

**CLARK COUNTY
STAFF REPORT**

DEPARTMENT: Community Development
DATE: June 17, 2014
REQUEST: Acceptance of Declaration Covenant for Plat Alteration
CHECK ONE: X Consent CAO

BACKGROUND

The applicant submitted and received preliminary plat alteration approval to adjust the west line of Lot 3 in Short Plat recorded in Book 3, Page 969 in the R-5 zone (PLD2014-00003). Completing the Declaration Covenant is the final approval for the request.

COMMUNITY OUTREACH

Public notice was mailed to the applicant and property owners within 500-feet of the site on March 20, 2014 during the preliminary plat alteration review.

BUDGET AND POLICY IMPLICATIONS

No budget or policy implications ,

FISCAL IMPACTS

Yes (see attached form) No

ACTION REQUESTED

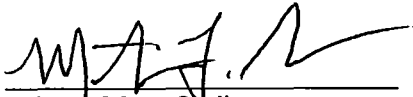
Sign original Declaration with maps and return to Community Development Department for recording .

DISTRIBUTION

Chris Horne, Deputy Prosecuting Attorney

MJA
OK
N





Name: Marty Shell
Title: Community Development
Director

Approved by:

CLARK COUNTY
BOARD OF COMMISSIONERS

Date: 6/17/14
SR #: 121-14

Return Address:

**Michael B. and Barbara A. Byers
6602 N.E. 192nd Avenue
Vancouver, WA 98682**

Serial #: 986029663, 169488000
Sec-T-R: SW ¼, Section 7, T2N, R3E
Project: PLD2014-00003 SP BK3 PAGE 969 SCHMID PLAT ALT

CD 14-20

DECLARATION AMENDING PLAT BOOK 3 PAGE 969

We, Michael B. and Barbara A. Byers, husband and wife, the owners of certain real property in Clark County, Washington, legally described therein below (hereinafter "Site A"), and Howard A. and Delores M. Schmid, husband and wife, the owners of certain real property in Clark County, Washington, legally described therein below (hereinafter "Site B") pursuant to RCW 58.17.215 and CCC 40.540, which, under specific circumstances, allows Clark County to approve alterations to recorded plats, file this declaration to accomplish that end.

RECITALS:

Whereas, Michael B. and Barbara A. Byers are the owners of property, part of a plat recorded under Auditor's number 4878052, Lot 3, Book 3, Page 969, Site "A", which legal description is set forth by a copy of the previously recorded plat in Exhibit A attached hereto; and

Whereas, Howard A. and Delores M. Schmid are the owners of property, part of a plat recorded under Auditor's number 4793336, Lot 1, Book 3, Page 969, Site "B", which legal description is set forth by a copy of the previously recorded plat in Exhibit A attached hereto; and

Whereas, the owners have sought to amend the previously recorded plat to officially revise the boundary line between said Lot 3, Site "A", and Lot 1 Site "B"; and

Whereas, the owners have previously received the plat alteration approval with conditions of Clark County in that planning application numbered PLD2014-00003; and

Whereas, this document is required to satisfy the conditions of approval, RCW 58.17.215 and CCC 40.540; now, therefore,

1. The undersigned owners declare that they are the sole and exclusive owners of the real property, described in Exhibit A, that is affected by the plat alteration. The plat is recorded in Book 3 at Page 969, records of Clark County, Washington.
2. A revised drawing of the approved alteration as specified in approval condition note 1(a) is attached hereto and incorporated herein as Exhibit B.
4. The final plat is only amended as set forth above and in all other aspects are unaffected by this document. A copy of this declaration shall be filed with the Clark County Auditor so as to appear in the chain of title of the affected parcels.

Dated this 6 day of MAY, 2014.

Approved as to form:

By 

Christopher Horne
Deputy Prosecuting Attorney

County Commissioners

Approved and accepted by the Board of County Commissioners, Clark County, Washington, this 17th day of June, 2014.


Chair of the Board of County Commissioners

Attested by: 

Clerk to the Board of Clark County Commissioners

Michael B Byers
Michael B. Byers
Lot 3 Property Owner

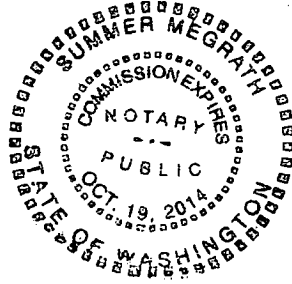
Barbara A Byers
Barbara A. Byers
Lot 3 Property Owner

STATE OF WASHINGTON)
 :SS
COUNTY OF CLARK)

On this day personally appeared before me MICHAEL B. BYERS, known to me to be his/her free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 10th DAY OF MAY, 2014

Summer Megrath
Notary Public in and for the State of Washington, residing at VANCOUVER, WA therein.
My commission expires: OCT 19, 2014

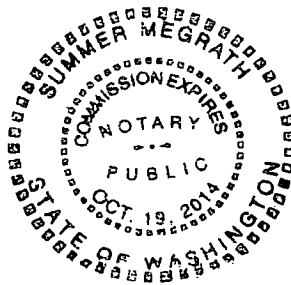


STATE OF WASHINGTON)
 :SS
COUNTY OF CLARK)

On this day personally appeared before me BARBARA A. BYERS, known to me to be his/her free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 10th DAY OF MAY, 2014.

Summer Megrath
Notary Public in and for the State of Washington, residing at VANCOUVER, WA therein.
My commission expires:



Howard A. Schmid

Howard A. Schmid
Lot 1 Property Owner

Delores M. Schmid

Delores M. Schmid
Lot 1 Property Owner

STATE OF WASHINGTON)
 :SS
COUNTY OF CLARK)

On this day personally appeared before me Howard A Schmid, known to me to be the person that executed the within and foregoing instrument, and acknowledged said instrument to be his/her free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20 DAY OF May, 2014

Alejandro A Garcia
Notary Public in and for the State of Washington, residing at La Center, therein.
My commission expires:



STATE OF WASHINGTON)
 :SS
COUNTY OF CLARK)

On this day personally appeared before me Delores M Schmid, known to me to be the person that executed the within and foregoing instrument, and acknowledged said instrument to be his/her free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20 DAY OF May, 2014.

Alejandro A Garcia
Notary Public in and for the State of Washington, residing at La Center, therein.
My commission expires:



BK 3 P969

HOWARD SCHMID CLUSTER SHORT PLAT

PARTLY IN GOV'T LOT 1 & IN THE NE 1/4 SE 1/4 & IN THE SE 1/4 NE 1/4 OF SECTION 7, T.2N., R.3E., M.M., PL. 02008-00071 CLARK COUNTY, WASHINGTON, FEBRUARY 2010

SURVEY NARRATIVE

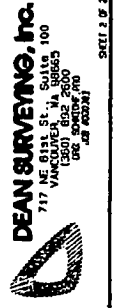
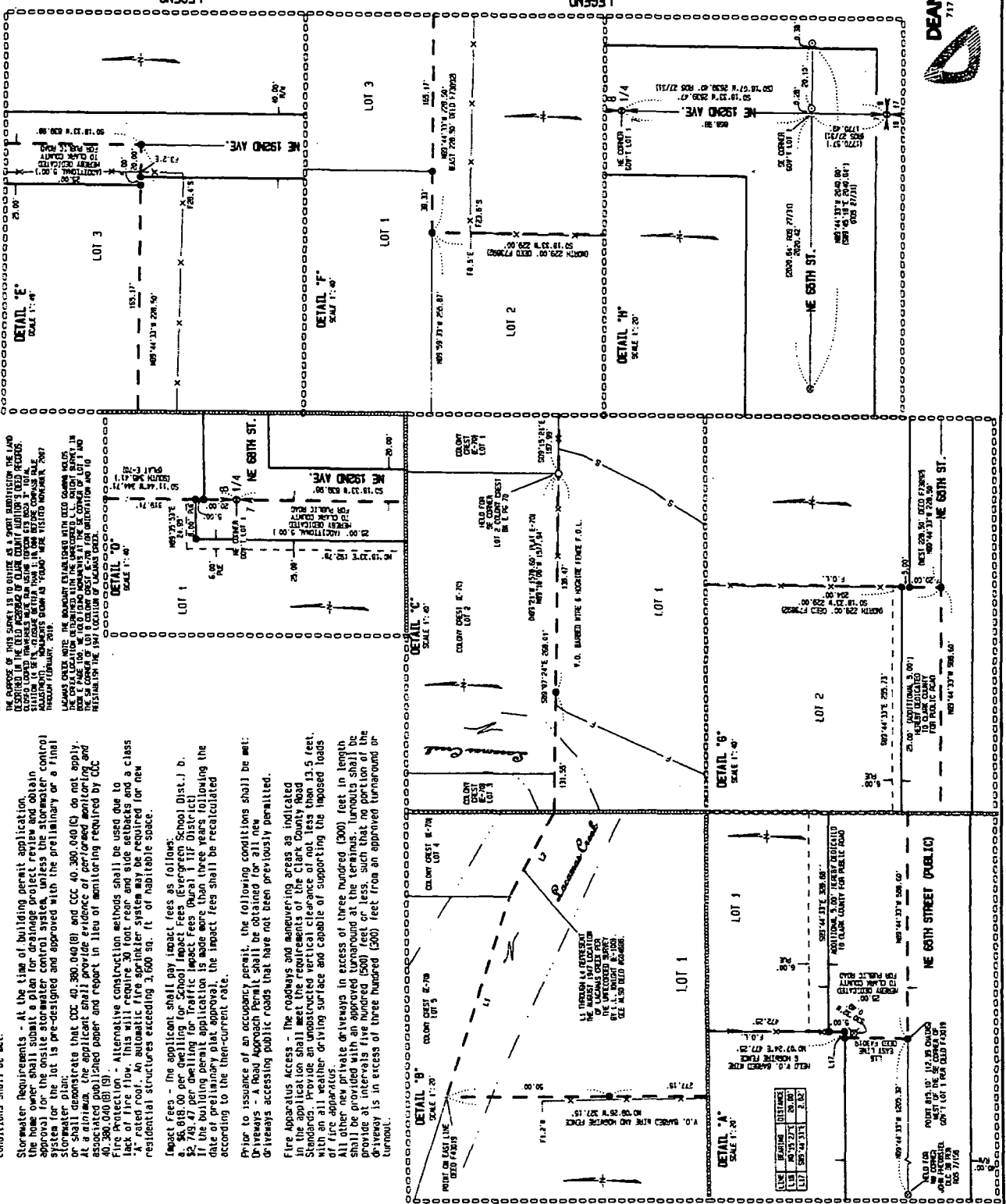
The purpose of this survey is to divide the land shown on the plat into lots and to show the boundaries, areas and easements of the lots. The survey was made from a station established by the Clark County Surveyors in 1888, and the bearings and distances were measured and reduced to mean sea level by the method of double meridian angles. The survey was made on the 15th day of February, 2010. The survey was made by the method of double meridian angles. The survey was made by the method of double meridian angles. The survey was made by the method of double meridian angles.

DEVELOPMENT NOTES
 Prior to issuance of building permits for Lots 2, 3, or 4, the following conditions shall be met:

Stormwater Requirements - At the time of building permit application, the home owner shall submit a plan for drainage project review and obtain approval for the onsite stormwater control system, unless the stormwater control system has been pre-approved with the preliminary or a final plat. The plan shall be pre-approved and approved with the preliminary or a final plat. The plan shall be pre-approved and approved with the preliminary or a final plat. The plan shall be pre-approved and approved with the preliminary or a final plat.

Fire Apparatus Access - The roads and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standards. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus.

Other private driveways in excess of three hundred (300) feet in length shall be provided with an approved (500) foot or less, such that no portion of the driveway is in excess of three hundred (300) feet from an approved turnaround or turnout.



2 of 2

Exhibit A 2 of 2

EXHIBIT "A" EXISTING CONDITIONS

JOB NO: 14-028

DATE: 5-08-14

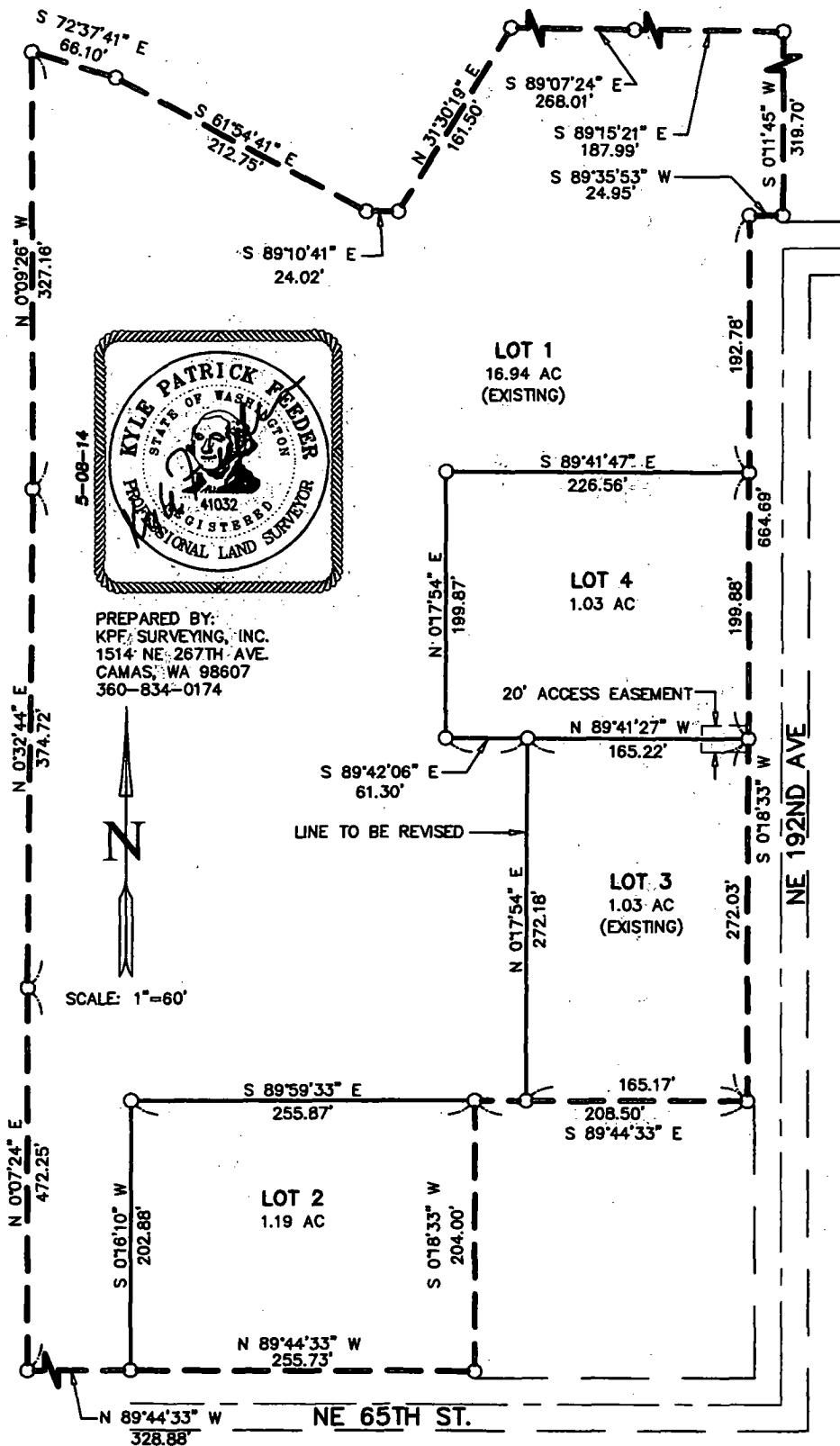


EXHIBIT "B" REVISED CONDITIONS

JOB NO: 14-028

DATE: 5-08-14

