

AFTER RECORDING RETURN DOCUMENT TO:

City of Bellingham - Planning Department  
210 Lottie Street  
Bellingham, WA 98225

**DOCUMENT TITLE:** *Street Vacation Ordinance*

**REFERENCE NUMBER OF RELATED DOCUMENT:** VAC2020-0001

**GRANTOR(S):** *City of Bellingham*

**GRANTEE(S):** *21<sup>st</sup> And Taylor, LLC*

**ASSESSOR'S TAX/PARCEL NUMBER(S):** *The subject right-of-way abuts parcel #'s 370201  
455247 and 453225.*

**ABBREVIATED LEGAL DESCRIPTION:** *The full width of Douglas Avenue abutting Lot 19,  
Block 8, Lysle's 1st Add to Fairhaven and Lot 2, Block 101, Fairhaven Land Co's 1st Add to  
Fairhaven, Bellingham, Washington and as described on EXHIBIT A and as shown on EXHIBIT  
B.*

**ORDINANCE NO.     DRAFT**

**AN ORDINANCE RELATING TO THE VACATION OF THE FULL WIDTH OF DOUGLAS  
AVENUE ABUTTING LOT 19, BLOCK 8, LYSLE'S 1<sup>ST</sup> ADD TO FAIRHAVEN AND LOT 2,  
BLOCK 101, FAIRHAVEN LAND COMPANY'S 1<sup>ST</sup> ADD TO FAIRHAVEN, WITHIN THE  
CITY OF BELLINGHAM.**

**WHEREAS**, on November 6, 2019 the City's Technical Review Committee considered and  
recommended approval of the petition to vacate the subject right-of-way as described on  
EXHIBIT A and shown on EXHIBIT B, which are attached hereto and incorporated herein;  
and

**City of Bellingham**  
CITY ATTORNEY  
210 Lottie Street  
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Telephone (360) 778-8270

**WHEREAS**, the Hearing Examiner held a public hearing on the subject petition on July 8, 2020 at 6:00 PM in the City Council chambers at 210 Lottie Street in Bellingham; and

**WHEREAS**, the Hearing Examiner recommended approval of the subject vacation petition with the findings of fact and conclusions of law as attached hereto and incorporated herein as EXHIBIT C, and the City Council adopts these findings of fact and conclusions of law, and;

**WHEREAS**, an appraisal was conducted in order to determine the amount of compensation necessary to vacate the subject right-of-way, and;

**WHEREAS**, all the jurisdictional steps preliminary to the vacation have been taken as provided by law.

**NOW THEREFORE,**

**THE CITY OF BELLINGHAM DOES ORDAIN:**

**Section 1.** The subject right-of-way as described on EXHIBIT A and shown on EXHIBIT B is hereby vacated and the Hearing Examiner's Findings of Fact, Conclusions of Law and Recommendation as provided on EXHIBIT C, is hereby incorporated herein and adopted.

**Section 2.** The full width of the subject right-of-way shall be reserved for public easements. Private easements between the subject private utility provider and the petitioner shall be fully executed and recorded prior to the passage of this ordinance.

**Section 3.** No damage shall result to any person or persons or to any property by reason of the vacation of said right-of-way. If reconfiguration of existing utilities is necessary it shall be at the sole expense of the petitioner.

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**VAC2017-0001**

**Section 4.** Payment of the appraised fair market value of \$18,000 has been remitted to the City of Bellingham's Finance Department on \_\_\_\_\_, 2020 to compensate the City for the vacated right-of-way.

**PASSED** by the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Council President

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

As the Finance Director, I acknowledge that the City has received \$18,000 as compensation for this right-of-way vacation.

Attest: \_\_\_\_\_  
Finance Director

Approved as to Form:

\_\_\_\_\_  
Office of the City Attorney

Published: \_\_\_\_\_

**VAC2017-0001**

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I CERTIFY that I know or have satisfactory evidence that **SETH FLEETWOOD** is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the **Mayor** of the **CITY OF BELLINGHAM** to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

\_\_\_\_\_  
DATED

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC

\_\_\_\_\_  
NAME PRINTED

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
MY APPOINTMENT EXPIRES

**STATE OF WASHINGTON )**  
**COUNTY OF WHATCOM )ss**

I CERTIFY that I know or have satisfactory evidence that **ANDY ASBJORNSON** is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the **Finance Director** of the **CITY OF BELLINGHAM** to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

\_\_\_\_\_  
DATED

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC

\_\_\_\_\_  
Name Printed

\_\_\_\_\_  
TITLE

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MY APPOINTMENT EXPIRES

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