

CLARK COUNTY
STAFF REPORT



DEPARTMENT/DIVISION: Environmental Services / Policy and Planning / Clean Water

DATE: August 26, 2014

REQUEST: Accept and execute a Quit Claim Deed, transferring a portion of Assessor's
Parcels No. 097350254 and 097350256 from the Fairfield Owners Association to
Clark County.

CHECK ONE: ☒ Consent ☐ Hearing ☐ Chief Administrative Officer

BACKGROUND: The Fairfield Park Estates Subdivision was developed by Pacific Lifestyle Homes, Inc. in 2004. In response to the failure of the detention pond and infiltration facility constructed with the subdivision, and the subsequent localized flooding of county roadways, Clark County and Pacific Lifestyle Homes, Inc. negotiated a settlement of the issues pertaining to the Fairfield Estates stormwater facility. Pacific Lifestyle Homes reimbursed the county for expenses to remediate the failed facility, and in Item 7 of the General Release and Settlement agreement approved by the Board of County Commissioners in 2012 (see attached staff report SR73-12) the county agreed to accept a dedication of the stormwater facility and future maintenance responsibility should the Fairfield Owners Association make such a request. The Fairfield Owners Association has provided a legal description transferring a portion of two properties on which the subdivision's stormwater facility is located and has asked that the county accept a quit claim deed transferring ownership of the land and infrastructure to the county. The county's acceptance of the stormwater facility from the Fairfield Owners Association is required by the agreement from 2012.

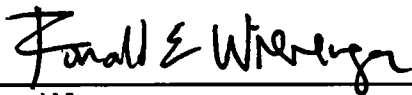
COMMUNITY OUTREACH: The County has maintained contact with the Fairfield Owners Association regarding the settlement and the transfer of land and stormwater infrastructure to the county.

BUDGET AND POLICY IMPLICATIONS: There is no up-front cost for accepting the Quit Claim Deed. Routine maintenance activity consisting of mowing and occasional sediment removal is estimated to be less than \$2,000 per year. Accepting the quit claim deed is consistent with the settlement agreement executed in 2012.

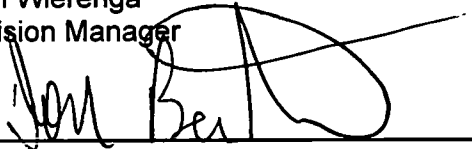
FISCAL IMPACTS: ☒ Yes (see Fiscal Impacts Attachment) ☐ No

ACTION REQUESTED: Accept and execute a Quit Claim Deed, transferring a portion of Assessor's Parcel's No. 097350254 and 097350256 from the Fairfield Owners Association to Clark County.

DISTRIBUTION: Please return original copies of the signed agreement and the approved staff report to Environmental Services Administration.



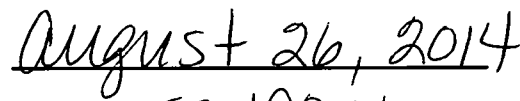
Ron Wierenga
Division Manager



Don Benton
Environmental Services Director

RW/RW/bt
c: Christine Cook; Environmental Services Administration

APPROVED: 
CLARK COUNTY, WASHINGTON
BOARD OF COMMISSIONERS


August 26, 2014
SR 190-14

Attachments: Quit Claim Deed, Staff Report #SR73-12 and General Release and Settlement Agreement
ES14-024



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 request to accept and execute a Quit Claim Deed, transferring a portion of Assessor's Parcels No. 097350254 and 097350256 from the Fairfield Owners Association to Clark County, has no up-front cost. Long term maintenance costs will be incurred to perform routine maintenance activities on the parcel such as mowing and occasional sediment removal from stormwater facility structures. Maintenance costs are estimated from typical per facility cost information.

Part II: Estimated Revenues

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
4420/Clean Water Fund		\$2,000.00		\$4,000.00		\$4,000.00
Total:	\$0.00	\$2,000.00	\$0.00	\$4,000.00	\$0.00	\$4,000.00

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

Funding for this work comes from the Clean Water fee paid by property owners in unincorporated Clark County.

Part III: Estimated Expenditures

III.A - Expenditures summed up

Fund #/Title	FTE's	Current Biennium		Next Biennium		Second Biennium	
		GF	Total	GF	Total	GF	Total
4420/Clean Water Fund			\$2,000.00		\$4,000.00		\$4,000.00
Total:		\$0.00	\$2,000.00	\$0.00	\$4,000.00	\$0.00	\$4,000.00

III.B = Expenditure by object category

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
Salary/Benefits						
Contractual		\$2,000.00		\$4,000.00		\$4,000.00
Supplies						
Travel						
Other controllables						
Capital Outlays						
Inter-fund Transfers						
Debt Service						
Total:	\$0.00	\$2,000.00	\$0.00	\$4,000.00	\$0.00	\$4,000.00

5117253 D

IR Rec Fee - \$75.00 Pages: 4 - CLARK COUNTY REAL PROPERTY SI
Clark County, WA 11/03/2014 10:50

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

7176391

Real Estate Excise Tax
Ch. 11 Rev. Laws 1951
EXEMPT

Affid. # _____ Date 11/3/14
For Details of Tax paid see
Aaffd. # _____
Doug [Signature]
Clark County Treasurer
By _____ Deputy

Document Title: Quit Claim Deed
Grantor: Fairfield Owners Association
Grantees: Clark County, Washington
Legal Description: Fairfield Ph 1 TT E & F
Ptn of Serial #: 097350-254; 097350-256
Project: Stormwater Facility Transfers/Clean Water Program
WO #: 28386

EN 14-31

QUIT CLAIM DEED

THE GRANTOR, FAIRFIELD OWNERS ASSOCIATION, a Washington non-profit corporation, for and in consideration of Ten Dollars (\$10.00) and other valuable considerations conveys and quit claims to CLARK COUNTY, a political subdivision of the State of Washington, any interest they may have in the following described real estate situated in the County of Clark, State of Washington, to wit:

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

Dated this 26th day of August, 2014.

Accepted on behalf of
Clark County, Washington

Tom Mielke
Tom Mielke, Chair
Board of County Commissioners

Attest:

Rebecca Tilton
Rebecca Tilton, Clerk to the Board

Quit Claim Deed
Ptn of Serial #: 097350-254; 097350-256
Project: Stormwater Facility Transfers/
Clean Water Program
WO #: 28386

Dated this 2 day of OCTOBER, 2014.

FAIRFIELD OWNERS ASSOCIATION

By: [Signature]
Print Name Forrest Brown
Title FPPHWA President

By: [Signature] * Signed 10/10/2014
Print Name Jon M. Yamashita
Title FEP HOA BOARD MEMBER

STATE OF WASHINGTON

COUNTY OF CLARK

I certify that I know or have satisfactory evidence that Forrest Brown
and Jon Yamashita 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
Board Members of Fairfield Owners Association, a Washington non-
profit 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: 10/10/2014

[Signature]

Notary Public in and for the State of WA
Residing at: Vancouver, WA
My commission expires: 10/19/2015

LEGAL DESCRIPTION
POND AREA PORTION OF TRACT "E" AND TRACT "F"
PLAT OF FAIRFIELD PHASE 1 (311-141)
CLARK COUNTY, WASHINGTON

Real property situated in Clark County, Washington, being a portion of Tract "E" and Tract "F" of Fairfield Phase 1, according to the plat thereof, recorded in Book 311 of Plats, at Page 141, records of said county and lying in the North half of Section 1, Township 2 North, Range 1 East of the Willamette Meridian, described as follows:

Commencing at the Northwest corner of said Tract "E"; thence along the North line of said Tract "E" South 89° 05' 32" East 5.84 feet; thence South 00° 54' 28" West 2.17 feet to the **Point of Beginning**; thence South 88° 41' 54" East 41.84 feet; thence South 88° 50' 02" East 256.17 feet; thence South 89° 27' 23" East 40.38 feet; thence South 86° 37' 31" East 19.79 feet; thence South 08° 51' 48" West 50.26 feet; thence North 85° 00' 48" West 64.14 feet; thence South 00° 14' 08" West 102.81 feet; thence South 50° 39' 35" West 48.87 feet; thence South 50° 02' 13" West 19.51 feet; thence North 48° 32' 16" West 17.98 feet; thence North 49° 28' 49" West 49.88 feet; thence North 16° 02' 24" West 44.14 feet; thence North 78° 29' 31" West 101.84 feet; thence North 55° 52' 47" West 11.73 feet; thence North 54° 30' 26" West 43.50 feet; thence North 53° 42' 08" West 31.60 feet; thence North 01° 00' 39" East 40.52 feet to the **Point of Beginning**.

TOGETHER WITH a grant of all rights in the easement granted to Fairfield, Inc., by Fairfield, Inc., recorded July 02, 2004, at Auditor's File Number 3850355, records of said County.

Containing 37,158 square feet or approximately 0.853 acres.

Subject to easements and restrictions of record.



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

POND AREA

PORTION OF TRACT "E" AND TRACT "F"
PLAT OF FAIRFIELD PHASE 1 (311-141)
CLARK COUNTY, WASHINGTON

