



**CLARK COUNTY
STAFF REPORT**

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

DATE: July 15, 2014

REQUEST: Execute and approve a Utility Easement to Public Utility District No. 1 of Clark County, across a portion of NE 78th Street Right-of-Way west of 47th Avenue and adjacent to tax parcel number 144274-000.

CHECK ONE: 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 NE 47 Avenue at NE 78th St. Intersection Road Project, CRP 323222, requires Public Utility District No. 1 of Clark County (CPU) to relocate one of its poles and service equipment. These are currently located in an easement that CPU acquired from Longview Portland and Northern Railway Company.

COMMUNITY OUTREACH: This project has had extensive community involvement through an open house, other meetings, and newsletters.

BUDGET AND POLICY IMPLICATIONS: None. It has been our policy to accommodate utilities whenever possible.

FISCAL IMPACTS: Yes (see Fiscal Impacts Attachment) No

ACTION REQUESTED: Execute and approve a Utility Easement to Public Utility District No. 1 of Clark County, across a portion of NE 78th Street Right-of-Way west of 47th Avenue and adjacent to tax parcel number 144274-000.

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

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

APPROVED: Tom Melke
CLARK COUNTY, WASHINGTON
BOARD OF COMMISSIONERS

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

DATE: July 15, 2014
SR#: 154-14

TG/HHH/PM/pmm
Attachments: Easement, Resolution, Map

Handwritten initials/signature

RETURN TO:
Clark Public Utilities
P. O. Box 8900
Vancouver, WA 98668

Document Title: Utility Easement
Grantor: Clark County
Grantee: Public Utility District No.1 of Clark County
Legal Description: Portion of TL #8 SE ¼ of Section 01, T2N, R1E WM
Serial No: 144274000
GEO: 2101220
ENGINEER: Jarrell
RIO: 397287

**EASEMENT AND RIGHT OF WAY
UTILITY EASEMENT**

The GRANTOR(S), **CLARK COUNTY WASHINGTON, A Municipal Corporation**, for and in consideration of mutual benefits hereby acknowledged, does grant and convey to **PUBLIC UTILITY DISTRICT NO. 1 OF CLARK COUNTY, a municipal corporation of the state of Washington**, GRANTEE, its successors and assigns, including joint users, a non-exclusive, perpetual easement and right of way six (6) feet, in width together with the right of ingress and egress for the purpose of installing, constructing, erecting, altering, repairing, maintaining and operating thereon and therein an electric system, facilities and appurtenances including communication and service conductors with surface-mounted transformer(s), pole(s), anchor(s), and appurtenances necessary thereto, together with the right and easement to tap into said facilities to serve adjacent and/or adjoining lands, in, on, over, under and across the lands in Clark County, Washington, described as follows:

A portion of Tax Lot #8 in the SE ¼ of Section 01, Township 2 North, Range 1 East WM, known as Assessor Parcel 144274000, for 1 pole, anchor and down guy, due to driveway relocation, more particularly described and shown on the attached Exhibits "A" and "B", by this reference made a part hereof.

PROVIDED, that upon completion of installation of all facilities required to serve all land above-described, THE EASEMENT HEREIN GRANTED SHALL BECOME

LIMITED TO THE ACTUAL LOCATIONS OF THE FACILITIES AS INSTALLED WITH REASONABLE RIGHTS OF INGRESS AND EGRESS FOR THE PURPOSES ABOVE STATED.

The Grantor also covenants to and with the Grantee that Grantor has the right and power to convey an Easement and Right of Way over the tract of land described herein.

DATED this 15th day of July, 2014.

BOARD OF COUNTY COMMISSIONERS
OF CLARK COUNTY, WASHINGTON

Tom Mielke
Tom Mielke, Chair

David Madore, Commissioner

Edward L. Barnes, Commissioner

NOTARIAL ACKNOWLEDGMENT

STATE OF WASHINGTON)
)ss
County of Clark)

On this 15th day of July 2014, before me personally appeared Tom Mielke, Chair and/or David Madore, Commissioner and/or Edward L. Barnes, Commissioner, to me known to be the duly elected, qualified and acting County Commissioner(s) of Clark County, Washington, who executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of Clark County, for the uses and purposes therein mentioned, and on oath stated that he/they is/are authorized to execute said instrument by resolution of the Board of County Commissioners of Clark County and that the seal affixed is the official seal of Clark County.

Dated 7/15/14

REBECCA L. TILTON
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
APRIL 26, 2017

Rebecca L. Tilton
Notary Public in and for the State of
WA, residing at Vancouver
My commission expires: 4/26/2017

EXHIBIT "A"

Property Description:

Beginning at a point on the South line of Section 1, Township 2 North, Range 1 East of the Willamette Meridian, 716.2 feet North 89°47' West of the Southeast corner thereof, said point being the Southwesterly line of the Northern Pacific Railroad Right of Way; thence North 89°47' West 192.2 feet; thence North 0°02' East 1330.3 feet to the North line of the Southeast quarter of the Southeast quarter of said Section 1; thence South 89°57' East along said line 445.7 feet to the Northwest corner of the Swisher tract; thence South 0°20' West 960.8 feet to the Railroad Right of way; thence South 34°26' West 448.4 feet to the beginning.

Which has an address of 4700 NE 78th St, Vancouver, WA 98665

Easement Description:

A six (6) foot wide strip extending from the property line on NE 78th St North into the property as needed for 1 pole and 1 anchor, approx. location shown on Exhibit "B" and said easement shall become limited to the actual locations of the facilities as installed with reasonable rights of ingress and egress for the purposes above stated.

EXHIBIT "B"

144274-000
CLARK COUNTY

ANCHOR: 222+90.5, 66.5 LT
POLE: 222+90.5, 54.5 LT



NE 78TH ST

221+00

222+00

223+00

224+00

NE 47TH AVE

CLARK COUNTY, WASHINGTON
RESOLUTION NO. 2014-07-19

IN THE MATTER OF EXECUTION OF EASEMENT FROM 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 is hereby executed:

Document

Utility Easement

Data

FROM: Clark County, Washington

TO: Public Utility District No. 1 of Clark County

FOR: NE 47th Avenue at 78th St Intersection Project

CRP: 323222

CONSIDERATION: Mutual Benefit

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:

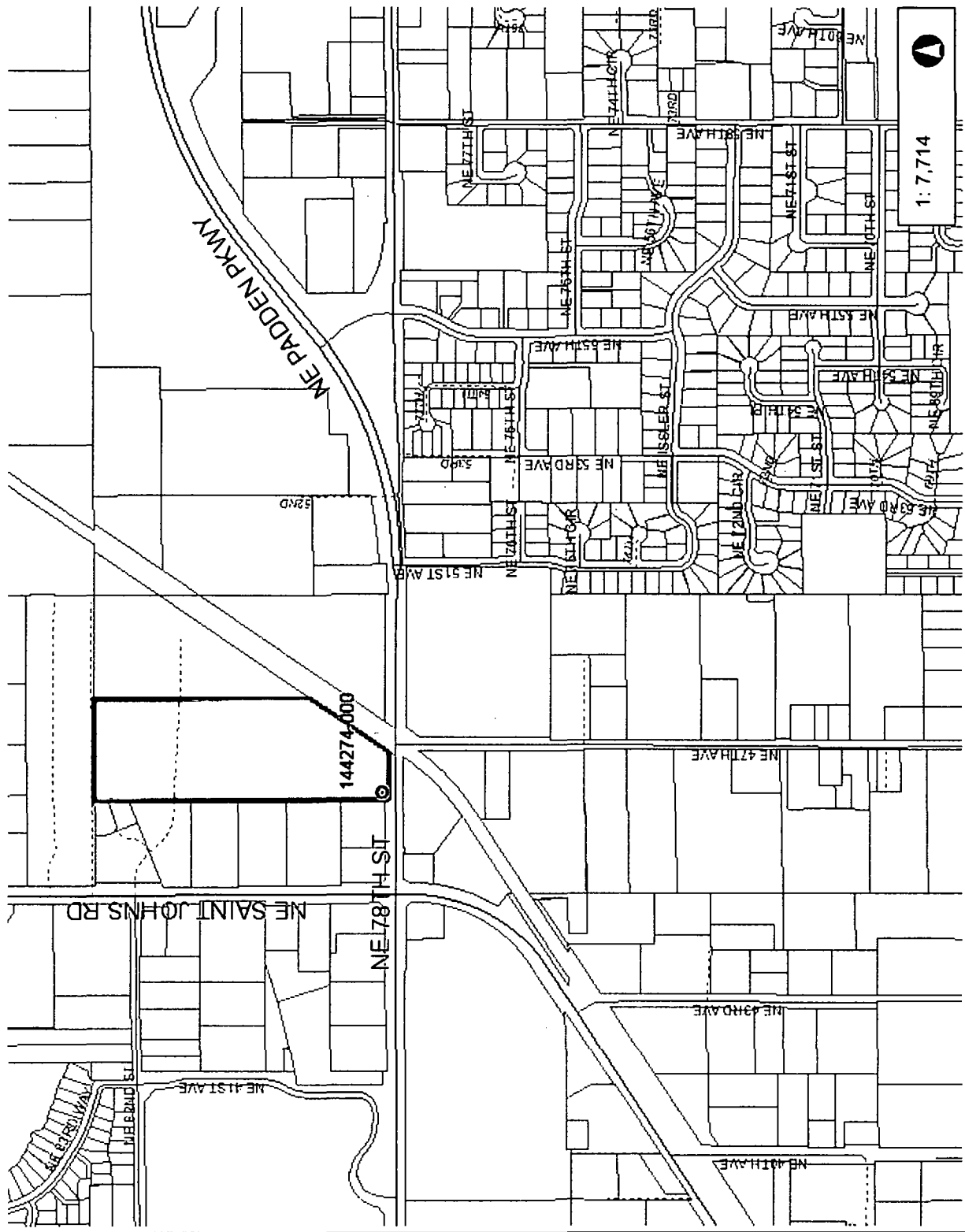
Rebecca Filton
Clerk of the Board

David Madore, Commissioner

Edward L. Barnes, Commissioner



Adj. to 144274-000



1: 7,714



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**
- World Street Map**

Notes:

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.

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