

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2009-406

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	<i>[Signature]</i>	10/13/09	RECEIVED OCT 20 2009 WHATCOM COUNTY COUNCIL	10/27/09	PW/Council
Division Head:					
Dept. Head:	<i>[Signature]</i>	10/14/09			
Prosecutor:	<i>[Signature]</i>	10/14/09			
Purchasing/Budget:					
Executive:	<i>[Signature]</i> OK	10-20-09			

TITLE OF DOCUMENT: *A Resolution in the Matter of Considering Vacating a Portion of Portal Way*

- ATTACHMENTS:**
1. Cover Memo
 2. Resolution
 3. Neighboring Land Owner's Petition
 4. Map of Site
 5. Comparative Market Analysis

SEPA review required? () Yes (X) NO	Should Clerk schedule a hearing? () Yes (X) 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 in the Matter of Considering Vacating a Portion of Portal Way is submitted per RCW 58.17 & 36.87 and WCC 12-20.

Adoption of this resolution will trigger the County Engineer to report on the proposed vacation at a future Council meeting. Once the County Engineer's report is submitted the actual road vacation will be considered by Council under a separate resolution and a public hearing will need to be scheduled.

<p>COMMITTEE ACTION: 10/27/2009: Forwarded to Council for approval</p>	<p>COUNCIL ACTION: 10/27/2009: Council Approved 7-0 Res. 2009-062</p>
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Related County Contract #:	Related File Numbers:	Ordinance or Resolution Number: Res. 2009-062
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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: Consent

2 PROPOSED BY: Public Works

3 INTRODUCTION DATE: 10/27/09

4 RESOLUTION NO. 2009-062

5
6 A RESOLUTION IN THE MATTER OF CONSIDERING
7 VACATING A PORTION OF PORTAL WAY
8

9 WHEREAS, on October 5, 2009, Mark Douglas, submitted a petition for the vacation of a portion of
10 Portal Way lying within the unincorporated area of Whatcom County, accompanied by the penal sum
11 of \$682.00, 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
14 resolution.

15 NOW, THEREFORE, BE IT RESOLVED that it is the intention of the Whatcom
16 County Council to consider vacation of the following described right of way: that
17 portion of the Northeasterly 15 feet of Portal Way (Old Pacific Highway) lying within
18 the South Half of the South Half of the Northeast Quarter of the Southwest Quarter
19 of Section 6, Township 39 North, Range 2 East of W.M., Whatcom County,
20 Washington.

21 Basis of description: Record of survey, Auditor's File No. 2000502388.

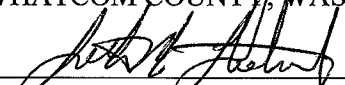
22 Subject to and/or together with all easements, covenants, restrictions and/or
23 agreements of record or otherwise. Also subject to Whatcom County retaining
24 an easement the length of the area to be vacated for utilities and drainage.
25


26 AND BE IT FURTHER RESOLVED that the County Engineer investigate and report to the County
27 Council on the matter of the proposed vacation of said portion of Portal Way so that the Council may
28 set a public hearing on the matter.
29

30 APPROVED this 27th day of October, 2009

31
32 WHATCOM COUNTY COUNCIL
33 WHATCOM COUNTY, WASHINGTON

34
35
36  The seal of Whatcom County, Washington, is circular with a double border. The outer border contains the text "WHATCOM COUNTY WASHINGTON" and the inner border contains "COUNTY COUNCIL". The center of the seal features a star and the words "COUNTY CLERK".
37 Dana Brown-Davis, County Clerk

38
39  A handwritten signature in black ink, appearing to read "Seth Fleetwood".
40 Seth Fleetwood, Council Chair

41 APPROVED AS TO FORM:
 A handwritten signature in black ink, appearing to read "Daniel L. Gibson".
Senior Civil Deputy Prosecuting Attorney