

CLARK COUNTY
STAFF REPORT

DEPARTMENT/DIVISION: Public Works/Engineering & Construction Division/Real Property Services

DATE: July 15, 2014

REQUEST: Approve and accept a Statutory Warranty Deed from Undertaker Land Company, Inc. for the NE 47th Avenue (NE 68th to 78th St.) Project, County Road Project Number 313822 for a portion of Tax Parcel Number 099670-000.

CHECK ONE: X Consent Chief Administrative Officer

PUBLIC WORKS GOALS:

- Provide safe and efficient transportation systems within Clark County
- Continue responsible stewardship of public funds
- Promote family-wage job creation and economic development to support a thriving community
- Maintain a desirable quality of life
- Improve environmental stewardship and protection of natural resources
- Increase partnerships and foster an engaged, informed community
- Make Public Works a great place to work

BACKGROUND: The acquisition from the Undertaker parcel is for additional right-of-way and for a storm water facility for the road project. The acquisition price was established by an appraisal and a subsequent appraisal review.

COMMUNITY OUTREACH: The purchase of this property is the result of direct property owner communication along with other community outreach through an open house, meetings, and newsletters.

BUDGET AND POLICY IMPLICATIONS: Funds for the parcel (\$158,300.00) are included in the 2014-2019 Transportation Improvement Program and the 2014 Annual Construction Program.

FISCAL IMPACTS: Yes (see Fiscal Impacts Attachment) No

ACTION REQUESTED: Approve and accept a Statutory Warranty Deed from Undertaker Land Company, Inc. for the NE 47th Avenue (NE 68th to 78th St.) Project, County Road Project Number 313822 for a portion of Tax Parcel Number 099670-000.

DISTRIBUTION: Please notify the Real Property Service section of the Board's action by calling extension 4975.

Tom Grange
Tom Grange, P.E.
Engineering & Construction Division Manager

Heath H. Henderson
Heath H. Henderson, P.E.
Public Works Director/County Engineer

APPROVED: Tom Mielke
CLARK COUNTY, WASHINGTON
BOARD OF COMMISSIONERS

DATE: July 15, 2014

SR#: 152-14

TG/HHH/PM/pmm
Attachments: Deed, Fiscal Impact, Resolution, and Map

map
OK
4/2

FISCAL IMPACT ATTACHMENT

Part I: Narrative Explanation

I.A - Explanation of what the request does that has fiscal impact and the assumptions for developing revenue and costing information.

The acquisition of this property is currently in the approved 2014-2019 Transportation Improvement Program and the 2014 Annual Construction Program.

Part II: Estimated Revenues

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	RF	Total	RF	Total	RF	Total
1012/Road Fund	\$158,300	\$158,300				
Total:	\$158,300	\$158,300	\$0.00	\$0.00	\$0.00	\$0.00

II.A - Describe the type of revenue (grant, fees, etc.)

Funding for this project is already budgeted in the 2014 budget for the Road Fund.

Part III: Estimated Expenditures

III.A - Expenditures summed up

Fund #/Title	FTE's	Current Biennium		Next Biennium		Second Biennium	
		RF	Total	RF	Total	RF	Total
1012/Road Fund		\$158,300	\$158,300				
Total:		\$158,300.00	\$158,300	\$0.00	\$0.00	\$0.00	\$0.00

Handwritten: DW 7/2/14

III.B = Expenditure by object category

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	RF	Total	RF	Total	RF	Total
Salary/Benefits						
Contractual						
Supplies						
Travel						
Other controllables						
Capital Outlays	\$158,300	\$158,300				
Inter-fund Transfers						
Debt Service						
Total:	\$158,300	\$158,300	\$0.00	\$0.00	\$0.00	\$0.00

CLARK COUNTY, WASHINGTON
RESOLUTION NO. 2014-07-17

IN THE MATTER OF EXECUTION OF STATUTORY WARRANTY DEED TO CLARK COUNTY

WHEREAS, the Board of County Commissioners is in regular session this 15th day of July, 2014, and

WHEREAS, it appears in the best interest of Clark County the following are hereby executed:

Document

Statutory Warranty Deed

Data

FROM: Undertaker Land Company, Inc.
FOR: NE 47th Ave (NE 68th St to 78th St)
CRP# 313822
Consideration: \$158,300.00

NOW THEREFORE, IT IS HEREBY RESOLVED that the hereinabove mentioned document(s) be recorded and filed.

IT IS FURTHER RESOLVED that copies of this resolution be filed with the County Auditor, County Engineer, and in the records of the County Commissioners.

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, WASHINGTON

Tom Mielke
Tom Mielke, Chair

ATTEST:

Rebecca Jitta
Clerk of the Board

David Madore, Commissioner

Edward L. Barnes, Commissioner

Recording requested by:
Clark County Public Works
Real Property Services
P.O. Box 9810
Vancouver, WA 98666-9810

Document Title: Statutory Warranty Deed
Grantor: Undertaker Land Company, Inc.
Grantee: Clark County, Washington
Legal Description: Barg Acres #3 Lot 6
Additional Legal Description is attached as Exhibit "A"
Ptn of Serial #: 099670-000 (27)
Project: NE 47th Ave (NE 68th to 78th St)
CRP #: 313822

STATUTORY WARRANTY DEED

THE GRANTOR, **UNDERTAKER LAND COMPANY, INC**, a **Washington corporation**, for and in consideration of valuable consideration as set out in part below, conveys and warrants to **CLARK COUNTY**, a **political subdivision of the State of Washington**, its heirs and assigns, the following described real estate situated in the County of Clark, State of Washington, under the imminent threat of the grantee's exercise of its rights of Eminent Domain.

SEE LEGAL DESCRIPTION ATTACHED HERETO, WHICH, BY THIS REFERENCE, IS INCORPORATED HEREIN

The Grantor requests the Clark County Assessor and Treasurer to set over to the remainder of the hereinafter described parcel "A", the lien of all unpaid taxes, if any, affecting the real estate herein conveyed, as provided for by RCW 84.60.070.

The Grantor represents and warrants that they are not aware of any hazardous or toxic waste, substance or material on or under the subject property.

NOTE: It is understood and agreed that the delivery of this deed is hereby tendered and the terms and obligations hereof shall not become binding upon Clark County, Washington, until this document is accepted and approved by the Clark County Board of County Commissioners.

CONSIDERATIONS: One Hundred Fifty-eight Thousand, Three Hundred and No/100 Dollars (\$158,300.00).

Statutory Warranty Deed
Ptn of Serial #: 099670-000 (27)
Project: NE 47th Ave (NE 68th to 78th St)
CRP #: 313822

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, WASHINGTON

Undertaker Land Company, Inc.

Tom Mielke
Tom Mielke, Chair

By: [Signature]
Steve Ammons, President

David Madore, Commissioner

Edward L. Barnes, Commissioner

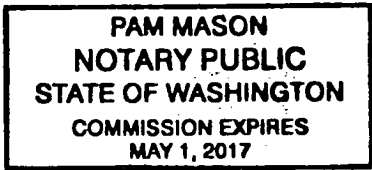
By: _____

STATE OF WASHINGTON
COUNTY OF CLARK

I certify that I know or have satisfactory evidence that Steven Ammons
is/are the person(s) who appeared before me, and said person(s) acknowledged that
he/she/they signed this instrument, on oath stated that he/she/they is/are authorized to execute
the instrument and acknowledged it as the President
of Undertaker Land Company, Inc., a Washington corporation, to be the free and voluntary act
and deed of such party(ies) for the uses and purposes therein mentioned in the instrument.

Dated: 5-30-14

[Signature]
Pam Mason
Notary Public in and for the State of WA
Residing at Vancouver WA
My commission expires: 5-01-17



**UNDERTAKER PROPERTY
NE 47TH AVENUE
A PORTION OF LOT #6 "BARG ACRES"
SUBDIVISION C-36 OF CLARK COUNTY PLATS
LEGAL DESCRIPTION
CRP# 313822**

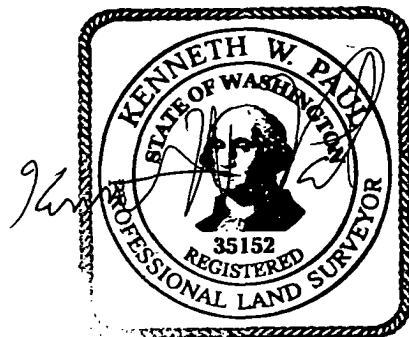
EXHIBIT "A"

FEE

A parcel of land in the Northeast Quarter of the Northeast Quarter, Section 12, Township 2 North, Range 1 East, Willamette Meridian, Clark County, Washington being a portion, of "Barg Acres," more particularly described as follows:

Commencing at a boxed monument being, the northwest corner of the Plat of Barg Acres as recorded in Book C, at Page 36 of Plats, Records of Clark County Washington;

thence South 00°36' 35" West 832.00 feet, to the southwest corner of Lot 3, being the north line of Lot 6 of said plat and THE TRUE POINT OF BEGINNING of this description;



4/23/2014

FEE-Right of Way

A strip of land lying in the northeast quarter of Section 12, Township 2 North, Range 1 East of the Willamette Meridian in Clark County, Washington, being more particularly described as follows:

All that portion of that parcel described in that Bargain and Sale Deed to Undertaker Land Company, Inc., a Washington corporation, recorded August 27, 2007 under Auditor's file # 4367613, records of Clark County, Washington, listed as Serial No. 099670-000, lying east of a line drawn 30.00 feet west of, when measured at right angles or radial to, the centerline of Northeast 47th Avenue, as shown on the Plat of Barg Acres, recorded in Book C of Plats, at Page 36, Records of Clark County Washington, and shown on Exhibit "B", attached, Undertaker X027-1 .doc all in Clark County, Washington.

Area = 575 square feet.



thence along said line of Lot 6 South 89°24'03" East 612.80 feet to the west right of way line of NE 47th Street;

thence along said right of way line, South 01°30'51" West 30.00 feet;

thence North 89°24'03" West 342.04' feet;

thence South 00°50'40" West 161.80 feet to north line of that parcel described in that Bargain and Sale Deed to B.A.M. Properties, L.L.C. a Washington Limited Liability Company, recorded October 5th, 2000 under Auditor's file # 3257757, records of Clark County, Washington, listed as Serial No. 99661-000;

thence along said north line, North 89°24'03" West 271.33 feet to the northwest corner of said parcel;

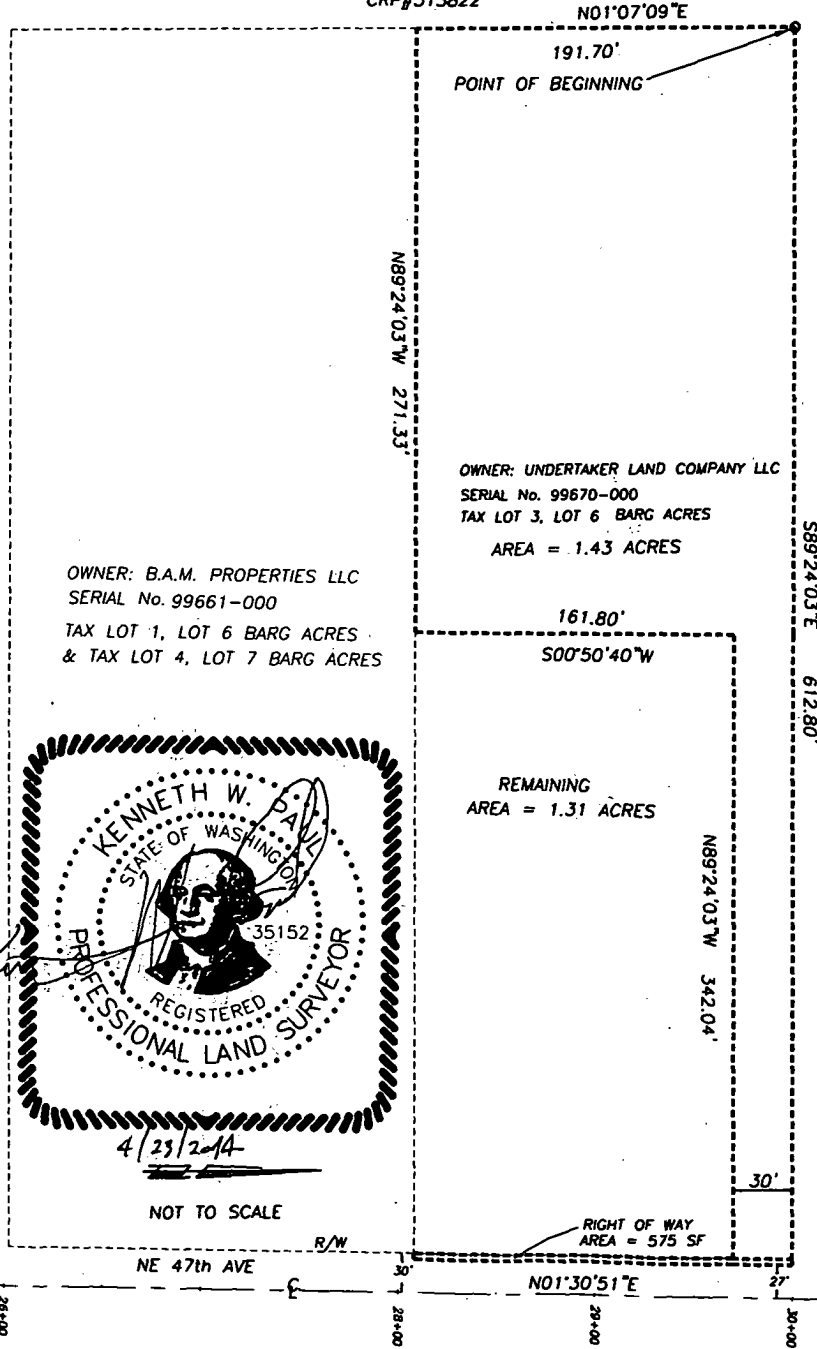
thence North 01°07'09" East 191.69 feet, to the north line of Lot 6 and TRUE POINT OF BEGINNING.

Area = 62,290.80 square feet.



EXHIBIT "B"

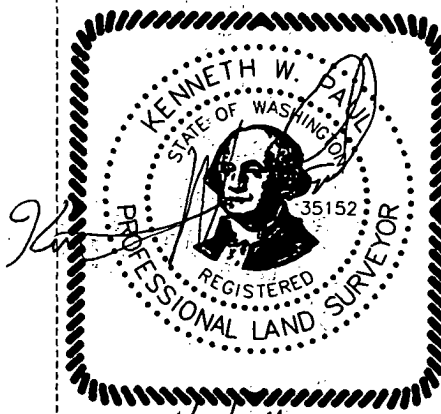
UNDERTAKER PROPERTY
NE 47th AVENUE
CRP#313822



OWNER: B.A.M. PROPERTIES LLC
SERIAL No. 99661-000
TAX LOT 1, LOT 6 BARG ACRES
& TAX LOT 4, LOT 7 BARG ACRES

OWNER: UNDERTAKER LAND COMPANY LLC
SERIAL No. 99670-000
TAX LOT 3, LOT 6 BARG ACRES
AREA = 1.43 ACRES

161.80'
S00°50'40"W
REMAINING
AREA = 1.31 ACRES



NOT TO SCALE

NE 47th AVE

RIGHT OF WAY
AREA = 575 SF

N01°30'51"E

26+00

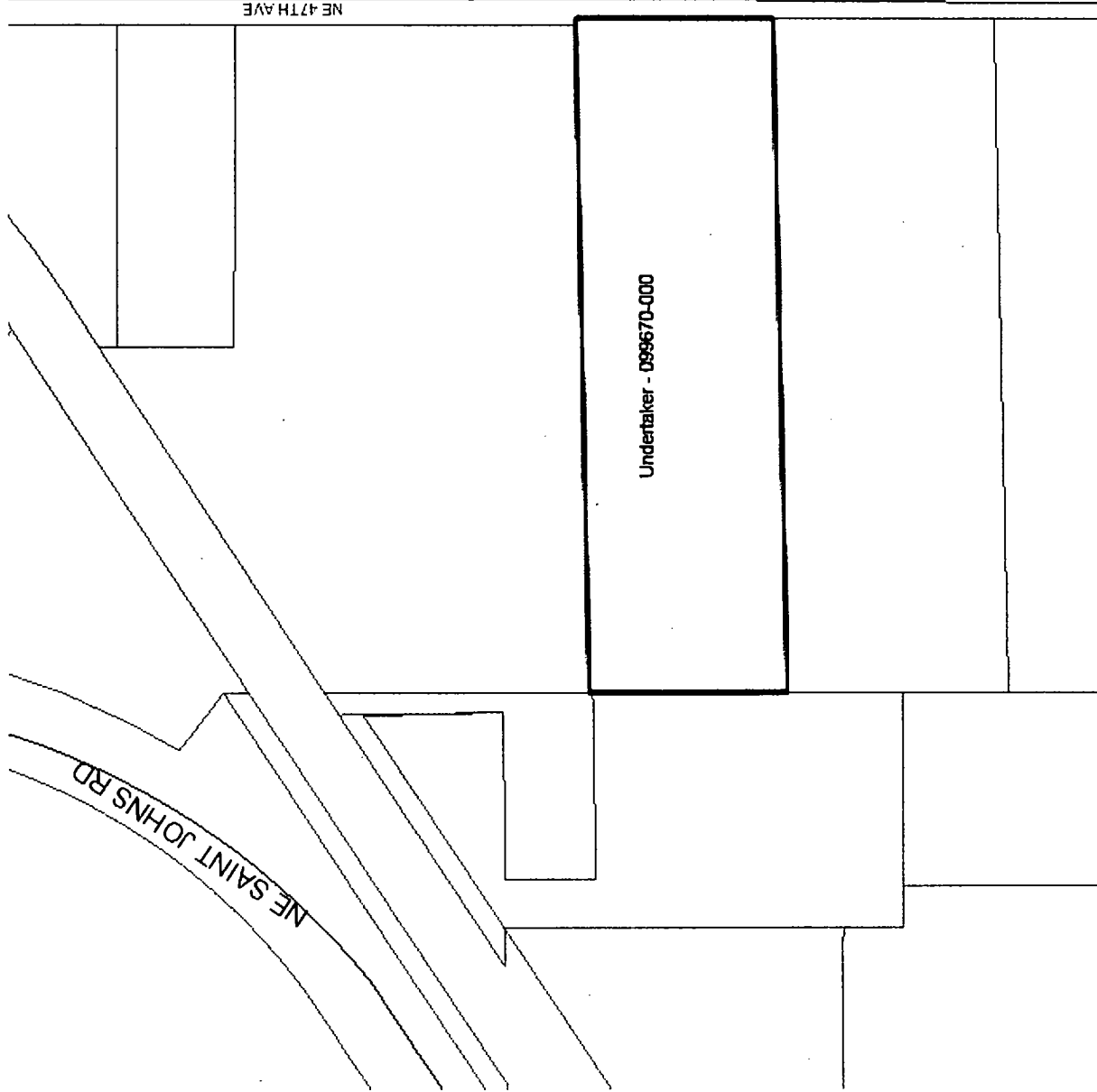
28+00

29+00

30+00



Undertaker - 099670-000



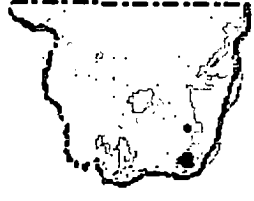
1: 1,901



316.8
 158.39
 0
 316.8 Feet

This map was generated by Clark County's "MapsOnline" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information.

WGS_1984_Web_Mercator_Auxiliary_Sphere
 Clark County, WA, GIS - <http://gis.clark.wa.gov>



Legend

- Taxlots
- County Outline
- Highway**
 - Interstate
 - State Route
 - Interstate Ramp
 - State Ramp
- Arterial**
- Collector**
- Minor**
- DNR**
- Other**
 - Private, Other
 - Proposed
 - Unknown
- Stream Channels**
- Major Waterbodies**
- Rural Centers**
- Cities Boundaries**
- Urban Growth Boundaries**
- County Boundary**

Notes: