



time and place where said hearing would be held as given by publication and posting as provided by law. The decision was rendered the **9<sup>th</sup> day of March, 2004.**

**SIXTH:** That said report of the County Engineer shows:

- **This right-of-way is located beyond the existing public roadway and is not useful as a county road.**
- **Said right-of-way is on one parcel creating more logical property boundaries.**
- **The right-of-way is of no benefit to the public as a County roadway and should be returned to the adjacent property owners.**

and:

the Board, having examined the report of the Engineer and all other papers on file in the proceedings, and heard and considered all testimony and documentary evidence produced for and against the vacation of the road, and the Board being satisfied that said right-of-way will not be useful as a part of a general road system, and that the public will be benefited by its vacation, did unanimously vote to vacate said road right-of-way described as follows:

**That portion of land dedicated to Skagit County in the Southwest one-quarter of the Southeast one-quarter of the Southwest one-quarter of Section 9, Township 35 North, Range 4 East, W.M., as described in AF #70761 and AF #101968 lying outside of that dedicated area required to serve and maintain the existing Kelleher Road right-of-way and also outside and west of the Thomas Creek (AKA Hill Ditch, Olympia Marsh Ditch Drainage District No. 14) right-of-way.**

**Containing 0.12 acre.  
Situate in the County of Skagit, State of Washington.**

An easement in gross is hereby reserved within the vacated right-of-way for all existing and future utilities, including extensions and improvements thereto, and recognition of any franchises of records.

It is Ordered by the Board, all the members concurring, that the County right-of-way requested to be vacated by **Mr. Frederick Butler**, be vacated upon payment of all costs by the principal petitioner, if any; and the clerk of the Board is directed to make a statement in writing of all costs and expenses incurred in the same proceedings and file the same with the County Treasurer, who shall proceed to collect the same as follows below if directed to do so by the Board:

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200404010099  
Skagit County Auditor

**Cost:**

Auditor's Fee	\$25.00
Engineer's Costs	\$30.00
Publication Costs	\$45.00
<b>Total Cost</b>	<b>\$100.00</b>

Right-of-way to be vacated: 0.12 acre  
 Cost per Acre \$2,000.00

Assessed value of land to be vacated (cost waived)  
 Cost of Public Hearing \$100.00  
**Total Costs: \$100.00**

#1550  
 SKAGIT COUNTY WASHINGTON  
 REAL ESTATE EXCISE TAX

APR 01 2004

Amount Paid \$  
 Skagit Co. Treasurer  
 By *[Signature]* Deputy

Done this 22nd day of March, 2004.

BOARD OF COUNTY COMMISSIONERS  
 Skagit County, WASHINGTON



*[Signature]*  
 Ted. W. Anderson, Chairman

*[Signature]*  
 Don Munks, Commissioner

*[Signature]*  
 Kenneth A. Dahlstedt, Commissioner

ATTEST:

*[Signature]*  
 JoAnne Giesbrecht, Clerk  
 Skagit County Board of Commissioners

SKAGIT COUNTY  
 Resolution # R20040102

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200404010099  
 Skagit County Auditor

In the Matter of the request of  
**Mr. Frederick Butler,**

For the vacation of unopened **FINAL ORDER OF VACATION**  
County right-of-way along  
**Kelleher Road #63400.**

The Board having on **the 9<sup>th</sup> day of March, 2004**, ordered the vacation of said right-of-way upon payment by the principal petitioner of all costs and expenses incurred in the proceedings, as directed by the Board and said costs and expenses, if any, amounting to the sum of **\$100.00** having been paid to the Treasurer of this County;

It is ordered by the Board, all the members concurring, that the County right-of-way requested to be vacated by **Mr. Frederick Butler**, be vacated as follows:

**That portion of land dedicated to Skagit County in the Southwest one-quarter of the Southeast one-quarter of the Southwest one-quarter of Section 9, Township 35 North, Range 4 East, W.M., as described in AF #70761 and AF #101968 lying outside of that dedicated area required to serve and maintain the existing Kelleher Road Right-of-way and also outside and west of the Thomas Creek (AKA Hill Ditch, Olympia Marsh Ditch Drainage District No. 14) right-of-way. Containing 0.12 acre. Situate in the County of Skagit, State of Washington.**

An easement in gross is hereby reserved within the vacated right-of-way for all existing and future utilities, including extensions and improvements thereto, and recognition of any franchises of records.

Done this 9<sup>th</sup> day of March 2004.

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

Ted W. Anderson  
Ted W. Anderson, Chairman

Don Munks  
Don Munks, Commissioner

Kenneth A. Dahlstedt  
Kenneth A. Dahlstedt, Commissioner

ATTEST:

JoAnne Giesbrecht  
JoAnne Giesbrecht, Clerk of the Board  
Skagit County Board of Commissioners

SKAGIT COUNTY  
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Butler P36088

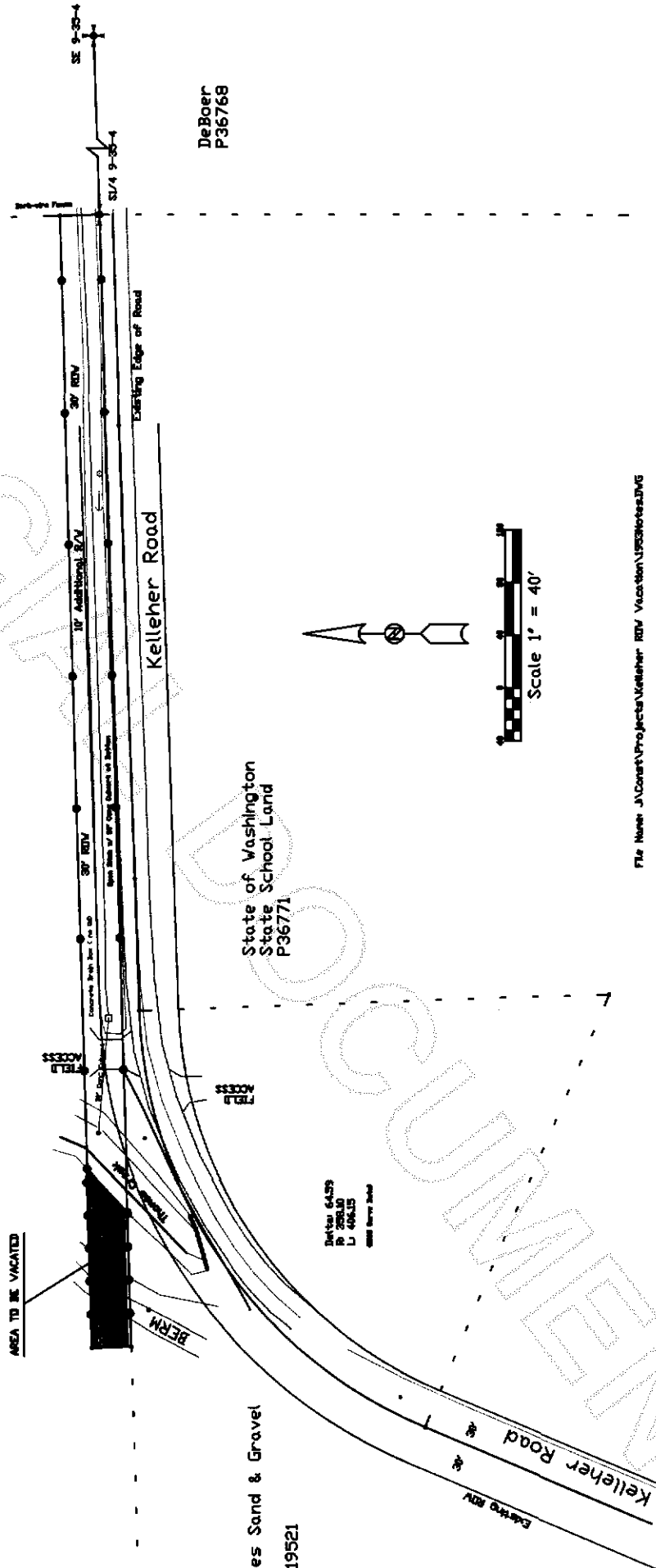
Chahary P36104

DeBoer  
 P36768

Miles Sand & Gravel  
 P119521

State of Washington  
 State School Land  
 P36771

Section 64.29  
 R 285.00  
 L 496.15  
 2000 Square Feet



File Name: J:\Const\Projects\Kelleher RDW Vacation\195210401.dwg

<p>SKAGIT COUNTY          PUBLIC WORKS</p>	<p>TOPOGRAPHIC MAP          OF EXISTING CONDITIONS</p>	<p>KELLEHER ROAD          VACATION PROJECT</p>	<p>SKAGIT COUNTY          Resolution # R20040102          Page 5 of 5</p>