

SPONSORED BY: Public Works

PROPOSED BY: County Engineer

INTRODUCTION DATE: 5/20/97

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RESOLUTION NO. 97-028

IN THE MATTER OF VACATING A DEEDED RIGHT-OF-WAY

WHEREAS, on November 8, 1996, Herb and Jamey Forss, et al, 6431 Olson Road, Ferndale, WA 98248, submitted a petition for the vacation of a 20-foot strip of right-of-way, accompanied by the penal sum of \$682.00, to Public Works Engineering for the vacation of the following legally described road:

All that portion of a twenty foot strip deeded to the County by A. Downey in 1905 under Auditor's File No. 92148. Said strip further described as follows: The south twenty feet of the south half of the northeast quarter of the northeast quarter of Section 14, Township 39 North, Range 1 East of W.M., Whatcom County, WA., AND

Any interest in a ten foot strip of land given to the County under an unrecorded deed from Mart and Oma Littleton on June 13, 1951. Said strip further described as follows: The north ten feet of the southeast quarter of the northeast quarter of Section 14, Township 39 North, Range 1 East of W.M., Whatcom County, WA.

WHEREAS, the County Engineers office has reviewed the portion of roadway which is a Class B road, wherein public expenditures cannot be determined. Due to the other adequate right-of-way access, the road to be vacated is useless as part of the County Road System and the public will benefit by its vacation and abandonment.

WHEREAS, the petitioner has met all of the petition requirements, as set forth by Chapter 12.20, Whatcom County Code and all other applicable laws, and

WHEREAS, the County Engineer recommends approval of this vacation, subject to any court order that would legally confirm access rights by the neighbor to the south.

WHEREAS, the applicant has six calendar months from the date the Resolution is passed to pay any remaining fees to the Whatcom County Council office, with checks made payable to the Whatcom County Treasurer, prior to the vacation becoming effective, including but not limited to the appraised value of the area sought to be vacated.

WHEREAS, this vacation does not become effective until the fees are paid and the Final Order and Resolution are recorded with the County Auditor.


1 WHEREAS, the appraised value of the area sought to be vacated is \$3,300.00.

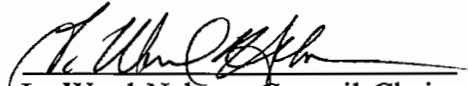
2 NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that the
3 above described right-of-way, as petitioned for by Herb and Jamey Forss, et al, be hereby
4 vacated.

5 APPROVED this 17 day of June, 1997.


6
7 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

8 
9 Dana Brown-Davis, Council Clerk


L. Ward Nelson, Council Chair

10 APPROVED AS TO FORM AND CONTENT:

11 
12 Civil Deputy Prosecuting Atty.