

PEND OREILLE COUNTY
NEWPORT, WASHINGTON

RESOLUTION NO. 2015-17

RE: Rocky Creek Road Right of Way Vacation

WHEREAS, Rocky Creek Road between State Highway 20 and the east line of Section 30, Township 37N, Range 42E WM, is established as a Maintained County Road;

WHEREAS, the land adjacent to this section of Rocky Creek Road is in the Colville National Forest;

WHEREAS, Rocky Creek Road is an important road to service the National Forest;

WHEREAS, Rocky Creek Road is of minor use as a County Road;

WHEREAS, the County has closed Rocky Creek Road due to the condition of Bridge No. 3 at Milepost 2.50;

WHEREAS, Rocky Creek Road is currently open all year to use by ATV's except for the closed bridge;

WHEREAS, the US Forest Service is planning a Fuel Reduction program in the adjacent area and needs to reopen Rocky Creek Road;

WHEREAS, the US forest Service is considering realigning Rocky Creek road to eliminate the need for three bridges and increase the separation between the roadway and Lost Creek;

Whereas, the alternate alignment would connect to Hanks Butte Road near its intersection with Highway 20 and provide the same transportation network connectivity,

WHEREAS, the Board of County Commissioners conducted a public hearing on June 23, 2014 at 3:00pm;

WHEREAS, the Board has determined that it is the best public interest that the County transfer maintenance and jurisdictional responsibility of Rocky Creek Road to the US Forest Service;

WHEREAS, the US Forest Service as petitioned the County to vacate the existing rocky Creek Road right of way;

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NOW, THEREFORE

IT IS HEREBY RESOLVED that Rocky Creek Road between State Highway 20 and the east line of Section 30, Township 37N, Range 42E WM is vacated subject to the following conditions:

- It is the intent of the US Forest Service reopen Rocky Creek Road or the alternate alignment to public use.
- It is the intent of the US Forest Service to permit all year ATV use of the existing alignment or the alternate alignment.
- The US Forest Service will either repair or replace the existing bridges or remove the bridges if the Forest Service realigns Rocky Creek Road at US Forest Service's expense
- The US Forest Service will operate and maintain Rocky Creek Road or the alternate route at the US forest Service's expense
- All costs to construct the alternate route and to remove and obliterate the existing alignment are the US Forest Service's expense

ALSO IT IS HEREBY RESOLVED that the effective the date of the vacation is the date received of a letter from the US Forest Service to Pend Oreille County accepting the above conditions

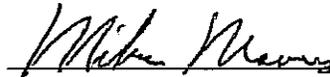
BE IT FURTHER RESOLVED that that utility maintenance easements within the existing Rocky Creek Right of way for all public and private utilities of record are retained.

ADOPTED this 1st day of June, 2015.

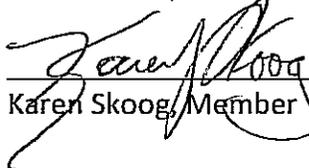
BOARD OF COUNTY COMMISSIONERS



Steve Kiss, Chair

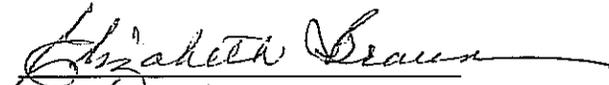


Mike Manus, Vice-Chair



Karen Skoog, Member

ATTEST:


Clerk of the Board