In Witness Whereof, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in presence of

W. H. Eager. (SEAL)
Anna M. Eager. (SEAL)

State of Washington:
County of Whatcom : SS.

This is to certify that on this 3rd day of July A. D. 1912, before me, W. F. Dillon, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally came W. H. Eager and Anna M. Eager his wife, to me known to be the individual_ described in and who executed the within instrument, and acknowledged to me that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year in this certificate first above written.

" W. F. Dillon, Notary Public"
" Commission expires Dec.22 "
" 1913, State of Washington "

W. F. Dillon, Notary Public in and for the State of Washington, residing at Bellingham.

Received for record at 2:50 P. M. July 18 A. D. 1912, and recorded at request of Thos. Donoghue.

Alex Van Wyck, County Auditor of WhAtcom Co. Wash.

COMPARED

By J. A. Walters, Deputy.

No. 159473. Certified Copy of Resolution.

IN THE COUNCIL CHAMBER OF THE CITY OF BELLINGHAM, WASH. BEFORE THE HONORABLE MAYOR&CITY COUNCIL.

IN THE MATTER OF VACATION OF PORTIONS OF THE AMENDED MAP OF SOUTH FAIRHAVEN NOW A PORTION OF BELLINGHAM, WASHINGTON.

RESOLUTION.

Whereas J. L. Easton did on the 17th day of May, 1912, file with the City Clerk of the City of Bellingham, Whatcom County, State of Washington, a written petition asking and praying for the vacation of the following described portions of the Amended Map of South Fairhaven, now a portion of the City of Bellingham, to wit.

Block 2, Block3, except lots 1 & 2, Blocks 5,6,7,9,10,11,12,except lot 38 in Block 9, Block 13, except lots 14,15,16,17,20,21,& 22, Block 14; Block 15, except lot 17; Block 16,except lots 1& 3; Block 17, also the streets and alleys abutting upon said lots and

and blocks, and particularly described hereinafter, and in said petition, and

Whereas the City Clerk of said City of Bellingham, has fixed Monday, the 1st day of July, 1912, at the hour of 8 o'clock P. M. of the said day before the City Council of the City of Bellingham, at its regular session to be held on said day, as the time and place for the hearing of the said petition; and whereas the City Clerk caused a notice to be issued under his hand and the seal of the said City of Bellingham, stating by whom and when said petition was filed, and the object thereof, and when and where the same would be heard, said notice also describing the lots, blocks, streets and alleys sought to be vacated; and whereas it satisfactorily appears that the said petitioner is the owner of all of the property abutting upon the portions of the streets and alleys sought to be vacated; that said streets and alleys have never been opened, or used by the public, and have no connection with any street or alley used by the public; that due notice of this hearing was given by the Clerk of said City, by posting notices according to law, more than 20 days prior to this hearing; that no objections have been filed to the granting of the said petition, and that no person or persons have appeared in opposition thereto, and

Whereas, it appears to the City Council of said city that all of the allegations of said petition are true; that the said City Council has jurisdiction of the subject matter of said petition; that all of the proceedings in this matter have been regular and according to law, and that said petition ought to be granted,

Now, Therefore, It Is Resolved and Ordered by the City Council of the City of Bellingham, Whatcom County, State of Washington, being in regular session, that all of those lots and blocks and all of those portions of the streets and alleys in South Fairhaven (now a portion of the City of Bellingham, Washington) as shown by the Amended Map thereof, of record in the office of the Auditor of Whatcom County, Washington, and hereinafter particularly described , be, and the same are, hereby vacated, towit.

Block 2; Block 3, except Lots 1 & 2; Blocks 5,6,7,9,10,11,12; Block 13; except lots 14,15,16,17,20,21,& 22; Block 14, Block 15, except Lot 17; Block 16, except lots 1, & 3, and Block 17.

Also all that portion of Chuckanut Avenue lying between said Blocks 2 & 7, and 3 & 6, and the Northwest half of Chuckanut Avenue lying between Blocks 4 & 5; also all that portion of Prospect Street lying between the South line of Fairhaven Street and the West line of said plat, except the portion of the Southeast half thereof abutting upon Block 8; also all of Bay Street; also all of Baker Street, except that portion of the North half thereof abutting upon lots 20,21,& 22 in Block 13, also all of Fairhaven Street, except that portion of the South half thereof abutting upon lots 14,15,16,17,18,& 19, in Block 13, and that portion of the North half thereof abutting upon lot 17 in Block 15; also all that portion of Quinalt Street abutting upon Blocks 15 & 17; also all of the street lying between Blocks 2 & 3,6 & 7 & 9 & 10, from the South line of Bay Street to the Government meander line on Chuckanut Bay; also the northeast half of the street lying between Blocks 1&2, and 7 & 8 from the center line of Prospect Street to said meander line; also the west half of Eighth street from Baker Street to the North line of Quinalt Street;

also all of the alleys running through said Blocks 5,6,7,9,10,11,12,13,15,16,& 17, except that portion of the alley abutting upon lots 1,2,& 3 in said Block 16, and upon lot 17, in Block 15 and the west 150 feet of the alley in Block 13.

Passed by the City Council of the City of Bellingham,Washington, by an unanimous vote, this 1st day of July 1912.

Approved by me this 3rd day of July 1912.

E. J. Cleary
Mayor.
Attest:H. J. Korthauer,
City Clerk.

I, H. J. Korthauer, City Comptroller and ex-officio City Clerk of the City of Bellingham, Whatcom County, State of Washington,do hereby certify, that the foregoing and attached is a full, true and correct copy of a resolution and order vacating portions of the Amended Map of South Fairhaven, as the same was passed by the City Council of the said City of Bellingham, on the 1 day of July, 1912, and approved by the Mayor thereof on the 3rd day of July, 1912,and as the same appears of record in my office.

In Witness Whereof, I have hereunto set my hand and affixed the official seal of the City of Bellingham, Washington, this 3rd day of July, 1912.

" The City of Bellingham, "
" Corporate Seal,Washington "

H. J. Korthauer,
City Comptroller & Ex-officio City Clerk, of the City of Bellingham, State of Washington.

Received for record at 9:30 A. M. July 19 A. D. 1912, and recorded at request of F. D. Yale.

COMPARED J.W.J. J.M.J.

Alex Van Nuyck, County Auditor of Whatcom CO. Wash.

By J. A. Wastens, Deputy.

1170831

RECORDED

CITY OF BELLINGHAM
CITY ATTORNEY

46 1170831

1974 SEP -6 AM 11:35

ORDINANCE NO. 8204

AN ORDINANCE IN RELATION TO THE VACATION OF PROPERTY LOCATED ON THE HILLSIDE NORTHWEST OF CHUCKANUT BAY, ALL SITUATE WITHIN THE CITY OF BELLINGHAM; SAID VACATION TO BE SUBJECT TO RESERVATION OF RIGHTS OF EASEMENTS BY THE CITY FOR ALL PUBLIC UTILITIES, FINDING AND ADJUDGING THAT NO DAMAGE ACCRUE TO ANY PERSON OR PROPERTY BY REASON THEREOF, AND UTILITIES MOVED SHALL BE MOVED AT THE EXPENSE OF THE PETITIONER; AND FIXING THE EFFECTIVE DATE.

WHEREAS, the Land Use Committee has considered the petition of Rogan Jones, Jr., for the vacation of property located on the Hillside northwest of Chuckanut Bay and recommends such vacation, and

00253

WHEREAS, all of the jurisdictional steps preliminary to the vacation have been taken as provided by law, NOW THEREFORE,

THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. That all streets and alleys, except Chuckanut Avenue, located in the East 750 feet of the North 700 feet of Government Lot 1, Section 13, Township 37 North, Range 2 East, W.M., all situate within the City of Bellingham, are hereby vacated.

Section 2. That said vacation is hereby subject to reservation of right to the City of Bellingham for all public utilities. Any utilities to be moved shall be moved at the expense of the petitioner.

Section 3. That no damage will result to any person or persons or to any property by reason of the vacation of said property.

Section 4. It is hereby provided that this ordinance shall not take effect until the petitioner for the property described in Section 1 and the vacation described herein has dedicated to the City substitute right of way as shown on Exhibit A

CITY OF BELLINGHAM
CITY ATTORNEY

attached hereto, to the satisfaction of the City Engineer.

Passed by the City Council this 9th day of April, 1973.

acting Council President

Approved by me this 10th day of April, 1973.

Mayor

Attest: City Comptroller

Published: April 20, 1973

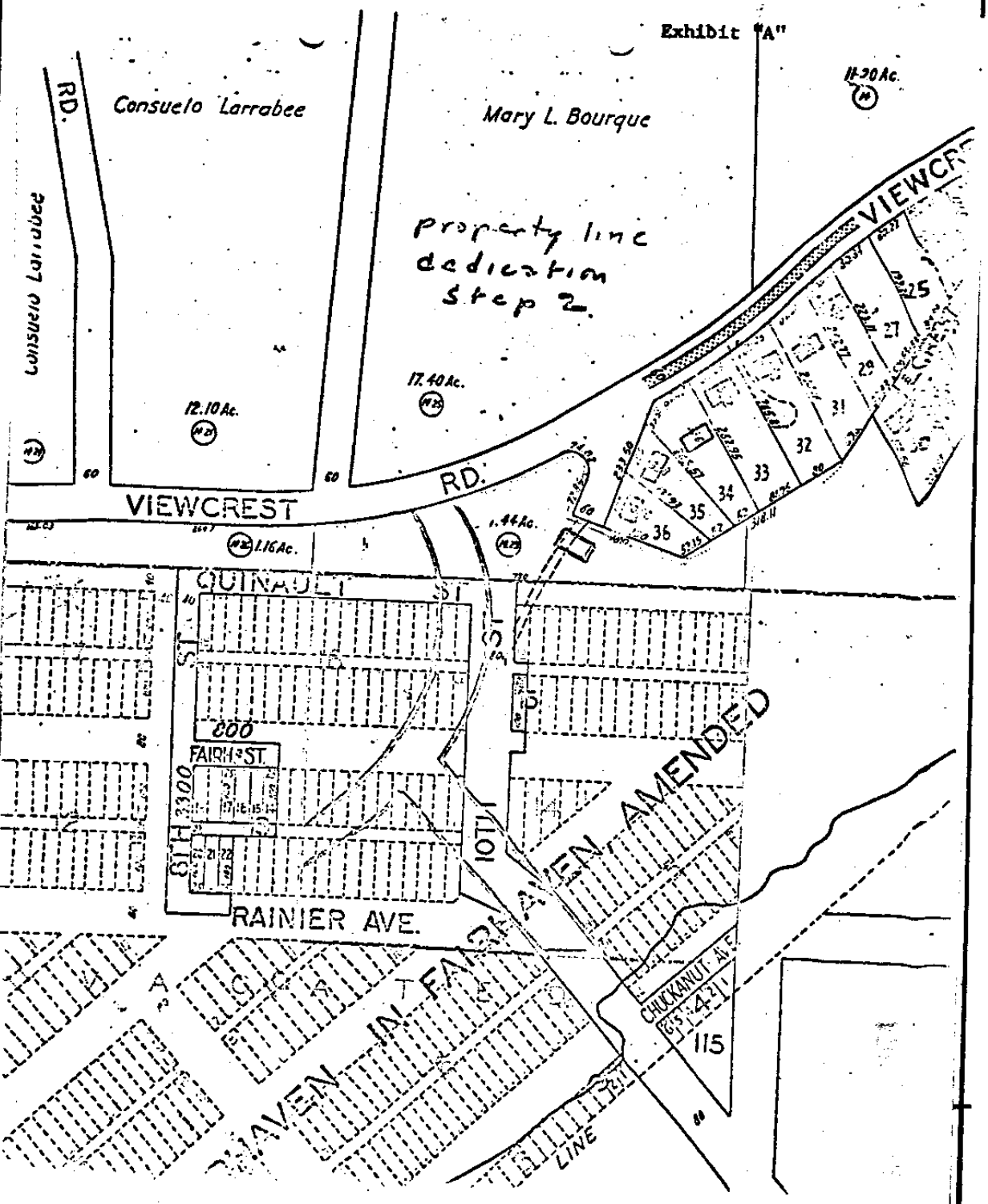
I, Edwin R. Henken, City Engineer of the City of Bellingham do hereby certify that the petitioner has dedicated a substitute right of way in compliance with Section 4 of this ordinance.

Edwin R. Henken
City Engineer

CERTIFICATE

I hereby certify that the foregoing is a full, true and [illegible] copy of Ordinance No. 8204 as the same appears on record in the Office of the City Clerk of the City of Bellingham, Washington.

Deputy City Clerk



Section 4. It is hereby provided that this ordinance shall