

ORDINANCE NO. 1628

AN ORDINANCE VACATING A PORTION OF REDWOOD ROAD WITHIN THE
CITY OF LYNDEN, WHATCOM COUNTY, WASHINGTON

WHEREAS, the City of Lynden heretofore declared its intention to vacate a portion of Redwood Road (“the vacation”); and fixed the date of the July 6, 2021, as the date for a public hearing on the vacation; and

WHEREAS, notices were duly mailed on May 26, 2021, and published in the Lynden Tribune on May 26, 2021, and posted in accordance with RCW 35.79.020; and

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

WHEREAS, on July 6, 2021, the City Council of the City of Lynden held a public hearing to accept public comment on the proposed vacate. The public hearing was closed, and the meeting was continued to allow Staff additional time to conduct a valuation and analysis of the property in question and has prepared the following ordinance.

WHEREAS, On October 18, 2021, the Lynden City Council 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 Redwood Road described in Section 1 and shown on Exhibit A (attached) 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 property owner is dedicating comparable right-of-way and utility easements along the east and south property lines of the subject parcel as shown on Exhibits B, C, D and E (attached).

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 Redwood Road right-of-way is hereby vacated:

WEST LYNDEN BUSINESS PARK GENERAL BINDING SITE PLAN,
ACCORDING TO THE PLAT THEREOF, RECORDED SEPTEMBER 19, 2007,

UNDER WHATCOM COUNTY AUDITORS FILE NO. 2070902318, EXCEPT WEST LYNDEN BUSINESS PARK SPECIFIC BINDING SITE PLAN NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED OCTOBER 5, 2007, UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 2071000873, AND ALSO EXCEPT WEST LYNDEN BUSINESS PARK SPECIFIC BINDING SITE PLAN NO. 2, ACCORDING TO THE PLAT THEREOF, RECORDED APRIL 7, 2008, UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 2080400724. SITUATE IN WHATCOM COUNTY, WASHINGTON.

COMMONLY DESCRIBED AS: 300 – 400 Block of Redwood Road, 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 18th day of October, 2021.

Signed and approved by the Mayor this 18th day of October 2021.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

State of Washington
County of Whatcom

Signed by Mayor Scott Korthuis and attested by Pam Brown before me on this ___ day of _____, 2021.

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