

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON**

**IN THE MATTER OF:**

RESOLUTION NO. 21-143

THE PROPOSED VACATION OF A PORTION OF  
JOHN W. BERRY ROAD NO. 293

**WHEREAS**, RCW 36.87 allows for the vacation of a county road that is found useless to the needs of the County pending a Report of the County Road Engineer; and

**WHEREAS**, Resolution 21-115, passed by the Board of County Commissioners (BOCC) on March 23, 2021, directed the County Road Engineer to examine a portion of John W. Berry Road No. 293 right of way and to report his findings to the BOCC; and

**WHEREAS**, as required by RCW 36.87, March 29, 2021, the report of the County Road Engineer on the matter of the proposed vacation of the following described portion of John W. Berry Road No. 293 right of way, was filed in the office of the BOCC, to wit:

All of the John W. Berry Road No. 293 that lies within property located in the South Half of the Northeast Quarter (S1/2 NE1/4) of Section 31, Township 13 North, Range 2 West, W.M., conveyed by deed recorded under Lewis County Auditor's File No. 3539017; and

**WHEREAS**, the report and all related materials having been reviewed by the BOCC and found appropriate for further proceedings.

**NOW THEREFORE BE IT RESOLVED** that May 11, 2021, at or after the hour of 2:00 p.m. in the Commissioners' Hearing Room on the 2nd floor of the Historic Courthouse in Chehalis, Washington, has been fixed as the time and place for the hearing on the County Road Engineer's Report, when and where all persons may appear and be heard upon report and upon the matter of the vacation of that road described above. Interested parties are encouraged to check the Commissioners' hearing schedule online at <https://lewiscountywa.gov/offices/commissioners/agendas-calendar/> as the hearing date approaches for updated details; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Clerk of the Board is hereby instructed to proceed with all that necessary notifications, posting and publication.

DONE IN OPEN SESSION this 13th day of April, 2021.

APPROVED AS TO FORM:  
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

Kevin McDowell  
By: Kevin McDowell,  
Deputy Prosecuting Attorney

Gary Stamper  
Gary Stamper, Chair

ATTEST:



Lindsey R. Pollock, DVM  
Lindsey R. Pollock, DVM, Vice Chair

Rieva Lester  
Rieva Lester,  
Clerk of the Lewis County Board of  
County Commissioners


Sean D. Swope  
Sean D. Swope, Commissioner

## Notice

RCW 36.87 allows for the vacation of a county road that is found useless to the needs of the County pending a Report of the County Road Engineer. Resolution 21-115, passed by the Board of County Commissioners (BOCC) March 23, 2021, directed the County Road Engineer to examine a portion of John W. Berry Road No. 293 right of way, and report his opinion to the BOCC. On March 29, 2021 the Engineer's Report on the matter of the proposed vacation of a portion of John W. Berry Road No. 293, was filed with the BOCC. The report and all related materials having been reviewed by the BOCC and found appropriate for further proceedings. This resolution sets May 11, 2021, at or after the hour of 2:00 p.m., in the BOCC Hearing Room on the 2nd floor of the Historic Courthouse in Chehalis, Washington, as the time and place for the hearing on the County Engineer's Report. Please look at the Commissioners' hearing schedule at <https://lewiscountywa.gov/offices/commissioners/agendas-calendar/> as May 11, 2021, approaches for updated details. The resolution also calls for the Clerk of the Board to proceed with all the necessary notifications, posting and publication.

All of the John W. Berry Road No. 293 that lies within property located in the South Half of the Northeast Quarter (S1/2 NE1/4) of Section 31, Township 13 North, Range 2 West, W.M., conveyed by deed recorded under Lewis County Auditor's File No. 3539017.

Dated: April 13, 2021

  
Rieva Lester  
Clerk of the Lewis County Board  
of County Commissioners



Publish:       The Chronicle April 15, 2021  
                  The Chronicle April 22, 2021



## AFFIDAVIT

I, Lisa Hansen, do hereby certify that on the 15<sup>th</sup> day of April, 2021, I received two copies of Resolution No. 21-143 from the Clerk of the Board of County Commissioners, Lewis County, Washington, in regard to a hearing on the Engineer's Report concerning the proposed vacation of a portion of John W. Berry Rd No. 293, and on the 15<sup>th</sup> day of April, 2021, I posted the same, one on each end of said portion of road.

Dated at Chehalis, Washington, this 15<sup>th</sup> day of April, 2021.

Lisa Hansen

Subscribed and sworn to before me this 15<sup>th</sup> day of April, 2021.

Pierabestes



**IN THE MATTER OF:**

The Order of the Lewis County Board of Commissioners for  
the proposed vacation of a portion of John W. Berry Road No.  
293

**ENGINEERS REPORT**

**TO THE BOARD OF COUNTY COMMISSIONERS:**

I, the undersigned County Engineer of Lewis County, Washington, to whom was referred on the 23<sup>rd</sup> day of March, 2021 by Resolution 21-115, ordering me to examine all that portion of John W. Berry Road No. 293 in the South Half of the Northeast Quarter ( S1/2 NE1/4) of Section 31, Township 13 North, Range 2 West, W.M., stating that said Board intends to proceed to determine whether said road should be vacated and abandoned for the reason that it is useless as a part of the County road system and that the public will be benefited by its vacation and abandonment, herewith submit my report thereon:

FIRST: John W. Berry Road No. 293 was established as a county road, August 7, 1893 at a width of 30 feet.

SECOND: The portion of right of way proposed for vacation is approximately 1,030 feet in length and is unmaintained by the County.

THIRD: The road is adjoined by property owned by Sierra Pacific Land & Timber Company who has requested this vacation.

FOURTH: This portion of right of way does not abut a body of water, nor is the right of way necessary as part of the county road system and is useless for County road purposes.

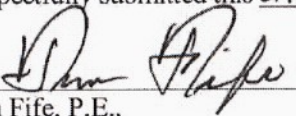
FIFTH: Property Owners have paid all administrative fees and publication costs associated with this vacation.

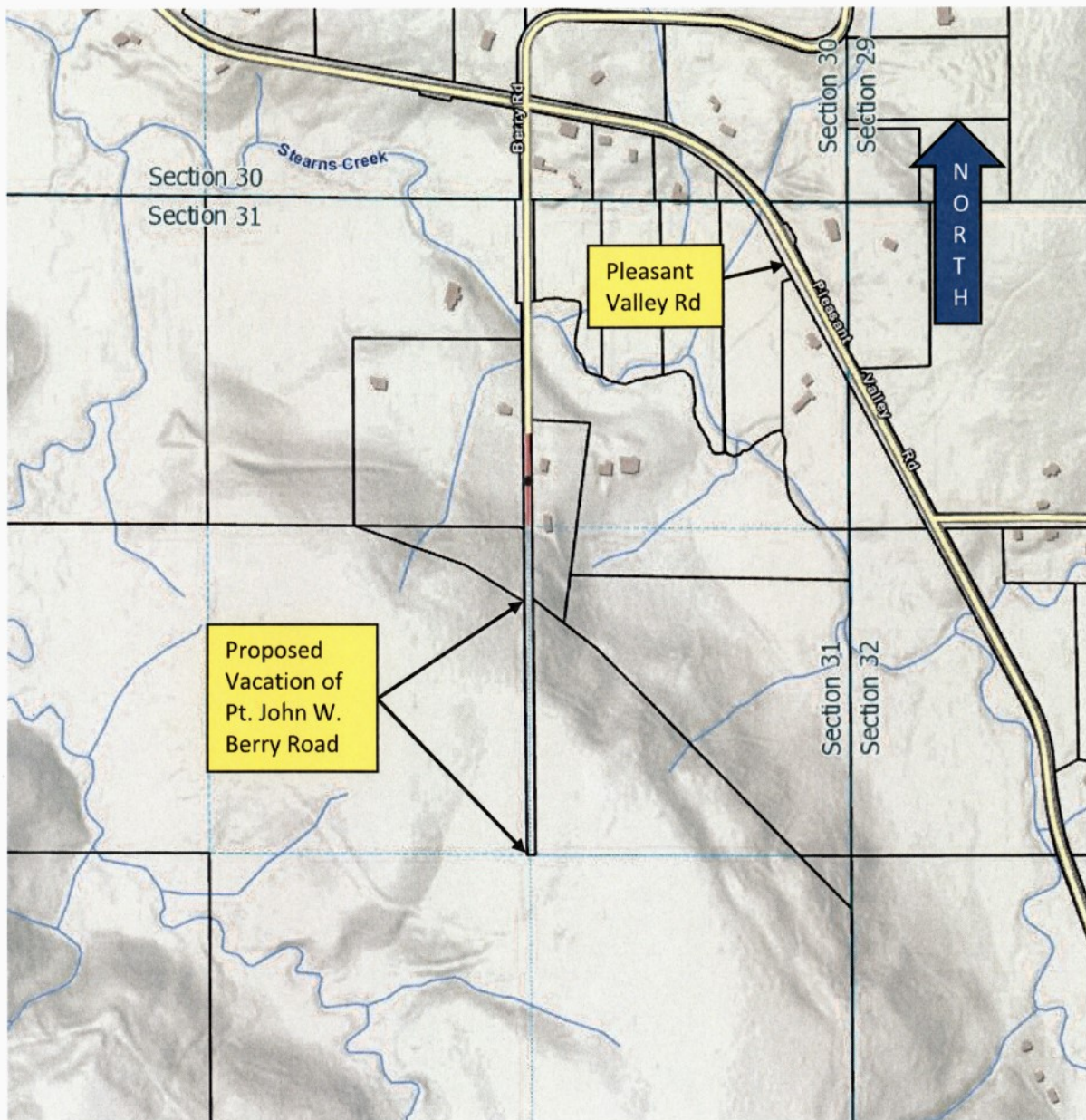
SIXTH: Utility companies known to service the general area have been contacted and are not opposed to the vacation.

In my opinion, this portion of right of way should be vacated for the reason that the public will be benefited by its vacation, returning the property to the tax rolls.

I include with this report a map showing the road proposed to be vacated.

Respectfully submitted this 29<sup>th</sup> day of March, 2021.

  
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Tim Fife, P.E.,  
County Engineer



Section 31, Township 13 North, Range 2 West, W.M.



# BOCC AGENDA ITEM SUMMARY

**Resolution:****BOCC Meeting Date:** April 13, 2021**Suggested Wording for Agenda Item:****Agenda Type:** Legal Notice

The proposed vacation of a portion of John W. Berry Road No. 293

**Contact:** Josh Metcalf**Phone:** 2762**Department:** PW - Public Works**Description:**

The property owners abutting the portion of John W. Berry Road No. 293 have requested that the County vacate the right of way. RCW 36.87 allows for the vacation of a county road that is found useless to the needs of the County pending a Report of the County Road Engineer. Resolution 21-115, passed by the Board of County Commissioners (BOCC) March 23, 2021, directed the County Road Engineer to examine a portion of John W. Berry Road No. 293 right of way, and report his opinion to the BOCC. On March 29, 2021 the Engineer's Report on the matter of the proposed vacation of a portion of John W. Berry Road No. 293, was filed with the BOCC. The report and all related materials having been reviewed by the BOCC and found appropriate for further proceedings. This resolution sets May 11, 2021, at or after the hour of 2:00 p.m., in the BOCC Hearing Room on the 2nd floor of the Historic Courthouse in Chehalis, Washington, as the time and place for the hearing on the County Engineer's Report. The resolution also calls for the Clerk of the Board to proceed with all the necessary notifications, posting and publication.

**Approvals:****Publication Requirements:****Publications:**

The Chronicle: April 15 & 22, 2021

User	Status
PA's Office	Pending

**Additional Copies:**

Martin Roy, Matt Hinderlie, Tim Fife

**Cover Letter To:**