



Whatcom County

COUNTY COURTHOUSE
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Bellingham, WA 98225-4038
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Agenda Bill Master Report

File Number: AB2021-466

File ID:	AB2021-466	Version:	1	Status:	Approved
File Created:	07/28/2021	Entered by:	AHester@co.whatcom.wa.us		
Department:	Public Works Department	File Type:	Resolution		
Assigned to:	Council Public Works & Health Committee			Final Action:	08/10/2021
Agenda Date:	08/10/2021			Enactment #:	RES 2021-031

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TITLE FOR AGENDA ITEM:

Resolution in the matter of considering vacating a portion of Horton Road

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The attached resolution in the matter of considering vacating a portion of Horton Road 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:
08/10/2021	Council Public Works & Health Committee	RECOMMENDED FOR APPROVAL	
	Aye: 3	Frazey, Donovan, and Browne	
	Nay: 0		
	Absent: 0		
08/10/2021	Council	APPROVED	
	Aye: 7	Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner	
	Nay: 0		
	Absent: 0		

Attachments: Staff Memo, Proposed Resolution, Petition

SPONSORED BY: _____

PROPOSED BY: Public Works

INTRODUCTION DATE: _____

RESOLUTION NO. 2021-031

IN THE MATTER OF CONSIDERING VACATING A PORTION OF HORTON ROAD

WHEREAS, on May 5, 2021; the City of Bellingham, et. al. submitted a petition for the vacation of a portion of Horton 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 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;

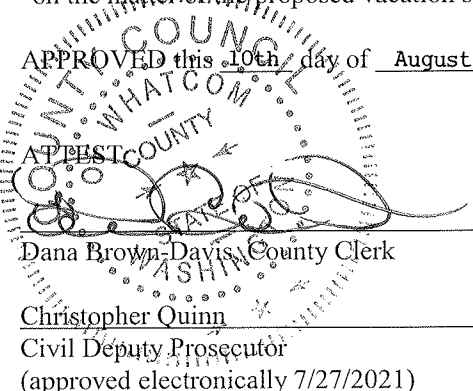
NOW, THEREFORE, BE IT RESOLVED that it is the intention of the Whatcom County Council to consider vacation of the following described right of way:

All that portion of Horton 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: All that portion of said Horton Road lying between the east right of way margin of Boxwood Road, as dedicated on said Bakerview Addition Plat and the east line of Blocks 86 and 87 extended of, said Bakerview Addition Plat. Situate in Whatcom County, Washington.

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.

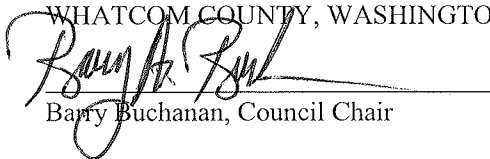
APPROVED this 10th day of August, 2021

A circular seal for the Whatcom County Council, Washington. The seal features a central emblem with a star and a plow, surrounded by the text "WHATCOM COUNTY COUNCIL" and "WASHINGTON". The seal is partially obscured by a signature and the name of the County Clerk.

Dana Brown-Davis, County Clerk

Christopher Quinn
Civil Deputy Prosecutor
(approved electronically 7/27/2021)

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

A handwritten signature in black ink, appearing to read "Barry Buchanan".

Barry Buchanan, Council Chair