

RESOLUTION NO. 1005

**A Resolution of the City Council of the City of Lynden to hold a Public Hearing on a potential street vacation of the current right of way for the 17<sup>th</sup> Street extension to Lynden.**

WHEREAS, City of Lynden ("City"), is considering the vacation of the right-of-way easement for the extension of 17<sup>th</sup> Street resulting from the Settlement between Marina Timmermans and the City of Lynden executed on or about October 29, 2013, a copy of which is attached hereto as EXHIBIT A; and

WHEREAS, the owners of the property underlying the proposed vacated easement and the City have agreed to exchange the vacated easement for a similar easement of equal value located slightly west of the easement being vacated, which agreement is attached hereto as Exhibit B; and

WHEREAS, Chapter 35.79 RCW and LMC 17.21.070 provide the City with the authority to vacate certain rights-of-way by resolution after a public hearing, and

WHEREAS, the City of Lynden will provide notice of the public hearing as set out in Section 17.21.030 B of the Lynden Municipal Code, and RCW 35.79.020 for the Proposed Right-of-Way Vacation; and

WHEREAS, if fifty percent of the abutting property owners as shown on Exhibit A file written objection to the Proposed Right-of-Way Vacation with the City Clerk, prior to the time of hearing, the City shall be prohibited from proceeding with the Proposed Right-of-Way Vacation;

NOW THEREFORE BE IT RESOLVED that the Mayor and the City Council of the City of Lynden will hold a public hearing on the Proposed Right-of-Way Vacation on July 15, 2019 at the Lynden City Council Chambers located at 205 4th Street.

APPROVED this 17 day of June 2019.

  
MAYOR

ATTEST:

APPROVED AS TO FORM:

  
CITY CLERK PAM BROWN

  
CITY ATTORNEY