

| CLEARANCES | Initial | Date | Date Received in Council Office | Agenda Date | Assigned to: |
|--------------------|------------|-------------------------------------|--|-------------|--------------|
| Originator: | ERH | 2/99 | RECEIVED MAR 02 1999 WHATCOM COUNTY COUNCIL | 3/9/99 | Introduction |
| Division Head: | <i>JMS</i> | <input checked="" type="checkbox"/> | | | |
| Dept. Head: | <i>JM</i> | | | | |
| Prosecutor | <i>DG</i> | 2/25/99 | | | |
| Purchasing/Budget: | | | | | |
| Executive: | <i>PK</i> | 3-1-99 | | | |

SUBJECT: Resolution regarding vacating an unnamed 15-ft. right-of-way abutting Lot 1 in Alfs Grove Addition to Bellingham located in Section 4, Township 37, Range 1 East.

ATTACHMENTS:

1. Cover letter
2. Resolution

Related County Contract #:

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

SUMMARY STATEMENT:

The unnamed alley had been unnoticed by the County and as a result is occupied partially by the Lummi Island Post Office and partially by the Thomas Waggoner residence. An agreement has been reached with Mr. Waggoner to exchange a 15-ft. strip of land abutting the existing old ferry dock part site for the 15-ft. strip occupied by the subject alley.

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: Approval

COUNCIL ACTION TAKEN:

1999 - 104 3/9/99: Introduced
5/4/99: Approved 6-0, Dawson absent - Res. #99-020

Rel

Ordinance or Resolution Number
(this item): **RES. # 99-020**

SPONSORED BY: Public Works - Engineering

PROPOSED BY: Engineering

INTRODUCTION DATE 3/9/99

RESOLUTION NO. 99-020

VACATION OF AN UNNAMED 15 FOOT RIGHT OF WAY IN ALFS GROVE
ADDITION AS PETITIONED FOR BY TOM WAGGONER

WHEREAS, on June 6, 1998 Thomas Waggoner petitioned for the vacation of the following described right of way: All of the 15 foot right of way abutting Lot 1 of Alfs Grove Addition to Bellingham as Recorded in Volume 5 of Plats, Page 48, and

WHEREAS, the petitioner was told that RCW 36.87.130, as amended by Ch.228, Laws of 1987, SB 5013 prohibits vacation of roads leading to water unless it is for the purpose of providing or improving public access to the same shoreline area, and

WHEREAS, the petitioner is offering to exchange a fifteen foot strip of land abutting the existing improved park facility on the old ferry dock site abutting his south line, and


WHEREAS, that said road(s) or portion thereof are useless as part of the County Road system and that the public will be benefited by its vacation and abandonment.

WHEREAS, the County Engineer recommends the approval of this vacation subject to the receipt of a statutory warranty deed for the 15 foot strip to be added to the Park at the old ferry dock site, and

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that the above described right of way, as petitioned for by Thomas Waggoner, be hereby vacated, subject to the receipt of a statutory warranty deed for the fifteen (15) foot strip referred to above.

ADOPTED this 4th day of May, 1999.

ATTEST:


Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Tom Brown, Acting Council Chair

1 APPROVED AS TO FORM:
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4 Daniel Z. Gibron
5 Civil Deputy Prosecutor
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