

**PEND OREILLE COUNTY
NEWPORT, WASHINGTON**

RESOLUTION NO. 2020-34

VACATION OF A PORTION OF FERTILE VALLEY ROAD

WHEREAS, the adjacent landowner, being 100 percent of the frontage, has petitioned to vacate that portion of Fertile Valley Road adjacent to Lot 8, Block 2 of Ludwick & Hermanson's Lake Shore Lots 1st Addition, Section 12, Township 31N, Range 43E W.M., Pend Oreille County, Washington.

WHEREAS, a public hearing was held on September 30, 2019 at 1:30pm to hear the matter;

WHEREAS, the Board of Commissioners resolved in Resolution 2019-26 to vacate the portion of Fertile Valley subject to the applicant supplying a legal description prepared by a Professional Land Surveyor and acceptable to the Board of County Commissioners, the applicant has the new right-of-way corners monumented and the applicant has a Record of Survey filed acceptable to the Board of County Commissioners;

WHEREAS, the Board of Commissioners further limited Resolution 2019-26 to be effective for one year after the date of adoption, September 30, 2019;

WHEREAS, Exhibit A documents the legal description for the proposed vacation said portion of Fertile Valley Road is southerly of the current in use Fertile Valley right of way;

WHEREAS, Exhibit B documents the required right-of-way monuments and is the filed Record of Survey;

WHEREAS, the Board of Commissioners finds these documents acceptable and the applicant has fully met the conditions required in Resolution 2019-26;

NOW, THEREFORE BE IT HEREBY RESOLVED, by the Board of Commissioners that portion of adjacent to Lot 8, Block 2 of Ludwick & Hermanson's Lake Shore Lots 1st Addition, Section 12, Township 31N, Range 43E W.M., Pend Oreille County, Washington, more fully described below, to be vacated;

Legal Description:

THAT PORTION OF COUNTY ROAD RIGHT-OF-WAY, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 31 NORTH, RANGE 43 EAST, WILLAMETTE MERIDIAN, PEND OREILLE COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2" PIPE AT THE NORTHWESTERLY CORNER OF LOT 8 OF "1ST ADDITION TO LUDWICK AND HERMANSON'S LAKE SHORE LOTS"; THENCE N1°39'11"W, 45.18 FEET, TO THE SOUTHERLY RIGHT-OF-WAY LINE OF FERTILE ALLEY ROAD, TO A FOUND 5/8" REBAR WITH PLASTIC CAP, PLS NO. 45156; THENCE ALONG SAID RIGHT-OF-WAY, ALONG A NON-TANGENT CURVE TO THE LEFT, 98.68 FEET (RADIUS = 995.00 FEET, CHORD = N74°06'13"E, 98.64 FEET) TO A FOUND 3/4" REBAR WITH ALUMINUM CAP, PLS NO. 24220; THENCE S0°26'41"W, 93.04 FEET; TO THE SOUTHERLY RIGHT-OF-WAY OF SAID COUNTY ROAD; THENCE N77°20'03"W, 95.16 FEET, TO A FOUND 1/2" PIPE, ALSO THE POINT OF BEGINNING.

SAID TRACT CONTAINS APPROXIMATELY 6,426 SQUARE FEET.

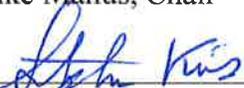
AND BE IT FURTHER RESOLVED, that The County retains an easement for public utilities and services of record on the date of adoption for the construction, repair, and maintenance of public utilities and services which at the time the resolution is adopted are authorized or are physically located on a portion of the land being vacated as required by RCW 36.87.140.

ADOPTED this 26 day of May 2020.

BOARD OF COUNTY COMMISSIONERS



Mike Manus, Chair



Steve Kiss, Vice-Chair

ABSENT

Karen Skoog, Member

ATTEST:



Crystal Zieske, Clerk of the Board


SECTION 26, TOWNSHIP 31 NORTH, RANGE 43 EAST, W.M.

PEND OREILLE COUNTY, WASHINGTON

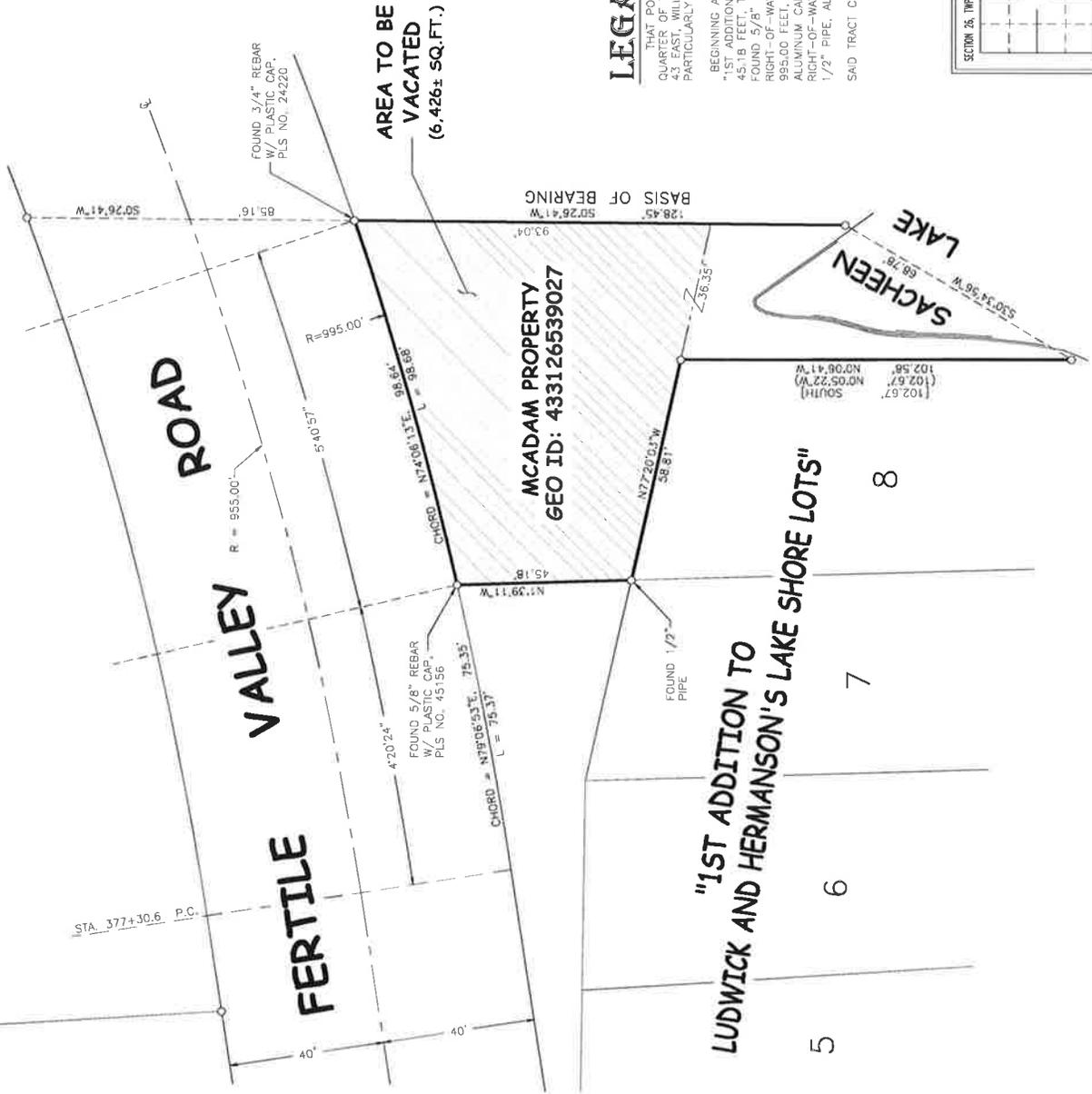
BASIS OF BEARING

RECORD OF SURVEY INSTRUMENT NUMBER 264794 AS FILED BY PLS NUMBER 24220 ON SEPTEMBER 9, 2002.

TRUE NORTH



SCALE - 1" = 20'



LEGAL DESCRIPTION

THAT PORTION OF COUNTY ROAD RIGHT-OF-WAY, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 31 NORTH, RANGE 43 EAST, PEND OREILLE COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2" PIPE AT THE NORTHWESTERLY CORNER OF LOT 8 OF "1ST ADDITION TO LUDWICK AND HERMANSON'S LAKE SHORE LOTS"; THENCE N1°39'11"W, 45.18 FEET, TO THE SOUTHERLY RIGHT-OF-WAY LINE OF FERTILE VALLEY ROAD, TO A FOUND 5/8" REBAR WITH PLASTIC CAP, PLS NO. 45156; THENCE ALONG SAID RIGHT-OF-WAY, ALONG A NON-TANGENT CURVE TO THE LEFT, 98.68 FEET (RADIUS = 995.00 FEET, CHORD = N74°06'13"E, 98.64 FEET) TO A FOUND 3/4" REBAR WITH ALUMINUM CAP, PLS NO. 24220; THENCE S0°26'41"W, 93.04 FEET, TO THE SOUTHERLY RIGHT-OF-WAY OF SAID COUNTY ROAD; THENCE N77°20'03"W, 95.16 FEET, TO A FOUND 1/2" PIPE, ALSO THE POINT OF BEGINNING.

SAID TRACT CONTAINS APPROXIMATELY 6,426 SQUARE FEET.

Exhibit A

SECTION 26, TWP 31N, R43E, W.M.

SHEET TITLE:

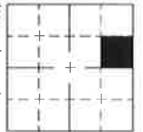


EXHIBIT FOR ROAD VACATION

James A. Sewell and Associates, LLC
 CONSULTING ENGINEERS
 NEWPORT, WASHINGTON, 99156
 (509) 447-3626

PEND OREILLE COUNTY
NEWPORT, WASHINGTON

RESOLUTION NO. 2019- 26

VACATION OF A PORTION OF FERTILE VALLEY ROAD

WHEREAS, the adjacent land owner, being 100 percent of the frontage, has petitioned to vacate that portion of Fertile Valley Road adjacent to Lot 8, Block 2 of Ludwick & Hermanson's Lake Shore Lots 1st Addition, Section 12, Township 31N, Range 43 E.W.M., Pend Oreille County, Washington;

WHEREAS, a public hearing was held on September 30, 2019 at 1:30 pm to hear the matter;

WHEREAS, the County Engineer has filed his report recommending the vacation be granted;

WHEREAS, the Board of Commissioners finds that portion of Fertile Valley Road adjacent to Lot 8, Block 2 of Ludwick & Hermanson's Lake Shore Lots 1st Addition proposed to be vacated has no current and future use as part of the public road system;

WHEREAS, the said portion of Fertile Valley Road is southerly of the current in use Fertile Valley right of way;

WHEREAS, the True Location of said portion of the right of way has not been determined;

WHEREAS, the public will receive a benefit by private redevelopment and use of this site;

WHEREAS, the Board of Commissioners finds public is benefited by the vacation of the right of way;

NOW, THEREFORE, IT IS HEREBY RESOLVED that portion of adjacent to Lot 8, Block 2 of Ludwick & Hermanson's Lake Shore Lots 1st Addition, Section 12, Township 31N, Range 43E W.M., Pend Oreille County, Washington, will be vacated when the applicant supplies a legal description prepared by a Professional Land Surveyor and acceptable to the Board of County Commissioners, the applicant has the new right of way corners monumented, and the applicant has a Record of Survey filed acceptable to the Board of County Commissioners;

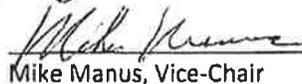
AND BE IT FURTHER RESOLVED that this resolution will be effective for 1 year after the date of adoption.

ADOPTED this 30 day of September, 2019.

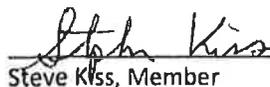
BOARD OF COUNTY COMMISSIONERS



Karen Skoog, Chair



Mike Manus, Vice-Chair



Steve Kliss, Member

ATTEST:



Clerk of the Board