

HEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:	
Originator: Public Engineering	ERH	6/97	<b>RECEIVED</b>  JUN 25 1997  WHATCOM COUNTY COUNCIL			
Division Head:	<i>GAH</i>	<input checked="" type="checkbox"/>			7/1/97	Council
Dept. Head:						
Prosecutor:	<i>RW</i>	6/24/97				
Purchasing/Budget:						
Executive:						

**SUBJECT:** Resolution in the matter of creating a diking district in the Ritter Road area.

- 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 / / 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:** A number of property owners in the area have requested the creation of a Diking District. RCW 85.38.020 provides that the County Council may by resolution propose the creation of said Diking District. RCW 85.38.030 directs the County Engineer to investigate the proposed boundaries of said Diking District and RCW 85.38.040 provides for a public hearing and special election.

**ORIGINATOR'S RECOMMENDED ACTION:** Recommend approval

**COMMITTEE ACTION TAKEN:**

**COUNCIL ACTION TAKEN:**

1997 - 245 7/1/97: Approved 7 - 0. Res. #97-032

m:\users\mpickens\wpfiles\diki.ab

**Related File Numbers:**

**Ordinance or Resolution Number (this item only):**

*Res. # 97-032*

RESOLUTION NO. 97-032

A RESOLUTION PROPOSING THE CREATION OF A  
DIKING DISTRICT IN THE RITTER ROAD AREA

WHEREAS, Whatcom County has received a request from a number of property owners to create a Diking District in the Ritter Road area; and

WHEREAS, per RCW 85.38.020, the County Council may by resolution propose the creation of said Diking District; and

WHEREAS, the objects sought by the creation of said district, along with the projects proposed to be completed by said district to accomplish these objects, are included in this resolution as attached Exhibit A; and

WHEREAS, the boundaries of said proposed Diking District are included in this resolution as attached Exhibit B; and

WHEREAS, pursuant to RCW 85.38.030, the Council shall direct the County Engineer to investigate the proposed boundaries of said Diking District; and

WHEREAS, it is desirable that the public hearing regarding said proposed district, per RCW 85.38.040, be held expeditiously to be included on the September 16, 1997 election ballot;

NOW, THEREFORE BE IT RESOLVED, that the County Council does hereby propose the creation of a diking district for the purpose of undertaking and maintaining certain flood control improvement projects, and does further direct the County Engineer to investigate the proposed boundaries of said Diking District and the feasibility of said projects per the attached exhibits, and to report regarding the creation of said Diking District at a public hearing hereby scheduled for July 15, 1997.

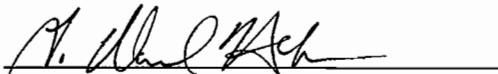
ADOPTED this 1 day of July, 1997.

ATTEST:



Dana Brown-Davis, Council Clerk

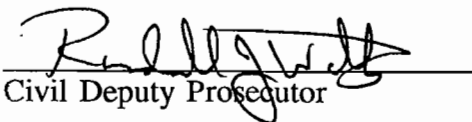
WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON



E. Ward Nelson, Council Chair

APPROVED AS TO FORM:

Approved  Denied

  
Civil Deputy Prosecutor

Signature not needed

Pete Kremen, Executive

Date: \_\_\_\_\_

**EXHIBIT 'A'**  
**PROPOSED DIKING DISTRICT NO. 3**  
**OBJECTS SOUGHT AND PROJECTS PROPOSED**

- 1. Objects sought by creation of Diking District No. 3.**
  - A. To comply with the proposals of the Comprehensive Flood Hazard Management Plan (CFHMP).
  - B. To reduce or prevent erosion and other flood damage along a section of the Nooksack River.
  
- 2. Projects proposed to be completed by Diking District No. 3 that will accomplish the above objects.**
  - A. To complete such projects as are recommended by the CFHMP and the Flood Control Zone District Advisory Committee (FCZDAC).
  - B. To repair and maintain existing flood water control facilities.

EXHIBIT "B"

LEGAL DESCRIPTION FOR DIKING DISTRICT NO. 3 (RITTER ROAD)

This district will comprise portions of Sections 2, 3, 4, 9 and 10 of Township 39 North, Range 2 East of W.M. and portions of Sections 34, 35 and 36 Township 40 North, Range 2 East of W.M., said district more particularly described as follows:

Commencing at the intersection of the South line of said Section 9 and the Easterly or left bank of the Nooksack River and being the true point of beginning; thence Easterly along said South line, 1700 feet, more or less to the Southwest corner of lot 2 of the Zimbra Short Plat as recorded in volume 3 of short plats, Page 43; thence Northerly along the West line of said lot 2, 330 feet; thence Northeasterly, 400 feet, more or less, to the Northeast corner of said lot 2; thence  $N74^{\circ}23'14''E$ , 403.98 feet to a monument shown as an angle point on the North line of lot 1 of aforesaid Zimbra Short Plat; thence Northwesterly to a point on the South line of the North 67.5 rods of the Southwest quarter of said section 10, 330 feet East of the West line of said Southwest quarter; thence  $N16^{\circ}30'16''E$ , 1162 feet, more or less, to the Southwest corner of the East half of the Southwest quarter of the Northwest quarter of said Section 10; thence  $N14^{\circ}02'10''E$ , 1361 feet, more or less, to the Southwest corner of the East half of the East half of the Northwest quarter of the Northwest quarter of Section 10; thence  $N51^{\circ}20'25''E$ , 2113 feet, more or less to the South quarter corner of aforesaid Section 3; thence Northerly along the North South centerline of Section 3, 330 feet, more or less, to the Northeast corner of the Southeast quarter of the Southeast quarter of the Southeast quarter of the Southwest quarter of Section 3; thence  $S75^{\circ}57'50''W$ , 1361 feet, more or less, to the Southeast corner of the Southwest quarter of the Southwest quarter of Section 3; thence Easterly 330 feet, more or less, to the Southwest corner of the East half of the East half of the Southwest quarter of the Southwest quarter of Section 3; thence  $N26^{\circ}33'54''E$ , 738 feet, more or less, to the Southwest corner of the North half of the Southeast quarter of the Southwest quarter of Section 3; thence  $N71^{\circ}33'54''E$ , 1044 feet, more or less, to the Southwest corner of the Northeast quarter of the Northeast quarter of the Southeast quarter of the Southwest quarter of Section 3; thence  $N26^{\circ}33'54''E$ , 738 feet, more or less, to the Southwest corner of the Northwest quarter of the Southwest quarter of the Northwest quarter of the Southeast quarter of Section 3; thence  $N48^{\circ}12'46''E$ , 1811 feet, more or less, to the Northwest corner of Lot 1 of the Port Short Plat as recorded in volume 3 of short plats, page 113; thence  $N84^{\circ}58'19''E$ , 1295 feet, more or less, to the Southwest corner of the Northwest quarter of the Southwest quarter of the Southwest quarter of the Northwest quarter of Section 2; thence  $N45^{\circ}$  East, 1867 feet, more or less, to the Southwest corner of the Northwest quarter of the Southwest quarter of the Northeast quarter of the Northwest quarter of Section 2;

EXHIBIT "B"  
PAGE 2

thence N75°57'50"E, 1361 feet, more or less, to the Northwest corner of the Southeast quarter of the Northwest quarter of the Northeast quarter of Section 2; thence East 660 feet, more or less, to the Southwest corner of the Northeast quarter of the Northwest quarter of the Northeast quarter of Section 2; thence N26°33'54"E, 738 feet, more or less, to the Southwest corner of the East half of the East half of the Southwest quarter of the Southeast quarter of aforesaid Section 35; thence N51°20'25"E, 2113 feet, more or less, to the Southwest corner of the Northwest quarter of the Southwest quarter of aforesaid Section 36; thence N45°E, 1867 feet, more or less, to the Northeast corner of the Northwest quarter the Southwest quarter of Section 36; thence Northerly along the East line of the Southwest quarter of the Northwest quarter, 330 feet, more or less, to the Southerly or left bank of the Nooksack River; thence Southeasterly along said left bank 5 miles, more or less to the South line of Section 9 and the true point of beginning.