

ORDINANCE NO. 1579

AN ORDINANCE VACATING A PORTION OF DIVISION STREET WITHIN THE CITY OF LYNDEN, WHATCOM COUNTY, WASHINGTON

WHEREAS, the City of Lynden heretofore declared its intention to vacate a portion of Division Street (“the vacation”); and fixed the date of the April 15, 2019 as the date for a public hearing on the vacation; and

WHEREAS, notices were duly mailed on March 18, 2019 and published in the Lynden Tribune on March 20, 2019, and posted in accordance with RCW 35.79.020; and

WHEREAS, no adjoining property owner submitted a protest to the vacation; and

WHEREAS, on April 15, 2019, the City Council of the City of Lynden did convene and hold a public hearing on the vacation and has determined to grant the same; and

WHEREAS, the Lynden City Council has determined that future development to be served by the rights-of-way described in Section 1 (below) and shown on Exhibit A (attached) will be limited, that the portion of the right-of-way to be vacated is not needed by the City, and that the public is best served with the described rights-of-way in private ownership; and

WHEREAS, the City Council has determined that the portion of Division Street described in Section 1 and shown on Exhibit A will not be extended, and will not serve as a connector street to other, more widely traveled streets; and

WHEREAS, the City Council has determined that this partial street vacation complies with the requirements of RCW 35.79.035(1)(c);

WHEREAS, the City Council accepts the appraised value of \$1800.00 as determined by certified appraiser Tom Follis as of December 12, 2018.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LYNDEN, WASHINGTON, as follows:

Section 1: That the following described portion of said Division Street right-of-way are hereby vacated:

A PORTION OF THE NE ¼ OF THE NE ¼ OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M. THE WESTERLY FIVE FEET OF DIVISION STREET ABUTTING LOT 5, BLOCK 40, HAWLEY’S ADDITION TO LYNDEN. LOCATED WITHIN THE CITY OF LYNDEN, WHATCOM COUNTY WASHINGTON.

COMMONLY DESCRIBED AS: The five feet of right-of-way on the west side of Division Street abutting 612 Drayton Street, Lynden.

Section 2: That a certified copy of this ordinance be sent to the Auditor of Whatcom County, Washington, and recorded by said Whatcom County Auditor.

Section 3: This ordinance shall be in full force and effect from and after its passage by the City Council and approval by the Mayor, otherwise as provided by law, five days after the date of its publication.

PASSED by the City Council this _____ day of _____, 2019. Signed and approved by the Mayor this _____ day of _____ 2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

State of Washington
County of Whatcom

Signed by Mayor Scott Korthuis and attested by Mike Martin before me on this ___ day of _____, 2019.

NOTARY PUBLIC, in and for the
State of Washington, residing at
