brannians Lake Shore Plat abutting property owners and their share of the cost of the vacation of the 60 feet of right-of-way included within said plat. Due to restrictions placed on this portion of property, the figures listed below are the fair market value reduced by 50% for each abutting property owner's share of the cost.

	<u>50%</u>
Leonard S. Andrews lot 19 exc E. 100 ft. = 268.60 ft. abutting 268.60' x 60' RW = 0.37 AC @ \$ 6,135.00 = \$ 2,269.95	\$ 1,134.98
Leonard and Pamela Andrews W. 75 ft. of E. 100 ft. of lot 19 75.02' x 60' RW = 0.1033 AC @ \$ 6,135.00 = \$ 633.74	316.87
William N. Brannian lot 20 and E. 25 ft. lot 19 75.23' x 60' RW = 0.1036 AC @ \$ 6,135.00 = \$ 635.58	317.79
Kenneth and Judy Tetz lot 21 and W. 25.11 ft. of lot 22 75.33' x 60' RW = 0.1038 AC @ \$ 6,135.00 = \$ 636.82	318.41
Lloyd and Kay Ludtke lot 22 exc W. 25.11 ft. all lot 23 75.33' x 60' RW = 0.1038 AC @ \$ 6,135.00 = 636.82	318.41
John and Eris C. Armstrong lot 24, 25, 26, and pt N. lot 27 94.41' x 60' RW + 15.15' x 60' RW/2 = 0.134 AC @ \$ 6,135.00 = \$ 822.09	411.04

Dimensions from Dennis DeMeyer Survey
dated 11-21-90, vol. 1 pg. 40

Edwin R. Henken



Assistant Director
Transportation Services
Department

EH/ms

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