



**After recording return document to:**

WHATCOM COUNTY COUNCIL OFFICE

311 GRAND AVENUE, SUITE 105

BELLINGHAM, WA 98225-4038

**DOCUMENT TITLE:** *PRELIMINARY ORDER OF VACATION*

**REFERENCE NUMBER OF RELATED DOCUMENT:**

**GRANTOR(S):** *WHATCOM COUNTY*

**GRANTEE(S):** *KAREN ATKINSON*

**ABBREVIATED LEGAL DESCRIPTION:** *PTN OF CO RD #281, CAMP 2 RD ADJOINING LOT 36 & 37 BLK 1, PLAT OF CAIN LAKE*

**ADDITIONAL LEGAL DESCRIPTION ON PAGE(S) TWO OF DOCUMENT.**

**ASSESSOR'S TAX/PARCEL NUMBER(S):** *370432 275043 0000 & 370432 282046 0000*

## **PRELIMINARY ORDER OF VACATION**

IN THE MATTER OF THE PETITION for the vacation of a portion of Camp 2 Road within the Plat of Cain's Lake, filed by Karen Atkinson, et. al., the Whatcom County Council finds as follows:

THAT THE PETITION for vacation was filed on June 27, 2023 along with a deposit of \$790.00, and contained the following statement of facts by the petitioner pertinent to the desired vacation: The existing house that was originally built in 1976 on the property encroaches within the County Right-of-Way and the County has not used, or maintained the portion of County Right-of-Way petitioned to be vacated; and

THAT A PUBLIC HEARING on the Engineer's report in this matter took place before the Whatcom County Council on March 11, 2025, and having heard and construed all testimony and documentary evidence produced, the Council was satisfied that said road(s) or portion(s) thereof is useless as part of the County road system and that the public will be benefited by its vacation and abandonment.

IT IS THEREFORE ORDERED by the Whatcom County Council that said road(s) or portion(s) thereof shall be vacated subject to the following conditions:

PROVIDED that by six calendar months from the date of passage of the resolution to vacate the petitioner has paid in full all costs and expenses incurred in the proceedings, and payment of the fair market value of the property by the petitioner(s) involved (in this case the amount due is \$6,166.00);

BE IT FURTHER ORDERED that the road, or portion thereof, to be vacated is legally described as follows:

All that certain portion of County Road Number 281, Camp 2 Road, lying in front of and adjoining Lot 36 and 37 Block 1, "Plat of Cain's Lake" according to the plat thereof, recorded in Volume 7 of Plats Pages 61 and 62, records of Whatcom County, Washington. Excepting therefrom: The Southwesterly 5 feet of said Lot 37, Block 1 as measured by a line drawn 5 feet Northeasterly from and parallel to the Southwesterly line of said Lot 37, Block 1. Being more particularly described as follows:

Beginning at the Southeasterly corner of said Lot 36 Block 1; thence along the Southeasterly line of said Lot 36 and the Northwesterly right-of-way line of said County Road 281, Camp 2 Road. South 46°25'00" West for a distance of 20.64 feet; thence continuing along said right-of-way line South 28°22'00" West for a distance of 48.40 feet; to the Southwesterly corner of said Lot 36 and the Northeasterly corner of said Lot 37; thence continuing along said Northwesterly right-of-way line and Southeasterly line of said Lot 37 South 28°22'00" West for a distance of 7.07 feet; thence continuing along said Northwesterly right-of-way line South 06°50'00" West for a distance of 78.21 feet to a point of intersection with said right-of-way line and a line being 5 feet Northeasterly from and parallel to the Southwesterly line of said Lot 37; thence leaving said right of way line extending said parallel line South 31°54'00" East for a distance of 2.98 feet; thence North 18°54'04" East for a distance of 151.38 feet to the Point of Beginning. Situate in Whatcom County, Washington.

BE IT FINALLY ORDERED that the following conditions are placed upon the vacation of this road: The County reserves and retains an easement for construction, repair and maintenance of public utilities and services, authorized or physically located therein; further such vacation shall not prejudice private rights, private easements, prescriptive rights, rights of access, ingress, egress or passage; which may exist apart from any interest or rights of the public under the right-of-way that is herein vacated.

Approved by the Council on March 11, 2025 and dated March 24, 2025.

ATTEST:

  
Cathy Halka, Clerk of the Council

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON



Kaylee Galloway, Council Chair