



Whatcom County

COUNTY COURTHOUSE
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Agenda Bill Report

File Number: **AB2023-559**

File ID:	AB2023-559	Version:	1	Status:	Approved
File Created:	08/25/2023	Entered by:	AHester@co.whatcom.wa.us		
Department:	Public Works Department	File Type:	Resolution		
Assigned to:	Council Public Works & Health Committee	Final Action:	09/12/2023		
Agenda Date:	09/12/2023	Enactment #:	RES 2023-023		
Related Files:					

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TITLE FOR AGENDA ITEM:

Resolution in the matter of considering vacating a portion of County Road and an unnamed alley within the Amended Plat of South Wickersham

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The attached resolution in the matter of considering vacating a portion of County Road and an unnamed alley within the Amended Plat of South Wickersham is submitted per RCW 36.87 and WCC 12-20. Adoption of this resolution will trigger the County Engineer to report on the proposed vacation at a future Council meeting. Once the County Engineer’s report is submitted, the road vacation will be considered by Council under a separate resolution and a public hearing will need to be scheduled

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
09/12/2023	Council Public Works & Health Committee	RECOMMENDED FOR APPROVAL Aye: 3 Frazey, Galloway, and Kershner Nay: 0	
09/12/2023	Council	APPROVED Aye: 7 Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner Nay: 0	

Attachments: Agenda Bill Report, Memo, Proposed Resolution, Road Vacation Petition, Aerial Map

SPONSORED BY: _____

PROPOSED BY: Public Works

INTRODUCTION DATE: _____

RESOLUTION NO. 2023 - 023

IN THE MATTER OF CONSIDERING VACATING A PORTION OF COUNTY ROAD
AND AN UNAMED ALLEY WITHIN THE AMENDED PLAT OF SOUTH WICKERSHAM

WHEREAS, on June 28, 2023; Kathryn Nims, et. al. submitted a petition for the vacation of a portion of County Road and an unnamed alley within the Amended Plat of South Wickersham 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 its intention to formally consider vacation, by resolution.

WHEREAS, without pre-judging the result of its future consideration of this matter, the Whatcom County Council has received sufficient information to warrant consideration of vacation of the right-of-way identified in the above-referenced petition and described more fully below;

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

That portion of County Road adjacent to Lots 1 through 5 of Block 1 within the Amended Plat of South Wickersham and that portion of unnamed alley between and adjacent to Lots 1-5 and Lots 6-9 of Block 1 within Amended Plat of South Wickersham.

Subject to and/or together with all easements, covenants, restrictions and/or agreements of record or otherwise, and further subject to Whatcom County retaining an easement in respect to the portion of right-of-way proposed for vacation, for the construction, repair, and maintenance of any and all public utilities and services now located on or in the portion that may be vacated.

AND BE IT FURTHER RESOLVED that the County Engineer investigate and report to the County Council on the matter of the proposed vacation so that the Council may set a public hearing on the matter.

APPROVED this 12th day of September, 2023

ATTEST:



Dana Brown-Davis, County Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Barry Buchanan, Council Chair

APPROVED AS TO FORM:

Christopher Quinn
Civil Deputy Prosecutor
(approved electronically 8/28/2023)