



Whatcom County

COUNTY COURTHOUSE
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Agenda Bill Master Report

File Number: AB2021-713

File ID:	AB2021-713	Version:	1	Status:	Approved
File Created:	11/19/2021	Entered by:	AHester@co.whatcom.wa.us		
Department:	Public Works Department	File Type:	Resolution		
Assigned to:	Council Public Works & Health Committee			Final Action:	12/07/2021
Agenda Date:	12/07/2021			Enactment #:	RES 2021-059

Primary Contact Email: sdraper@co.whatcom.wa.us

TITLE FOR AGENDA ITEM:

Resolution in the matter of considering vacating an unnamed alley within the Plat of Lummi Park on Lummi Island

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The attached resolution in the matter of considering vacating an unnamed alley within the Plat of Lummi Park on Lummi Island is submitted per RCW 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 road vacation will be considered by Council under a separate resolution and a public hearing will need to be scheduled.

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
12/07/2021	Council Public Works & Health Committee	RECOMMENDED FOR APPROVAL Aye: 3 Frazey, Donovan, and Browne Nay: 0 Absent: 0	
12/07/2021	Council	APPROVED Aye: 6 Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner Nay: 0 Absent: 0	

Temp Absent: 1 Byrd

Attachments: Staff Memo, Proposed Resolution, Aerial Photo, Petition

SPONSORED BY: Public Works

PROPOSED BY: Public Works

INTRODUCTION DATE: 12/7/2021

RESOLUTION NO. 2021-059

IN THE MATTER OF CONSIDERING VACATING AN UNNAMED ALLEY WITHIN THE PLAT
OF LUMMI PARK ON LUMMI ISLAND

WHEREAS, on August 8, 2021; Patrick Timothy McEvoy and Marcia L. McEvoy, et. al. submitted a petition for the vacation of an unnamed alley within the plat of Lummi Park on Lummi Island (sometimes referred to as Baker Drive) lying within the unincorporated area of Whatcom County, accompanied by the penal sum of \$790.00, and,

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

WHEREAS, without pre-judging the result of its future consideration of this matter, the Whatcom County Council has received sufficient information to warrant consideration of vacation of the right-of-way identified in the above-referenced petition and described more fully below;

NOW, THEREFORE, BE IT RESOLVED that it is the intention of the Whatcom County Council to consider vacation of the following described right of way:


That 15-foot right of way immediately west of and abutting Lot 7, Block 1, Lummi Park on Lummi Island according to the Plat thereof recorded in Volume 6 of Plats, Page 5, records of Whatcom County, Washington (which is unnamed but is sometimes referred to as Baker Drive).

Subject to and/or together with all easements, covenants, restrictions and/or agreements of record or otherwise, and further subject to Whatcom County retaining an easement in respect to the portion of right-of-way proposed for vacation, for the construction, repair, and maintenance of any and all public utilities and services now located on or in the portion that may be vacated.

AND BE IT FURTHER RESOLVED that the County Engineer investigate and report to the County Council on the matter of the proposed vacation so that the Council may set a public hearing on the matter.

APPROVED this 7th day of December, 2021

ATTEST:


Dana Brown-Davis, County Clerk


APPROVED AS TO FORM:

Christopher Quinn

Civil Deputy Prosecutor

(approved electronically 11/19/2021)

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Barry Buchanan, Council Chair