

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Jeff Monsen	JM	4/3/98		04/07/98	Introduction
Commission Head:					
Dept. Head:	JM	-			
Prosecutor:	DG	3/31/98			
Purchasing/Budget:					
Executive: Pete Kremen					

UBJECT:

requesting a hearing on acceptance of a 2,000 foot portion of Van Wyck Road as a public road.

TTACHMENTS:

Ordinance
 over memorandum

MMARY STATEMENT:

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

Related County contract #: N/A	N/A 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 /__ / NO /_ / (Please explain below)
Budget line item number(s):	

On March 24, 1998, Public Works was directed by County Council to proceed in establishing the 2,000 foot portion of Van Wyck Road located immediately easterly of county maintained portion of said road, contingent on amending WCC 12.44, "Street Improvement Assessment Reimbursement Contracts" to provide for latercomers agreements; completion of County Road Project to construct 20-ft BST roadway at estimated cost of \$174,000; and proposal and approval of a latercomers contract benefitting the County.

ECOMMENDED ACTION:

option by Council

MMITTEE ACTION TAKEN:

NCIL ACTION TAKEN:

- 413 A 4/7/98: Introduced
- 4/21/98: Held in Council
- 5/5/98: Amended & Adopted 7 - 0. Ord. #98-037

ance or Resolution Number (this item only):

Ord. #98-037

SPONSORED BY: Consent

PROPOSED BY: Administration

INTRODUCTION DATE: 4/7/98

ORDINANCE NO. 98-037

IN THE MATTER OF ACCEPTING
A PORTION OF VAN WYCK ROAD AS A PUBLIC ROAD

WHEREAS, Chapter 36.81 RCW allows the County to accept roadways into the County Road System; and

WHEREAS, on May 5, 1998 a public hearing was held to consider the land owner's request to review the Report from the County Engineer and to receive public testimony in this regard.


NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the 2,000 foot portion of Van Wyck Road located immediately easterly of county maintained portion within the attached legal description (Exhibit "A"), within Township 38 North, Range 3 East W.M. be hereby established as a public road on recommendation of Public Works Department (Exhibit B) and contingent upon fulfillment of the following conditions:

1. Approval of a latecomers' contract benefitting the County with reimbursement from individuals developing in the future.
2. Completion of a County Road Project to construct 20-ft. BST roadway, plus 3-ft. gravel shoulders (26-ft total width) at estimated cost of \$174,000.

ADOPTED this 5 day of May, 1998.

ATTEST:


WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Dana Brown-Davis, County Clerk


Robert Imhof, Council Chair

APPROVED AS TO FORM:

Approved Denied


Civil Deputy Prosecutor



Pete Kremen, County Executive
Date: 5-14-98

EXHIBIT "A"

Legal Description For A proposed Public Road Named Van Wyck Road

All that portion of County Road #316, AKA Van Wyck Road, as deeded and established, together with additional right of way as deeded, beginning at the end of the present maintained county road, as monumented by an "End of County Maintained Road" sign, near the Northeast corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 7, Township 38 North, Range 3 East of W.M.; thence East, 2000', more or less, to the Southwest corner of the East $\frac{1}{2}$ of block 66 of the Bakerview Addition as recorded on pages 40 to 45 in Volume 7 of Plats, Whatcom County, Washington.

"EXHIBIT B"

Excerpt from Public Works memorandum dated May 4, 1998 to County Executive and County Council:

Option A: Accept the Public Works recommended procedural steps listed above,* with the establishment of Van Wyck Road only after roadway improvements are completed to public road standards (20-ft. BST plus 3-ft. gravel shoulders).

***Recommended steps:**

- 1. Propose establishment of Van Wyck Road**
- 2. Amend Whatcom County Code regarding latecomers**
- 3. Apply latecomers ordinance to proposed Van Wyck road improvements**
- 4. Complete road improvements**
- 5. Finalize road establishment**