

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



1990902621  
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9/22/1999 9:08 AM  
ORD \$13.00  
Whatcom County, WA

Request of: BELLINGHAM CITY OF

*Reserved for Recording Purposes Only*

**DOCUMENT TITLE:** Ellis and Iowa Street Vacation Ordinance

**REFERENCE NUMBER OF RELATED DOCUMENT:** N/A

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

**GRANTEE(S):** *Bellingham School District*

**ABBREVIATED LEGAL DESCRIPTION:** *A portion of Ellis Street N of the N line of Ohio and S of the S line of Kentucky; and a portion of Iowa Street E of the E line of Ellis and W of the W line of the Ellis/Franklin Alley, as shown in Exhibit A.*

**ADDITIONAL LEGAL DESCRIPTION ON PAGE 2 OF DOCUMENT.**

**ASSESSOR'S TAX/PARCEL NUMBERS:** 303803 - 345401, 385435, 384403, 383399, 383396, 383391, 383387, 382383, 380379, and 380374.

ORDINANCE NO. 1998-08-065

**AN ORDINANCE RELATING TO THE VACATION OF ELLIS STREET NORTH OF OHIO STREET AND SOUTH OF KENTUCKY STREET; TOGETHER WITH IOWA STREET BETWEEN ELLIS STREET AND THE ELLIS/FRANKLIN ALLEY ALL SITUATE WITHIN THE CITY OF BELLINGHAM; FINDING AND ADJUDGING THAT NO DAMAGE ACCRUE TO ANY PERSON OR PROPERTY BY REASON THEREOF AND RESERVING EASEMENTS.**

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

0100.ORD (1)

**WHEREAS**, the Technical Review Committee has considered the petition of the Bellingham School District for the vacation of portion of Ellis Street and Iowa Street, and

**WHEREAS**, the Bellingham School District is a public entity and provides a major public service by educating the children of the City of Bellingham, and

**WHEREAS**, easements will preserve needed utility, pedestrian, and bicycle access, and

**WHEREAS**, the Bellingham School District will provide improvements to public rights of way to make restitution for loss of access to private properties, 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. That portion of Ellis Street immediately north of the north line of Ohio Street and South of the south line of Kentucky Street; and a portion of Iowa Street east of the east line of Ellis Street and west of the west line of the Ellis/Franklin Alley as shown in Exhibit A is hereby vacated.

Section 2. That a full-width public and private easement be maintained along Ellis Street from the south line of Kentucky Street to the north line of Ohio Street and along Iowa Street from the east line of Ellis Street to the west line of the Franklin/Ellis alley.

Section 3. That a bicycle/pedestrian easement to be established and maintained from the Kentucky/Ellis intersection to the Ohio/Ellis intersection. The exact location with width of this easement and the trail construction standards shall be determined by the Parks and Recreation Department and the Public Works Department.

Section 4. That the Bellingham School District shall make the following street improvements (or sufficient financial security shall be provided) as per the review and approval of the Public Works Department:

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A. Pave the northwest corner of Iowa and Franklin Street to accommodate large truck traffic, as reviewed and approved by the Public Works Department.

B. Provide a single paved access driveway onto Kentucky Street from the lot west of Franklin Street, as reviewed and approved by the Public Works Department.

C. If determined by the Public Works Department after the new Bellingham High School opens, install stop signs to Kentucky Street at Franklin.

D. Post no-parking signs on the west side of Franklin Street between Kentucky and Iowa Streets, as approved by the City Council.

Section 5. That the following lots shall be bound by covenant; all of the lots in the west halves of Block 274 and 255, Town of New Whatcom which are west of the Chicago, Milwaukee, St. Paul and Pacific Railroad.

Section 6. That due to the extreme value to the general public of the renovation of Bellingham High School and its grounds and that this vacation is being undertaken by a public agency for public purposes, the City of Bellingham will not charge for the value of this right of way to be vacated.

Section 7. That no damage will result to any person or persons or to any property by reason of the vacation of said property.

0100.ORD (3)

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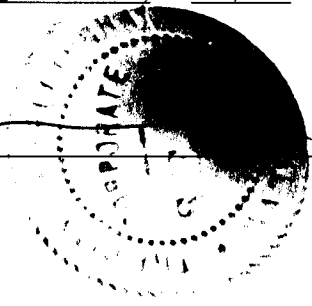
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PASSED by the Council this 24th day of August, 19 98.

Bob Ryan  
Council President

APPROVED by me this 14th day of September, 19 99.

Mark Asl  
Mayer



Attest: Jenny Carpenter  
Finance Director

Approved as to Form:  
Les C. Readway  
Office of the City Attorney

Certifications:


I, **BYRON ELEMENDORF**, Parks and Recreation Director of the City of Bellingham, do hereby certify that the bicycle/pedestrian easement and trail construction as specified in Section 3 of this ordinance have been made or sufficient financial security has been provided such that they will be made.

  
BYRON ELEMENDORF, Parks and Recreation Director

I, **JOHN GARNER**, Public Works Director of the City of Bellingham, do hereby certify that the requirements as specified in Section 4 of this ordinance, have been made or sufficient financial security has been provided such that they will be made.

  
JOHN GARNER, Public Works Director

I, **PATRICIA R. DECKER**, Planning and Community Development Department Director of the City of Bellingham, do hereby certify that the requirements as specified in Section 5 of this ordinance, involving the binding of certain lots by covenant, have been made.

  
PATRICIA R. DECKER, Planning and Community Development Director

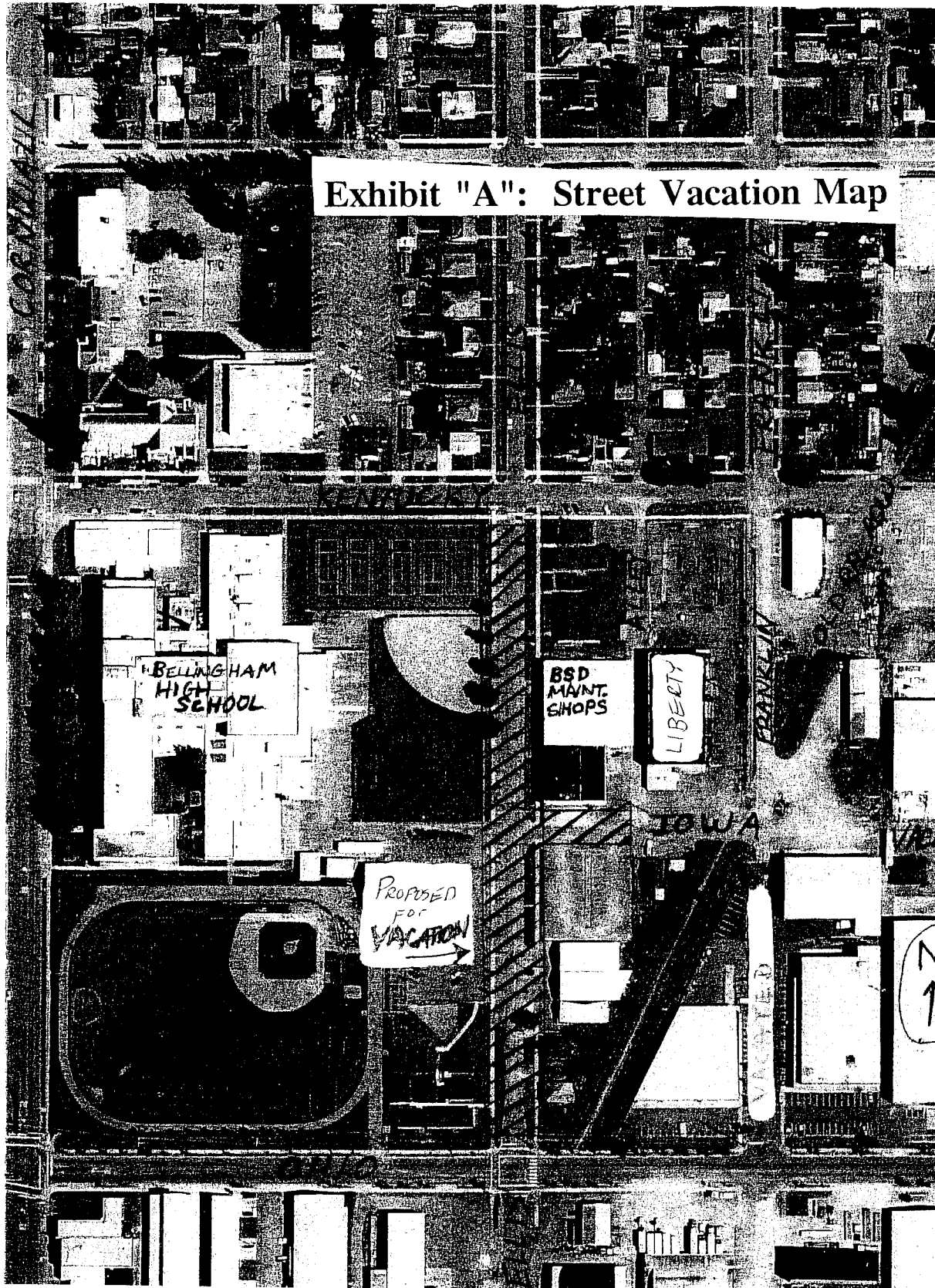


Exhibit "A": Street Vacation Map

BELLINGHAM  
HIGH  
SCHOOL

BSD  
MAINT.  
SHOPS

LIBERTY

BRANKIN

IOWA

PROPOSED  
FOR  
VACATION

