

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

COUNTY COURTHOUSE

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



COUNCILMEMBERS

Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
Kathy Kershner

WHATCOM COUNTY COUNCIL

July 15, 2019

MEMORANDUM

TO: Jack Louws, County Executive

FROM: Dana Brown-Davis, Clerk of the Council

SUBJ: Petition to Vacate

The Whatcom County Council received the enclosed petition requesting the vacation of Safsten Road filed by BP West Coast Products LLC, et. al. Our file number for this matter is AB20019-379.

We will schedule a hearing on the Engineer's report for September 10, 2019. The attached hearing notice needs to be posted by Public Works Engineering Services on the site where the road is proposed to be vacated on or before August 19, 2019. Please have Public Works return the original affidavit of posting to the Council Office.

Also, please ask Planning & Development Services to review the enclosed petition and submit a recommendation to the Council Office by September 3, 2019.

If you, or your staff, have any objections to the vacation of this road, please let us know as soon as possible before the hearing date. Any written materials submitted to our office relating to this petition should reference file number AB2019-379 in order to ease processing.

Thank you for your assistance.

Enc.: Petition and map
Hearing notice
Affidavit of posting
Resolution

c: Jon Hutchings, Public Works Director
Joe Rutan, Assistant Director of Public Works/County Road Engineer
Andrew Hester, Real Estate, Public Works
Mark Personius, Planning & Development Services Director
John Gargett, Emergency Management Deputy Director
AB2019-379

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WHATCOM COUNTY COUNCIL

*These letters
w/ public notice
in map
sent to
all
addresses
Copy*

COUNCILMEMBERS
Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

July 15, 2019

Puget Sound Energy, Inc.
1329 State Street
Bellingham, WA 98227

Dear Puget Sound Energy, Inc.:

Enclosed is a notice of hearing on a petition for the vacation of Safsten Road filed by BP West Coast Products LLC, et. al. The public hearing on this request will be September 10, 2019. If the Council grants the request for vacation the County will be vacating its rights to open the road. However, all of the Council's orders granting road vacations contain the following language:

"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 any and all public utilities, now located on or in the vacated portion, or planned for the future. The vacation is subject to and/or together with all easements, covenants, restrictions, and/or agreements of record or otherwise."

If you have any objections to the vacation of this road, please let us know as soon as possible before the hearing date. We prefer to receive your response before 10 a.m. on September 3, 2019. Any written materials submitted to our office relating to this petition should reference file number AB2019-379 in order to ease processing.

Thank you for your assistance.

Sincerely,

Dana Brown-Davis, CMC
Clerk of the Council

Enc: Hearing notice
Copy of map filed with petition

C: AB2019-379

CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

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WHATCOM COUNTY COUNCIL

July 15, 2019

Comcast
400 Sequoia Drive
Bellingham, WA 98226

Enclosed is a notice of hearing on a petition for the vacation of Safsten Road filed by BP West Coast Products LLC, et. al. The public hearing on this request will be September 10, 2019. If the Council grants the request for vacation, the County will be vacating its rights to open the road. However, all of the Council's orders granting road vacations contain the following language:

"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 any and all public utilities, now located on or in the vacated portion, or planned for the future. The vacation is subject to and/or together with all easements, covenants, restrictions, and/or agreements of record or otherwise."

If you have any objections to the vacation of this road, please let us know as soon as possible before the hearing date. We prefer to receive your response before 10 a.m. on September 3, 2019. Any written materials submitted to our office relating to this petition should reference file number AB2019-379 in order to ease processing.

Thank you for your assistance.

Sincerely,

Dana Brown-Davis, CMC
Clerk of the Council

Enc: Hearing notice
Copy of map filed with petition

C: AB2019-379

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WHATCOM COUNTY COUNCIL

July 15, 2019

Cascade Natural Gas Corp.
1600 Iowa Street
Bellingham, WA 98225

Enclosed is a notice of hearing on a petition for the vacation of Safsten Road filed by BP West Coast Products LLC, et. al. The public hearing on this request will be September 10, 2019. If the Council grants the request for vacation, the County will be vacating its rights to open the road. However, all of the Council's orders granting road vacations contain the following language:

"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 any and all public utilities, now located on or in the vacated portion, or planned for the future. The vacation is subject to and/or together with all easements, covenants, restrictions, and/or agreements of record or otherwise."

If you have any objections to the vacation of this road, please let us know as soon as possible before the hearing date. We prefer to receive your response before 10 a.m. on September 3, 2019. Any written materials submitted to our office relating to this petition should reference file number AB2019-379 in order to ease processing.

Thank you for your assistance.

Sincerely,

Dana Brown-Davis, CMC
Clerk of the Council

Enc: Hearing notice
Copy of map filed with petition

C: AB2019-379

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WHATCOM COUNTY COUNCIL

July 15, 2019

MEMORANDUM

TO: Debbie Adelstein, County Auditor

FROM: Dana Brown-Davis, Clerk of the Council

SUBJ: Petition to Vacate

The Whatcom County Council received the enclosed petition requesting the vacation of Safsten Road filed by BP West Coast Products LLC, et. al.

We plan to schedule a hearing on this request for September 10, 2019, and need to send a notice of this hearing to the appropriate water and fire districts. Would you please have your staff look at the legal description in the attached hearing notice and let me know which water and fire districts' boundaries encompass the area proposed for vacation? The mailing addresses of the district offices would be appreciated, as well.

Thank you for your assistance.

Enc: Hearing notice
Copy of map filed with petition

C: AB2019-379

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

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WHATCOM COUNTY COUNCIL

July 15, 2019

MEMORANDUM

TO: Bill Elfo, County Sheriff

FROM: Dana Brown-Davis, Clerk of the Council

SUBJ: Road Vacation Petition

Enclosed is a notice of hearing on a petition for the vacation of Safsten Road filed by BP West Coast Products LLC, et. al. The public hearing on this request will be held on September 10, 2019

If you have any objections to the vacation of this road, please let us know as soon as possible before the hearing date. We prefer to receive your response before 10 a.m. on September 3, 2019. Any written materials submitted to our office relating to this petition should reference file number AB2019-379 in order to ease processing.

Thank you for your cooperation.

Enc: Hearing notice
Copy of map filed with petition

C: AB2019-379

CLERK OF THE COUNCIL
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WHATCOM COUNTY COUNCIL

July 15, 2019

BP West Coast Products, LLC et. al.
Attn: Pam Brady
4519 Grandview Road
Blaine, WA 98230

Dear Petitioners:

On July 2, 2019, our office received your petition to vacate Safsten Road and we have started the process of reviewing the request.

The notice of the public hearing, which has been scheduled for September 10, 2019, is enclosed for your information. The notice has been sent to the Bellingham Herald for publication on August 18 and August 25, 2019, as required by state law (RCW 36.87.050). This will allow sufficient time for several agencies and departments to receive notice of the hearing and comment on your request. You will receive by email from the Bellingham Herald legal department, an invoice for payment of the publications of the notice. The hearing will not be held if payment is not made to the Bellingham Herald.

It would be a good idea for you or a representative to be present at the hearing to be available if there are any questions. Please call our office after September 3, 2019, to confirm the meeting date and time.

Sincerely,

Dana Brown-Davis, CMC
Clerk of the Council

Enc: Hearing notice

C: AB2019-379

PUBLIC HEARING NOTICES

The Whatcom County Council will have public hearings, consider adopting, and may amend the following at its September 10, 2019, meeting, or at a later date:

RESOLUTION VACATING SAFSTEN ROAD, FILED BY BP WEST COAST PRODUCTS LLC ET.AL. (AB2019-379): Petitioners seek to vacate the county's legal rights to open the road or portion of the road described as follows: A strip of land 33 feet in width on and along the west line of the E ½ SW ¼ Section 6, Township 39 North, Range 1 East, W.M. Situate in Whatcom County, Washington.

Any taxpayer may speak for or against the proposal at the hearing, which will be held during the regular Council meeting which begins at 7 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington. Official documents relating to this request are available for review during regular office hours in the Council Office, 311 Grand Avenue, and the Public Works Office, 322 N. Commercial Street, Suite 210, Bellingham.

Council introduced the above at its July 9, 2019, meeting. People with special needs who will be attending this meeting are asked to please contact our office (360-778-5010) at least 96 hours in advance so we can make any needed accommodations. If interpretive services or transportation is needed, please call more than two days ahead of time.

Dated July 15

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON
Rud Browne Dana Brown-Davis
Council Chair Clerk of the Council

Publish August 18 and 25

CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

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WHATCOM COUNTY COUNCIL

July 15, 2019

Fire Protection District 7
Attn: Board Secretary Patty Markel
PO Box 1599
Ferndale, WA 98248

Dear Patty Markel:

Enclosed is a notice of hearing on a petition for the vacation of Safsten Road, filed by filed by BP West Coast Products LLC, et. al. The County Council is scheduled to hold a public hearing on this request at its 7 p.m. meeting on September 10, 2019. If the Council grants the request for vacation, the County will be vacating its rights to open the road. However, all of the Council's orders granting road vacations contain the following language:

"PROVIDED that 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."

If you have any objections to the vacation of this road, please let us know as soon as possible before the hearing date. We prefer to receive your response before 10 a.m. on September 3. Any written materials submitted to our office relating to this petition should reference file number AB2019-379 to assist in processing.

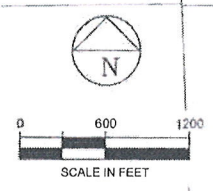
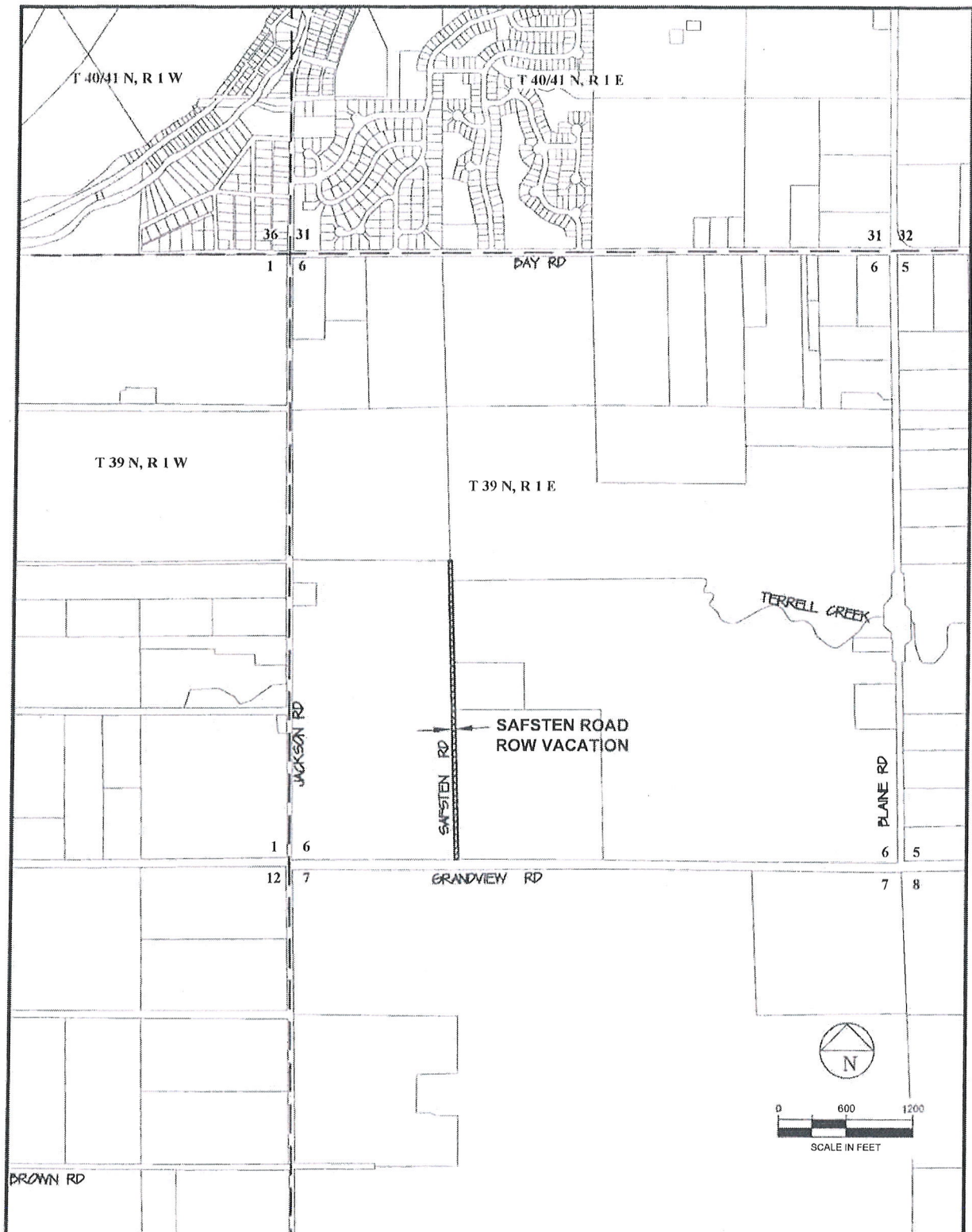
Sincerely,

A handwritten signature in black ink, appearing to read "Dana Brown-Davis", is written over a circular stamp or seal.

Dana Brown-Davis, CMC
Clerk of the Council

Enc: Hearing notice
Copy of map filed with petition

C: AB2019-379



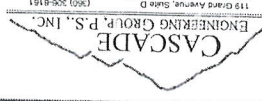
CASCADE
 ENGINEERING GROUP, P.S., INC.
 119 Grand Avenue, Suite D (360) 306-8161
 Bellingham, Washington 98225

TOWNSHIP 39N RANGE 1E
 WHATCOM COUNTY, WA

EXHIBIT B
VICINITY MAP
 SAFSTEN ROAD
 RIGHT OF WAY VACATION
 03/28/2018

**RIGHT OF WAY VACATION
SAFSTEN RD
BP WEST COAST PRODUCTS**

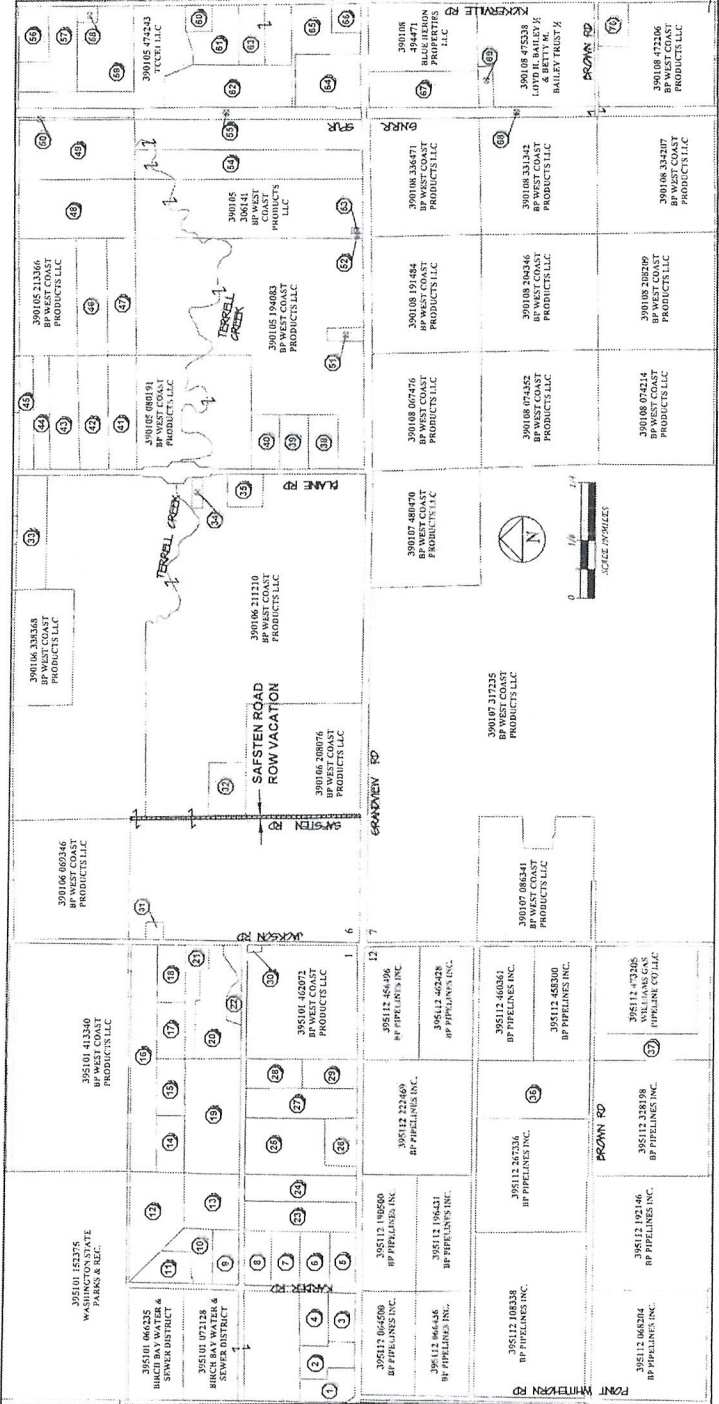
WHATCOM COUNTY, WA



REVISIONS DATE
 DATE: 01/29/2018
 DRAWN: A/J
 CHECKED: A/J
 SCALE: AS SHOWN
 PROJECT NUMBER:

SHEET NO.
EXHIBIT A

- 1 395101 013034 DON & CYNTHIA F SMITH
- 2 395101 216238 BP WEST COAST PRODUCTS LLC
- 3 395101 045835 CRAIG A BROYLES
- 4 395101 097019 LARRY & DARLENE A BRINK
- 5 395101 094069 DORG & TULLA C WHEE
- 6 395101 043716 BRANSON W & MIRANDA A DAVIS
- 7 395101 163860 MICHAEL BATTEN
- 8 395101 163884 COLTON M FISHER & KATHALIN GUNBERSON
- 9 395101 163174 RICHARD L & LINDA M YANG OLSON
- 10 395101 166100 LINDA M STEVENS
- 11 MICHAEL & RENEE FISHER
- 12 395101 042325 WASHINGTON STATE PARKS & REC.
- 13 395101 413340 WASHINGTON STATE PARKS & REC.
- 14 395101 150318 DON & CYNTHIA F SMITH
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- 100 395101 163174 RICHARD L & LINDA M YANG OLSON



PROPOSED SAFSTEN ROAD, RIGHT OF WAY VACATION:
 A STRIP OF LAND 33 FEET IN WIDTH ON AND ALONG THE WEST LINE OF THE E 1/4, SW 1/4, SECTION 6, TOWNSHIP 39 NORTH, RANGE 1 EAST, W.M. SITUATE IN WHATCOM COUNTY, WASHINGTON.

