

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	ERH	7/20		08/11/98	Public Works Com, Council
Division Head:	ERH	7/30			
Dept. Head:	JM	7/31/98			
Prosecutor	DG	7/31/98			
Purchasing/Budget:					
Executive:	DK	8-4-98			

SUBJECT:

Acceptance of newly constructed County Roads on existing public rights-of-way.

ATTACHMENTS:

Resolution
Cover letter

Related County Contract #:

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

SUMMARY STATEMENT: Whatcom County has many miles of public road rights-of-way that have never been improved. From time to time property owners request these roads be improved to County Standards and accepted for County maintenance. Presently six roads are in the process of being constructed to County Standards by such parties. The roads are portions of 1) Academy Road, 2) Delta Line Road, 3) Ham Road, 4) Mertz Road, 5) Tilbury Road and 6) View Haven Lane.

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	
Sheriff	
Superior Court	
Treasurer	
Other	

RECOMMENDED ACTION: Recommend approval.

COUNCIL ACTION TAKEN:

1998 - 314 8/11/98: Approved 6-0, Sutter absent Res. # 98-059

R:

Ordinance or Resolution Number
(this item): **RES # 98-059**

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

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RESOLUTION NO. 98-059

DECLARING INTENT TO ESTABLISH ACADEMY ROAD, DELTA LINE ROAD,
HAM ROAD, MERTZ ROAD, TILBURY ROAD AND VIEW HAVEN LANE AS
COUNTY ROADS, DECLARING THAT SUCH ESTABLISHMENT IS A PUBLIC
NECESSITY AND DIRECTING THE COUNTY ROAD ENGINEER
TO REPORT TO COUNCIL UPON THE PROJECTS

WHEREAS, Whatcom County appears to possess a right-of-way for road purposes at:

- 1) ACADEMY ROAD from a point 0.53 mile east of the Bellingham city limits, easterly approximately 3,700-feet; said right-of-way being along the center of Section 23, Township 38 North, Range 3 East.
- 2) DELTA LINE ROAD beginning approximately 700-feet north of the Grandview Road and extending northerly 2,600 feet; being along the east line of Section 1, Township 39 North, Range 1 East, and the west line of Section 6, Township 39 North, Range 2 East.
- 3) HAM ROAD beginning approximately 0.43 mile south of the Bay Road and continuing southerly approximately 1,060-feet; said alignment being along the east line of Section 4, and the west line of Section 3, Township 39 North, Range 1 East.
- 4) MERTZ ROAD beginning 0.3 mile north of the E. Axton Road and extending northerly 800-feet within the southwest quarter of Section 22, Township 39 North, Range 3 East.
- 5) TILBURY ROAD extending 0.49 mile south of Limestone Road along the north/south centerline of Section 15, Township 40 North, Range 5 East.
- 6) VIEW HAVEN LANE, formerly known as Grand Boulevard, extending west approximately 390-feet off Lake Whatcom Blvd. within the south half of the southeast quarter of the northeast quarter of Section 35, Township 38 North, Range 3 East.

WHEREAS, Whatcom County has issued trail permits allowing construction and use of a private road within the County's right-of-way for the above roads; and

1 WHEREAS, residents along the above private roads within the right-of-way assert that
2 they have or are in the process of bringing the private road up to the appropriate public road
3 improvement standard; and

4 WHEREAS, the road provides necessary vehicular access to a growing number of
5 residences; and

6 WHEREAS, it is a matter of general policy for the County to establish a county road and
7 assume responsibility for its maintenance once a private road has been brought up to the
8 applicable public road standard if doing so provides service to the citizenry at a reasonable cost;
9 and

10 WHEREAS, the public may be better served by County maintenance of the roads
11 identified herein; and

12 WHEREAS, the financial burden assumed by the County as a result of increased road
13 maintenance responsibilities is ameliorated by increased revenues from state tax funds for the
14 additional length of roads in the County Road System, and

15 WHEREAS, this Council needs the most accurate, up-to-date information concerning the
16 condition of this roadway, the status of the underlying right-of-way, the financial implications
17 of accepting this roadway into the County Road system, and the public benefit to be derived
18 from the establishment of this roadway as a County road; and

19 WHEREAS, RCW 36.81 requires that the county Road Engineer, upon direction from
20 the Council, provide such information to the council via a report; and


21 WHEREAS, RCW 36.81 requires that a public hearing be scheduled and held before this
22 road is established as a public road with the County Road System.

23 NOW, THEREFORE LET IT BE RESOLVED that the County intends to pursue the
24 process necessary to establish the above-described roads as County roads on the current belief
25 that such establishment is a public necessity, and

26 LET IT FURTHER BE RESOLVED that the County Road Engineer be directed to
27 provide this council with a report upon this project at a public hearing to be held on this matter
28 on September 15, 1998.

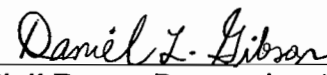
1 APPROVED this 11 day of August, 1998

2 WHATCOM COUNTY COUNCIL
3 ATTEST: WHATCOM COUNTY, WASHINGTON

4 
5 Dana Brown-Davis, County Clerk


Bob Imhof, Council Chair

6 APPROVED AS TO FORM:

7 
8 Civil Deputy Prosecuting Attorney