

BEFORE THE WHATCOM COUNTY COUNCIL

IN THE MATTER OF VACATION OF  
THE COUNTY ROAD KNOWN AS

HORTON ROAD

Petitioned for by:

CITY OF BELLINGHAM / MARK AND KATHY SALISBURY

et.al.

)  
)  
) **PETITION FOR VACATION  
OF PLATTED ROAD**

)  
) **(RCW 58.17 AND 36.87)**  
)  
)

JON AND AUBREY KORNELIS, TRACY DRURY, PORT OF BELLINGHAM, DANA AND DIANA JOHNSON and FRANK AND PATRICIA IMHOF

Pursuant to Whatcom County Ordinance No. 1-72, dated February 14, 1972, the undersigned and those signing attached petition, which bears signatures and property descriptions of five land owners residing in the vicinity of said road, request vacation of the county road hereinafter described, and agree with the statements below:

1. Petitioners are residents of Whatcom County and owners of real property in the vicinity of the road sought to be vacated.

Yes. The City of Bellingham owns the property to the south and, Mark and Kathy Salisbury own the property to the north.

2. The road sought to be vacated is legally described as follows:

ALL THAT PORTION OF HORTON ROAD AS DEDICATED ON BAKERVIEW ADDITION TO THE CITY OF BELLINGHAM, FILED FOR RECORD FEBRUARY 26, 1938, AND RECORDED IN VOLUME 7 OF PLATS, PAGES 40 THROUGH 45, RECORDS OF WHATCOM COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: ALL THAT PORTION OF SAID HORTON ROAD LYING BETWEEN THE EAST RIGHT OF WAY MARGIN OF BOXWOOD ROAD, AS DEDICATED ON SAID BAKERVIEW ADDITION PLAT AND THE EAST LINE OF BLOCKS 86 AND 87 EXTENDED OF, SAID BAKERVIEW ADDITION PLAT. SITUATE IN WHATCOM COUNTY, WASHINGTON. CONTAINING 1.73 ACRES, MORE OR LESS.

3. The pertinent facts in support of this petition are: the subject portions of Horton Road have been unused right of way since the plat was recorded. It traverses extensive wetlands and crosses Bear Creek. The surrounding land has good access to other developed roads and future construction of the right of way would be difficult.

4. The road to be vacated is useless as a part of the County road system and the public will benefit by its vacation and abandonment. The right of way is not presently constructed and its vacation will allow the City to add property to its wetland mitigation bank area as well as allowing abutting owners to include the vacated ROW into their ownerships.

5. Petitioners will pay all costs and expenses incurred by the Count in examination, report, notice and proceedings pertaining to this petition.

The City of Bellingham will pay the costs and expenses for the vacations.

6. A bond in the penal sum of \$790.00, payable to Whatcom County Treasurer, accompanies this petition. Yes it does.

7. The application fee accompanies this petition. Yes it does.

WHEREFORE, petitioners request the County Road Engineer to report upon this petition, that a hearing take place on this report, and that an order be entered vacating and abandoning said road.

CONTACT PERSON:

Analiese Burns  
(COB Natural Resources - Habitat and Restoration Manager) Signed this

5<sup>th</sup> day of MAY, 20<sup>21</sup>.

Matt Gossett  
(COB Real Property Manager)

Eric Johnston  
(COB Public Works Director)

WHEREFORE, petitioners request the County Road Engineer to report upon this petition, that a hearing take place on this report, and an order be entered vacating and abandoning said road. (NOTE: A minimum of five signatures is required by law; see statement near the beginning of page 1).

**PETITIONERS' NAMES: Property owned by petitioner (part of sec. or name of plat, see (lot), TWP, (Blk) Range):**

**CITY OF BELLINGHAM:**

Assessor's Parcel Numbers: 380202 209221 0000, 380202 150361 0000,  
380202 333346 0000

Legal: Ptn of the NE1/4 of SW 1/4 of Section 2, Township 38, Range 2 East W.M.  
and Lots 3-8, in both Blocks 92 and 93 Baker View Addition and Lot A in  
Block 92 of Baker View Addition.

Address: 104 W. Magnolia Street, Bellingham, WA 98225

**SIGNATURE OF THE MAYOR, SETH FLEETWOOD:**



**A map of the road proposed to be vacated and surrounding properties, with each of the above signed petitioners properties indicated thereon, shall be attached to this petition in order for it to be accepted in the County Council Office.**

WHEREFORE, petitioners request the County Road Engineer to report upon this petition, that a hearing take place on this report, and an order be entered vacating and abandoning said road. (NOTE: A minimum of five signatures is required by law; see statement near the beginning of page 1).

**PETITIONERS' NAMES: Property owned by petitioner (part of sec. or name of plat, see (lot), TWP, (Blk) Range):**

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**NWROAD PROPERTIES, LLC:**

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Assessor's Parcel Number: 380202 065211

Legal: Bakerview Addition to Bellingham Block 87

Address: 4719 Northwest Drive, Bellingham, WA 98226

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**SIGNATURES OF NWROAD PROPERTIES, LLC:**

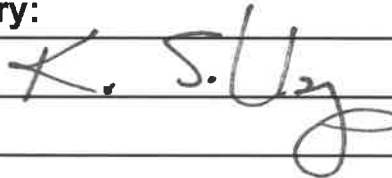
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Mark Salisbury:

 2/10/21

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Kathy Salisbury:

 2/10/21

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**PETITIONERS' NAMES: Property owned by petitioner (part of sec. or name of plat, see (lot), TWP, (Blk) Range):**


**JON and AUBREY KORNELIS**

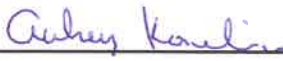
Assessor's Parcel Number: 380202 447237 0000

Legal: Bakerview Add to Bellingham - Lots 7-8 BLK 89 DAF-BEAP ON NLY LI  
OF BLK 89 634.09 FT WLY OF NELY COR OF BLK 89 - TH SLY 627.30  
FT TAP 633.72 FT FR ELY LI OF BLK 89 - TH WLY 331.87 FT TAP 626.60  
FT FR NLY LI OF BLK 89 - TH NLY 626.60 FT TAP ON NLY LI OF BLK 89

Address: 4703 Aldrich Road, Bellingham, WA 98226-9683

**SIGNATURES OF JON and AUBREY KORNELIS**

  
4-13-21

  
4-15-21

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**PETITIONERS' NAMES: Property owned by petitioner (part of sec. or name of plat, see (lot), TWP, (Blk) Range):**

**TRACY DRURY:**

Assessor's Parcel Number: 380211 467546 0000

Legal: Lot 4 of the Jacobson short Plat as Recorded in Book 10 short Plats,  
Page 36. Section 11, Township 38N, Range 2E

Address: 592 Trout Lake Drive, Bellingham, WA 98226

**SIGNATURE OF TRACY DRURY:**



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**PETITIONERS' NAMES: Property owned by petitioner (part of sec. or name of plat, see (lot), TWP, (Blk) Range):**

(The Port of Bellingham acknowledges notification of the petitioner's intent to seek vacation of the county road or portion thereof.)

**PORT OF BELLINGHAM:**

Assessor's Parcel Number: 380203 425205 0000

Legal: Lease Area 29 Bellingham International Airport General - Specific Binding Site Plan as Recorded in Book 1, binding Site Plans, Page 64 - Bakerview Addition to Bellingham - All of Lot 10 - that portion of Lot 11, Block 100 defined as follows - Beginning at a point on the southerly line of Lot 11 which is 110 feet east of intersection of said southerly line. Section 3, Township 38N, Range 2E.

Address: XXXX Pacific Hwy., Bellingham, WA 98226

**SIGNATURE OF THE PORT OF BELLINGHAM:**

X   
Executive Director, Rob Fix

Date: 3/3/21

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**PETITIONERS' NAMES: Property owned by petitioner (part of sec. or name of plat, see (lot), TWP, (Blk) Range):**

**DDJ INVESTMENTS, LLC (DANA and DIANA JOHNSON):**

Assessor's Parcel Number: 380203 500077 0000

Legal: Bakerview Addition to Bellingham, Lot A, Block 97. Section 3, Township 38N, Range 2E.

Address: 928 Thomas Road, Bellingham, WA 98226

**SIGNATURES OF DANA and DIANA JOHNSON:**

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*Dana Johnson Managing Member 2-1-2021*  
*Dianna Johnson Managing Member 2-1-2021*

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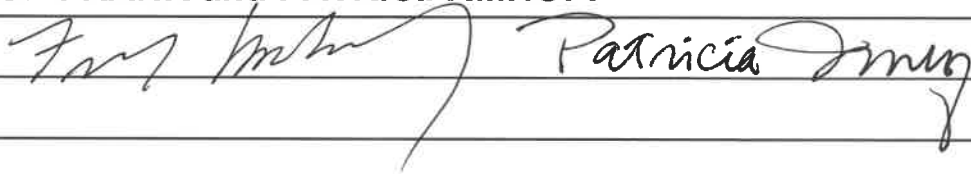
**FRANK AND PATRICIA IMHOF:**

Assessor's Parcel Number: 380202 197020 0000

Legal: The E 1/2 of the SW 1/4, and in the SW 1/4 of the SE 1/4, all in Section 2,  
Township 38N, Range 2E, lying southwesterly of Northwest Road.

Address: 4525 Northwest Drive, Bellingham, WA 98226

**SIGNATURES OF FRANK and PATRICIA IMHOF:**

Handwritten signatures of Frank and Patricia Imhof.

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# Proposed Horton Rd ROW Vacation

## HORTON RD ROW

JON &  
AUBREY  
KORNELIS

TRACY A DRURY

NORTHWEST DR

FRANK P &  
PATRICIA N  
IMHOFF

NWROAD  
PROPERTIES  
LLC

CITY OF  
BELLINGHAM

PORT OF  
BELLINGHAM

DDJ  
INVESTMENTS  
LLC

PORT OF  
BELLINGHAM

THOMAS RD

PACIFIC HWY

HORTON RD ROW 60' Width

Co-Petitioner

Supporting Property





**Data Credits:**

- [Roads] COB 2020
- [Streams] DNR 2005
- [Imagery] USDA NAIP 2017
- [Lidar] COB 2013

- Horton Rd Vacation Area
- Bear Creek Mitigation Bank Boundary
- City Limits
- Streams
- Highways
- Major Roads
- Roads



1:24,000

1 inch = 2,000 feet

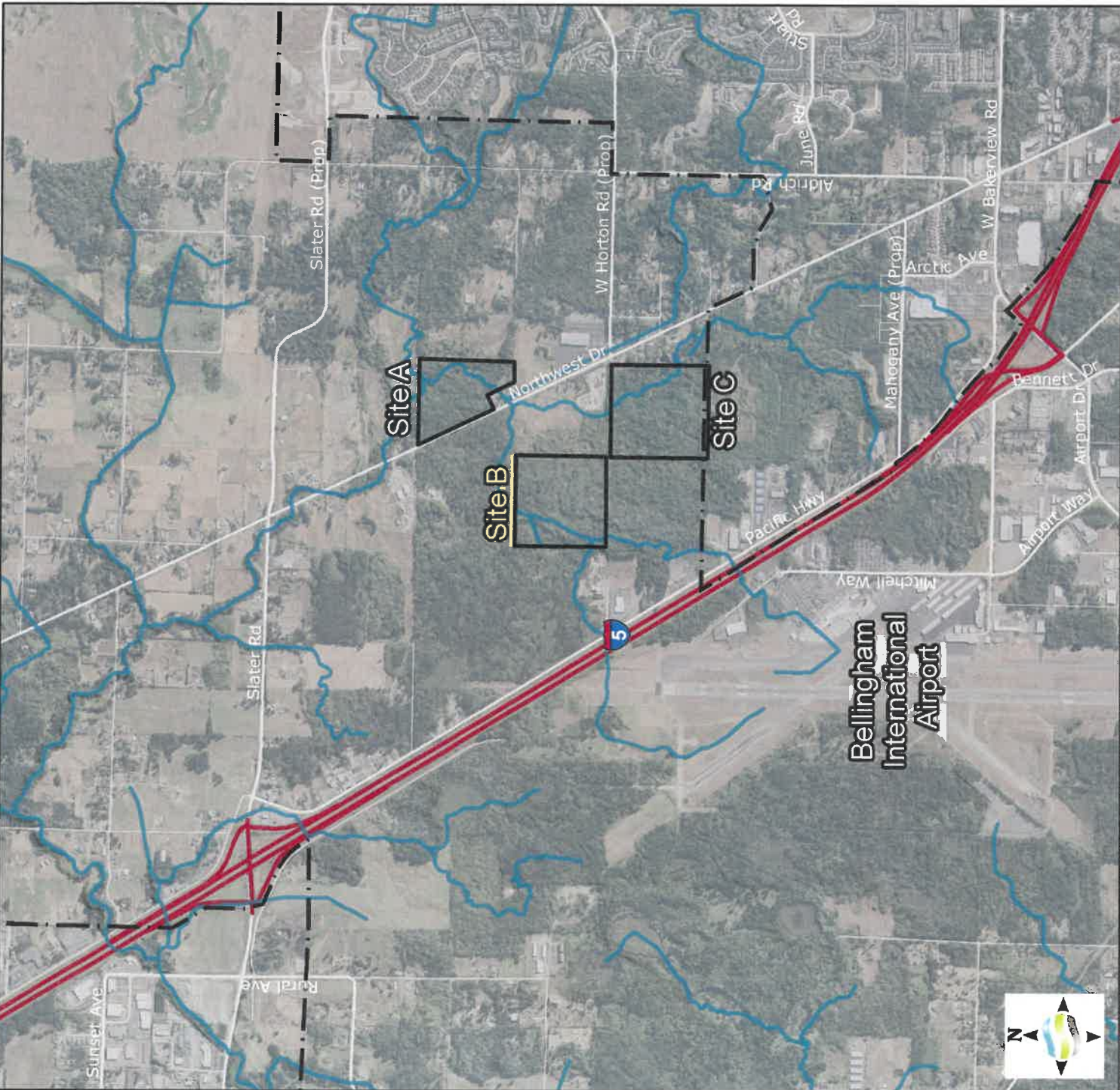


**ELEMENT SOLUTIONS**

909 Squalicum Wa Site 111  
 Bellingham, WA 98225  
[info@elementsolutions.org](mailto:info@elementsolutions.org)  
 Phone: 360. 671. 9172

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**Figure 3**  
 Bear Creek Corridor Mitigation Bank  
 Site Expansion  
 Horton Road Vacation  
 Site Vicinity Map  
 Date: 4/23/2021





**Data Credits:**  
 [Parcels] Whatcom County 2020  
 [Roads] COB 2020  
 [Streams] NES 2019  
 [Imagery] COB 2019  
 [Lidar] COB 2013

- Horton Rd Vacation Area
- Bear Creek Mitigation Bank Boundary
- Parcels
- Wetlands
- Native Growth Protection Easements
- Conservation Easements
- Streams
- 5ft-Contours



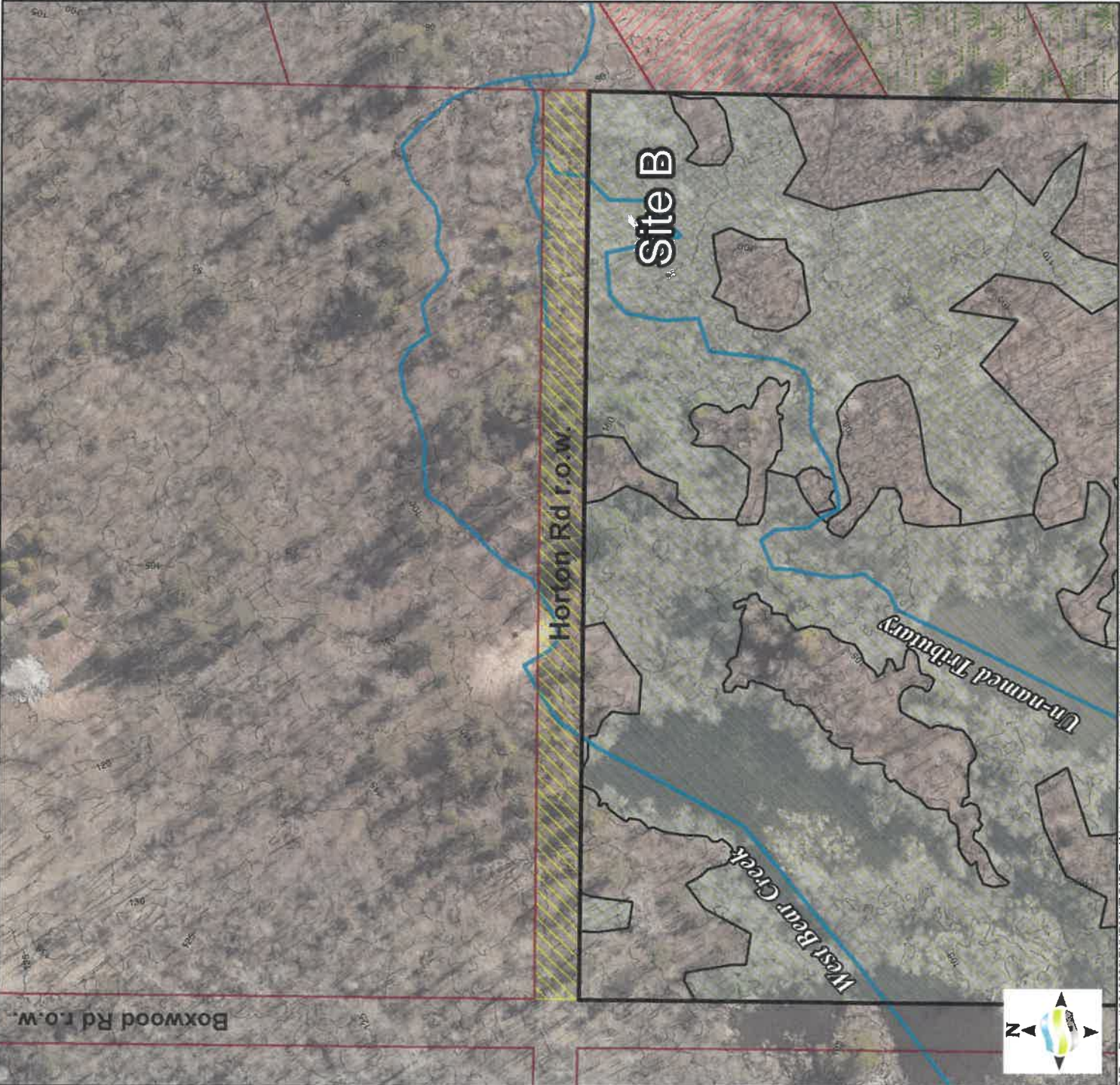
1:2,400  
 1 inch = 200 feet



909 Squaticum Wa Ste 111  
 Bellingham, WA 98225  
[info@elementsolutions.org](mailto:info@elementsolutions.org)  
 Phone: 360. 671. 9172

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**Figure 4**  
 Bear Creek Corridor Mitigation Bank  
 Site Expansion  
 Horton Road Vacation  
 Existing Conditions Map  
 Date: 4/20/2021





**Pacific Surveying & Engineering, Inc**  
land surveying • civil engineering • consulting • environmental  
909 Squaticum Way #111, Bellingham, WA 98225  
Phone 360.671.7387 Facsimile 360.671.4685 Email [info@psurvey.com](mailto:info@psurvey.com)

**EXHIBIT 'A'**

**HORTON ROAD VACATION**

ALL THAT PORTION OF HORTON ROAD AS DEDICATED ON BAKERVIEW ADDITION TO THE CITY OF BELLINGHAM, FILED FOR RECORD FEBRUARY 26, 1938, AND RECORDED IN VOLUME 7 OF PLATS, PAGES 40 THROUGH 45, RECORDS OF WHATCOM COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

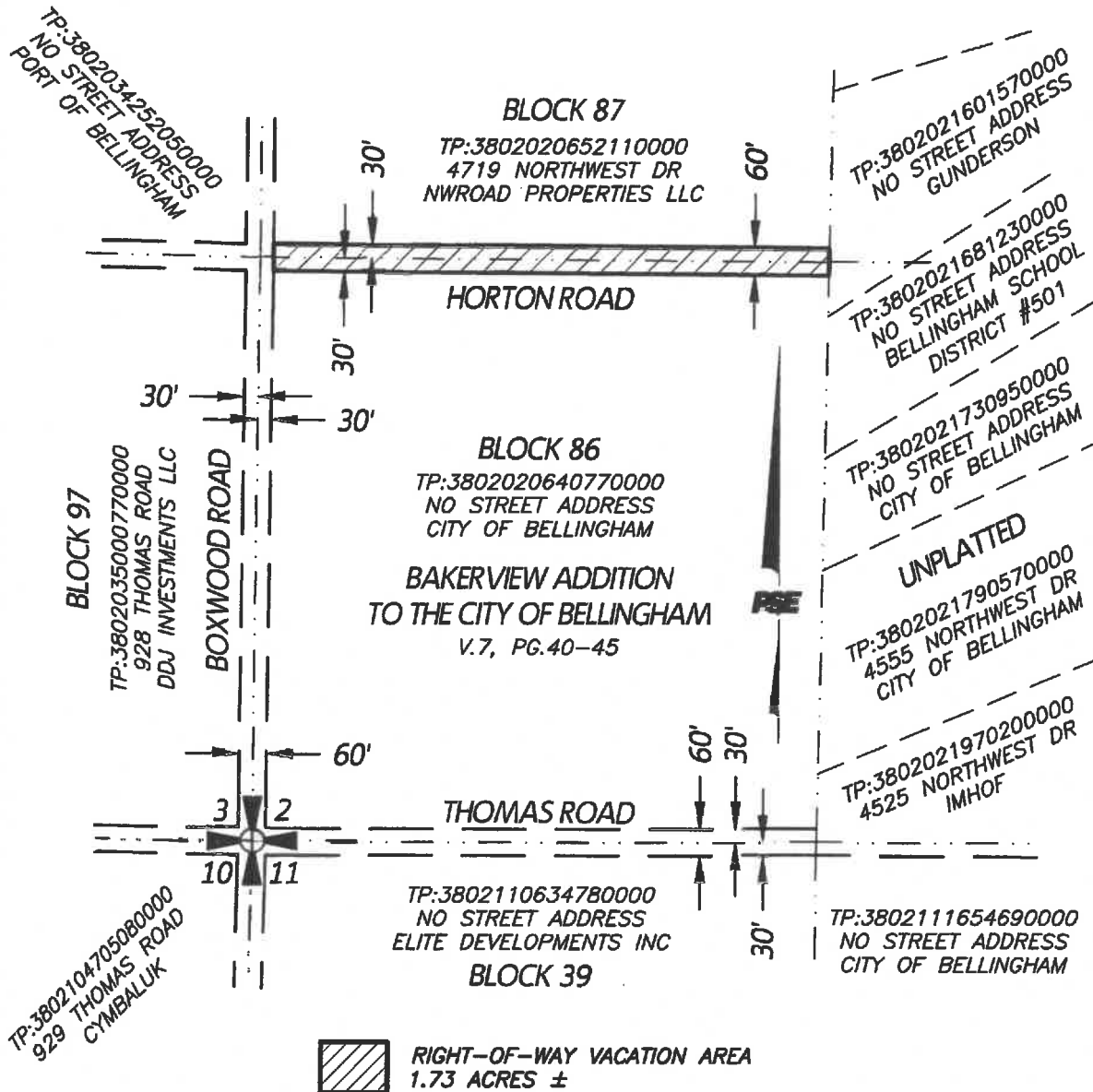
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SITUATE IN WHATCOM COUNTY, WASHINGTON.

CONTAINING 1.73 ACRES, MORE OR LESS.



# EXHIBIT 'B'



SITUATE IN A PORTION OF THE SW 1/4 OF THE SW 1/4 AND THE NW 1/4  
 OF THE SW 1/4 OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 2 EAST, W.M.,  
 CITY OF BELLINGHAM, WHATCOM COUNTY, WASHINGTON



**PACIFIC SURVEYING  
 & ENGINEERING, INC.**

909 Squicum Way, Suite 111 | BELLINGHAM, WA 98225  
 T: 360.671.7387 | F: 360.671.4685  
 WWW.PSESURVEY.COM | INFO@PSESURVEY.COM



**Legend**

- City Limits
  - Urban Growth Boundary
  - City Owned Property
- Proposed Vacation**
- County ROW
  - City ROW



# Proposed ROW Vacations & City-Owned Properties



HORTON RD 60'

BOXWOOD RD 60'

THOMAS RD 60'

STUART RD 60'