



1980401720  
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 4/10/1998 2:45 PM  
 ORD \$12.00  
 Whatcom County, WA  
 Request of: BELLINGHAM CITY OF

AFTER RECORDING RETURN DOCUMENT TO:

City of Bellingham - Planning and Community Development  
 210 Lottie Street  
 Bellingham, WA 98225

↑ Reserved for Recording Purposes Only ↑

**DOCUMENT TITLE:** *Ordinance*

**REFERENCE NUMBER OF RELATED DOCUMENT:**

**GRANTOR(S):** Larry Moran

**ADDITIONAL GRANTORS ON PAGE \_\_\_\_\_ OF DOCUMENT.**

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

**ADDITIONAL GRANTEES ON PAGE \_\_\_\_\_ OF DOCUMENT.**

**ABBREVIATED LEGAL DESCRIPTION:** 38th Street and abutting alleys, a portion of block 4  
**ADDITIONAL LEGAL DESCRIPTION ON** *and 5 CH Adsits 2nd Add Sehome.*  
 page 2 of Ordinance.

**ASSESSOR'S TAX/PARCEL NUMBER(S):** 370306 476519, 370306 507524, 370306 504507,  
 370306 520514

**ORDINANCE NO.** 1998-03-010

**AN ORDINANCE RELATING TO THE VACATION OF THE ALLEYS LOCATED WITHIN BLOCKS 4 AND 5, C.H. ADSITS SECOND ADDITION TO SEHOME AND THE PORTION OF 38TH STREET BETWEEN FIELDING AND ELWOOD AVENUES ALL SITUATED WITHIN THE CITY OF BELLINGHAM; SAID VACATION TO BE SUBJECT TO RESERVATIONS OF RIGHTS OF EASEMENTS BY THE CITY FOR ALL PUBLIC UTILITIES, FINDING AND ADJUDGING THAT NO DAMAGE ACCRUE TO ANY PERSON OR PROPERTY BY REASON THEREOF, AND UTILITIES MOVED SHALL BE MOVED AT THE EXPENSE OF THE PETITIONER.**

**WHEREAS**, the Technical Review Committee has considered the petition of Larry Moran for the vacation of the alleys and a portion of 38th Street between Elwood and Fielding Avenues; and

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

**NOW THEREFORE,**

**THE CITY OF BELLINGHAM DOES ORDAIN:**

**Section 1.** That the alleys located in Blocks 4 and 5, C.H. Adsits Second Addition to Sehome and the portion of 38th Street between Fielding and Elwood Avenues, as shown on Exhibit A, is hereby vacated subject to the following conditions:

1. A 30 foot easement for utilities shall be provided within the 38th Street right of way. The location of such easement is to be determined at time of development of abutting property or at the time any other city approval.
2. All properties shall be bound together by covenant.
3. Access shall be prohibited to Elwood Avenue.

**Section 2.** That 30 feet of 38th Street is hereby subject to reservation of rights to the City of Bellingham and all existing holders of easements, whether or not recorded, for all public and private utilities and pedestrian access. Any utility to be moved shall be moved at the expense of the petitioner.

0051.ORD (2)

City of Bellingham  
CITY ATTORNEY  
210 Lottie Street  
Bellingham, Washington 98225  
Telephone (360)676-6903

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**Section 3.** That no damage will result to any person or persons or to any property by reason of the vacation of said property.

**Section 4.** That the Petitioner for the vacation of the property described in Section 1 has deposited with the City's Finance Director the sum of \$21,693.00.

**PASSED** by the Council this 23rd day of March,  
1998.

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

0051.ORD (3)

**City of Bellingham**  
CITY ATTORNEY  
210 Lottie Street  
Bellingham, Washington 98225  
Telephone (360)676-6903

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APPROVED BY ME THIS 7th DAY OF April, 1998.

Mark Anderson  
Mayor

ATTEST: Lynn Carpenter  
Finance Director

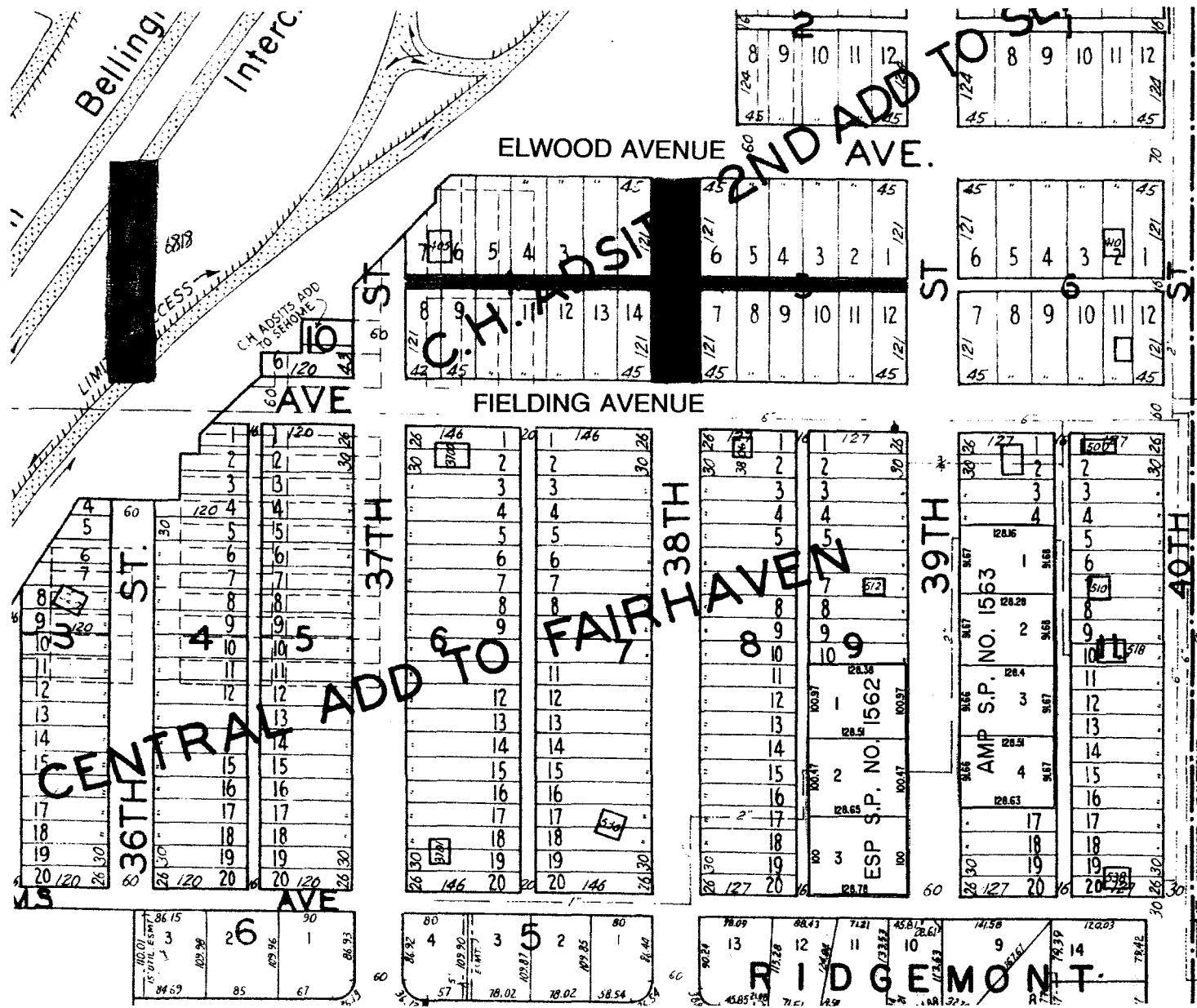
APPROVED AS TO FORM:

W. J. [Signature]  
Office of the City Attorney

Published: 4-10-98

I, **LYNN CARPENTER**, Finance Director of the City of Bellingham, do hereby certify that the sum of \$21,693.00 as specified in Section 4 of this ordinance has been deposited in the City Treasury of the City of Bellingham.

Lynn Carpenter  
**Lynn Carpenter, Finance Director**



300  
400  
500  
EXHIBIT A

# PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT NAME/ADDRESS 37TH/Fielding/Elwood Vacation

NAME LARRY MORAN

REVIEWED
BY <u>KMB/BJS</u>
DATE <u>3/23/98</u>
PLANNING & COMMUNITY DEVEL DEPT.

CR	<u>03-42827</u>
DATE	<u>3/23/98</u>
BY	<u>JC</u>
FINANCE DEPARTMENT	

## PLANNING FEES

FEES	RECEIPT CODE	FEE AMOUNT
FINAL PLATS	1971	
SEPA	1976	
SHORELINE	1974	
STREET VACATIONS 051-306.0465	1978	\$21,693.00
LANDMARK - LANDMARK DESIGNATION	1970	
LANDMARK CERTIFICATE OF ALTERATION	1970	
LANDMARK ADAPTIVE USE APPLICATION	1970	
ZONING - ACCESSORY DWELLING UNITS	1972	
ANNEXATION	1972	
APPEALS	1972	
BINDING SITE PLAN	1972	
COMP. PLAN AMENDMENT	1972	
CONDITIONAL USE PERMIT	1972	
DESIGN REVIEW	1972	
HOME OCCUPATION	1972	
LAND USE AMENDMENT	1972	
OTHER		
PRELIMINARY LONG PLAT	1972	
PLANNED CONTRACT AMENDMENT	1972	
PLANNED DEVELOPMENT	1972	
SHORT PLAT	1972	
VARIANCE	1972	
WETLAND PERMIT	1973	
GRADING AND FILLING PERMIT	1983	
<b>TOTAL FEES DUE</b>		<b>\$21,693.00</b>

Please take this form to the Finance Department and pay your fees. Make check payable to "Finance Director." Once the Finance Representative has validated this form, return it with the attached application to the Planning Department. The City of Bellingham complies with the Americans with Disabilities Act. If you need special accommodations, please call 676-6982 (voice) or 676-6883 (TDD).

W:\DOCS\MN\PLANFEES

