

BEFORE THE WHATCOM COUNTY COUNCIL

IN THE MATTER OF VACATION OF
THE COUNTY ROAD KNOWN AS

HORTON RD

Petitioned for by:

CHAD TERWISSCHA }
et.al. KEN JORGENSEN

PETITION FOR VACATION
OF PLATTED ROAD

(RCW 58.17 AND 36.87)

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.
2. The road sought to be vacated is legally described as follows:
PORTION OF HORTON RD. ADJACENT TO
LOT 5 BLK 73 }
LOT 12 BLK 72
3. The pertinent facts in support of this petition are:
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.
5. Petitioners will pay all costs and expenses incurred by the Count in examination, report, notice and proceedings pertaining to this petition.
6. A bond in the penal sum of \$790.00, payable to Whatcom County Treasurer, accompanies this petition.
7. The application fee accompanies this petition.

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:

CHAD TERWISSCHA

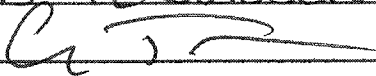
Signed this 26th day of April, 2019.

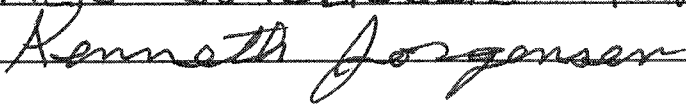
360 303 7000

chad542@gmail.com

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):

CHAD TERWISSCHA 4610 ALDRICH RD
 3802010351500000

KEN JORGENSEN 4592 ALDRICH RD
 3802010301190000

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.

HORTON RD VACATION

Darin Peterson 2-22-19
Dai ~~Peter~~ 3802010322540000
4686 Aldrich Rd.
Bellingham, VA 98226

Brandon Osgoodby 2/23/19 ~~Brett Wiltse~~
~~3802024481710000~~ Brett Wiltse
568 Wiltse Ln 4581 Aldrich Rd
Bham WA 98226
3802024971130000

Frank R Wiltse

FRANK R WILTSE 3-23-19
505 WILTSE LANE 3802024951280000
BELLINGHAM WASH

DUSTIN MASTERS 3/23/19 3802024921450000
~~Dustin Masters~~
Rebecca Masters 3/23/19
R Masters
4607 Aldrich RD 98226

Horton Rd. vacation South of 4610 Aldrich Rd. and North of 4592 Aldrich Rd.

Chad TerWisscha and Keneth Jorgensen would like to vacate this ROW because it has no value to Whatcom County for numerous reasons.

-The topography of the terrain makes it a non-cost effective option for any type of roadway or access to be built due to the enormous gully/creek and embankment height. This would also create a huge environmental impact and disturbance.

-The City of Bellingham has a confirmed location for Horton Road to be laid from Cordata to Aldrich and is approximately 1500 feet south of said ROW.

-There is no road access from the East side of this property and does not lock any property owners from access to their land. It is adjacent to City of Bellingham property.

-The size of this property (approx.. 60' x 660') gives no option for building or any other use.

-Appears to be wetlands and must be preserved.

TOWNSHIP

38

RANGE

2E

SECTION

01

MAP NO.

04

SCALE

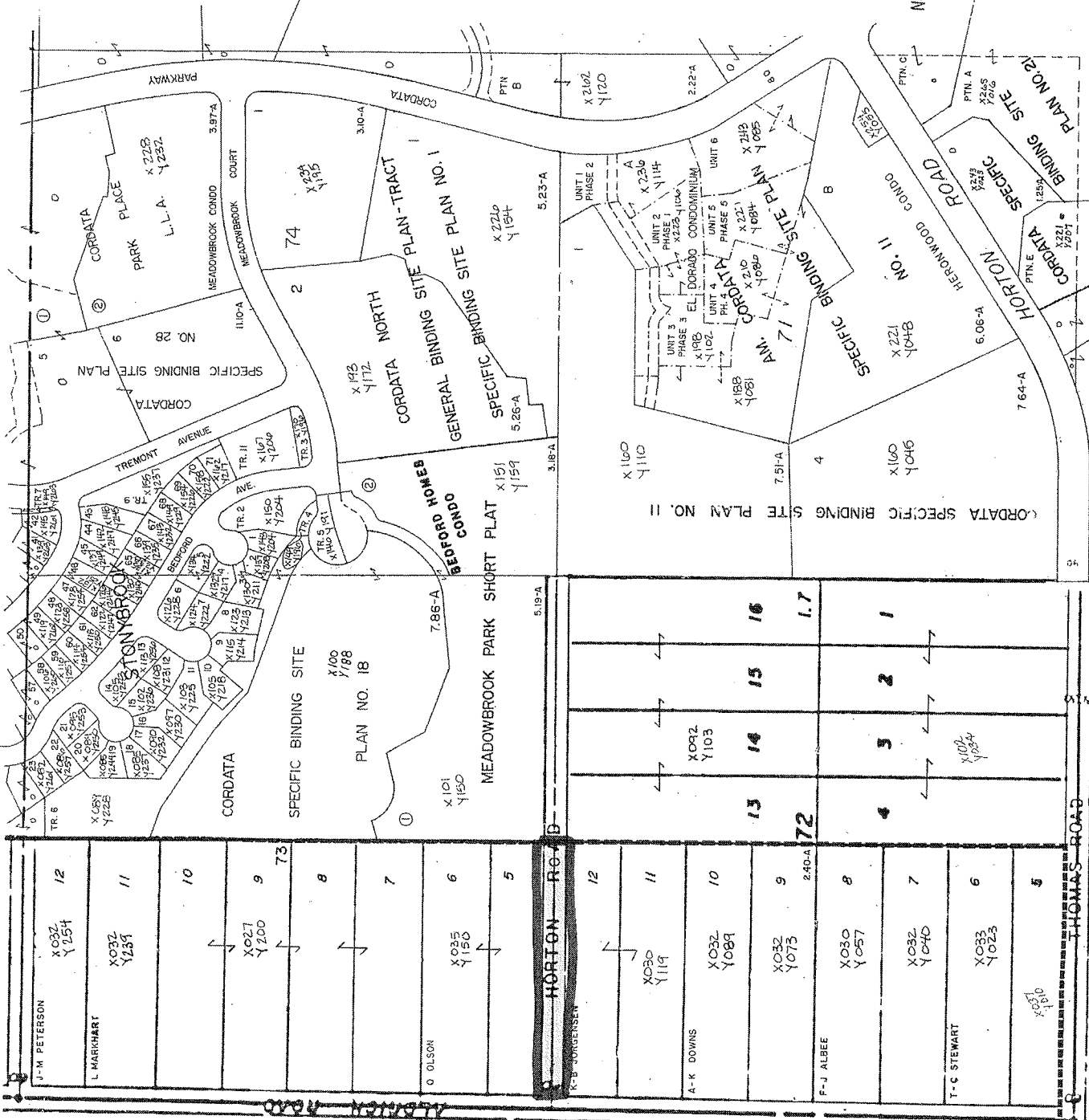
1"=200'

DATE

02/10/99

NOV 08 2011

THIS MAP IS FOR ASSISTANCE IN PROPERTY LOCATION AND NOT FOR ACCURATE MEASUREMENTS



12	X032 Y154	J-M PETERSON
11	X032 Y139	L. MARKHART
10		
9	X027 Y100	
8		
7		
6	X035 Y150	O. OLSON
5		
HORTON ROAD		
12		
11	X030 Y119	K-B. JORGENSEN
10	X032 Y089	A-K DOWNES
9	X032 Y073	
8	X030 Y057	F-J ALBEE
7	X032 Y040	
6	X033 Y023	T-C STEWART
5	X030 Y016	
THOMAS ROAD		



REPORT OF THE COUNTY ENGINEER

(Whatcom County Code 12.20.050)

IN THE MATTER OF THE VACATION OF A COUNTY ROAD

COUNTY ENGINEER'S
REPORT

Portion of Horton Road within plat of "Bakerview Addition
to the City of Bellingham"

PETITIONED BY Chad TerWisscha and Ken Jorgensen

I, the undersigned County Engineer of Whatcom County, State of Washington, being duly directed by the Whatcom County Council to examine and report on County Road

Portion of Horton Road within plat of "Bakerview Addition to the City of Bellingham", proposed for vacation by the petition of: Chad TerWisscha and Ken Jorgensen

did examine said road and report as follows:

IN FAVOR X

NOT IN FAVOR

Said road should be vacated.

Said road should not be vacated.

Fair Market Value (12.20.060 E)

0.91ac+- (39,600sf+-) acres @ \$15,840

Said road is now in use as a County road. 1.

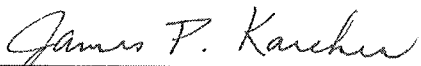
It will be advisable to preserve this road.

The public will not be benefited by this vacation.

2. Classification (12.20.060 F)

Class A		Public expenditures made
Class B	X	No public expenditures made or non-ascertainable from records
Class 1		No part thereof lies in any plat
Class 2	X	Part or all lies within a platted subdivision
Class 3		Did not remain unopened for public use for five or more years after the order made or authority granted for opening it.
Class 4		Remained unopened for public use for five or more years after the order made or authority granted for opening it.
Class 5		Is contained within that portion of a plat which is to be replatted
Class 6		Abandoned in fact due to relocation of right-of-way
Class 7		Informalities exist in the records of title which are construed to invalidate and divest the public of any right, title, or interest in the right-of-way.

The public will be benefited by this vacation. yes X no


James P. Karcher, P.E.
Whatcom County Engineer

7-21-2020
Date



COMPARATIVE MARKET ANALYSIS – CHETS ROAD VACATION PETITION

PETITIONER: Chad Terwisscha and Ken Jorgensen
PROPERTY LOCATION: Horton Road Right of Way adjacent to 4592 Aldrich Road and 4610 Aldrich Road
OWNER NAME: Whatcom County
CURRENT USE: Vacant (unopened right-of-way)
AREA ZONING: Rural 1 Unit/5 Acres

BACKGROUND:

Pursuant to Whatcom County Ordinance No. 1-72, dated February 14, 1972, Chad Terwisscha and Ken Jorgensen are petitioning the County to vacate an area of approximately 39,600 square feet, more or less, consisting of the unopened right-of-way of Horton Road.

SALES RELIED ON:

Five comparable land sales were used to prepare this market evaluation of the subject property and they sold between April 2018 to July 2018. Sale prices ranged from \$0.26 to \$0.50 per square foot.

Five property sales were used to compute Fair Market Valuation (FMV), and they sold between November 22, 2019 and April 9, 2019. Sale prices ranged from a high of \$0.85 per square foot to a low of \$0.74 per square foot.

Comparable #1 is located at 859 E 51st Street, approximately 3 ½ miles northeast of the subject property. It is approximately 4.61 acres and is vacant land. It sold on November 22, 2019 for \$169,999 or \$0.85 per square foot. The property is zoned "R5A".

Comparable #2 is located at 5351 Dinkel Road, approximately 6 miles northeast of the subject property. It is approximately 5.21 acres and is vacant land. It sold on November 20, 2019 for \$169,900 or \$0.75 per square foot. The property is zoned "R5A".

Comparable #3 is located at 1420 Marietta Avenue, approximately 1 ½ miles southwest of the subject property. It is approximately 4.78 acres and is vacant land. It sold on June 26, 2019 for \$175,000 or \$0.84 per square foot. The property is zoned "R5A".

Comparable #4 is located at 4950 Yellow Brick Road, approximately 3 miles east of the subject property. It is approximately 4.94 acres and is vacant land. It sold on May 7, 2019 for \$160,000 or \$0.74 per square foot. The property is zoned "R5A".



Comparable #5 is located at 1413 Wynn Ridge Lane, approximately 1 mile southwest of the subject property. It is approximately 5.01 acres and is vacant land. It sold on April 9, 2019 for \$175,000 or \$0.80 per square foot. The property is zoned "R5A".

Averaging those five sales together arrives at \$0.80 per square foot. However, due to the topography and condition of the property and the likely presence of wetlands an adjustment is necessary to establish an estimated Fair Market Value (FMV). It is estimated that the subject property should be valued at 50% of \$0.80 per square foot value, arriving at an estimated FMV of \$0.40.

RECOMMENDED COMPENSATION TO COUNTY for 39,600 net square feet X \$0.40 PSF =
\$15,840.00

Prepared By:

A handwritten signature in cursive script, appearing to read "Andrew Hester", is written over a horizontal line.

Andrew Hester, Real Estate Coordinator
Whatcom County Public Works

Date:

6-30-20

This market analysis does not constitute an appraisal as defined by USPAP.



NOTICE OF POTENTIAL IMPACT

10/15/2020

ATTN: Cathy B. Halka
WHATCOM COUNTY COUNCIL
311 Grand Avenue, Suite #105
Bellingham, WA 98225-4038

REF FILE NO: AB2020-308

Vacation Area: Ptn Horton Rd

Petitioner: TerWisscha & Jorgensen (380201-035150-0000 & 380201-030119-0000)

Dear Cathy,

Pursuant to your notice issued September 24, 2020, I have conducted a preliminary review of PSE's existing electrical facilities within the proposed vacation area. Based on our maps and records, it is possible that there is overhead and/or underground power within the proposed vacation area. SEE MAP.

More information will be necessary in order to confirm the extent of PSE's facilities within the proposed vacation area. To expedite PSE's review, would it be possible for you to obtain from the Petitioner a copy of a surveyed site plan of the vacation area showing the location of utilities?

I appreciate your assistance in this matter.

Sincerely,

Darby Broyles

Darby Broyles
Supervisor Real Estate
360-766-5489 (direct)
Darby.broyles@pse.com

TOWNSHIP

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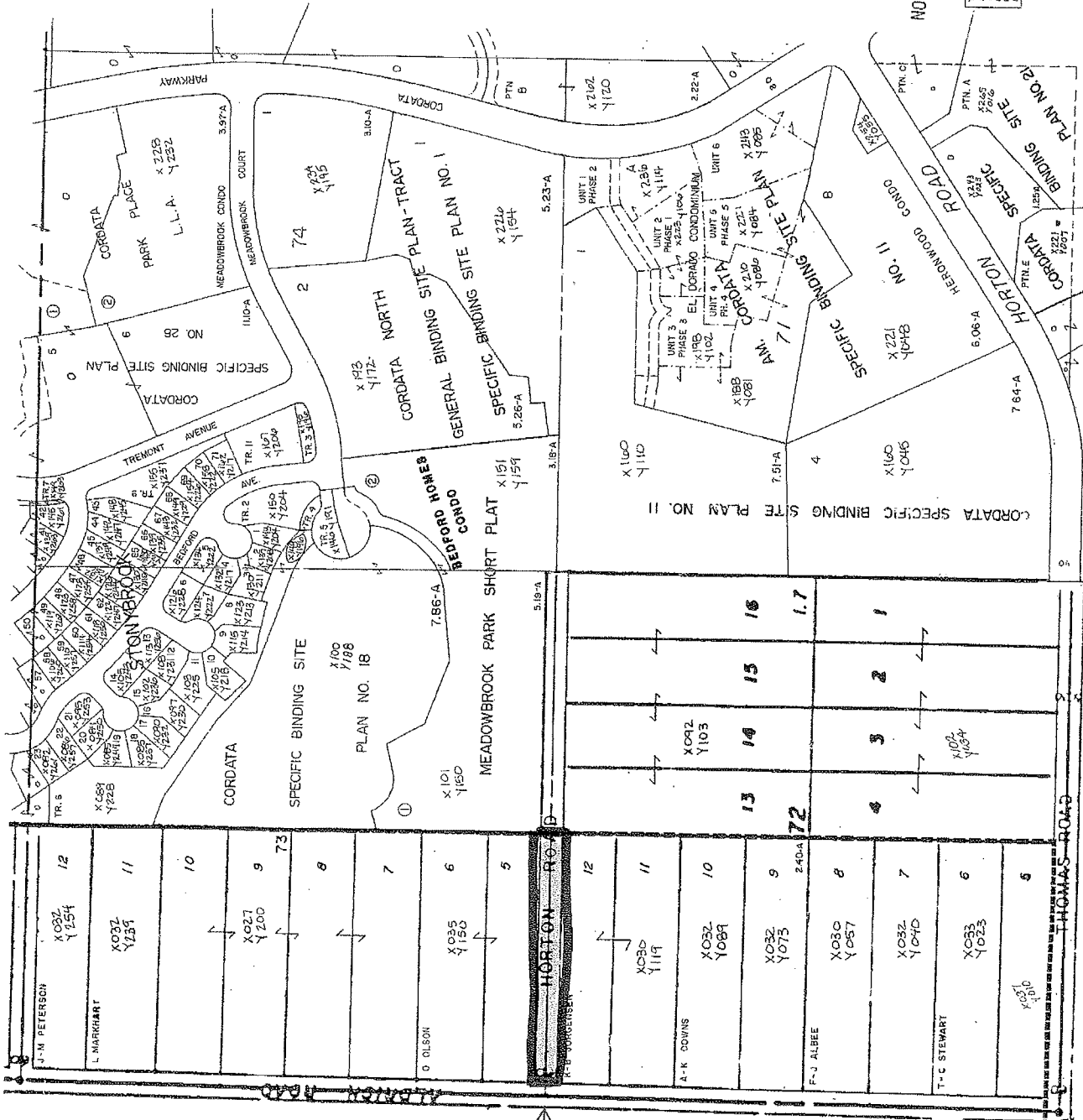
1"=200'

DATE

02/10/89

NOV 08 2011

THIS MAP IS FOR ASSISTANCE ONLY. PROPERTY LINES AND MEASUREMENTS NOT GUARANTEED.



power

12	X032 Y154	12				
11	X032 Y154	11				
10		10				
9	X027 Y100	9				
8		8				
7		7				
6	X035 Y150	6				
5		5				
4		4				
3		3				
2		2				
1		1				
12	X030 Y111	12				
11		11				
10	X032 Y089	10				
9	X032 Y075	9				
8	X030 Y087	8				
7	X032 Y040	7				
6	X033 Y033	6				
5		5				



AFFIDAVIT OF POSTING

IN THE MATTER OF VACATING A WHATCOM COUNTY ROAD KNOWN AS A PORTION OF HORTON ROAD, filed in the Whatcom County Council Office under AB2020-308:

I, J. Spencer Robbins, on the 2nd day of October, 2020 posted two notices of hearing concerning the proposal to vacate a road as described above.

The notices were posted at the following locations:

1. At approximately the NE corner of the intersection of Aldrich Rd. and Horton Rd. R.O.W.
2. At approximately the SE corner of the intersection of Aldrich Rd. and Horton Rd. R.O.W.

Signature: _____

***Please return original to the Council Office when completed.**