

CLARK COUNTY
STAFF REPORT



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

DATE: August 12, 2014

REQUEST: Approve and accept a Statutory Warranty Deed from Ruth Kuhnhausen for the NE 99th St. (NE 94th Ave. to 117th Ave.) Project, County Road Project Number 350722 for Tax Parcel Numbers 199862-000 and 199849-000.

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 NE 99th St. road project will construct a new roadway from NE 94th Ave. to NE 104th Ave.; and improve the existing roadway from NE 104th Ave. to NE 117th Ave. The Kuhnhausen parcels, which front on NE 94th Avenue, are located where NE 99th St. terminates now. Mrs. Kuhnhausen contacted staff after receiving mailings for the NE 94th Ave. Road Project (CRP 350822). This acquisition will provide right-of-way for both projects. The total area of both parcels is 217,800 sq. ft. and is zoned light industrial.

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 (\$762,300.00) 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 Ruth Kuhnhausen for the NE 99th St. (NE 94th Ave. to Ne 117th Ave.) Project, County Road Project Number 350722 for Tax Parcel Numbers 199862-000 and 199849-000.

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 Melke
CLARK COUNTY, WASHINGTON
BOARD OF COMMISSIONERS

DATE: Aug. 12, 2014

SR#: 184-14

TG/HHH/PM/pmm

Attachments: Fiscal Impact, Deed, Resolution, and Map

N:\CIP\PROJECTS\350722-NE99THST(94THTO117TH)\REAL PROPERTY ACQUISITIONS A-Z\PARCEL OWNERS\KUHNHAUSEN 199862; 199849\SR.DOCX

PW 14-083

*mam
OK
4/1*

FISCAL IMPACT ATTACHMENT

Part II: 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 III: Estimated Revenues

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	RF	Total	RF	Total	RF	Total
1012/Road Fund	\$762,300	\$762,300				
Total:	\$762,300	\$762,300	\$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		\$762,300	\$762,300				
Total:		\$762,300.00	\$762,300	\$0.00	\$0.00	\$0.00	\$0.00

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	\$762,300	\$762,300				
Inter-fund Transfers						
Debt Service						
Total:	\$762,300	\$762,300	\$0.00	\$0.00	\$0.00	\$0.00

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

Document Title: Statutory Warranty Deed
Grantor: Ruth M. Kuhnhausen
Grantee: Clark County, Washington
Legal Description: #31 #18 James McAllister DLC
Additional Legal Description is attached as Exhibit "A"
Serial #: 199862-000; 199849-000
Project: NE 99th St (NE 94th Ave to NE 117th Ave)
CRP #: 350722

DE 14-28

STATUTORY WARRANTY DEED

THE GRANTOR, **RUTH M. KUHNHAUSEN**, a widow, 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, 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 represents and warrants that she is 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: Seven Hundred Sixty-two Thousand Three Hundred and No/100 Dollars (\$762,300.00).

Statutory Warranty Deed
Serial #: 199862-000; 199849-000
Project: NE 99th St (NE 94th Ave to NE 117th Ave)
CRP #: 350722

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, WASHINGTON

Dated this 3rd day of July, 2014.

Ruth M. Kuhnhausen

Tom Mielke
Tom Mielke, Chair

By: Edith M. Crouse
Edith M. Crouse, her Attorney-in-Fact

David Madore, Commissioner

Edward L. Barnes, Commissioner

STATE OF WASHINGTON
COUNTY OF CLARK

On this day personally appeared before me Edith M. Crouse to me known to be the individual who executed the foregoing instrument as Attorney-in-Fact for Ruth M. Kuhnhausen and acknowledged that she signed the same as her free and voluntary act and deed as Attorney-in-Fact for said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked.

Date: 7-30-14

PAM MASON NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES MAY 1, 2017
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Pam Mason

Pam Mason
Notary Public in and for the State of WA
Residing at Vancouver WA
My commission expires: 05-01-17

CLARK COUNTY, WASHINGTON
RESOLUTION NO. 2014-08-05

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

WHEREAS, the Board of County Commissioners is in regular session this 12th day of August, 2014, and

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

Document

Statutory Warranty Deed

Data

FROM: Ruth Kuhnhausen
FOR: NE 99th St. (NE 94th Ave. to 117th Ave.)
CRP# 350722
Consideration: \$762,300.00

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, Chair

ATTEST:



Clerk of the Board

David Madore, Commissioner

Edward L. Barnes, Commissioner

EXHIBIT "A"

PARCEL 1

That portion of the Northwest quarter of Section 4, Township 2 North, Range 2 East of the Willamette Meridian, and the Southwest quarter of Section 33, Township 3 North, Range 2 East of the Willamette Meridian, Clark County, Washington, lying within the James McAllister Donation Land Claim, described as follows:

BEGINNING at a point on the West line of the James McAllister Donation Land Claim 8.56 chains South of the Northwest corner of the South half of said Claim, and running thence East parallel with the North line of said South half, 17.522 chains to the West line of the tract conveyed to the Northern Pacific Railway Company by Deed recorded in Book 71, page 255, records of said County; thence South 2.855 chains; thence West parallel to the North line of said South half, 17.522 chains to the West line thereof; thence North 2.855 chains to the Point of Beginning.

EXCEPT the North 64 feet of the West 675 feet thereof.

ALSO EXCEPT that portion conveyed by Boundary Line Agreement recorded under Auditor's File No. 9108090261.

PARCEL 2

That portion of the Northwest quarter of Section 4, Township 2 North, Range 2 East of the Willamette Meridian, Clark County, Washington, lying within the James McAllister Donation Land Claim, described as follows:

BEGINNING at a point on the West line of James McAllister Donation Land Claim in Section 33, Township 3 North, Range 2 East of the Willamette Meridian, Clark County, Washington, 8.56 chains South of the Northwest corner of the South half of said claim; thence East parallel with the North line of said South half of said claim, 675 feet; thence South 64 feet; thence West 675 feet to the West line of said Claim; thence North 64 feet to the Point of Beginning.

EXCEPT Public Roads.

ALSO EXCEPT that portion conveyed by Boundary Line Agreement recorded under Auditor's File No. 9108090261.



KEY

1:2,804



Information shown on this map was collected from several sources. Clark County accepts no responsibility for any inaccuracies that may be present.

Printed On: Apr 18, 2014
Project: G:\RealPropEdit\RearPropEditing_r20.mxd (dmshel)