

**OKANOGAN COUNTY COMMISSIONERS'**

**RESOLUTION 120 - 2021**

*A RESOLUTION REPEALING RESOLUTION NO. 443-2009*

**WHEREAS:** On November 6, 2009, the Okanogan County Board of County Commissioners (the Board) denied a petition to vacate French Creek Road (OCR 1545); and

**WHEREAS:** On December 8, 2009, the Board passed Resolution No. 443-2009, expressing the Board's belief that there was insufficient evidence to show French Creek Road was established as a county road:

"Therefore, there was no interest to vacate, or not vacate, and that portion of the decision is rendered null and void. Furthermore, as the gated portion of the road lies outside the County's jurisdiction, any order to remove or open the gate is rendered null and void.";

**WHEREAS:** In 2019, the Okanogan County Public Works Department discovered evidence that French Creek Road was established by petition in 1889 as part of the old Methow Valley Road, and via the RS 2477 federal grant; and

**WHEREAS:** On July 27, 2021, the Washington State Court of Appeals concluded French Creek Road is a county road, and quieted title to the road in Okanogan County. *Gamble Land & Timber, Ltd. V. Okanogan Cty.*, 37297-9-III, 2021 WL 3161843 (Wash. Ct. App. July 27, 2021); Okanogan County Superior Court case No. 17-2-00086-0; and

**NOW, THEREFORE, BE IT RESOLVED** by the Okanogan County Board of County Commissioners, that Resolution 443-2009 is hereby repealed because it conflicts with the outcome of the quiet title action.

**EFFECTIVE DATE:** this resolution shall become effective immediately upon its approval by the Board of Okanogan County Commissioners.

**APPROVED** by the County Commissioners of Okanogan County, Washington, at an Open Public Meeting the 20<sup>th</sup> day of SEPTEMBER 2021.

**ATTEST:**

  
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Laleña Johns, Clerk of the Board




**BOARD OF COUNTY COMMISSIONERS  
OKANOGAN, WASHINGTON**

  
\_\_\_\_\_  
Chris Branch, Chairman

  
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Andy Hover, Member

  
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David Gecas, Chief Civil DPA

  
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Jim Detro, Member