



City Council Agenda Bill

20132
Bill Number

Subject: A Resolution setting the date for a public hearing before the Hearing Examiner for consideration of a petition to vacate certain right-of-ways within the Waterfront District.

Summary Statement: The Port of Bellingham has submitted a petition to vacate portions of Army Street, Central Avenue, Oak Street and portions of C, D, E and F Streets within the Waterfront District shown and described on Attachment 1.

The City Council is required to pass a Resolution that sets a public hearing date before the Hearing Examiner. The date for this public hearing before the Hearing Examiner is October 23, 2013 in the City Council Chambers at 6:00 P.M.

Previous Council Action: None

Fiscal Impact: None

Funding Source:

Attachments: Resolution
Attachment 1: Site Map and Legal Description

Meeting Activity	Meeting Date	Staff Recommendation	Presented By	Time
Consent Agenda	30-Sep-2013	Pass Resolution	Steven Sundin	

Council Committee:

Agenda Bill Contact:
Steven Sundin, PCDD, 778-8359

Committee Actions:

Reviewed By	Initials	Date
Jeff Thomas, Director, PCDD	JST	9-24-2013

Council Action:

Alan Marriner, Legal
Mayor

ALAN MARRINER	9-24-2013
KL	9.24.13

RESOLUTION NO. _____

A RESOLUTION FIXING THE DATE AND TIME FOR A PUBLIC HEARING TO CONSIDER A PETITION TO VACATE CERTAIN RIGHT-OF-WAYS WITHIN THE WATERFRONT DISTRICT.

WHEREAS, the Port of Bellingham has submitted a petition to vacate portions of Army Street, Central Avenue, Oak Street and portions of C, D, E and F Streets within the Waterfront District which are shown and described on Attachment 1; and,

WHEREAS, the Port of Bellingham is the sole property owner abutting the subject right-of-way, and,

WHEREAS, the Port of Bellingham intends to dedicate new right-of-way within the Waterfront District according to the Draft Interlocal Agreement for Facilities within the Waterfront District; and,

WHEREAS, the Technical Review Committee reviewed the subject petition and found that the subject right-of-ways are not necessary to facilitate future circulation needs of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BELLINGHAM:

That a public hearing be held before the Hearing Examiner in the Council chambers of City Hall at 210 Lottie Street on October 23, 2013 at the hour of 6:00 P.M., or there soon after, and that any protests in writing or oral to the vacation be considered at said time and place.

BE IT FURTHER RESOLVED that the City Council delegates the duty of conducting the public hearing on the street vacation petition to the Hearing Examiner, who shall forward findings of fact, conclusions of law and a recommendation to the City Council for final action. The Hearing Examiner shall also make available to the Council a transcript of the hearing together with exhibits.

BE IT FURTHER RESOLVED that the Finance Director shall post notices of said hearing as required by law.

PASSED by the Council this _____ day of _____, 2013.

Council President

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-676-6903

APPROVED by me this _____ day of _____, 2013.

Mayor

ATTEST: _____
Finance Director

APPROVED AS TO FORM:

Office of the City Attorney

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-676-6903

Attachment 1

Planning



Permit Center
210 Lottie Street
Bellingham, WA 98225
phone: 360-778-8300
fax: 360-778-8301
www.cob.org

STREET AND/OR ALLEY VACATION PETITION
(PLEASE TYPE OR PRINT CLEARLY IN BLUE OR BLACK INK)

The undersigned, owners of property abutting on the hereinafter described streets and/or alleys sought to be vacated, hereby petition to vacate: (legal description required)

- A. Full width of Army St. btwn northeasterly line of vacated Oak Street and the northeasterly line of Pine Street.
B. Full width of Central Avenue btwn the Inner Harbor Line and the northeasterly line of Pine Street.
C. Oak St. btwn the northwesterly line of Central, the southeasterly line of Army St, and the Inner Harbor Line.
D. Full width of C Street between the Inner Harbor line and the Outer Harbor Line of 1913.
E. Full width of D Street between the Inner Harbor line and the Outer Harbor Line of 1913.
F. Full width of E Street between the Inner Harbor line and the Outer Harbor Line of 1913.
G. Full width of F Street between the Inner Harbor line and the Outer Harbor Line of 1913.

and to make such orders and to take such action as may be necessary to accomplish said vacation. Proof of ownership is attached.

Abutting Property Owner #1

Address and Legal Description of Signator's Property

Tidelands and Shorelands within or in front of the City of Bellingham pursuant to Article XVII of the Washington State Constitution of 1889. Plus, the establishment of Harbor Lines pursuant to Article XV of the State Constitution and RCW 79.115.010.

(Proof of ownership and tax statement attached)

WA State Dept. of Natural Resources; MS 47000
1111 Washington Street, S.E.

Signature of Property Owner

Mailing Address of Property Owner

Printed Name of above Signature

Olympia, WA 98504-7000
City State Zip

Abutting Property Owner #2

Address and Legal Description of Signator's Property

New Whatcom Tideland blocks 97, 126, 127, 152, 153, 184, 185, 204 and 205 together with vacated streets abutting.

(Proof of ownership and tax statement attached)

Port of Bellingham
PO Box 1677

Signature of Property Owner

Mailing Address of Property Owner

Robert J. Kix
Printed Name of above Signature

Bellingham, WA 98227-1677
City State Zip

