

ORDINANCE NO. 2000-12-094

AN ORDINANCE RELATING TO LAND USE REGULATIONS AND ZONING AMENDING ORDINANCE 9024, IN ACCORDANCE WITH THE COMPREHENSIVE PLAN / NEIGHBORHOOD PLAN AMENDMENT (Rezone) ORDINANCE. 1998-02-002.

WHEREAS, in February, 1998, the Bellingham City Council approved Ordinance 1998-02-002 adopting new procedures for the processing of neighborhood plan amendment applications (rezones) in accordance with the Growth Management Act Chapter 36.70A, 130 RCW; and

WHEREAS, these procedures replaced BMC Chapter 20.20 and established a public participation process and other procedures to be followed by applicants and the City in the annual review of rezones outside the ongoing neighborhood plan update process; and

WHEREAS, In accordance with Ordinance 1998-02-002, the Director of Planning and Community Development compiled a list of all rezone requests from property owners; and

WHEREAS, The Director of Planning and Community Development recommended to the City Council which rezones would have relatively minor or localized impacts on the neighborhoods and were, therefore, appropriate to forward to the Planning Commission for the 2000 annual Neighborhood Plan Amendment Process; and

WHEREAS, the Bellingham City Council held a public work session on January 24, 2000 to review seven (7) rezone requests and determined four (4) requests were appropriate to be considered in the 2000 annual Neighborhood Plan Amendment Process; and

WHEREAS, two rezone requests from neighborhoods with updated neighborhood plans were automatically forwarded to the Planning Commission to be considered in the 2000 Neighborhood Plan Amendment Process; and

WHEREAS, the Bellingham Planning and Development Commission held two public hearings on June 15, 2000 and July 20, 2000 and recommended approval of five rezone requests and denial of one request; and

WHEREAS, a determination of non-significance (DNS) was issued for each rezone request consistent with the Washington State Law (RCW 43.21C); and

WHEREAS, the Bellingham City Council has the authority to confirm, alter, modify or deny any of the Planning Commission recommendations or decisions; and

WHEREAS, one applicant withdrew his request for consideration, the Bellingham City Council held two public hearings on August 28, 2000 and October 9, 2000 to consider five remaining rezone requests; and

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CITY ATTORNEY
210 Lottie Street
Bellingham, Washington 98225
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WHEREAS, a second applicant withdrew his request leaving a total of four; and

WHEREAS, the Bellingham City Council in reviewing the Neighborhood Plan Amendment applications considered the six factors listed in the Plan Amendment Ordinance 1998-02-002, and the findings, conclusions and record of the Planning Commission and approved four rezones subject to conditions; and

WHEREAS, recent amendments to the State Growth Management Act require the city to adopt level of service (LOS) standards for Highways of Statewide Significance (HSS) by the end of 2,000, and to estimate the impact of our Comprehensive Plan Land Use Element growth assumptions on state highways; and

WHEREAS, there are two state-owned facilities in Bellingham that are on the state HSS list: Interstate-5 and Meridian Street (SR-539) north of I-5 to the city limits; and

WHEREAS, in the Transportation Element of the 1995 Bellingham Comprehensive Plan, the City of Bellingham adopted LOS E for both those routes, and changes to GMA require the city to adopt LOS D and to analyze the impacts of our growth projections on these routes; and

WHEREAS, the GMA further requires the city to include state highways in its Transportation Element, including level of service standards for highways to monitor the performance of the system, evaluate improvement strategies, and to facilitate coordination between the city's six-year street program and the Department of Transportation's six-year investment program; and

WHEREAS, the Planning Commission held a public hearing on October 12, 2000 to consider the proposed amendment, and voted unanimously to recommend to the City Council to add an appendix to the 1995 Bellingham Comprehensive Plan Transportation Element; and

WHEREAS, the Bellingham City Council held a public hearing on November 20, 2000 and in reviewing the proposed amendment to Bellingham's 1995 Comprehensive Plan Transportation Element approved the amendment;

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN

Section 1. That the Birchwood Neighborhood Plan shall be amended to include the property legally described and shown on Exhibit A, and that the property shall be rezoned from Residential Single, 20,000 square feet per dwelling unit to a Public designation as shown on Exhibit B, attached hereto and shall be incorporated into AREA 9 of the Birchwood Neighborhood Plan.

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Section 2. That the Sunnyland Neighborhood Plan shall be amended to include the property legally described and shown on Exhibit C, and that the property shall be rezoned from Light Industrial to a Public designation as shown on Exhibit D, attached hereto, and shall be incorporated into Area 7 of the Sunnyland Neighborhood Plan.

Section 3. That the Cornwall Park Neighborhood Plan shall be amended to include the property legally described and shown on Exhibit E, and that the property shall be rezoned from Residential Single, 10,000 square feet per dwelling unit to a Public designation as shown on Exhibit F, attached hereto, and shall be incorporated into Area 14 of the Cornwall Park Neighborhood Plan as amended.

CORNWALL PARK NEIGHBORHOOD

AREA 14

This area consists of Bellingham Parkview Elementary School, its play-fields, and bus turn-around area. A bus turn-around design shall be submitted to the City's Public Works Department for review.

General Use Type	:	Public
Use Qualifier	:	School/Recreation
Density	:	N/A
Special Conditions	:	Bus turn-around*
Prerequisite Considerations	:	None

- To address noise, visual and other safety impacts from the bus turn-around area, the following shall be provided:
 1. A 6-foot fence shall be located along the school property line on the south and east;
 2. A ten-foot wide buffer between the fence and the turn-around area shall be landscaped. A portion of the buffer may include a 5' sidewalk.
 3. The District shall submit a landscape plan to the Planning and Community Development Department for review and approval;
 4. The entrance shall be managed to minimize negative impacts to the neighborhood;
 5. The bus turn-around design must address a SAFE ROUTE OF TRAVEL for the student population;
 6. Cornwall Avenue north of Plymouth Drive shall be marked: "Local-Access – School Bus Access Only;

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7. Incentives for enhancing the existing parking area on Coolidge Drive shall be provided.

Section 4. That the South Hill Neighborhood Plan shall be amended to include the property legally described and shown on Exhibit G and that the property shall be rezoned from Residential Multi and Commercial waterfront to a Public designation as shown on Exhibit H, attached hereto and shall be incorporated into Area 6 of the South Hill Neighborhood Plan as amended.

SOUTH HILL NEIGHBORHOOD

AREA 6

This area is approximately 22 acres. The properties are owned by the City of Bellingham, Whatcom County, and the Port of Bellingham, and consist of Boulevard Park and trails. The shoreline designation is Conservancy II

General Use Type	:	Public
Use Qualifier	:	Parks / open space / school
Density	:	N/A
Special Conditions	:	Shoreline
Prerequisite Considerations	:	None

Section 5. That the Fairhaven Neighborhood Plan shall be amended to include the property legally described and shown on Exhibit I and that the property shall be rezoned from Commercial Planned to a Public designation as shown on Exhibit J, attached hereto, and incorporated into a new AREA 2C.

FARIHAVEN NEIGHBORHOOD

AREA 2C

This area is approximately .6 acre located within the center of Fairhaven Business District at 10th and Mill. It is known as Fairhaven's "Town Square" and is used for community events and activities.

General Use Type	:	Public
Use Qualifier	:	park
Density	:	N/A

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Special Conditions : none
Prerequisite Considerations : None

Section 6. That the Fairhaven Neighborhood Plan shall be amended to include the property legally described and shown on Exhibit K, and that the property shall be rezoned from Residential Single, Residential Multiple, and Commercial to a Public designation as shown on Exhibit J, attached hereto and incorporated into AREA 11 of the Fairhaven Neighborhood Plan as amended.

FAIRHAVEN NEIGHBORHOOD

AREA 11

This area is approximately 12.8 acres and comprises a portion of the trail system identified as the Lower Padden Creek Corridor. The properties are owned by the City of Bellingham and are adjacent to industrial, commercial and residential zoning districts. The area includes a portion of the ravine through which Padden Creek flows.

General Use Type : Public
Use Qualifier : Open Space, park
Density : N/A
Special Conditions : none
Prerequisite Considerations : None

Section 7. That the South Neighborhood Plan shall be amended to include the property legally described and shown on Exhibit L and that the property shall be rezoned from Residential Multi-Duplex to a Public designation as shown on Exhibit M, attached hereto and incorporated into a new AREA 3A.

SOUTH NEIGHBORHOOD

AREA 3A

A portion of this area is adjacent to Fairhaven Park and extends to the east along Old Fairhaven Parkway. The property is approximately 5.6 acres owned by the City of Bellingham and is part of the Interurban Trail Corridor.

General Use Type : Public
Use Qualifier : Park, open space

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Density : N/A
Special Conditions : none
Prerequisite Considerations : None

Section 8. That the South Neighborhood Plan shall be amended to include the property legally described and shown on Exhibit N and that the property shall be rezoned from Residential Single to a Public designation as shown on Exhibit M attached hereto and shall be incorporated into a new AREA 3B.

SOUTH NEIGHBORHOOD

AREA 3B

This area is approximately .5 acre and comprises the abandoned Pacific Northwest Traction Company right-of-way (Interurban Trail). It is adjacent to the Padden Creek Ravine located immediately to the northeast of this site.

General Use Type : Public
Use Qualifier : Park, open space
Density : N/A
Special Conditions : none
Prerequisite Considerations : None

Section 9. That the South Neighborhood Plan shall be amended to include the property legally described and shown on EXHIBIT O and that the property shall be rezoned from Residential Single and Residential Multi to a Public designation as shown on Exhibit M, attached hereto, and incorporated into a new AREA 9A.

SOUTH NEIGHBORHOOD

AREA 9A

This area is approximately 50.42 acres. The properties comprising this area are part of the larger Interurban Trail system. They are vacant, forested and include several small streams and wetlands with a three acre pond. One parcel features an improved trail through the site. Other portions of this area have informal trails created by public use. All adjoining properties are zoned for residential uses.

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A subgroup of properties located to the east of Arroyo Park enlarges the park and connects it with Chuckanut Mountain, extending south to Blanchard Mountain in Skagit County. The property west of Chuckanut Drive includes several heavily forested upland properties surrounding Chuckanut Village and the open, wetland estuary of Chuckanut Creek. It is intended that parts of this area be used as a trail head for the interurban trail. The area west of Chuckanut should remain as undeveloped open space.

General Use Type	:	Public
Use Qualifier	:	Open space / parks / utilities
Density	:	N/A
Special Conditions	:	Shoreline
Prerequisite Considerations	:	None

Section 10. That the 1995 Bellingham Comprehensive Plan Transportation Element shall be amended to include Amendment #1 as shown below:

AMENDMENT #1

Adopted Level of Service Standards for Highways of Statewide Significance

1998 changes to the state Growth Management Act require the City of Bellingham to:

- 1) Adopt Level of Service D on State Highways of Statewide Significance (HSS), and
- 2) Estimate traffic impacts to these routes resulting from land use assumptions in the Bellingham Comprehensive Plan.

Level of Service (LOS) Standards

LOS D is hereby adopted for Interstate-5 and Meridian Street north of I-5 (the two routes of statewide significance in the City of Bellingham).

Impacts of Land Use Element and Growth Assumptions on HSS

Traffic impacts resulting from the land use assumptions and growth projections were analyzed in the 1995 Bellingham Comprehensive Plan. See Part III – Projections of Future Needs – pages tr.19 through tr.27 of the Transportation Element. The transportation system modeling work done for the comprehensive plan projected certain deficiencies on Highways of Statewide Significance during the planning period:

Year 2000 Deficiencies

- 1) I-5 between Iowa Street and Meridian Street.
- 2) Meridian Street north of Horton Road to the city limits.

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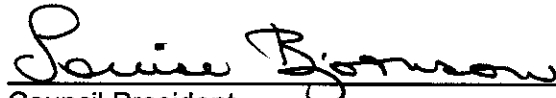
ORDINANCE NOplanamd.2000 (7)

Year 2014 Deficiencies

- 1) I-5 from Lakeway to Northwest.
- 2) Meridian Street north of Horton Road.

There are no programmed improvements to I-5 on the city or state transportation improvement programs. Meridian Street north of Horton will be improved by the state in the next several years to address LOS and safety issues on that route.

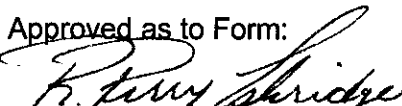
PASSED BY COUNCIL this 11TH day of DECEMBER, 2000:


Council President

APPROVED BY ME this 19th day of December, 2000:


Mayor

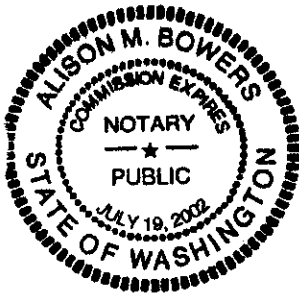
Attest: 
Finance Director

Approved as to Form:

Office of the City Attorney

Published: 12/15/00

STATE OF WASHINGTON)
COUNTY OF WHATCOM)ss

I CERTIFY that I know or have satisfactory evidence that **MARK ASMUNDSON** 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.



December 19, 2000
DATED

A.M. Bowers
SIGNATURE OF NOTARY PUBLIC

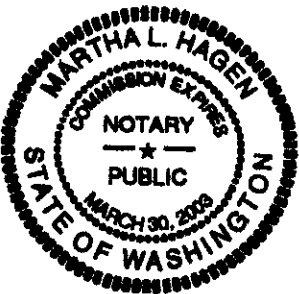
ALISON M. BOWERS
Name Printed

Notary Public
TITLE

7/19/2002
MY APPOINTMENT EXPIRES

STATE OF WASHINGTON)
COUNTY OF WHATCOM)ss

I CERTIFY that I know or have satisfactory evidence that **THERESE HOLM** 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.



19 December 2000
DATED

Martha L. Hagen
SIGNATURE OF NOTARY PUBLIC

MARTHA L. HAGEN
Name Printed

Notary Public
TITLE

30 March 2003
MY APPOINTMENT EXPIRES

City of Bellingham
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Telephone (360) 676-6903

EXHIBIT A

Birchwood Neighborhood

Area 9

Legal Description:

PARCEL B

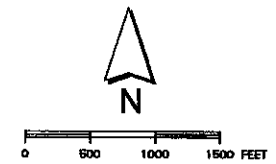
BEGINNING AT A POINT ON THE SOUTH SIDE OF COTTONWOOD AVENUE 15 FEET WEST OF THE NORTHEAST CORNER OF LOT 22, BLOCK 4, COUNTRY CLUB ACREAGE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 6 OF PLATS, PAGE 41, RECORDS OF WHATCOM COUNTY, WASHINGTON; THENCE SOUTH AT RIGHT ANGLES TO COTTONWOOD AVENUE, 275 FEET, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 60 FEET, THENCE WEST PARALLEL TO COTTONWOOD AVENUE TO THE EAST SIDE OF PINWOOD AVENUE; THENCE NORTH ALONG THE EAST SIDE OF PINWOOD AVENUE, 60 FEET; THENCE EAST TO THE POINT OF BEGINNING.

SITUATE IN WHATCOM COUNTY, WASHINGTON

BIRCHWOOD NEIGHBORHOOD LAND USE

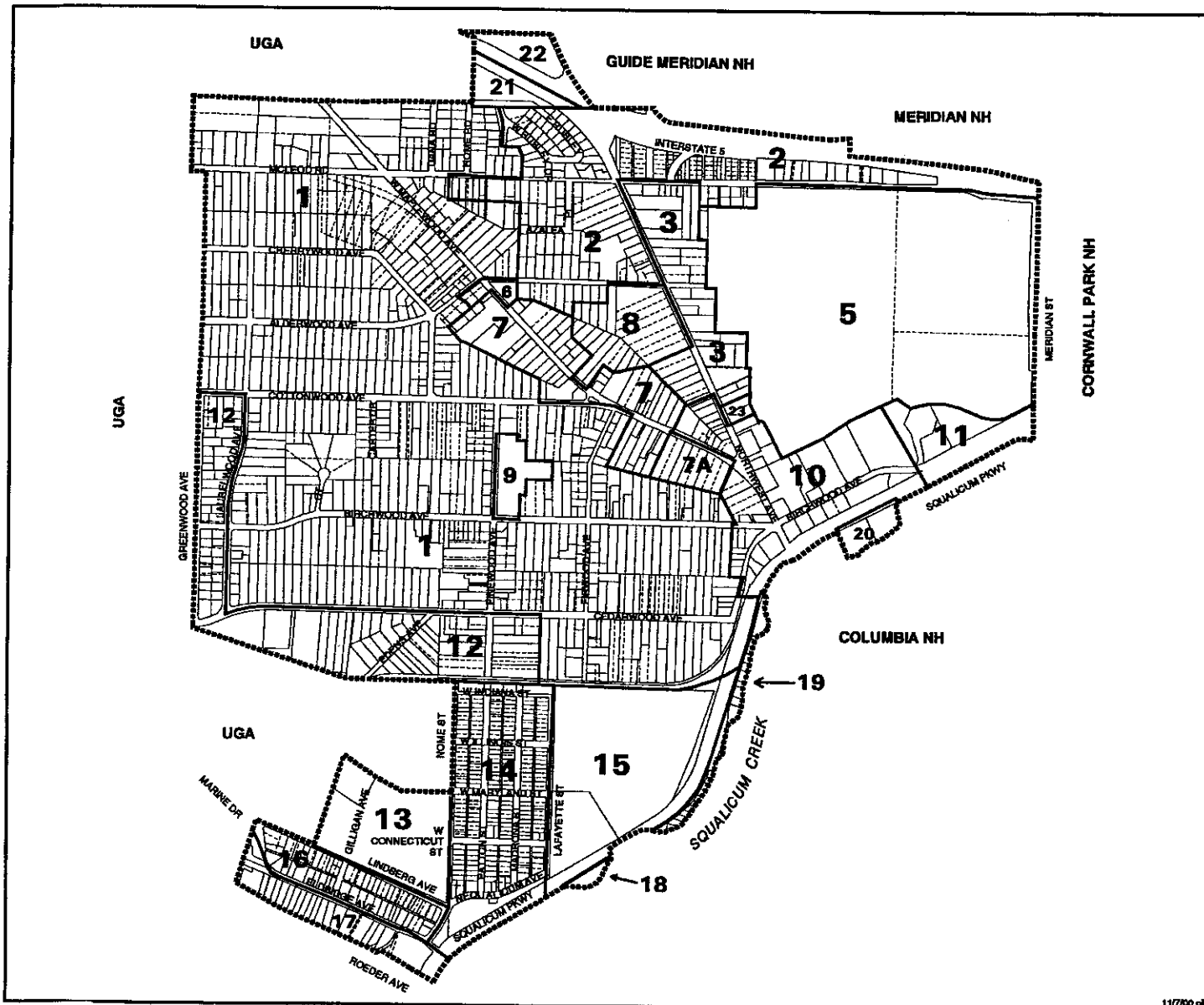
Legend:

AREA	GENERAL USE TYPE
1,2	Residential Single
3,5	Residential Multiple
6	Commercial
7,7A	Residential Multiple
8,9	Public
10	Commercial
11	Residential Multiple
12	Residential Single
13	Public
14	Residential Multiple
15	Industrial
16	Residential Single
17	Residential Multiple
18,19,20	Residential Single
21	Residential Multiple
22	Commercial
23	Public



Planning &
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2000

EXHIBIT B



117700 cp

EXHIBIT C

Sunnyland Neighborhood

Area 7

Legal Description:

ALL THAT PORTION OF BURLINGTON NORTHERN RAILROAD COMPANY'S (FORMERLY CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD COMPANY) BELLINGHAM DIVISION RIGHT OF WAY DESCRIBED AS THAT PORTION OF THAT CERTAIN RIGHT OF WAY 80 FEET IN WIDTH DELINEATED ON "MAP OF THE FIRST ADDITION TO THE TOWN OF NEW WHATCOM, WHATCOM COUNTY, WASHINGTON," NOW A PART OF THE CONSOLIDATED CITY OF BELLINGHAM, WHATCOM COUNTY, WASHINGTON, AS PER THE MAP THEREOF, RECORDED IN BOOK 2 OF PLATS, PAGE 36, IN THE AUDITOR'S OFFICE OF SAID COUNTY AND STATE, LYING NORTHERLY OF THE SOUTHERLY LINE OF BLOCK 255 EXTENDED TO THE EAST AND WEST BLOCK BOUNDARIES, AND SOUTHERLY OF THE NORTHERLY LINE OF SAID BLOCKK EXTENDED TO THE EAST AND WEST BLOCK BOUNDARIES.

SITUATE IN WHATCOM COUNTY, WASHINGTON

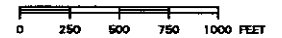
SUNNYLAND NEIGHBORHOOD LAND USE

Legend:

AREA GENERAL USE TYPE

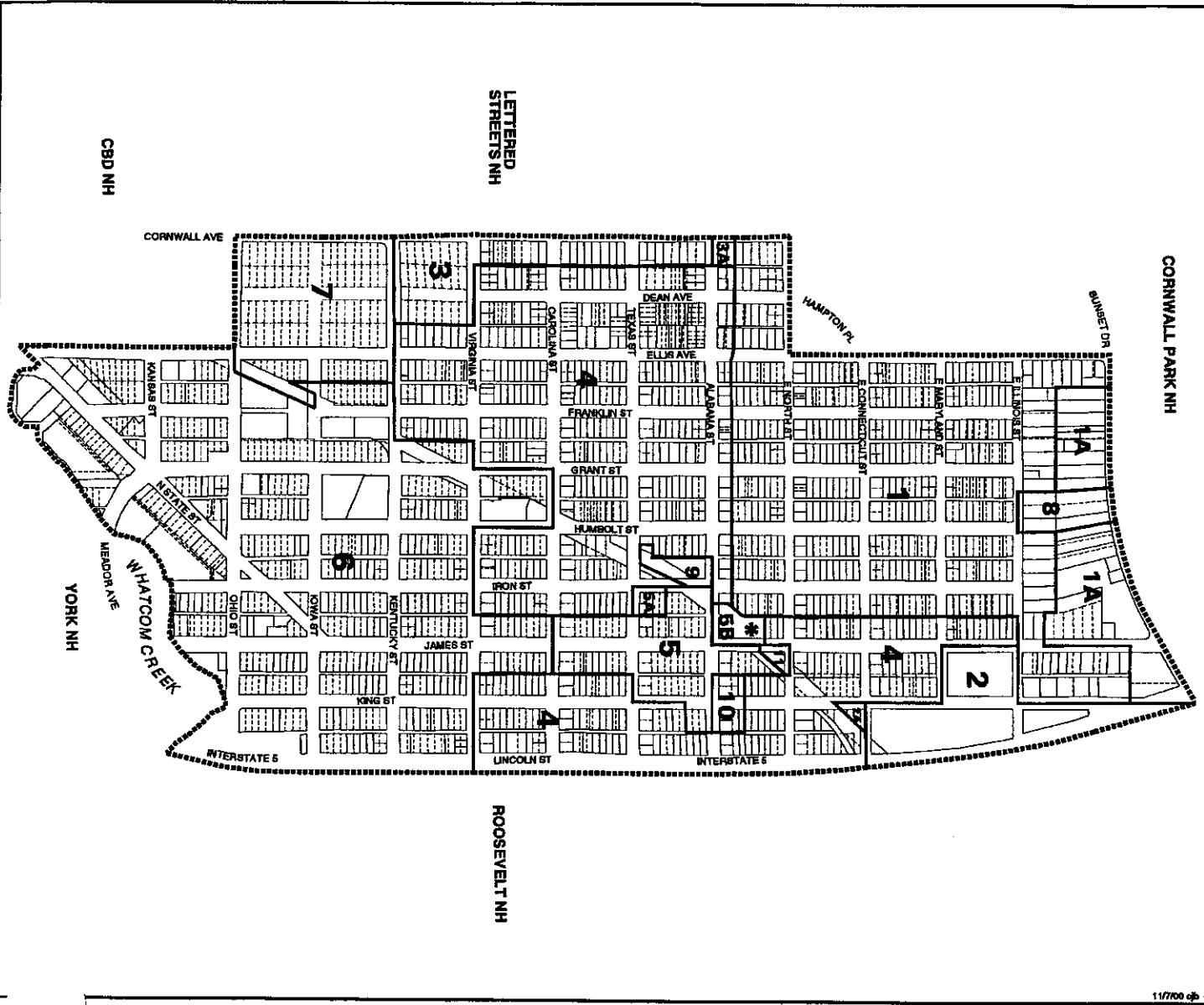
- 1 Residential Single
- 1A Residential Single
- 2 Public
- 2A Public
- 3 Residential Multiple
- 3A Commercial
- 4 Residential Multiple
- 5 Commercial
- 5A Commercial
- 5B Commercial
- 6 Industrial
- 7 Public
- 8 Public
- 9 Public
- 10 Residential Multiple
- 11 Residential Multiple

* See Ordinance #9739, #9861



Planning &
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2000

EXHIBIT D



11/700 djb

EXHIBIT E

Cornwall Park Neighborhood Area 14

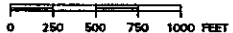
Legal Description:

SQUALICUM PARK LOT 16 BLK 5

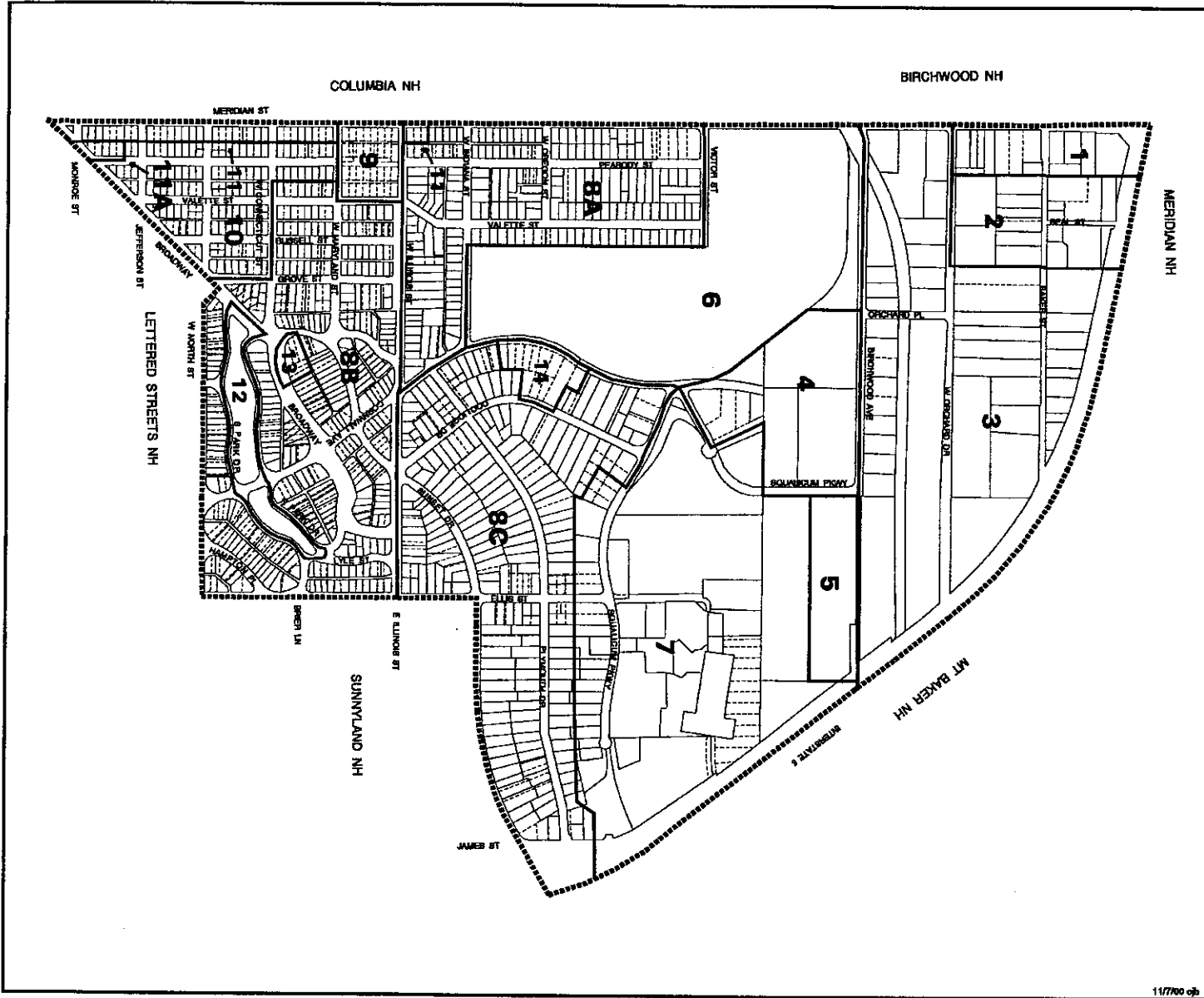
CORNWALL PARK NEIGHBORHOOD LAND USE

Legend:

AREA	GENERAL USE TYPE
1	Commercial
2	Industrial
3	Industrial
4	Residential Multi/Institutional
5	Public
6	Public
7	Institutional
8A	Residential Single
8B	Residential Single
8C	Residential Single
9	Commercial
10	Residential Multi
11	Commercial
11A	Commercial
12	Public
13	Public
14	Public



Planning &
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2000



11/7/00 cjb

EXHIBIT G

South Hill Neighborhood

Area 6

Legal Description:

370201 090495 E K WOODS INDUSTRIAL SITES -- THAT PTN OF LOTS 1 THRU 10 LY WLY OF GREAT NORTHERN RR R/W-TOG WI VAC SWLY ½ DARWIN ST ABTG LOT 1 AS VAC ORD 7348- THAT PTN OF LOTS 14 THRU 19 LY NWLY OF BAYVIEW DR-LOTS 20 THRU 31 LY NWLY OF GREAT NORTHERN RR R/W-TOG WI NELY 100 FT OF LOT 32 LY BTWN BAYVIEW DR-GREAT NORTHERN RR R/W-TOG WI PTNS OF LOTS 35-36 LY ELY OF GREAT NORTHERN RR R/W

370201 057338 TOWN OF BELLINGHAM LOTS 1-2 BLK 3-LESS RR

370201 061323 TOWN OF BELLINGHAM N ½ OF LOT 2- ALL LOTS 3-4 BLK 2

370201 065455 E K WOOD'S INDUSTRIAL SITES- THAT PTN OF LOTS 11-12-13 LY NWLY OF BAYVIEW DR -- ALSO ANY E K WOOD INT IN HARBOR AREA LEAVE ABTG -- THAT PTN OF LOTS 32 THRU 36 LY BTWN GREAT NORTHERN RR R/W-STATE INNER HARBOR LI-EXC NORTHERN PACIFIC R/W-EC NELY 100 FT OF LOT 32 LY BTWN BAYVIEW DR -- GREAT NORTHERN R/W -- THAT PTN OF NORTHERN PACIFIC RR CO'S 30 FOOT R/W LY SLY OF NWLY PROD OF S LI OF SD LOT 11

SOUTH HILL NEIGHBORHOOD LAND USE

Legend:

AREA GENERAL USE TYPE

- 1 Industrial
- 2 Residential Multi
- 3 Residential Multi
- 4A Residential Single
- 4B Residential Single
- 4C Residential Single
- 4D Residential Single
- 4E Residential Single
- 5 Public
- 6 Public
- 7 Residential Multi
- 8 Commercial
- 9 Industrial
- 10 Public
- 11 Public
- 12 Public
- 13 Residential Multi

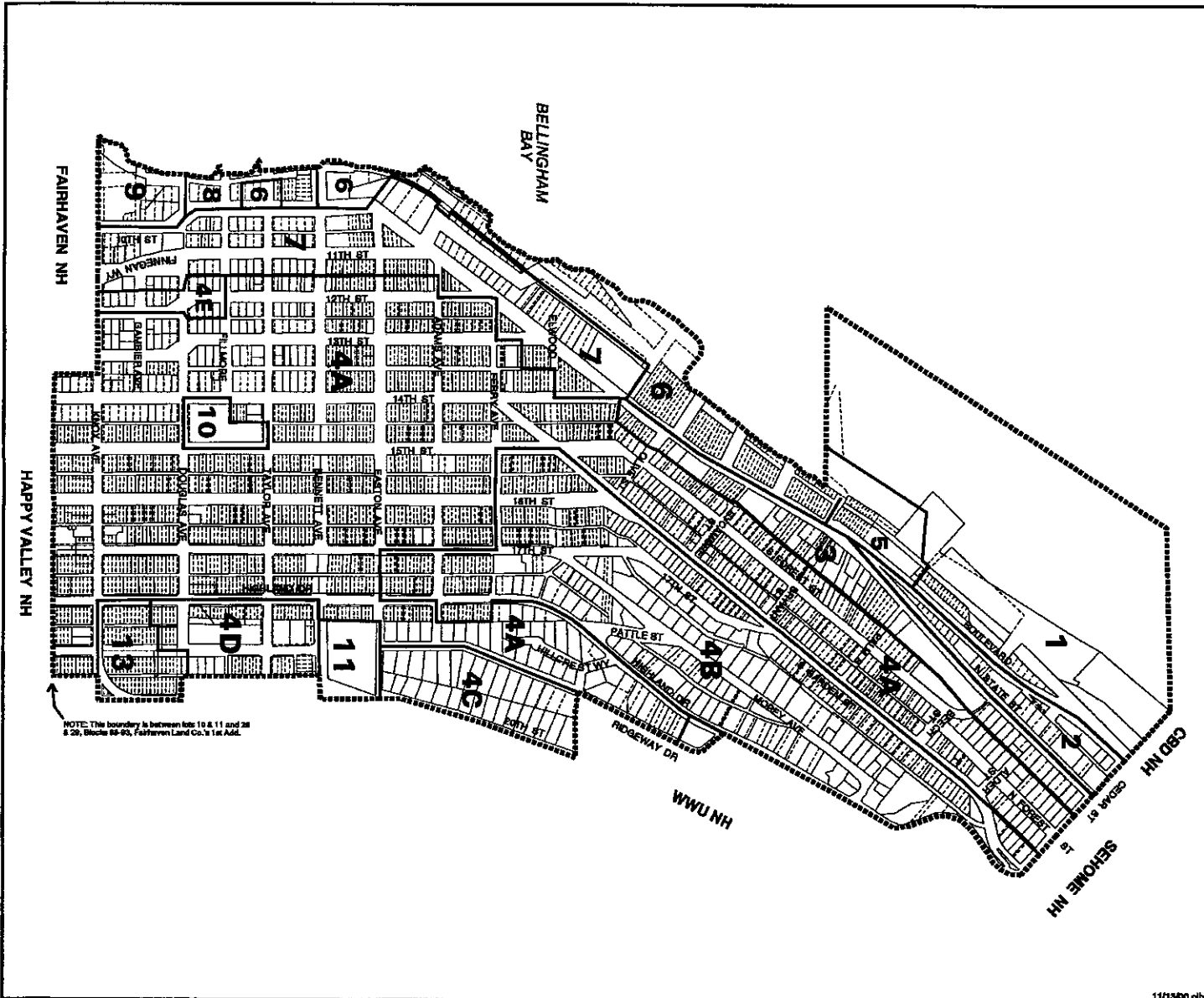


0 250 500 750 1000 FEET



Planning &
Community Development
2000

EXHIBIT H



11/13/00 ojb

EXHIBIT I

Fairhaven Neighborhood

Area 2C

Legal Description:

370201 094116 FAIRHAVEN AM LOT 8 BLK 31

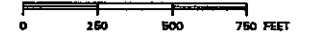
370201 095112 FAIRHAVEN AM LOTS 6-7 BLK 31

FAIRHAVEN NEIGHBORHOOD LAND USE

Legend:

AREA GENERAL USE TYPE

- 1 Industrial
- 1A Industrial
- 1B Industrial
- 2A Commercial
- 2B Commercial
- 2C Public
- 3 Residential Multi
- 4 Industrial
- 5 Commercial
- 6A Residential Multi
- 6B Residential Multi
- 7 Residential Single
- 8 Commercial
- 9 Residential Multi
- 9A Residential Multi
- 10 Public
- 11 Public
- 12 Public
- 13 Public
- 14 Commercial
- 15 Public



Planning &
Community Development
2000

EXHIBIT J

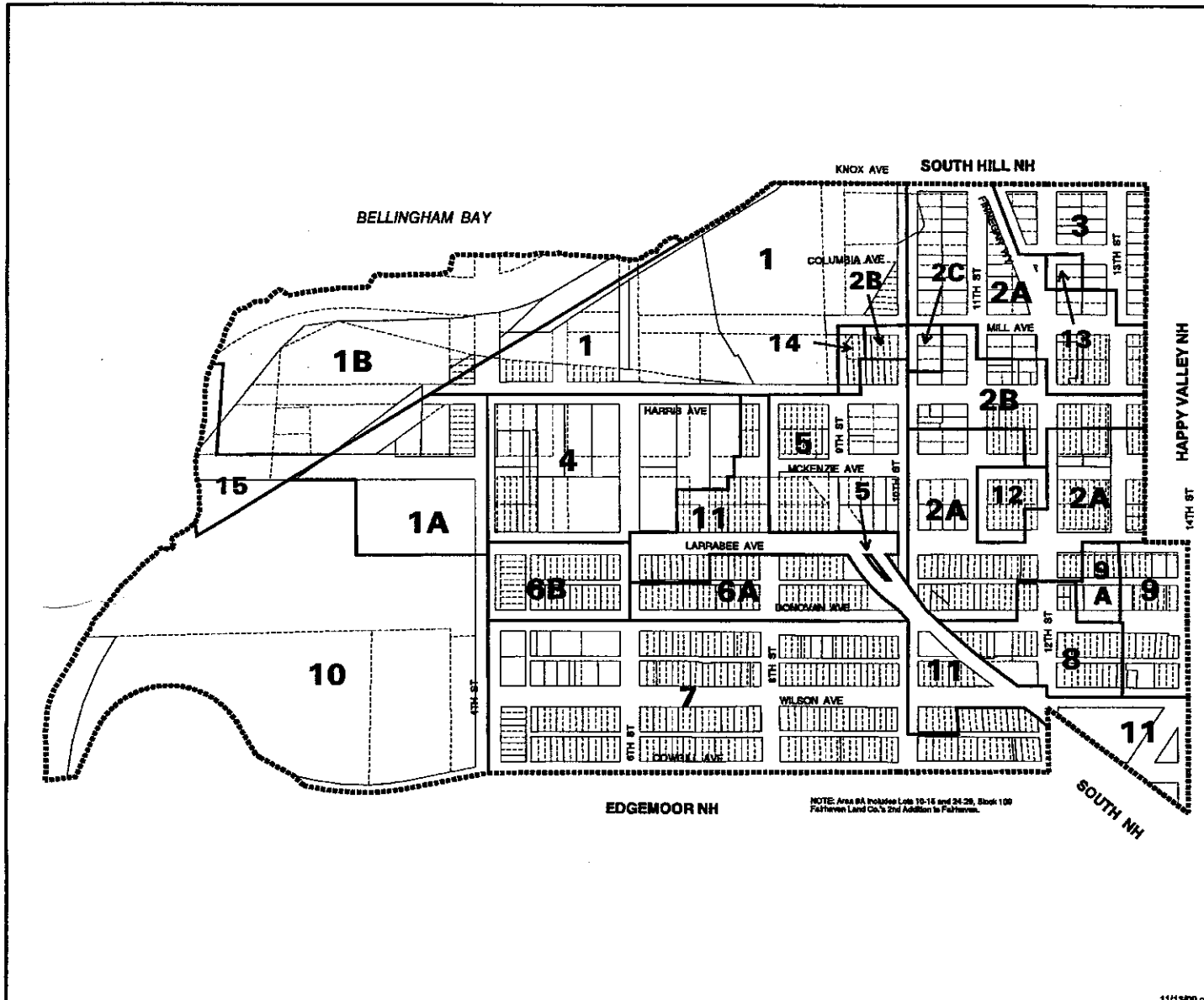


EXHIBIT K

Fairhaven Neighborhood Area 11

Legal Description:

370212 198547 FAIRHAVEN LAND CO'S 2ND ADD TO FAIRHAVEN LOTS 1
THRU 19-23-28 THRU 38 BLK 141

370212 097548 FAIRHAVEN LAND CO'S 2ND ADD TO FAIRHAVEN LOTS 14
THRU 19 BLK 140

370212 094577 FAIRHAVEN LAND CO'S 2ND ADD TO FAIRHAVEN LOT 19 BLK
127

370212 107567 FAIRHAVEN LAND CO'S 2ND ADD TO FAIRHAVEN LOTS 24
THRU 28 BLK 127

370212 094568 FAIRHAVEN LAND CO'S 2ND ADD TO FAIRHAVEN LOTS 20
THRU 23 BLK 127

370212 097548 FAIRHAVEN LAND CO'S 2ND ADD TO FAIRHAVEN LOTS 14
THRU 19 BLK 140

370201 021056 FAIRHAVEN AM LOTS 1-2-3 BLK 55 -- TOG WI VAC W ½ EIGHT
ST ABTG LOT 1 AS VAC ORD 8277 1/1974

370202 548025 FAIRHAVEN LAND CO'S 2ND ADD TO FAIRHAVEN LOT 17 BLK
106

370201 010045 FAIRHAVEN AM LOTS 1-2-3-14 THRU 18 BLK 41-ALL LOTS 4-5-
9-10-11-SLY 50 FT OF LOTS 7-8 BLK 55-SLY 50 FT OF LOTS 1-2 BLK 54-TOG WI
VAC

370201 018046 FAIRHAVEN AM LOTS 12 THRU 16 BLK 55- TOG WI VAC PTN W
½ EIGHTH ST ABTG LOT 16 AS VAC ORD 8277 1/1974

370202 558041 FAIRHAVEN AM LOTS 15-16 BLK 54-TOG WI VAC W ½
SEVENTH ST ABTG LOT 16 AS VAC ORD 8648 5/221 1978

ALL THAT PART OF THE SOCALLED INTERURBAN RIGHT-OF-WAY NOW
OWNED BY GRANTOR AND EXTENDING BETWEEN THE SOUTHERLY LINE

OF LARRABEE AVENUE (AS SUCH LARRABEE AVENUE IS DELINEATED UPON THE PLAT OF THE FAIRHAVEN LAND COMPANY'S SECOND ADDITION TO FAIRHAVEN, WASHINGTON, FILED FOR RECORD AUGUST 31, 1889), AND A NORTH AND SOUTH LINE, WHICH IS THE WEST LINE OF TWENTY-THIRD STREET (SHOWN AS MADISON AVENUE UPON THE PLAT OF ELDRIDGE'S ADDITION TO BELLINGHAM, FILED FOR RECORD DECEMBER 10, 1888) PRODUCED SOUTHERLY ACROSS SAID INTERURBAN RIGHT-OF-WAY

EXHIBIT L

South Neighborhood

Area 3A

Legal Description:

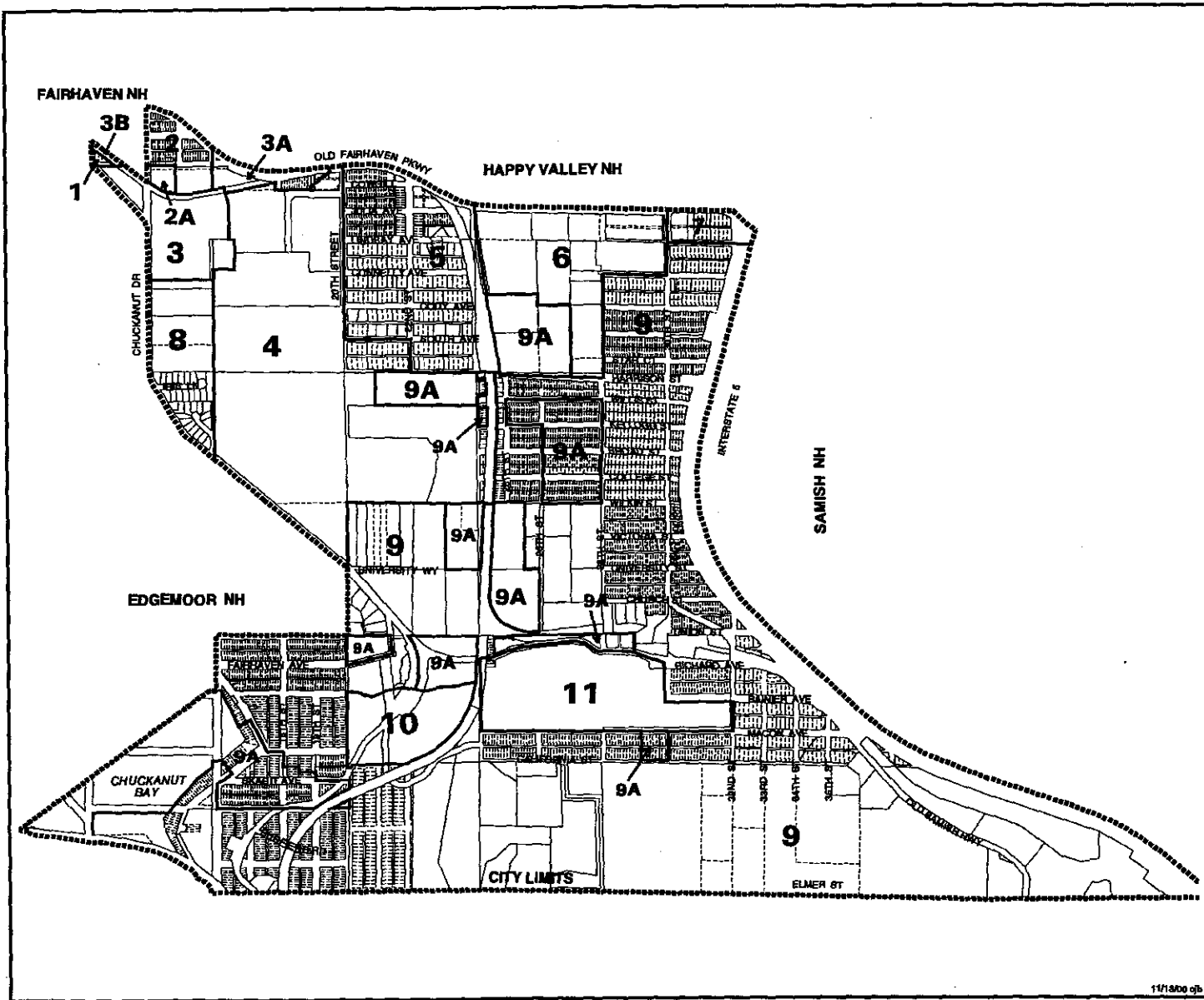
370212 346507 THAT PTN OF ABANDONED INTERURBAN R/W LY BTWN SLY LI OF LARRABEE AVE-W LI OF 23RD ST PRODUCED SLY

370212 393510 THAT PTN OF VAC BLK 149 FAIRHAVEN LAND CO'S 2ND ADD TO FAIRHAVEN LY SLY OF OLD INTERURBAN R/W BEING FORMER LOTS 2-11 THRU 20-TOG WI VAC ABTG ALLEY-TOG WI VAC 19TH ST ABTG AS VAC 6817 4/21/1952 AS VAC ORD 10134 AF 901120062

370212 408511 LOT 1 PADDEN CREEK APARTMENTS NO 2 LLA AS REC BOOK 26 SHORT PLATS PG 93

370212 326512 LOT B PARK VIEW SHORT PLAT AS REC BOOK 4 SHORT PLATS PG 82

ALL THAT PART OF THE SOCALLED INTERURBAN RIGHT-OF-WAY NOW OWNED BY GRANTOR AND EXTENDING BETWEEN THE SOUTHERLY LINE OF LARRABEE AVENUE (AS SUCH LARRABEE AVENUE IS DELINEATED UPON THE PLAT OF THE FAIRHAVEN LAND COMPANY'S SECOND ADDITION TO FAIRHAVEN, WASHINGTON, FILED FOR RECORD AUGUST 31, 1889), AND A NORHT AND SOUTH LINE, WHICH IS THE WEST LINE OF TWENTY-THIRD STREET (SHOWN AS MADISON AVENUE UPON THE PLAT OF ELDRIDGE'S ADDITION TO BELLINGHAM, FILED FOR RECORD DECEMBER 10, 1888) PRODUCED SOUTHERLY ACROSS SAID INTERURBAN RIGHT-OF-WAY

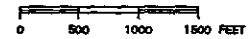


SOUTH NEIGHBORHOOD LAND USE

Legend:

AREA GENERAL USE TYPE

- | | |
|----|--------------------|
| 1 | Residential Single |
| 2 | Residential Multi |
| 2A | Residential Multi |
| 3 | Public |
| 3A | Public |
| 3B | Public |
| 4 | Residential Multi |
| 5 | Residential Single |
| 6 | Residential Multi |
| 7 | Commercial |
| 8 | Residential Single |
| 9 | Residential Single |
| 9A | Public |
| 10 | Public |
| 11 | Public |



Planning &
Community Development
2000

EXHIBIT M

EXHIBIT N

South Neighborhood Area 3B

Legal Description:

ALL THAT PART OF THE SO CALLED INTERURBAN RIGHT-OF-WAY NOW OWNED BY GRANTOR AND EXTENDING BETWEEN THE SOUTHERLY LINE OF LARRABEE AVENUE (AS SUCH LARRABEE AVENUE IS DELINEATED UPON THE PLAT OF THE FAIRHAVEN LAND COMPANY'S SECOND ADDITION TO FAIRHAVEN, WASHINGTON, FILED FOR RECORD AUGUST 31, 1889), AND A NORTH AND SOUTH LINE, WHICH IS THE WEST LINE OF TWENTY-THIRD STREET (SHOWN AS MADISON AVENUE UPON THE PLAT OF ELDRIDGE'S ADDITION TO BELLINGHAM, FILED FOR RECORD DECEMBER 10, 1888) PRODUCED SOUTHERLY ACROSS SAID INTERURBAN RIGHT-OF-WAY

FAIRHAVEN LAND CO'S 2ND ADD TO FAIRHAVEN LOTS 20-21-22 BLK 141

EXHIBIT O

South Neighborhood

Area 9A

Legal Description:

370307 043038 THAT PTN OF S ½ W ½ OF GOVT LOT 4 LY E-N OF INTERURBAN-OLD GREAT NORTHERN RR R/W'S-EXC STS-RDS

370307 051300 THE WEST HALF (1/2) OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION SEVEN (7), TOWNSHIP THIRTY-SEVEN (37), NORTH, RANGE THREE (3), EAST OF THE W.M.

AND ALSO, A TRACT OF LAND DESCRIBED AS COMMENCING AT A POINT THREE HUNDRED AND NINETY-SIX FEET (396) NORTH, FROM THE SOUTHWEST CORNER OF LOT TWO (2) IN SECTION 7, TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE THREE (3), EAST OF THE W.M.; THENCE EAST SIX HUNDRED AND EIGHTY FEET (380); THENCE, WEST SIX HUNDRED SIXTEEN AND FIVE TENTHS FEET (616.5); THENCE SOUTH THREE HUNDRED AND EIGHTY FEET (380), TO THE PLACE OF BEGINNING, EXCLUSIVE OF THE RIGHT OF WAY OF THE FAIRHAVEN AND SOUTHERN RAILWAY.

AND ALSO, A TRACT COMMENCING AT THE SOUTHWEST CORNER OF LOT TWO (2), IN SECTION SEVEN (7), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE THREE (3), EAST OF THE W.M.; THENCE EAST SIX HUNDRED AND SIXTEEN AND FIVE TENTHS FEET, (616.5); THENCE NORTH THREE HUNDRED AND NINETY SIX FEET (396); THENCE WEST THREE HUNDRED SIXTEEN AND FIVE TENTHS FEET (316.5); THENCE SOUTH THREE HUNDRED AND NINETY SIX FEET (396) TO THE PLACE OF BEGINNING, EXCLUSIVE OF THE RIGHT OF WAY OF THE FAIRHAVEN AND SOUTHERN RAILWAY.

370307 057237 CLARK'S ADD TO FAIRHAVEN LOTS 13-14-15 BLK 6

370307 060208 LOTS 21 THRU 24 BLK 6 -- LOTS 1 THRU 8 BLK 11 -- LOTS 33 THRU 44 BLK 12 -- LOTS 1 THRU 13 BLK 13 CLARK'S ADD TO FAIRHAVEN LOTS 17 THRU 24 BLK 3 WARDNER'S ADD TO FAIRHAVEN

370307 071246 CLARK'S ADD TO FAIRHAVEN LOTS 1-2 BLK 5

370307 076237 CLARK'S ADD TO FAIRHAVEN LOTS 40 THRU 44 BLK 5

370307 110216 LOTS 3 THRU 39 BLK 5 -- LOTS 1 THRU 12- LOTS 16 THRU 20 BLK 6 LOTS 1 THRU 32 BLK 12 LOTS 14 THRU 22 BLK 13 CLARK'S ADD TO FAIRHAVEN, LOTS 13 THRU 17 BLK 4 WARDNER'S ADD TO FAIRHAVEN VAC

LOTS 1 THRU 14 BLK 21 VAC LOTS 1 THRU 44 BLK 22 HAPPY VALLEY ADD
AM TOG WI VAC STREETS ABTG

370307 051300 THE WEST HALF (1/2) OF THE SOUTHEAST QUARTER OF THE
SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION SEVEN
(7), TOWNSHIP THIRTY-SEVEN (37), NORTH RANGE THREE (3), EAST OF THE
W.M.

AND ALSO, A TRACT OF LAND DESCRIBED AS COMMENCING AT A POINT
THREE HUNDRED AND NINETY-SIX FEET (396) NORTH, FROM THE
SOUTHWEST CORNER OF LOT TWO (2) IN SECTION , TOWNSHIP THIRTY-
SEVEN (37) NORHT, RANGE THREE (3), EAST OF THE W.M.; THENCE EAST
SIX HUNDRED AND SISTEEN AND FIVE-TENTHS FEET (616.5); THENCE
NORHT, THREE HUNDRED AND EIGHTY FEET (380); THENCE, WEST SIX
HUNDRED SIXTEEN AND FIVE TENTHS FEET (616.5); THENCE SOUTH THREE
HUNDRED AND EIGHTY FEET (380), TO THE PLACE OF BEGINNING,
EXCLUSIVE OF THE RIGHT OF WAY OF THE FAIRHAVEN AND SOUTHERN
RAILWAY.

AND ALSO, A TRACT COMMENCING AT THE SOUTHWEST CORNER OF LOT
TWO (2), IN SECTION SEVEN (7), TOWNSHIP THIRTY SEVEN (37) NORTH,
RANGE THREE (3), EAST OF THE W.M.; THENCE EAST SIX HUNDRED AND
SIXTEEN AND FIVE TENTHS FEET, (616.5); THENCE NORTH THREE HUNDRED
AND NINETY SIX FEET (396); THENCE WEST THREE HUNDRED SIXTEEN AND
FIVE TENTHS FEET (316.5); THENCE SOUTH THREE HUNDRED AND NINETY
SIX FEET (396) TO THE PLACE OF BEGINNING, EXCLUSIVE OF THE RIGHT OF
WAY OF THE FAIRHAVEN AND SOUTHERN RAILWAY.

370318 072474 ADSIT-ZEDNICK'S ADD TO FAIRHAVEN LOTS 1-2 BLK 13- SUBJ
TO RDWY ESMT DESC IN VOL 340-D-552

370318 200493 ADSIT-ZEDNICK'S ADD TO FAIRHAVEN LOTS 13 THRU 18-23
THRU 28 BLK 14

370213 151409 FAIRHAVEN TIDELANDS LOTS 110 THRU 118-120 WLY 375 FT
OF LOT 119

370213 331468 SOUTH FAIRHAVEN AM LOTS 18 THRU 32 BLK 22

370213 383409 SOUTH FAIRHAVEN AM LOTS 1 THRU 20 BLK 44-TOG WI VAC
ALLEY R/W-TOG WI VAC 18TH ST ABTG LOTS 1-20 AS VAC ORD 9614 12/1986
AF 1561029

370213 346432 SOUTH FAIRHAVEN AM BLKS 28-29-TOG WI VAC 17TH ST ABTG
SOUTH FAIRHAVEN AM

370213 382425 SOUTH FAIRHAVEN AM LOTS 7 THRU 12 BLK 27-TOG WI VAC
STREET-ALLEY ABTG

370213 417405 SOUTH FAIRHAVEN AM-STRIP 40 FT IN WIDTH EXT ACROSS VAC BLKS 35-36 SOUTH FAIRHAVEN C/L OF WH BEAP 662.06 FT N-946.56 FT W OF SE COR OF SW NE-TH S 60 DEG 36'00" E 459.11 FT-TH S 84 DEG 14'00" E 153.51 FT-ALL BLK 45-EXC INTERURBAN-RD ON BLK 45

370213 407415 THAT PTN OF NW NE NE LY NLY OF FAIRHAVEN AVE-WLY OF OLD CHUCKANUT HWY

370213 497490 THAT PTN OF NE NE LY NLY-WLY OF CHUCKANUT CREEK-ELY OF NEW CHUCKANUT DR-LESS RD-SUBJ TO 60 FT RDWY ESMT RES BY CITY OF BELLINGHAM DESC IN VOL 293-D-257

370202 375045 THAT PTN OF S ½ SE DAF-NWLY 15 FT OF BURLINGTON NORTHERN-SANTA FE RR CO'S 100 FT WIDE MAIN LI R/W BEING 50 FT WIDE ON EACH SIDE OF SD RR CO'S MAIN TRACK C/L AS NOW LOCATED-CONSTRUCTED UPON OVER - ACROSS S ½ SE LY BTWN TWO LINES DRAWN PAR WI-DISTANT RESPECTIVELY 35 FT-50 FT NWLY AS MEAS AT R/A FR SD MAIN TRACK C/L BOUNDED ON N BY S LI OF MCKENZIE AVE-BOUNDED ON SW BY A LI DRAWN AT R/A TO SD MAIN TRACK C/L AT A PT 435 FT SWLY FR S LI OF MCKENZIE AVE AS MEAS ALG SD MAIN TRACK C/L-THAT PTN OF S ½ SE DAF-BEAP 650 FT W AS MEAS AT R/A FR W LI OF FOURTH ST 50 FT NWLY AS MEAS AT R/A FR SD RR CO'W MAIN TRACK C/L AS NOW LOCATED-CONSTRUCTED TH NELY PAR WI SD MAIN TRACK C/L TO INTERS WI A LI DRAWN PAR WI-55 FT NWLY AS MEAS AT R/A FR SD MAIN TRACK C/L SD PT BEING SWLY COR OF TR FR GREAT NORTHER RR CO TO PACIFIC AMERICAN FISHERIES 8/8/1938-TH NELY PAR WI SD MAIN TRACK C/L-ALF SLY LI OF SD PACIFIC AMERICAN FISHERIES PROP TO INTERS WI A LI DRAWN CONCENTRIC WI-12.5 FT NWLY AS MEAS RADIALY FR SD RR CO'S SPUR TRACK C/L AS NOW LOCATED-CONSTRUCTED-TH NELY-NLY ALG LAST DESC PAR LI TO INTERS WI A LI DRAWN CONCENTRIC WI-12.5 FT ELY AS MEAS RADIALY FR SD SPUR TRACK C/L-TH SLY ALG LAST DESC CONCENTRIC LI TO INTERS WI A LI DRAWN PAR WI-55 FT NWLY AS MEAS AT R/A FR SD MAIN TRACK C/L-TH NELY ALG LAST DESC PAR LI TO INTERS WI A LI DRAWN PAR WI-210 FT N AS MEAS AT R/A FR N LI OF MCKENZIE AVE-TH E ALG LAST DESC PAR LI TO INTERS WI A LI DRAWN PAR WI-35 FT NWLY AS MEAS AAT R/A FR SD MAIN TRACK C/L-TH SWLY ALG LAST DESC PAR LI TO N LI OF MCKENZIE AVE-TH W ALG SD N LI TO A LI DRAWN PAR WI-650 FT AS MEAS AT R/A FR W LI OF FOURTH ST-TH N ALG SD PAR LI TO POB

370307 032101 N ½ W ½ OF GOVT LOT 4-EXC TR SOLD ON WLY SIDE OF INTERURBAN-EXC E 2 ACRES THEREOF-EXC STREET-INTERURBAN

370318 064580 THAT PTN OF NW NW LY WITHIN 2 LINES PAR TO-50 FT NLY-50 FT SLY FR C/L OF OLD GREAT NORTHERN RR R/W-LY E OF W LI OF VAC BLK 6 ADSIT-ZEDNICK'S ADD TO FAIRHAVEN

370318 160575 LOT 10 CHURCH STREET SHORT PLAT AS REC BOOK 25 SHORT
PLATS PG 78

370318 174575 LOT 9 CHURCH STREET SHORT PLAT AS REC BOOK 25 SHORT
PLATS PG 78