



2020100293  
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1/03/2002 2:36 PM  
ORD \$14.00  
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, David and Diane Sue, Roy Jewett

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

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

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

**ABBREVIATED LEGAL DESCRIPTION:** alleys located in Blocks 4 and 5, Adsits to Sehome

**ADDITIONAL LEGAL DESCRIPTION ON** page 2 of Ordinance.

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

**ORDINANCE NO.** 1999-10-067

AN ORDINANCE RELATING TO THE VACATION OF THE ALLEYS LOCATED  
WITHIN BLOCKS 4 AND 5, C.H. ADSITS SECOND ADDITION TO SEHOME,  
ALL SITUATED WITHIN THE CITY OF BELLINGHAM; SAID VACATION IS NOT  
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**, this ordinance amends Ordinance No. 1998-03-010 by withdrawing that portion of the petition to vacate 38<sup>th</sup> Street, located between Fielding and Elwood Avenues; and

**WHEREAS**, the petitioners have agreed to the amendment; and

**WHEREAS**, the conditions of Ordinance No. 1998-03-010 have not been completed; and

**WHEREAS**, Ordinance No. 1998-03-010 shall be repealed upon filing of this ordinance; and

**WHEREAS**, all properties have been bound by covenant for the purposes of access and lot consolidation;

**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, as shown on Exhibit A, are hereby vacated subject to the following condition:

1. Access shall be prohibited to Elwood Avenue.

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

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**Section 2.** Any utility to be moved shall be moved at the expense of the petitioner.

**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.** Ordinance No. 1998-03-010 is hereby repealed.

**Section 5.** That the Petitioner for the vacation of the property described in Section 1 has deposited with the City's Finance Director the sum of \$8,148.00.

City of Bellingham  
CITY ATTORNEY  
210 Lottie Street  
Bellingham, Washington 98225  
Tel: (360) 738-2000

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Request of: BELLINGHAM CITY OF

**PASSED** by the Council this 18th day of October, 1999.

  
Council President

**APPROVED** by me this 21st day of October, 1999.

  
Mayor

**ATTEST:**   
Finance Director

**APPROVED AS TO FORM:**

  
Office of the City Attorney

**Published:** 10/22/99

THERESE HOLM  
~~I, LYNN CARPENTER~~, Finance Director of the City of Bellingham, do hereby certify  
that the sum of \$8,148.00, as specified in Section 4 of this ordinance, has been  
deposited in the City Treasury of the City of Bellingham.

  
~~LYNN CARPENTER~~, Finance Director

THERESE HOLM

DATED: 1/2/02

City of Bellingham  
CITY ATTORNEY  
210 Lottie Street  
Bellingham, Washington 98225  
Telephone (360) 875-6000

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Request of: BELLINGHAM CITY OF

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF WHATCOM )

I CERTIFY that I know or have satisfactory evidence that Mark Asmundson, Mayor, signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

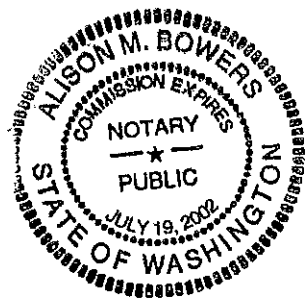
October 21, 1999  
DATED

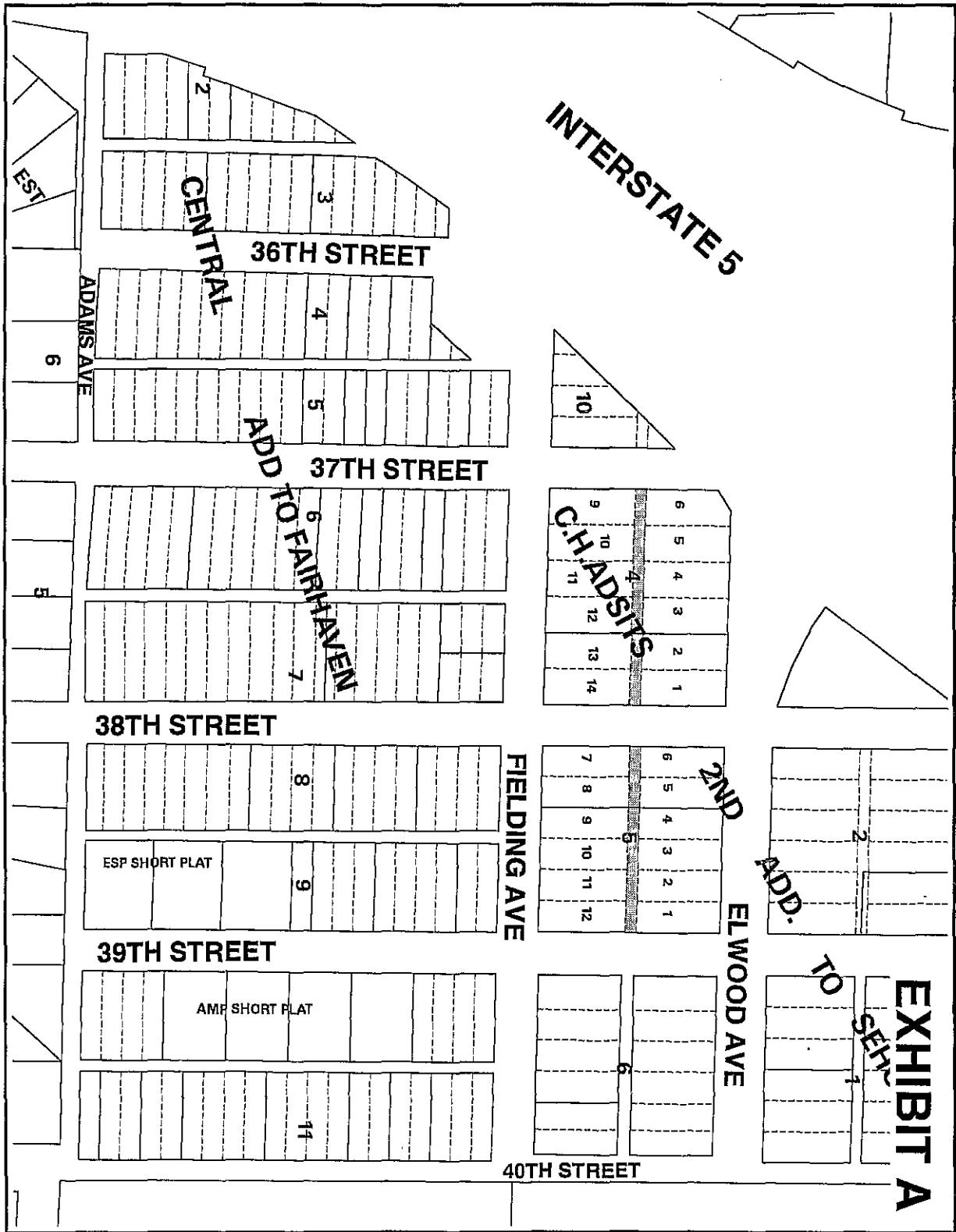
A. M. Bowers  
SIGNATURE OF NOTARY PUBLIC

ALISON M. BOWERS  
Name Printed

Notary Public  
TITLE

7/19/2002  
MY APPOINTMENT EXPIRES





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TO	SE

ADD.

2ND

ELWOOD AVE

**INTERSTATE 5**

4  
C.H. ADAMS  
10 11 12 13

**FIELDING AVE**

40TH STREET

37T  
6 FAIRHAVEN  
7  
ADD TO FAIRHAVEN

**CENTRAL**

# ADAMS AVE

EST

**38TH STREET**

## 39TH STREET

ESP SHORT PLAT

AMP SHORT PLAT



## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

City Hall, 210 Lottie Street, Bellingham Washington 98225

Telephone: (360) 676-8982 FAX (360) 738-7306 or (360) 676-7693

### MEMORANDUM

TO: Bea  
FROM: Kathy  
DATE: February 13, 2000  
SUBJECT: Request for a refund

Please prepare a refund to Mr. Larry Moran in the amount of \$13,545.00.

On March 23, 1998, an amount of \$21,693.00 was paid for the vacation of 38<sup>th</sup> Street, a portion of 39<sup>th</sup> Street, and the abutting alleys. This dollar amount is determined by applying one-half the appraised amount of land to be vacated.

The City Council did not vacate all rights of way that were requested to be vacated and approved a vacation for only the alleys.

The total dollar amount necessary for the alleys is \$8, 148.00 and this amount is reflected in the ordinance. Therefore the difference of \$13,545.00 should be refunded.

Attachments.



=====

CITY OF BELLINGHAM	
REG/RCPT : 03-42827	C:03-23-1996
CASHIER ID:M 01:13 pm	A:03-23-1996
=====	
1978 PLANNING/COMM DEV.	\$21,693.00
37TH/FIELDING/ELWOOD	
-----	
TOTAL DUE	\$21,693.00
RECEIVED FROM:	
LARRY MORAN	
CHECK	\$21,693.00
-----	
TOTAL TENDERED	\$21,693.00
-----	
CHANGE DUE	\$0.00
=====	

# PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT NAME/ADDRESS 3TH/FIELDING/ELWOOD VALUATION  
 NAME LARRY MORAN

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

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

## PLANNING FEES

FEES	RECEIPT CODE	FEE AMOUNT
FINAL PLATS	1971	
SEPA	1976	
SHORELINE	1974	
X 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	
TOTAL FEES DUE		\$21,693.00

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\NM\PLANFEES