



Whatcom County

COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
(360) 778-5010

Agenda Bill Master Report

File Number: AB2019-499

File ID:	AB2019-499	Version:	1	Status:	Approved
File Created:	09/24/2019	Entered by:	AHester@co.whatcom.wa.us		
Department:	Public Works Department	File Type:	Resolution		
Assigned to:	Council Public Works & Health Committee	Final Action:	10/08/2019		
Agenda Date:	10/08/2019	Enactment #:	RES 2019-043		

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

TITLE FOR AGENDA ITEM:

Resolution in the matter of considering vacating a portion of Horton Road

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The attached resolution in the matter of considering vacating a portion of Horton Road 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:
10/08/2019	Council Public Works & Health Committee	RECOMMENDED FOR APPROVAL	
	Aye: 3	Brenner, Buchanan, and Frazey	
	Nay: 0		
	Absent: 0		
10/08/2019	Council	APPROVED	
	Aye: 7	Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu	
	Nay: 0		
	Absent: 0		

SPONSORED BY: Public Works

PROPOSED BY: Public Works

INTRODUCTION DATE: 10-8-2019

RESOLUTION NO. 2019-043

IN THE MATTER OF CONSIDERING VACATING A PORTION OF HORTON ROAD

WHEREAS, on April 26, 2019; Chad TerWisscha and Ken Jorgensen submitted a petition for the vacation of a portion of Horton Road 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 portion of Horton Road adjacent to Lot 5, Block 73 and Lot 12, Block 72, "Bakerview Addition to the City of Bellingham", recorded in Volume 7 of Plats, Pages 40 to 45, Section 1, Township 38 North, Range 2 East, W.M. Situate in Whatcom County, Washington.

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.

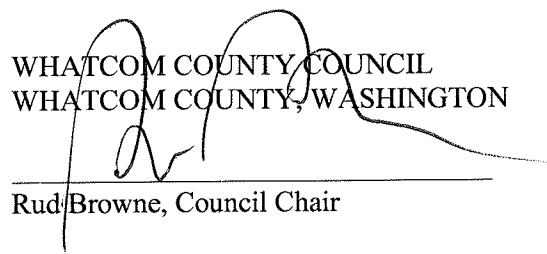
AND BE IT FURTHER RESOLVED that the County Engineer investigate and report to the County Council on the matter of the proposed vacation so that the Council may set a public hearing on the matter.

APPROVED this 8th day of October, 2019

ATTEST:


Dana Brown-Davis, County Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Rud Browne, Council Chair

APPROVED AS TO FORM:


Senior Civil Deputy Prosecutor