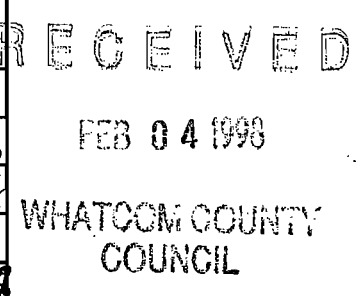


CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Public Works Engineering	ERH	1/98		2/10/98	Public Works, Council
Division Head:	CALL				
Dept. Head:	JM	2/2/98			
Prosecutor:	DG	1/30/98			
Purchasing/Budget:					
Executive:	PK	2-3-98			

SUBJECT: Authorizing the County Executive to exchange property and grant an easement over public land to adjust a boundary line within Section 6, Township 38 North, Range 4 East, W.M.

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

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

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

SUMMARY: Proposed Resolution will legalize a private encroachment of County property in exchange for the County obtaining comparable valued property of the same size. The improvements made will thus be legally on the proponent's property and allow his Short Plat to proceed.

ORIGINATOR'S RECOMMENDED ACTION: Recommend approval.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1998 - 82 2/10/98: Approved 7 - 0. Res. #98-007

m:\users\mpickens\wpfiles\road\chng.AB

Related File Numbers:

Ordinance or Resolution Number (this item only):

Res. # 98-007

1 SPONSORED BY: Public Works - Engineering

2 PROPOSED BY: Engineering

3 INTRODUCTION DATE: 2/10/98

4 RESOLUTION NO. 98-007

5 AUTHORIZING THE COUNTY EXECUTIVE TO EXCHANGE PROPERTY AND
6 GRANT AN EASEMENT OVER PUBLIC LAND TO ADJUST A BOUNDARY LINE
7 WITHIN SECTION 6, TOWNSHIP 38 NORTH, RANGE 4 EAST, W.M.
8

9 WHEREAS, during the course of surveying and processing the Anderson Creek Short Plat
10 adjoining the County property, it was discovered that the adjoiner had encroached upon the County
11 property with buildings and improvements, and
12

13 WHEREAS, the County is desirous of reconciling this problem in a fair and equitable manner
14 while still protecting the integrity of the County's property, and
15

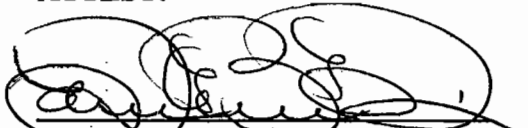
16 WHEREAS, an exempt Lot Line Adjustment involving an exchange of deeds for equal areas of
17 property and grant of easement for a driveway has been proposed by the adjoiner and approved in
18 concept by the County, and
19

20 WHEREAS, the County will benefit through this action by gaining usable land and precluding
21 any potential litigation over the boundary.
22


23 NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that the County
24 Executive is hereby authorized to execute the necessary legal documents to accomplish this land
25 exchange and grant of easement in accordance with the attached Exhibit "A".
26

27 ADOPTED this 10 day of February 1998.
28

29 ATTEST:

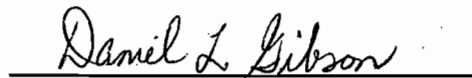
30 
31
32
33
34 Dana Brown-Davis, Council Clerk
35

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

36 
37
38
39 Robert Imhof, Council Chair
40

41 APPROVED AS TO FORM:

() Approved () Denied

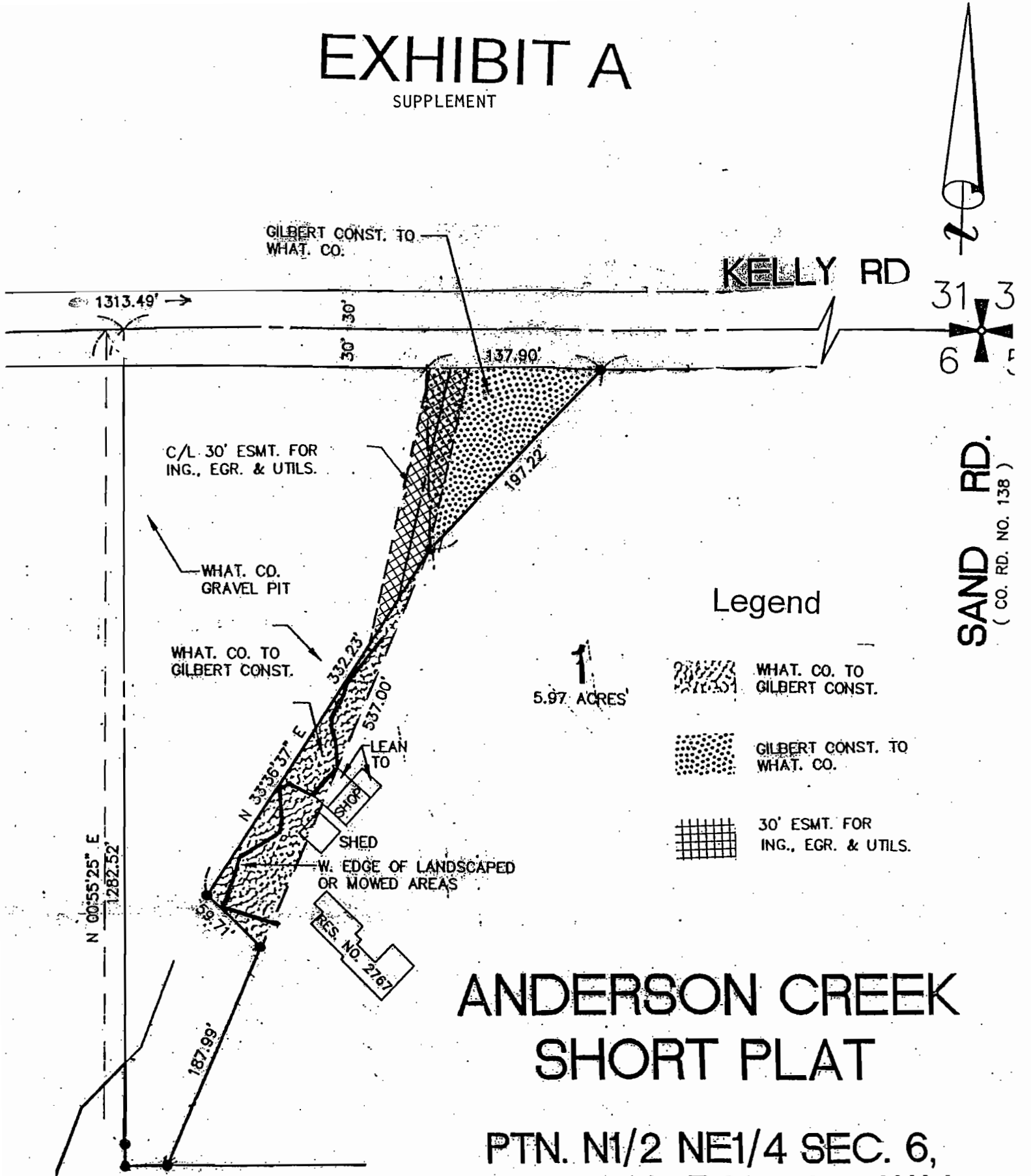
42 
43
44
45
46 Daniel L. Gibson
47 Civil Deputy Prosecutor

Signature not needed
Pete Kremen, County Executive
Date: _____

m:\users\mpickens\wpfiles\road\res

EXHIBIT A

SUPPLEMENT






KELLY RD

SAND RD.
(CO. RD. NO. 138)

Legend

1
5.97 ACRES

-  WHAT. CO. TO GILBERT CONST.
-  GILBERT CONST. TO WHAT. CO.
-  30' ESMT. FOR ING., EGR. & UTILS.

ANDERSON CREEK SHORT PLAT

PTN. N1/2 NE1/4 SEC. 6,
TWP. 38 N., RGE. 4 E. W.M.
WHATCOM COUNTY, WA.