

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Public Works		9/96		10/15/96	Council Introduction
Division Head:				10/29/96	Council Hearing
Dept. Head:	JM	10/4/96			
Prosecutor:	RTW	10/3/96			
Purchasing/Budget:					
Executive:	PK	10-7-96			

SUBJECT: Resolution authorizing the County Executive to consummate the appropriate Quit Claim Deed returning 15-feet of right-of-way adjacent to Lot B, Spreadborough Short Plat which was deeded in error in 1979.

- ATTACHMENTS:**
1. Cover letter
 2. Resolution
 3. Agenda Bill

SUMMARY STATEMENT: *Please complete sections of box as appropriate & explain the item below.*

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

SUMMARY: 15-feet of right-of-way was deeded in error and a Quit Claim Deed should be consummated to return said property to the owner of Lot B, Spreadborough Short Plat.

ORIGINATOR'S RECOMMENDED ACTION: Recommend approval

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1996 - 356 10/15/96: Introduced
 10/29/96: Approved 7 - 0. Res. #96-071

RELATED FILE NUMBER OR RESOLUTION NUMBER (this item only):

Res. # 96-071

1
2 SPONSORED BY: Public Works - Engineering

3 PROPOSED BY: Engineering

4 INTRODUCTION DATE: 10/15/96

5 RESOLUTION NO. 96-071

6 A RESOLUTION RETURNING PEBLEY ROAD RIGHT-OF-WAY

7
8 WHEREAS, in 1979, the Spreadborough Short Plat was approved on the west side of
9 the Pebley Road and on the northerly side of Deming Road, and

10
11 WHEREAS, at that time it was assumed that the Pebley Road was a public road due
12 to public maintenance and prescriptive use and 15-feet was therefore deeded along the east
13 line of Lot B of the Spreadborough Short Plat to provide additional right-of-way for said Pebley
14 Road, and

15
16 WHEREAS, it has now been brought to the County's attention that the Pebley Road,
17 was and is a private road, and

18
19 WHEREAS, the abutting owners on the Pebley Road desire said road to continue to be
20 a private road.

21
22 NOW, THEREFORE BE IT RESOLVED, that it shall be considered that the 1979
23 acquisition of 15-feet adjacent to the Pebley Road was acquired in error and the Whatcom
24 County Council hereby authorizes the County Executive to consummate the appropriate Quit
25 Claim Deed to return said 15-feet to the owner of Lot B, Spreadborough Short Plat; said 15-
26 feet to again become a part of Lot B, and


27
28 BE IT FURTHER RESOLVED that said deed shall be consummated at no cost to the
29 owner of Lot B.

30
31 ADOPTED this 29 day of October 1996.

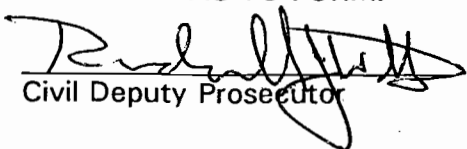
32
33
34 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

35
36
37 
38 Dana Brown-Davis, Council Clerk

39
40
41 
42 E. Ward Nelson, Council Chair

43 APPROVED AS TO FORM:

44
45
46 
47 Civil Deputy Prosecutor