

BEFORE THE WHATCOM COUNTY COUNCIL

IN THE MATTER OF VACATION OF
THE COUNTY ROAD KNOWN AS

BOXWOOD ROAD

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

Petitioned for by:

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

CITY OF BELLINGHAM / DANA and DIANA JOHNSON

et.al.

JON AND AUBREY KORNELIS, TRACY DRURY, FRANK AND PATRICIA IMHOF, PORT OF BELLINGHAM, and NWROAD
PROPERTIES, LLC

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 east and Dana and Diana Johnson own the property to the west.

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

ALL THAT PORTION OF BOXWOOD 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 THORUGH 45, RECORDS OF WHATCOM COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: ALL THAT PORTION OF SAID BOXWOOD ROAD LYING BETWEEN THE SOUTH RIGHT OF WAY MARGIN OF HORTON ROAD, AS DEDICATED ON SAID BAKERVIEW ADDITION PLAT AND THE NORTH RIGHT OF WAY MARGIN OF THOMAS ROAD, AS DEDICATED ON 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 Boxwood Road have been unused ROW since they were recorded. Boxwood traverses an extensive wetland area and crosses a section of West Bear Creek. The surrounding land has good access to other developed roads and future construction of the ROW 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 ROW 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 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:

Analiene Burns

(COB Natural Resources - Habitat and Restoration Manager)

Signed this 5th day of MAY, 2021.

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.

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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:

Dana Johnson Managing Member 2-1-2021

Diana Johnson Managing Member 2-1-2021

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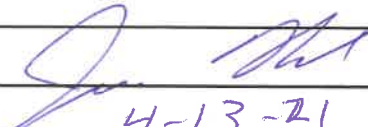
JON and AUBREY KORNELIS


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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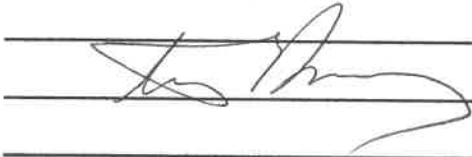
TRACY DRURY:

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):

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:

Frank Imhof Patricia Imhof

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(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:


Executive Director, Rob Fix

Date: 3/3/21

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NWROAD PROPERTIES, LLC:

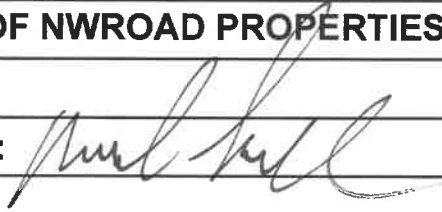
Assessor's Parcel Number: 380202 065211

Legal: Bakerview Addition to Bellingham Block 87

Address: 4719 Northwest Drive, Bellingham, WA 98226

SIGNATURES OF NWROAD PROPERTIES, LLC:

Mark Salisbury:



2/10/21

Kathy Salisbury:



2/10/21

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Proposed Boxwood Rd ROW Vacation

JON &
AUBREY
KORNELIS

TRACY A DRURY

NORTHWEST DR

FRANK P
& PATRICIA
N IMHOF

NWROAD
PROPERTIES
LLC

CITY OF
BELLINGHAM

BOXWOOD RD ROW

DDJ
INVESTMENTS
LLC

PORT OF
BELLINGHAM

PORT OF
BELLINGHAM

THOMAS RD

PACIFIC HWY



BOXWOOD RD 60' Width

Co-Petitioner

Supporting Property

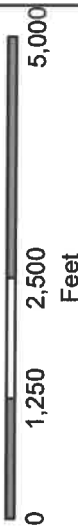




Data Credits:

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

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



1:24,000

1 inch = 2,000 feet

909 Squalicum Wa Ste 111
 Bellingham, WA 98225
 info@elementalsolutions.org
 Phone: 360. 671. 9172



ELEMENT
 SOLUTIONS

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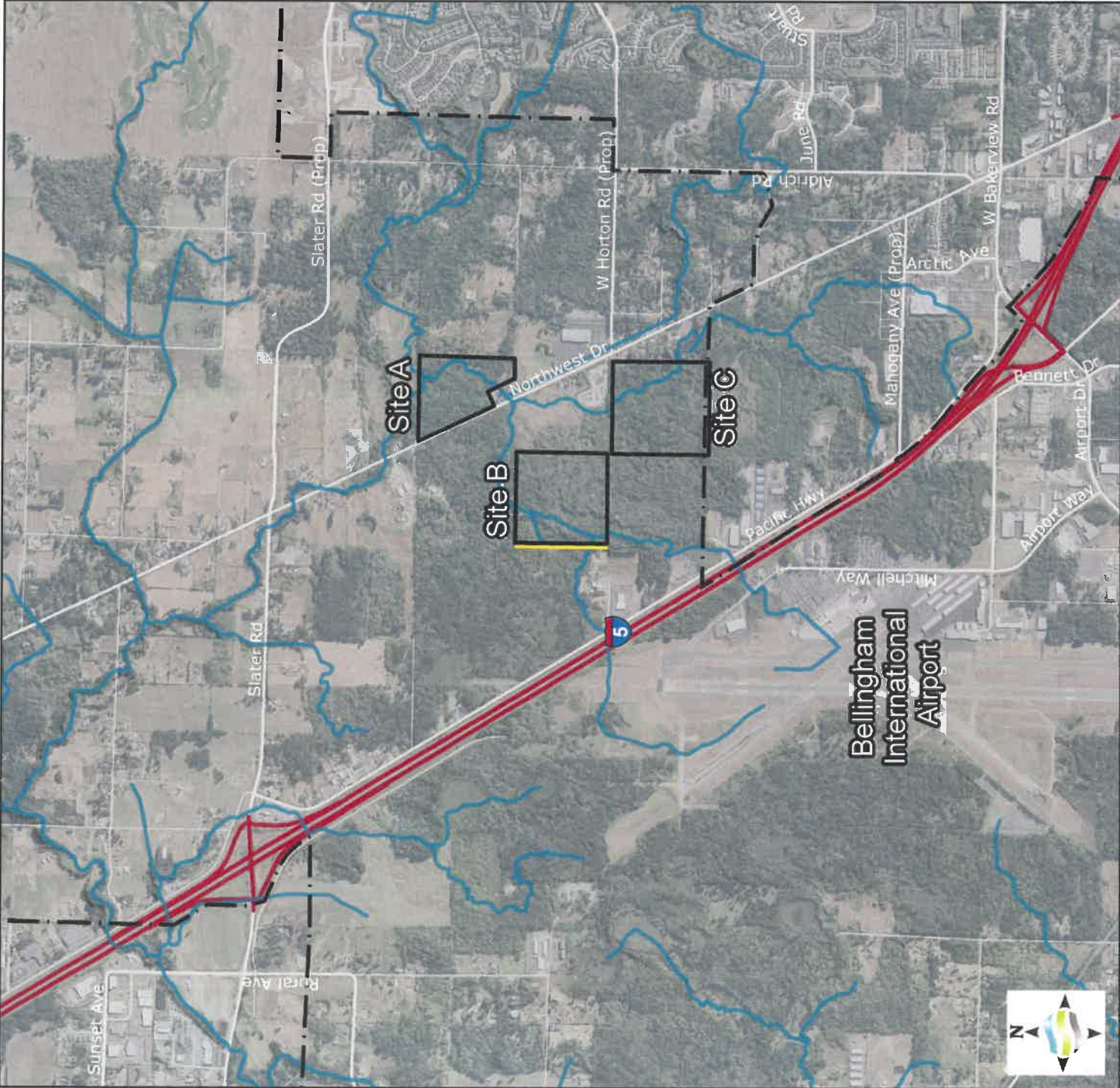






Figure 1
 Bear Creek Corridor Mitigation Bank
 Site Expansion
 Boxwood Rd Vacation
 Site Vicinity Map



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

-  Boxwood Rd Vacation Area
-  Bear Creek Mitigation Bank Boundary
-  Parcels
-  Wetlands
-  Streams
-  5ft-Contours



1:2,400
 1 inch = 200 feet



ELEMENT SOLUTIONS
 909 Squalicum Wa Ste 111
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 info@elementsolutions.org
 Phone: 360. 671. 9172

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Figure 2
 Bear Creek Corridor Mitigation Bank
 Site Expansion
 Boxwood Road Vacation
 Existing Conditions Map
 Date: 4/20/2021





Pacific Surveying & Engineering, Inc

land surveying • civil engineering • consulting • environmental
909 Squalicum Way #111, Bellingham, WA 98225
Phone 360.671.7387 Facsimile 360.671.4685 Email info@psurvey.com

EXHIBIT 'A'

BOXWOOD ROAD VACATION

ALL THAT PORTION OF BOXWOOD 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:

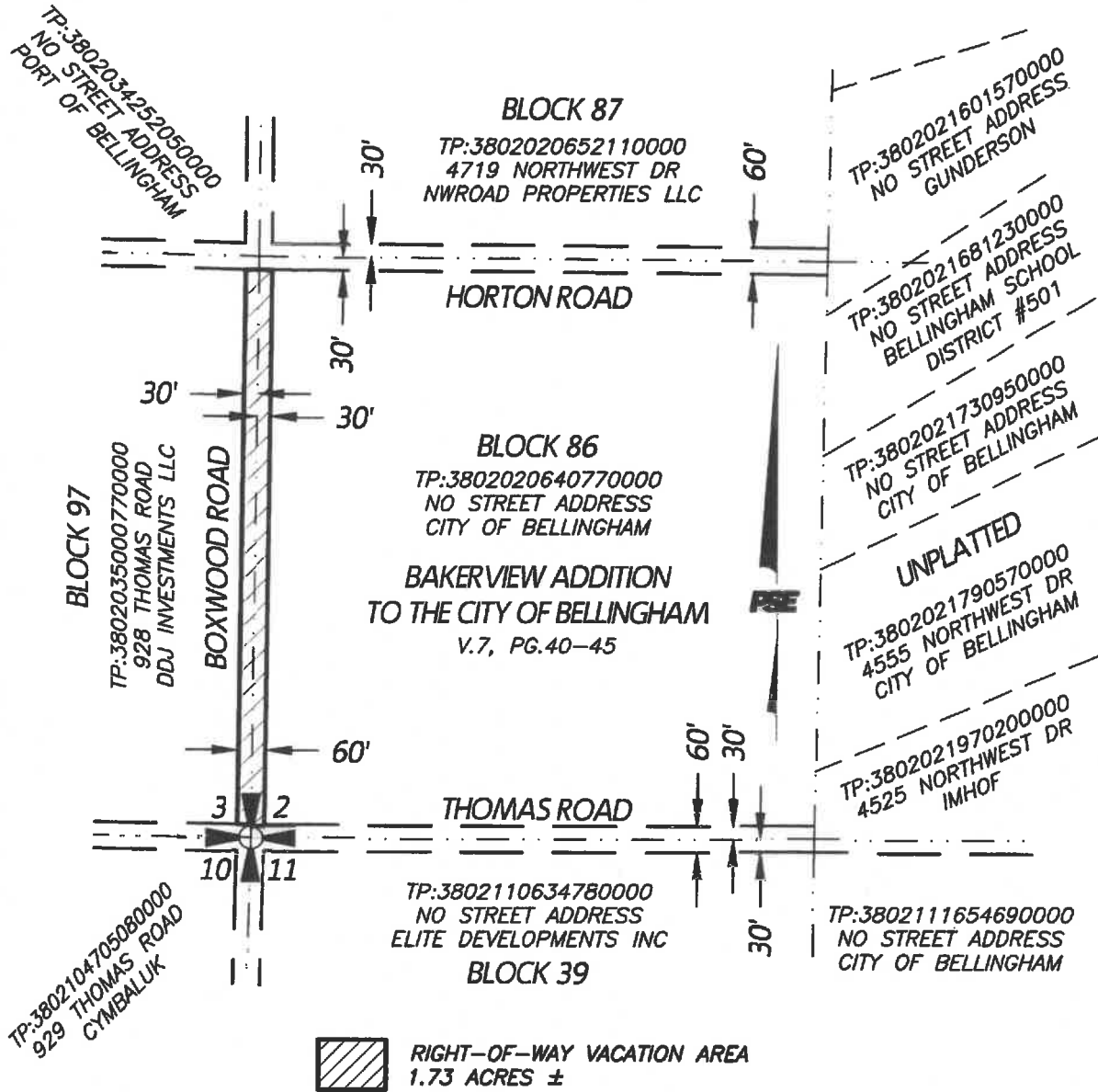
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SITUATE IN WHATCOM COUNTY, WASHINGTON.

CONTAINING 1.73 ACRES, MORE OR LESS.



EXHIBIT 'B'



SITUATE IN A PORTION OF THE SW 1/4 OF THE SW 1/4 OF SECTION 2 AND
 A PORTION THE SE 1/4 OF THE SE 1/4 OF SECTION 3, TOWNSHIP 38 NORTH,
 RANGE 2 EAST, W.M., WHATCOM COUNTY, WASHINGTON



**PACIFIC SURVEYING
 & ENGINEERING, INC.**

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 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'