



# Whatcom County

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

## Agenda Bill Master Report

File Number: AB2025-140

---

<b>File ID:</b>	AB2025-140	<b>Version:</b>	1	<b>Status:</b>	Approved
<b>File Created:</b>	01/28/2025	<b>Entered by:</b>	AHester@co.whatcom.wa.us		
<b>Department:</b>	Public Works Department	<b>File Type:</b>	Resolution Requiring a Public Hearing		
<b>Assigned to:</b>	Council	<b>Final Action:</b>	03/11/2025		
<b>Agenda Date:</b>	03/11/2025	<b>Enactment #:</b>	RES 2025-009		
<b>Related Files:</b>					

---

Primary Contact Email: sdraper@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Resolution vacating a portion of Camp 2 Road

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The attached resolution vacating a portion of Camp 2 Road is submitted per RCW 36.87 and WCC 12-20. The County Engineer's report has been prepared and is being submitted in favor of this road vacation. A public hearing will need to be scheduled

---

### HISTORY OF LEGISLATIVE FILE

---

Date:	Acting Body:	Action:	Sent To:
02/11/2025	Council	INTRODUCED FOR PUBLIC HEARING	Council
		Aye: 7 Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler	
		Nay: 0	
03/11/2025	Council	APPROVED	
		Aye: 7 Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler	
		Nay: 0	

---

**Attachments:** Staff Memo, Proposed Resolution, Engineers Report, Map, Market Analysis, Road Vacation Petition, Notice of Hearing



**After recording return document to:**

WHATCOM COUNTY COUNCIL OFFICE

311 GRAND AVENUE, SUITE 105

BELLINGHAM, WA 98225-4038

**DOCUMENT TITLE:** FINAL ORDER OF VACATION

**REFERENCE NUMBER OF RELATED DOCUMENT:**

Preliminary Order of Vacation – AR#2025-0301636; AB2025-140; RES 2025-009

**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 TWO OF DOCUMENT.**

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

IN THE MATTER OF THE VACATION OF A PORTION OF CAMP 2 ROAD WITHIN THE PLAT OF CAIN'S LAKE filed by KAREN ATKINSON, et. al.:

**FINAL ORDER OF VACATION**

WHEREAS, the Whatcom County Council did, on March 11, 2025, order the vacation of a portion of Camp 2 Road within the Plat of Cain's Lake, petitioned by Karen Atkinson, et. al., and entered a preliminary order of vacation, recorded by the County Auditor on March 24, 2025 under reference number 2025-0301636; and

WHEREAS, the vacation was subject to payment by petitioner of all costs and expenses incurred in the proceedings of this vacation, and other conditions, and said costs and expenses totaling \$6,650 (including petition fee) were paid by the petitioner on March 31, 2025.

NOW, THEREFORE, THE WHATCOM COUNTY COUNCIL ORDERS that the road(s) or portion(s) thereof, described below, be vacated:



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 Northwesternly 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 Northwesternly 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 Northwesternly 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.

PROVIDED that such vacation shall not, however, prejudice private rights, private easements, prescriptive rights, rights of access, ingress, egress or passage. Other conditions placed on this vacation are included in the preliminary order of vacation (referred to in first paragraph of this document).

Dated this 3 day of April, 2025

ATTEST:

  
  
Cathy Halka, Clerk of the Council

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

  
Kaylee Galloway, Council Chair

SPONSORED BY: \_\_\_\_\_

PROPOSED BY: Public Works

INTRODUCTION DATE: \_\_\_\_\_

RESOLUTION NO. 2025-009

A RESOLUTION VACATING A PORTION OF CAMP 2 ROAD

WHEREAS, on June 27, 2023, Karen Atkinson, et. al. submitted a petition for the vacation of a portion of Camp 2 Road lying within the unincorporated area of Whatcom County, accompanied by the penal sum of \$790.00; and,

WHEREAS, as described in RCW 36.87.010, when a county road or any part thereof is considered useless, the Whatcom County Council may declare by resolution its intention to formally consider vacation; and

WHEREAS, the County Council voted 7-0 on September 12, 2023, to consider this vacation request and directed the County Engineer's office to report; and

WHEREAS, the County Engineer's office has reviewed the portion of the street which is a Class B-1 right-of-way, wherein no public expenditures were made or they are non-ascertainable from records, and no part thereof lies in any plat, and in the exercise of his judgment has determined that the public will benefit from said vacation; and

WHEREAS, it is unknown if there are public utilities located within the portion of the right-of-way to be vacated, but an easement for said utilities will be retained by the County, and

WHEREAS, the fair market value has been determined to be \$3.71 per square foot for the approximately 1,662 square feet of Right of Way, making the total value of the area to be vacated \$6,166; and

WHEREAS, the County Engineer has reviewed said compensation and determined it to be fair value; and

WHEREAS, the petitioner has met all of the petition requirements, as set forth by Chapter 12.20 Whatcom County Code, and all other applicable laws; and

WHEREAS, the applicant has six calendar months from the date of the Preliminary Order of Vacation to pay any remaining fees to the Whatcom County Council office, which checks should be made payable to the Whatcom County Treasurer, prior to the vacation becoming effective, including but not limited to the appraised value of the area sought to be vacated; and

WHEREAS, this vacation does not become effective until the fees are paid and the Final Order and Resolution are recorded with the County Auditor;

NOW, THEREFORE, BE IT RESOLVED that it is the intention of the Whatcom County Council to vacate the following described right of way:

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  $46^{\circ}25'00''$  West for a distance of 20.64 feet; thence continuing along said right-of-way line South  $28^{\circ}22'00''$  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  $28^{\circ}22'00''$  West for a distance of 7.07 feet; thence continuing along said Northwesterly right-of-way line South  $06^{\circ}50'00''$  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  $31^{\circ}54'00''$  East for a distance of 2.98 feet; thence North  $18^{\circ}54'04''$  East for a distance of 151.38 feet to the Point of Beginning.

Containing 1,662.26 square feet. All in Whatcom County, Washington.

SUBJECT TO and/or together with all easements, covenants, restrictions, and/or agreements of record or otherwise; and

SUBJECT TO an easement retained by the County in respect to the vacated portion of right-of-way for the construction, repair, and maintenance of any and all public utilities and services, now located on or in the vacated portion.

BE IT FURTHER RESOLVED that upon applicants' completion of payment for the property and of all other fees, a Final Order of Vacation shall be prepared by Council Staff, signed by the appropriate parties, and recorded with the County Auditor; and

BE IT FURTHER RESOLVED that if the conditions set forth above are not fulfilled within six months from the date of the passage of this Resolution, the Preliminary Order of Vacation which is hereby authorized shall be withdrawn, and the right-of-way shall not be deemed to have been vacated.

APPROVED this 11th day of March, 2025

ATTEST  
WASHINGTON

  
Cathy Halka, County Clerk

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY,

  
Kaylee Galloway, Council Chair

APPROVED AS TO FORM:

Christopher Quinn  
Civil Deputy Prosecutor  
(authorized electronically 1/28/2025)

Whatcom County Auditor  
311 Grand Ave, Suite 103  
Bellingham, WA 98225  
360-778-5100

Receipt #: 267912      Receipt Date: 04/03/2025 03:04 PM  
Station: 2      Cashier: MLJOHNSO  
Receipt Name: WHATCOM COUNTY REAL ESTATE  
Account Name: 1024 - WHATCOM COUNTY REAL ESTATE

Comments:

RECORDING

Document #	Recording Date	Doc Type	Base Fee	NonStd	Other	Total
2025-0400301	04/03/2025 03:04:24 PM	I-ORDER	307.50			\$307.50
Totals:			\$307.50	\$0.00	\$0.00	\$307.50

Thank You  
Retain this receipt for your records

<b>Receipt Total</b>		<b>\$307.50</b>
ACCOUNT	1024 - WHATCOM COUNTY REAL ESTATE	\$307.50