

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2009-494

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	JP	11/23/09	RECEIVED DEC 01 2009 WHATCOM COUNTY COUNCIL	12/08/09	PW/Council
Division Head:					
Dept. Head:	JH	11-27-09			
Prosecutor:	LG	11/23/09			
Purchasing/Budget:	BB	11/25/09			
Executive:	QAD	11/30/09			

TITLE OF DOCUMENT: A Resolution Approving the Sale of an Easement by Whatcom County To Burlington Northern Santa Fe Railroad Company

- ATTACHMENTS:**
1. Cover Memo
 2. Resolution
 3. Map of Site

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.)

Burlington Northern Santa Fe Railroad Company proposes to purchase a Slope Easement from Whatcom County on County Right-Of-Way. The easement's location is along Portal Way, Sections 8, 16, 17 Township 40 North, Range 1 East.

COMMITTEE ACTION:
 12/8/2009: Forwarded to Council for approval

COUNCIL ACTION:
 12/8/2009: Council Approved 6-0
 Res. 2009-076

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number: Res. 2009-076

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: 12/8/2009

4 RESOLUTION NO. 2009-076

5
6 **A RESOLUTION APPROVING THE SALE OF AN EASEMENT BY**
7 **WHATCOM COUNTY TO BURLINGTON NORTHERN SANTA FE RAILROAD COMPANY**

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9 WHEREAS, Burlington Northern Santa Fe Railroad Company (BNSF) operates railroad corridors in
10 Whatcom County; and

11 WHEREAS, BNSF desires to maintain railroad corridors that have been recently upgraded and have
12 offered to purchase a Slope Easement from Whatcom County on County Right-of-Way; and

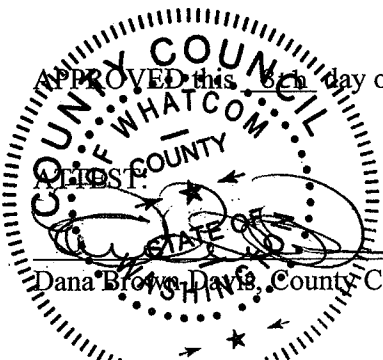
13 WHEREAS, said County Right-of-Way is along Portal Way located in Sections 8, 17, 16, Township
14 40 North, Range 1 East; and

15 WHEREAS, BNSF has agreed to pay Whatcom County \$5,000 for the easement area consisting of
16 50,962 square feet after completing an appraisal; and

17 WHEREAS, while the County Code does not specifically address the procedure for conveying a
18 limited interest in County property, this matter has been reviewed by the County's Property
19 Management Committee with a recommendation for approval of such a conveyance, and has been
20 presented to the Council for its review and decision on the request; and

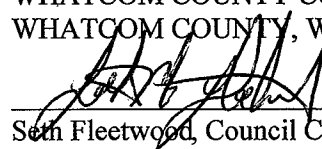
21 NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that the
22 Executive is authorized to conclude the sale of a Slope Easement to BNSF as set forth in
23 Exhibit A, the Slope Easement, attached hereto.

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26 APPROVED this 8th day of December, 2009

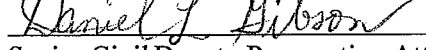


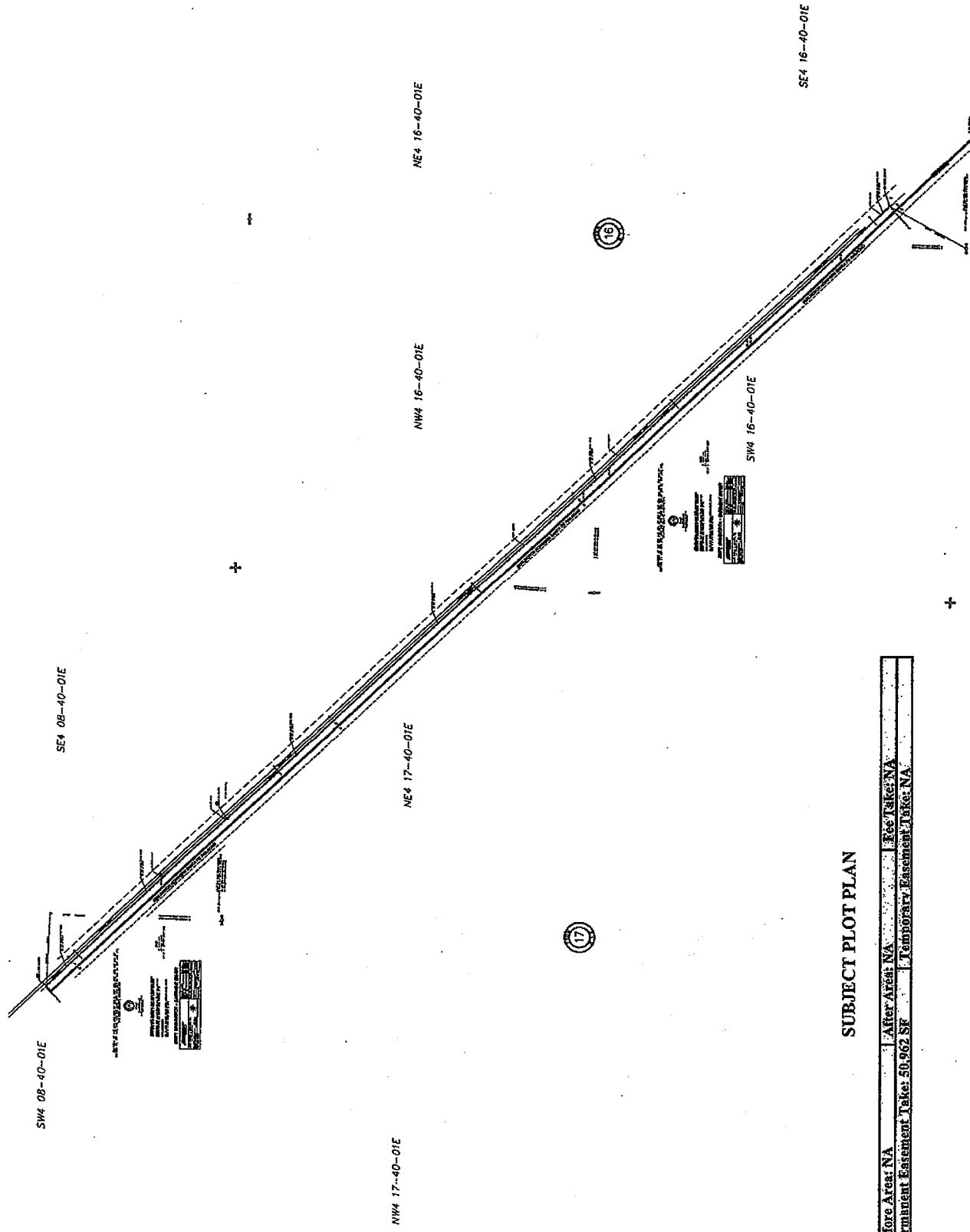
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31 Dana Brown-Davis, County Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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Seth Fleetwood, Council Chair

APPROVED AS TO FORM:


Senior Civil Deputy Prosecuting Attorney



SUBJECT PLOT PLAN

Before Area: NA	After Area: NA	Fee Take: NA
Permanent Easement Take: 50,962 SF	Temporary Easement Take: NA	

Aerial Photograph

