

**Jefferson County
Board of Commissioners
Consent Agenda Request**

To: Board of Commissioners
Josh Peters, County Administrator

From: Monte Reinders, P.E., Public Works Director 

Agenda Date: August 18, 2025

Subject: A Resolution adopting Hearing Examiner report and recommendations, and expressing Board's intent to vacate a portion of Lower Adelma Beach Rd, subject to Petitioners meeting certain conditions

Statement of Issue:

In accordance with JCC 12.10.090, the Board is asked to consider the Hearing Examiner's report and recommendations (attached) pertaining to a Petition to vacate the western 20-foot portion of Lower Adelma Beach Rd right of way abutting parcel 001-324-021 located in the northwest quarter of the southeast quarter of Section 32, Township 30 North, Range 1 East, W.M., Jefferson County Washington. The subject right-of-way only abuts Tax Parcel 001-324-021 owned by Todd and Cathy Stegman (Petitioners).

Analysis:

A public hearing on the road vacation petition was conducted before a Jefferson County Deputy Hearing Examiner on July 29, 2025. Based upon the recommendations contained in the County Engineer's report, as well as any comments received from other departments, agencies, and individuals, the Hearing Examiner has recommended that the road vacation be approved subject to Petitioners meeting the following condition:

- Pay all required compensation owed to the County for the vacated right-of-way and administrative process.

Although the official public hearing was conducted by the Office of the Hearing Examiner, pursuant to JCC 12.10.130(1), the Board has the discretion to accept public testimony in support or in opposition to the proposed vacation.

Fiscal Impact:

If the Board approves the attached Resolution of Intent to Vacate, then in accordance with JCC 12.10.120, Petitioners will pay compensation for administrative fees and expenses incurred over-and-above staff hours included in the application fee plus \$15,000 as compensation for full current market value (as of the date of the Petition) of the subject rights of way.

Recommendation:

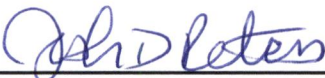
Department of Public Works recommends that the Board adopt the Hearing Examiner's Report and approve the vacation of the subject rights-of-way subject to Petitioners meeting the Hearing Examiner's recommended approval condition, with the clarification that compensation to be paid by Petitioners shall include the costs for preparing and recording (by County staff) a Final Resolution approving the vacation of the subject rights-of-way.

Public Works recommends that the Board sign the attached Intent to Vacate Resolution which will commit the Board to adopting a final Resolution which will officially grant the petition to vacate the subject rights-of-way upon verification that Petitioner has met all of the required conditions within one-year. Failure to meet the conditions within that timeframe, or any extension approved by the Board, will result in termination of the vacation process, in which case Petitioner will remain liable for all administrative costs actually incurred by the County.

Department Contact:

Joshua Thornton, Real Property Specialist, 385-9162

Reviewed By:



Josh Peters, County Administrator

8/13/25
Date

**STATE OF WASHINGTON
COUNTY OF JEFFERSON**

**In the Matter of Jefferson County's
Intent to Vacate a Portion of Lower Adelma
Beach Road**

RESOLUTION NO.

WHEREAS, Jefferson County Code Title 12 Public Ways and Places governs Right-of-Way Permits and Places, including road vacations in Chapter 12.10 JCC; and

WHEREAS, Jefferson County Public Works requires permits for any activity by a citizen or business that impacts a county road or public right-of-way, in order to protect the infrastructure and the public's safety and investment. Public Works reviews and processes applications for road approaches, utilities and other right-of-way uses, as well as requests for road vacations; and

WHEREAS, Jefferson County Public Works has received and reviewed a petition submitted by Todd and Cathy Stegman ("Petitioners") to vacate the western 20 feet of Lower Adelma Beach Rd right of way abutting parcel 001-324-021 owned by the Petitioners and located in the northwest quarter of the southeast quarter of Section 32, Township 30 North, Range 1 East, W.M., Jefferson County Washington; and

WHEREAS, the Jefferson County Hearing Examiner held a public hearing on the road vacation petition on July 29, 2025; and

WHEREAS, the Jefferson County Hearing Examiner considered testimony of Petitioners, as well as Karim Miller, Barbara Mones, and Public Works staff; reports from the Department of Community Development and the County Engineer; and a written comment from Qwest Corporation doing business as CENTURYLINK QC. The testimony and reports recommend approval of the Petition; and

WHEREAS, the written response from Qwest does not oppose the petition but requests an easement for their utilities; and

WHEREAS, a Public Works Staff Report documents compliance with vacation notice requirements; and

WHEREAS, the Jefferson County Hearing Examiner has issued Findings of Fact, Conclusions of Law and Recommendation to Jefferson County Board of Commissioners dated August 8, 2025 ("Hearing Examiner Report") which contains findings, conclusions and a recommendation that the Board approve the road vacation subject to the Petitioners meeting certain

conditions to pay all required compensation owed to the County for the vacated right-of-way and administrative process; and

WHEREAS, the Jefferson County Hearing Examiner report does not make a recommendation in regards to the retention of an easement for the construction, maintenance and repair of public of public utilities and services. Jefferson County Public Works has determined that existing utilities are located on the eastern side of Lower Adelma Beach Rd right of way that would remain open. Thus, there is no need to retain an easement within the subject right of way.

WHEREAS, Petitioners' compensation owed to the County for the vacated right-of-way includes \$15,000 for full current market value (as of the date of the Petition), plus administrative fees and expenses; and

WHEREAS, upon verification by the Public Works Department that Petitioner has met all of the conditions identified above, and pursuant to Chapter 36.87 RCW and Chapter 12.10 JCC, the Board shall adopt a resolution officially granting the Petition and vacating and abandoning the subject rights-of-way described above; and

WHEREAS, the administrative expenses are over-and-above the staff time allowed under the application fee, with the clarification that such administrative fees and expenses shall include the costs for preparing and recording (by County staff) a Final Resolution approving the vacation of the subject rights-of-way; and

WHEREAS, if Petitioners fail to meet the required conditions within one year from the date of this Resolution, or any approved extension, the vacation process shall terminate, in which case Petitioners shall remain liable for all administrative costs actually incurred by the County; and

WHEREAS, the Jefferson County Board of Commissioners has considered the Hearing Examiner Report and the recommendations contained therein;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, WASHINGTON, HEREBY RESOLVE AS FOLLOWS:

Section 1. Whereas Clauses are Findings of Fact. The Jefferson County Board of Commissioners hereby adopts the above "Whereas" clauses as Findings of Fact.

Section 2. Purpose. The Board of County Commissioners hereby adopts the Hearing Examiner's findings, conclusions and recommendations as reflected in the Hearing Examiner's Report dated August 8, 2025.

Section 3. Severability. If any section, subsection, sentence, clause, or phrase of this Resolution or its application to any person or circumstance is held invalid, the remainder of this Resolution or its application to other persons or circumstances shall be fully valid and shall not be affected.

Section 4. SEPA Categorical Exemption. This Resolution is categorically exempt from the State

Environmental Policy Act under WAC 197-11-800 (19).

Section 5. Effective Date. This Resolution shall take effect and be in full force immediately upon passage by the Board of County Commissioners.

(SIGNATURES FOLLOW ON THE NEXT PAGE)

ADOPTED and APPROVED this _____ day of August, 2025.

SEAL:

JEFFERSON COUNTY BOARD OF COUNTY
COMMISSIONERS

Heidi Eisenhour, Commissioner District 2

Greg Brotherton, Commissioner District 3

Heather Dudley-Nollette, Commissioner District 1

ATTEST:

Carolyn Gallaway, CMC Date
Clerk of the Board

Stephanie Marshall, Attorney at Law
Jefferson County Hearing Examiner

**OFFICE OF THE HEARING EXAMINER
JEFFERSON COUNTY**

IN RE

**PETITION TO VACATE PORTION OF
LOWER ADELMA BEACH ROAD,
PROJECT NO. 97025002
CATHY STEGMAN,
PRINCIPAL PETITIONER**

**FINDINGS OF FACT, CONCLUSIONS OF
LAW AND RECOMMENDATION TO
JEFFERSON COUNTY BOARD OF
COMMISSIONERS**

PUBLIC HEARING

The undersigned Hearing Examiner conducted a hybrid (video conference with remote access technology, and in-person) open record public hearing on Tuesday, July 29, 2025, at 2:00 p.m. on a petition to vacate the western 20-foot portion of Lower Adelma Beach Road abutting parcel 001-324-021. Principal Petitioner, Cathy Stegman, along with her husband, Todd Stegman, is the current owner of record of Tax Parcel 001-324-021. The right-of way proposed for vacation is the western 20-foot portion of Lower Adelma Beach Road abutting parcel 001-324-021 (street address of 150 Lower Adelma Beach Road).

The following exhibits comprise the record on the petition:

CA-01	Petition for Vacation
CA-02	Appraisal
CA-03	Road Vacation Process
CA-04	Upcoming Road Vacation Schedule
CA-05	Final Staff Report
CA-06	Engineer's Report
CA-07	CenturyLink Comment

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION TO JEFFERSON
COUNTY BOARD OF COMMISSIONERS - 1**

Documents may be viewed at: www.co.jefferson.wa.us – Services – Laserfiche Web portal (username/password: public) – Board of Commissioners – Boards & Committees – Hearing Examiner – 2025 – 072925 Lower Adelma

FINDINGS OF FACT

After reviewing the record and hearing testimony, the Hearing Examiner makes the following Findings of Fact:

1. On May 8, 2025, Cathy and Todd Stegman (“Petitioners”) submitted a Petition to Vacate a Jefferson County Right-of Way, requesting vacation of a 20-foot portion of Lower Adelma Beach Road abutting their private property, Parcel 001-324-021 (the “Petition”). CA-01; Exhibits 1 and 2 to CA-05; and Exhibits A, B and D to CA-06. The purpose of the petition is to enable Petitioners to remodel their home, which – along with a portion of their garage - currently encroaches into the subject right-of-way. This action is a necessary prerequisite for their planned home remodel, contingent upon the approval of an associated setback variance. CA-06.

2. Parcel 001-324-021 is owned by Petitioners and is the only parcel abutting the subject right-of-way. CA-06. Therefore, 100% of the abutting property owners are included in the Petition to Vacate. Exhibit C to CA-06.

3. The Petition was submitted and has been reviewed in accordance with Chapter 12.10 Jefferson County Code (“JCC”) and RCW Chapter 36.87.

4. The subject right-of-way is located at Northwest Quarter of Southeast Quarter, Section 32, Township 30 North, Range 1 West. CA-05; CA-06.

5. A Staff Report, dated July 8, 2025, was prepared by Joshua Thornton, Jefferson County Real Property Specialist with the Jefferson County Public Works Department. CA-05.

6. In accordance with JCC 12.10.050, Mr. Thornton emailed/mailed notice of the petition and public hearing, including a request for comments on the proposed vacation, on June

1 13, 2025 to applicable County departments and other entities and businesses. Exhibit 2 to CA-05.
2 He also sent notices of the petition and the public hearing via U.S. Mail to property owners within
3 300 feet of the subject rights-of way. See list of Adjacent Property Owners ("APOs") and sample
4 notice attached as Exhibit 3 to CA-05.
5

6 7. No objections to the proposed road vacation were raised by any of the County
7 departments, entities or businesses which received notice. Exhibit E to CA-06 (Department of
8 Community Development Memo dated June 10, 2025 to Mr. Thornton from Greg Ballard,
9 Jefferson County DCD Code Administrator). No written or oral objections were received as of the
10 date of the Staff Report from nearby property owners.
11

12 8. Notice of the public hearing for the proposed road vacation was published in the
13 Jefferson County Port Townsend Leader on July 10 and July 17, 2025. Exhibit 4 to CA-05.

14 9. On June 17, 2025, public notices of the Petition to Vacate, public notice of the
15 scheduled public hearing and instructions for commenting were posted on the subject site at the
16 northwestern and southwestern intersection of the right-of-way and Petitioners' parcel boundary
17 in accordance with RCW 36.87.050 and JCC 12.10.050. Exhibit 5 to CA-05.
18

19 10. The County Engineer examined the subject right-of-way and prepared a report
20 rendering an opinion on the required factors that must be considered in determining whether the
21 subject road should be vacated. CA-06 (July 8, 2025 County Engineer's Report, prepared by Monte
22 Reinders, P.E., Public Works Director/County Engineer).
23

24 11. The Lower Adelma Beach Road (originally Discovery-Port Townsend Road) was
25 petitioned on May 3, 1886 and established by order of the Jefferson County Board of
26 Commissioners on November 6, 1886. The petition requested a 30-foot wide road; however, the
27 sitting Jefferson County Board of Commissioners did not specify a road width in the text of the
28

1 Order of Establishment. The 1879 Territorial Laws of Washington provided that “all county roads
2 shall be sixty feet in width, unless the county commissioner shall, upon the prayer of the petitioners
3 for the same, determine on a less number of feet in width.” Jefferson County has historically taken
4 the position that the subject road is within a 60’ right of way. CA-06.
5

6 12. Parcels to the south of the subject right-of-way benefit from Lower Adelma Beach
7 Road. However, the proposed vacation will not impact access because a 40-foot right-of-way will
8 be retained containing the existing road and utilities. Upon vacation, a 20-foot wide portion of the
9 right-of-way will attach to the western portion of Tax Parcel 001-324-021. CA-06. As required by
10 JCC 12.10.110(7), the road vacation will not landlock any parcel or property. CA-06.
11

12 13. Lower Adelma Beach Road is open as a public road and has been maintained by
13 Jefferson County. The County Engineer finds that the road is in fair condition and is currently in
14 use, meeting the definition in JCC 12.10.020 of a “Class B” road, which is a road “dedicated to.
15 deeded to, or otherwise established by the county for which public expenditures have been made
16 in the acquisition, improvement, or maintenance of same except those roads platted prior to March
17 12, 1904, which remained unopened for public use for a period of five years after authority was
18 granted for opening them.” CA-06.
19

20 14. The County Engineer found that the subject right-of-way does not provide for
21 overall area or neighborhood circulation for the general public, nor is there any anticipated future
22 need for this right-of-way to serve the general public. CA-06.
23

24 15. RCW 36.87.040 and JCC 12.10.050(2)(e) require the County Engineer to give an
25 opinion as to whether the public will benefit by the vacation. However, neither provision provides
26 guidance as to what is considered a “public benefit,” when determining whether to approve
27 vacation of a public right-of-way. The legislative body is the proper entity to weigh public benefit,
28

1 and there is a presumption that an ordinance approving a street vacation was validly enacted for a
2 public purpose. *London v. Seattle*, 93 Wn.2d 657 (1980). In the absence of any need for a road
3 right-of-way for the benefit of the general public (circulation, trails, utilities, etc.), any benefit
4 typically would accrue to the property owners with frontage on the vacated right of way. These
5 benefits might include additional building space, room for septic systems, green belt buffer, the
6 ability to keep public from trespassing on their property, or other benefits. Benefits to the public
7 and county could include reduced road maintenance costs, reduced liability for managing public
8 right of way (such as garbage dumping, timber theft, danger trees, or abandoned vehicles), and
9 increased property tax. All of these reasons have been used in the past to support road vacations
10 and could support a finding of public benefit for the vacation of the subject right-of-way. CA-06.

13 16. JCC 12.10.110(1) requires that the proposed road vacation be reviewed for
14 compliance with the Jefferson County Comprehensive Plan and any other applicable plans,
15 policies or ordinances. JCC 12.10.110(2) states that roads should not be closed or vacated when
16 land uses, development plans, or occurring patterns indicate their usefulness to area circulation. In
17 accordance with JCC 12.10.060, the Jefferson County Department of Community Development
18 reviewed the proposed road vacation and any environmentally sensitive areas that might be
19 affected by the road vacation. Exhibit E to CA-06.

21 17. The proposed road vacation has been reviewed for compliance with the Jefferson
22 County Comprehensive Plan and other applicable plans, policies or ordinances, per JCC
23 12.10.110(1). Therefore, the right-of-way is eligible for vacation under this criterion.

25 18. No land uses, development plans, or occurring patterns indicate that the portion of
26 the right-of-way proposed to be vacated is or will be useful to area circulation, per JCC
27 12.10.110(2). Therefore, the right-of-way is eligible for vacation under this criterion.

1 19. JCC 12.10.110(3) states that the effectiveness of fire, medical, law enforcement, or
2 other emergency services should not be impaired by a road vacation. The County Engineer found
3 that the effectiveness of emergency services will not be impaired by the proposed road vacation.
4
5 No opposition to the Notice of Petition to Vacate the subject right-of-way was received from the
6 Sheriff's Office, Fire District #1 or JeffCom911. CA-06; CA-05. Therefore, the right-of-way is
7 eligible for vacation under this criterion.

8 20. JCC 12.10.110(4) states that roads should not be closed, vacated, or abandoned
9 when such routes can effectively be used for utility corridors. No opposition from public or private
10 utility companies or providers was received in response to the Notice of Petition to Vacate.
11
12 Approval of the proposed vacation will not fully close Lower Adelma Beach Road; existing
13 utilities are located on the eastern side of Lower Adelma Beach Road, which will remain open.
14 Therefore, the right-of-way is eligible for vacation under this criterion. However, if determined to
15 be necessary, and in compliance with RCW 36.87.140 and JCC 12.10.130(2)(a), the Board of
16 Commissioners may condition approval of the road vacation on the retention of an easement within
17 the subject vacated area for the construction, repair, and maintenance of public utilities and
18 services. JCC 12.10.090(2). CA-06.

20 21. Per JCC 12.10.110(5), a road should not be vacated when it could be used for public
21 trails or pathways. The portion of the subject right-of-way for which vacation is sought does not
22 provide direct access to water or a beach. Further, there are no Jefferson County Parks or plans for
23 new parks in the vicinity. Thus, the subject right-of-way would not be a prime candidate for a
24 public trail. CA-06. Therefore, the right-of-way is eligible for vacation under this criterion.

26 22. JCC 12.10.110(6) states that rights-of-way should not be vacated if it abuts a body
27 of salt or fresh water unless certain exceptions apply. The subject right-of-way is located near
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1 Discovery Bay, but it does not abut the water. Therefore, the right-of-way is eligible for vacation
2 under this criterion. CA-06.

3 23. JCC 12.10.120 requires the Principal Petitioner to compensate the County for all
4 Class A and Class B vacated rights of way in compliance with RCW 36.87.120. A resolution
5 approving vacation of a right of way shall not be effective until the following payments are made:
6

- 7 • Base payment: the principal petitioner shall pay, with respect to the vacation of
8 either or both Class A and Class B roads or rights of way a sum equal to 1 half of
9 the current fair market value (as of the date of the petition) of the area so vacated if
10 the county holds title through a dedication, or the full current fair market value (as
11 of the date of the petition) if the county acquired the subject rights-of-way other
12 than by dedication, e.g. fee simple interest.”
- 13 • Additional Payment for Class B roads or rights of way (part 1): The principal
14 petitioners shall pay to the county an amount equal to the amount of public
15 expenditures made in improvement or maintenance of the road or rights-of-way or
16 a portion of any road or rights-of-way that is the subject of the proposed vacation.
- 17 • Additional Payment for Class B roads or rights of way (part 2): An amount equal
18 to all other administrative costs incurred by the county in vacating the road.

19 24. The County did not acquire the subject right of way through dedication. Therefore,
20 if the Board accepts the Hearing Examiner’s recommendation and approves the road vacation, the
21 Principal Petitioner shall be required to compensate the county for the full current fair market value
22 of the property. Based upon an appraisal commissioned by Stegman, the fair market value of the
23 subject's right of way is \$15,000. Exhibit F to CA-06.

24 25. The County Engineer found that it is not possible to determine what expenditures,
25 if any, were made prior to 1997 regarding the subject right of way, and no records of public
26 expenditures since then were found. Petitioners’ improvements encroaching on the subject right-
27 of-way have existed since 1946, further supporting the presumption that no public expenditures
28 were made in regard to the subject right of way. CA-06.

29 26. In order for the vacation to be completed, Petitioners shall be required to pay the
30 administrative costs incurred by the County in the road vacation process, whether the vacation is

1 ultimately approved or not. These include the 2025 costs associated with preparing for and
2 conducting a hearing with the Hearings Examiner, reviewing documents submitted by the
3 Petitioners, document recording fees, etc. To date, the Principal Petitioners have paid a total
4 administrative fee of \$1381, which is the 2025 fee for vacating roads and includes 17 hours of
5 staff time. Petitioners shall be liable for any staff time over 17 hours and any other administrative
6 costs incurred in processing the application. CA-06. With compliance with the proposed conditions
7 of approval in this Recommendation, the right-of-way is eligible for vacation under JCC
8 12.10.120.
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11 27. The County Engineer concluded that the proposal appears to meet all of the criteria
12 in Chapter 36.87 RCW and Chapter 12.10 JCC required for approval of vacation of a portion of
13 the subject right-of-way. The Public Works Director/County Engineer expressed an opinion that
14 the right-of-way should be vacated, provided that no contrary testimony or new findings are
15 presented at the hearing, and provided that the Principal Petitioner pays all required compensation
16 owed to the County for the vacated right-of-way and administrative process. CA-06.
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18 28. No testimony or new findings were presented at the public hearing contrary to the
19 County Engineer's opinion.

20 29. The petitioner has the burden of proof and must establish that the proposed road
21 vacation meets all applicable criteria of JCC Chapter 12.10 and RCW Chapter 36.87. The applicant
22 must meet its burden of proof with substantial evidence.
23

24 30. The subject right-of-way has not been statutorily vacated.

25 31. On July 21, 2025, CenturyLink submitted an email and letter comment on the
26 proposed road vacation. CA-07. It stated that it has utilities in the subject right-of-way and
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1 requested that an easement be reserved for any CenturyLink facilities within the proposed vacation
2 area.

3 32. In accordance with RCW 36.87.060 and JCC 12.10.08, the Hearing Examiner held
4 a public hearing on the petitions for road vacation, allowing for public comment on the proposed
5 road vacation. The Examiner reviewed the road vacation petition, the written staff report, and the
6 criteria contained in JCC 12.10.110, and received public testimony in support of or in opposition
7 to the proposed road vacation.
8

9 33. At the public hearing, Joshua Thornton, Jefferson County Real Property Specialist,
10 provided testimony reviewing the Staff Report, presenting the circumstances for which proposed
11 road vacation is intended to address and an overview of the County Engineer's report. He testified
12 regarding the required compensation for the road vacation, including the base payment based on
13 the fair market value of the portion of the road to be vacated and additional administrative fees.
14

15 34. Mr. Thornton testified that only one public comment was received in response to
16 the Notice of Intent to Vacate from CenturyLink/Quest. This comment letter stated that the road
17 vacation should not diminish its rights to any other existing easement or other rights CenturyLink
18 has on the site or in the area. CenturyLink also requested that, if its facilities in the area are
19 damaged, the Petitioners should be required to bear the cost of relocation/repair. CA-07. Mr.
20 Thornton stated that he personally visited the site on July 21, 2025 to confirm that utilities are
21 located on the eastern side of the road.
22

23 35. Todd Stegman, one of the Petitioners, provided testimony in support of the
24 proposed road vacation. He stated that he and his wife purchased their property two years ago. The
25 property is located on a small, dead-end street. Their lot is bisected by the road. Petitioners are
26 seeking to remodel a portion of their home that is built within the right-of-way. The encroachment
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1 will be approximately 15-16 feet into the right-of-way. By requesting vacation of 20 feet of the
2 right-of-way, Petitioners will have a four-foot buffer between the remodeled structure and the
3 right-of-way. Mr. Stegman testified that they originally considered petitioning for vacation of the
4 full right-of-way, but the petition for vacation of only 20 feet of the right-of-way is a better
5 proposal. Mr. Stegman confirmed that all utilities are located on the east side of the road, outside
6 of the portion they seek to have vacated.
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8 36. Karim Miller, a neighboring property owner, provided testimony in support of the
9 proposed road vacation.
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11 37. Barbara Mones, a neighboring property owner, provided testimony in support of
12 the proposed road vacation.

13 38. On rebuttal, Mr. Thornton testified that utility maintenance will not be affected by
14 the proposed road vacation. He stated that he had a call with CenturyLink during which the utility
15 stated it was unsure of the location of its easement. However, it will not be performing a survey.
16

17 **CONCLUSIONS OF LAW**

18 1. The Petition has been reviewed by the Hearing Examiner in accordance with RCW
19 36.87.060 and JCC 12.10.08.

20 2. The Petition includes all information required for a petition to vacate in JCC
21 Chapter 12.10 and RCW Chapter 36.87.
22

23 3. Public notice of the Petition was provided in compliance with JCC 12.10.050.
24 Members of the public were provided with an opportunity to comment on the Petition consistent
25 with state and local requirements.

26 4. The Petition is consistent with all subsections of JCC 12.10.110.
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1 1. Petitioners shall pay base payment compensation for the full current fair market
2 value of the portion of the road to be vacated in the amount of Fifteen Thousand and no/100 Dollars
3 (\$15,000.00) into the Jefferson County road fund subsequent to the Board of County
4 Commissioners' approval of the requested road vacation and prior to the signing of the vacation
5 resolution.
6

7 2. Petitioners shall pay any additional compensation and all other amounts and fees
8 due and owing to the County to reimburse the County for administrative costs and staff time
9 incurred by the County in the road vacation process, if the Board of County Commissioners
10 determines that the County incurred additional costs in processing the Petition for Vacation beyond
11 the amount of One Thousand Three Hundred Eighty-One and no/100 Dollars (\$1381.00), which
12 has been paid by the Petitioners. This additional compensation, other amounts and fees, shall be
13 paid by Petitioners within one (1) year of approval of the request by the Board of County
14 Commissioners. If any sums owed the County are not paid and/or conditions of approval are not
15 met within one (1) year of the Board of County Commissioners' approval of the vacation request
16 as reflected in the approving resolution, then approval may be rescinded upon notice by mail to
17 the Principal Petitioner(s).
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20 3. If the Board of County Commissioners determines it to be necessary, and in
21 compliance with RCW 36.87.140 and JCC 12.10.130(2)(a), it may condition approval of the road
22 vacation on the retention of an easement within the vacated area for the construction, repair, and
23 maintenance of public utilities and services. JCC 12.10.090(2).
24

25 4. Approval of the requested road vacation shall not be deemed to diminish or
26 otherwise affect easement and/or other rights of CenturyLink within the vacated right-of-way. If
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1 Petitioners damage any CenturyLink facilities within the vacated right-of-way, Petitioners shall be
2 responsible to CenturyLink for the reasonable cost of relocation and/or repair of such facilities.

3 5. Should the Board of County Commissioners deny the requested road vacation,
4 reimbursement to Jefferson County of all costs of processing the request shall be the responsibility
5 of the Principal Petitioners.
6

7 Dated this 11th day of August, 2025.

8 

9
10 STEPHANIE MARSHALL, Attorney at Law
Jefferson County Hearing Examiner