

RESOLUTION NO. 2010-21

A RESOLUTION FIXING THE TIME FOR A PUBLIC HEARING ON THE PROPOSED VACATION OF THE NORTHERN HALF OF COWGILL AVENUE ABUTTING BLOCK 147, PLAT OF FAIRHAVEN LAND COMPANY'S SECOND ADDITION TO FAIRHAVEN.

WHEREAS, the City received a street vacation petition for the vacation of a portion of Cowgill Avenue abutting Block 147, Fairhaven Land Company's Second Addition to Fairhaven, generally between 19th and 20th Streets as shown and legally described on Exhibit A; and

WHEREAS, PMC Properties, LLC, abutting owner to the north, and the City of Bellingham, abutting owner to the south, are petitioners; and

WHEREAS, on January 14, 2010, the Technical Review Committee reviewed the petition and found that the petition, with conditions, satisfies the adopted street vacation policies;

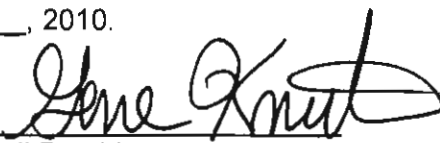
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BELLINGHAM:

That a public hearing be held before the Hearing Examiner in the Council Chambers of the City of Bellingham, Washington, located at 210 Lottie Street on the **28th of July, 2010 at the hour of 6:00 P.M.**, and that any protests in writing or oral to the proposed 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 Council this 21st day of June, 2010.



Council President

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

APPROVED by me this 29th day of June, 2010.

Wm V Ph
Mayor

ATTEST: [Signature]
Finance Director

APPROVED AS TO FORM:

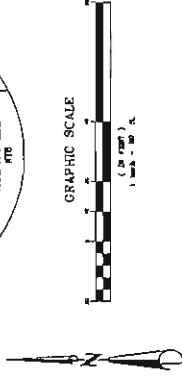
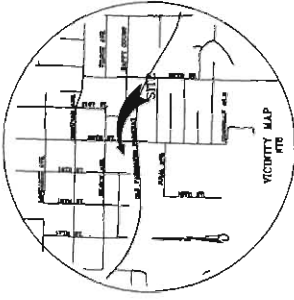
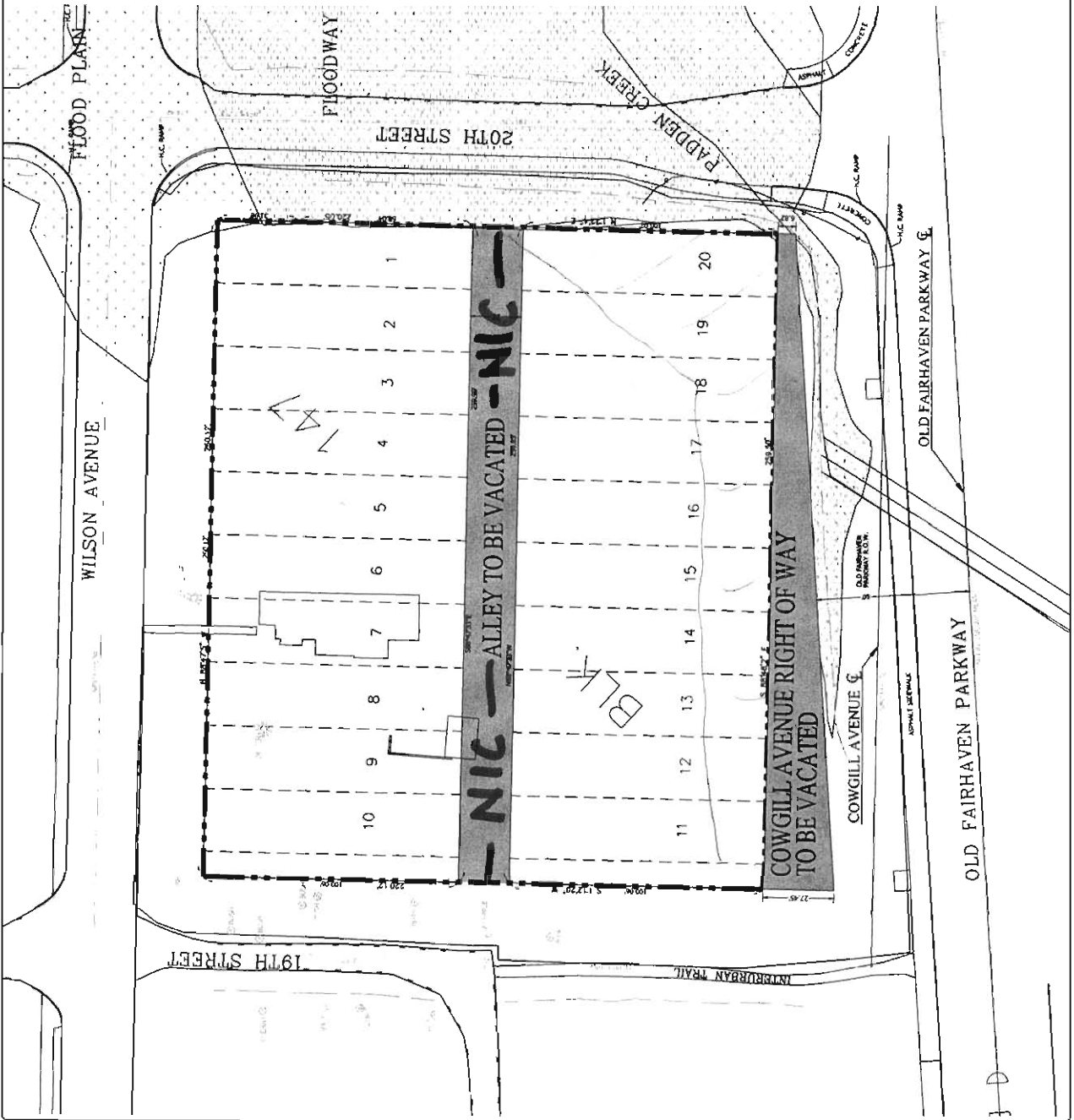
[Signature]
Office of the City Attorney

Published: June 25, 2010

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

EXHIBIT A

PARKWAY GARDENS AMENDED ALLEY & RIGHT OF WAY VACATION



LEGAL DESCRIPTION FOR ALLEY VACATION
 THE ALLEY LYING WITHIN BLOCK 147, "PLAT OF FAIRHAVEN LAND COMPANY'S SECOND ADDITION TO FAIRHAVEN WASHINGTON," NOW A PART OF THE CONSOLIDATED CITY OF BELINGHAM, WHATCOM COUNTY, WASHINGTON, AS PER THE MAP THEREOF, RECORDED IN BOOK 2 OF PLATS, PAGE 52, IN THE AUDITOR'S OFFICE OF SAID COUNTY AND STATE, BOUND BY THE FOLLOWING: ON THE NORTH BY LOTS 1 THROUGH 10 ABUTTING ON THE SOUTH BY LOTS 11 THROUGH 20 ABUTTING ON THE EAST BY THE WEST RIGHT OF WAY MARGIN OF 20th STREET AND ON THE WEST BY THE EAST RIGHT OF WAY MARGIN OF 19th STREET AFTER VACATION ORDINANCE NO. 6817.

LEGAL DESCRIPTION FOR COWGILL AVENUE R.O.W. VACATION
 COMMENCING AT THE SOUTHEAST CORNER OF LOT 20, BLOCK 147, "PLAT OF FAIRHAVEN LAND COMPANY'S SECOND ADDITION TO FAIRHAVEN, WASHINGTON," NOW A PART OF THE CONSOLIDATED CITY OF BELINGHAM, WHATCOM COUNTY, WASHINGTON, AS PER THE MAP THEREOF, RECORDED IN BOOK 2 OF PLATS, PAGE 52, IN THE AUDITOR'S OFFICE OF SAID COUNTY AND STATE; THENCE SOUTH 01°23'43" WEST ALONG THE EAST LINE OF BLOCK 147 PROJECTED, 6.82 FEET TO INTERSECT THE NORTHERLY RIGHT OF WAY MARGIN OF STATE ROUTE 11 (COMMONLY KNOWN AS OLD FAIRHAVEN PARKWAY); THENCE SOUTH 86°39'17" WEST ALONG SAID MARGIN, 240.30 FEET TO INTERSECT THE PROJECTION OF THE EASTERLY RIGHT OF WAY MARGIN OF 19TH STREET AS NOW LAID OUT BY VACATION ORDINANCE NUMBER 6817; THENCE NORTH 01°17'20" EAST ALONG SAID PROJECTION, 37.45 FEET; THENCE SOUTH 88°48'02" EAST ALONG THE SOUTH LINE OF BLOCK 147 AND ITS PROJECTION, 259.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,446 SQUARE FEET MORE OR LESS
 CASCADE LAND DEV. 2401003



WEDEN ENGINEERING
 2008 Registered Professional Engineer No. 00000
 (360) 380-1400 (360) 384-6174
 email: wreden@wedeneng.com

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NO.	REVISIONS/REVISIONS	DATE	BY
1	ISSUED FOR PERMITTING	10/21/08	WEDEN

PARKWAY GARDENS
 Cascade Land Development
 Bellingham, WA
 Amended Alley & Right of Way Vacation
 NOT APPROVED FOR CONSTRUCTION
 Date: September 23, 2008
 1 OF 1

NOTICE OF PUBLIC HEARING

The City of Bellingham's Hearing Examiner will hold a public hearing on **Wednesday, July 28, 2010 at 6:00 PM** in the City Council Chambers, City Hall, 210 Lottie Street, Bellingham, Washington, to take testimony on the following proposal:

VAC2010-00001: VACATION OF THE NORTHERN HALF OF COWGILL AVENUE ABUTTING BLOCK 147, PLAT OF FAIRHAVEN LAND COMPANY'S SECOND ADDITION TO FAIRHAVEN AS SHOWN AND LEGALLY DESCRIBED ON EXHIBIT A. PMC Properties, LLC, and the City of Bellingham, petitioners/owners. Single Family Land Use Designation. Happy Valley Neighborhood, Area 5.

The full application is available for viewing at the Planning and Community Development Department. A staff report will be available approximately one week prior to the hearing. You may comment on the proposal by sending written comments to the address below and/or by testifying at the hearing. **The July 28th hearing will be your only opportunity to comment on this proposal.** All written comments should be received during office hours before the hearing or you may submit them at the hearing if you include an additional copy for the recording secretary. You may also request a copy of the Hearing Examiner's decision and your appeal rights.

Send comments and requests for information to:

**Planning & Comm. Dev. Dept.
City Hall, 210 Lottie Street
Bellingham, WA 98225
Attn: Kathy Bell, Planner II
E-mail: kbell@cob.org**

The City of Bellingham issued this notice on June 23, 2010. The City of Bellingham complies with the Americans with Disabilities Act. If you need special accommodations please call 778-8399 (voice) or 676-6883 (TDD) one day prior to the hearing.

VAC2010-00001: Cowgill Avenue

If you want to receive notification of the Hearing Examiner's decision, **please complete and return this section** to the department listed above.

Name: _____ Address: _____

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
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