

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	ERH	8/3		8/11/98	Introduction
Division Head:	ERH	8/3		9/15/98	Hearing
Dept. Head:	NM	8/3			
Prosecutor	DLG	8/3/98			
Purchasing/Budget:					
Executive:	PL	8-4-98			

SUBJECT:
 Accepting Mertz Road as a public road.

ATTACHMENTS:

Cover memo
 Ordinance

Related County Contract #:

Should Clerk schedule a hearing: NO / / YES / / Requested Date:

SUMMARY STATEMENT:

In accordance with RCW 36.81, the hearing being held as requested in the Resolution adopted August 11, 1998, will accept Mertz Road as a maintained public road. This Ordinance will accomplish this, subject to a positive hearing.

Ordinance & Resolution Distribution Request
 To keep down our copying costs, indicate only those who must receive a copy after Council action. List names to the right.

ADS Facilities Management	
ADS Finance	
ADS Human Resources	
ADS Info Services	
Assessor	
Auditor	
Cooperative Extension	
District Court	
Executive	
Health	
Hearing Examiner	
Jail	
Juvenile	
Parks	
Planning	
Prosecutor	
Public Works	Jeff Monsen
Sheriff	
Superior Court	
Treasurer	
Other	

RECOMMENDED ACTION:

Adoption.

COUNCIL ACTION TAKEN:

1998 - 314 D 8/11/98: Introduced
 9/15/98: Adopted 7-0, Ord. #98-053

Ordinance or Resolution Number
 (this item): **ORD. 98-053**

1 SPONSORED BY: Public Works, Engineering

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3 PROPOSED BY: Edwin R. Henken

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5 INTRODUCTION DATE: 8/11/98

1 ORDINANCE NO. 98-053

2 IN THE MATTER OF ACCEPTING
3 AN ADDITIONAL PORTION OF MERTZ ROAD AS A PUBLIC ROAD

4 WHEREAS, on August 11, 1998, pursuant to the procedures contained in RCW 36.81,
5 the County Council adopted a resolution of intent with regard to Mertz Road 0.3 mi. north of
6 the East Axton Road in the northwest quarter of the southwest quarter of Section 22, Township
7 39 North, Range 3 East of W.M.

8 WHEREAS, pursuant to that resolution a public hearing on the issue of whether this
9 roadway should be established as a County road was held on September 15, 1998; and

10 WHEREAS, notice of the public hearing pursuant to RCW 36.81.070 was properly given
11 and proof of such notice was properly demonstrated pursuant to RCW 36.81.080; and

12 WHEREAS, in conjunction with the hearing the County Council received and reviewed
13 the report of the County Road Engineer on the efficacy of the establishment of this portion of
14 roadway as a County road; and

15 WHEREAS, members of the public have been provided with the opportunity to provide
16 the County Council with information and opinions relating to whether or not this portion of road
17 should become a County road; and

18 WHEREAS, the right-of-way underlying the road belongs to the County; and

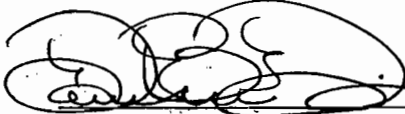
19 WHEREAS, in view of the information brought to its attention by staff and members of
20 the public through the hearing process, the County Council finds that establishing the road as
21 a County road is a public necessity and is practicable;

22 NOW, THEREFORE, BE IT ORDAINED that all that portion of County Road No. 679,
23 aka Mertz Road, in the northwest quarter of Section 22, Township 39 North, Range 3 East of
24 W.M., commencing .3 miles north of east Axton Road and continuing northerly 800 feet is
25 hereby established as a County road, effective October 15, 1998.

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ADOPTED this 15 day of Sept., 1998

ATTEST:

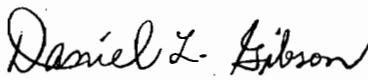

Dana Brown-Davis, Council Clerk

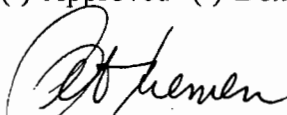
WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Robert Imhof, Council Chair

APPROVED AS TO FORM:

Approved Denied


Civil Deputy Prosecutor


Pete Kremen, Executive
Date: 9-23-98