

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2007-383A

CLEARANCES	Initial)	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	JP	10/09/07	RECEIVED OCT 16 2007 WHATCOM COUNTY COUNCIL	10/23/07	Introduction
Division Head:				12/4/07	Hearing
Dept. Head:	JH	10/07/07			
Prosecutor:	DG	10/09/07			
Purchasing/Budget:					
Executive:	JK	10-16-07			

TITLE OF DOCUMENT: *A Resolution Vacating a Portion of Trigg Road*

- ATTACHMENTS:**
1. Cover Memo
 2. Resolution to Vacate a Portion of Trigg Road
 3. Neighboring Land Owners Petition
 4. Exhibit "A" (Copy of Survey)
 5. Property Market Analysis
 6. Engineer's Report

SEPA review required? () Yes (X) NO	Should Clerk schedule a hearing? (X) Yes () NO
SEPA review completed? () Yes () NO	Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

The attached Resolution to Vacate a Portion of Trigg Road is submitted per RCW 58.17 & 36.87 and WCC 12-20.

County Engineer has examined the petition for vacation and determined that the right of way does not lie within any plat and that the Public will benefit from approval of petition.

COMMITTEE ACTION:

COUNCIL ACTION:

10/23/2007: Introduced
 12/4/2007: Council Approved 7-0
 Res. 2007-067

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number: Res. 2007-067

Please Note: *Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.*

1 SPONSORED BY: Public Works

2 PROPOSED BY: PUD #1

3 INTRODUCTION DATE: September 25, 2007

4 RESOLUTION NO. 2007-067

5
6 A RESOLUTION to VACATE A PORTION OF TRIGG ROAD

7
8 WHEREAS, on September 12, 2007; Public Utility District No. 1 of Whatcom County, 1705 Trigg
9 Road, Ferndale, Washington 98248, and others, submitted a petition for the vacation of a portion of Trigg
10 Road lying within the unincorporated area of Whatcom County, accompanied by the penal sum of \$682.00,
11 and,

12 WHEREAS, as described in RCW 36.87.010, when a county road or any part thereof is considered
13 useless the Whatcom County Council may declare its intention to formally consider vacation, by resolution;
14 and

15 WHEREAS, the County Engineer's office has reviewed the portion of the platted street which is a
16 Class A-1 right-of-way; wherein public expenditures were made, and no part thereof lies in any plat, and has
17 determined that the public would benefit from said vacation; and

18 WHEREAS, there currently are public utilities located within the portion of the right-of-way to be
19 vacated; and

20 WHEREAS, the fair market value has been determined to be \$1.00 per square foot for 16,530 square
21 feet included within this portion of Trigg Road, making the total value of the area to be vacated \$16,530.00;
22 and

23 WHEREAS, the County Real Estate Manager and County Engineer have reviewed said compensation
24 and determined it to be fair value; and

25 WHEREAS, the petitioner has met all of the petition requirements, as set forth by Chapter 12.20,
26 Whatcom County Code, and all other applicable laws, and

27 WHEREAS, the applicant has six calendar months from the date the Resolution is passed to pay any
28 remaining fees to the Whatcom County Council office, which checks made payable to the Whatcom County
29 Treasurer, prior to the vacation becoming effective, including but not limited to the appraised value of the area
30 sought to be vacated, and

31 WHEREAS, this vacation does not become effective until the fees are paid and the Final Order and
32 Resolution are recorded with the County Auditor, and

33 NOW, THEREFORE, BE IT RESOLVED that the Whatcom County Council vacate the following
34 described right of way:

35 A strip of land located in the southeast quarter of the southeast quarter of Section 8, Township 39
36 North, Range 2 East of W.M., described as follows:

37 A strip of land 14 feet wide on the west side of the section line between sections 8 and 9 and
38 beginning at the Southeast Corner of Section 8 and extending 581 feet North,

1 Also a strip of land 16 feet wide along the East side of the Section line between Sections 8 and 9 and
2 beginning at the South West Corner of Section 9 and extending North a distance of 581 feet,

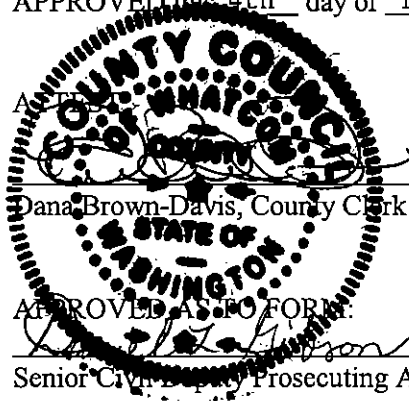
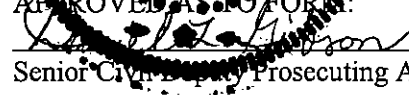
3 EXCEPT any portion of Trigg Road as deeded or dedicated and adjoining the South lines of Sections
4 8 and 9 as may now exist;

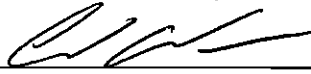
5 AND FURTHER EXCEPT an easement retained by the County in respect to the vacated portion of
6 right-of-way for the construction, repair, and maintenance of public utilities and services, which at the
7 time of adoption of this resolution are physically located on or in the vacated portion.

8 BE IT FURTHER RESOLVED that upon applicants' completion of payment for the property and of
9 all other fees, a Final Order of Vacation shall be prepared by Council Staff, signed by the appropriate parties,
10 and recorded with the County Auditor; and

11 BE IT FURTHER RESOLVED that if the conditions set forth above are not fulfilled within six
12 months from the date of the passage of this Resolution, the Preliminary Order of Vacation which is hereby
13 authorized shall be withdrawn, and the right-of-way shall not be deemed to have been vacated.

14 APPROVED this 4th day of December, 2007

15
16  COUNTY COUNCIL
17 OF WHATCOM COUNTY
18 STATE OF WASHINGTON
19 Dana Brown-Davis, County Clerk
20
21
22 APPROVED AS FO FORM
23 
24 Senior Civil Deputy Prosecuting Attorney

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Carl Weimer, Council Chair