

CLARK COUNTY
STAFF REPORT



DEPARTMENT: Community Development

DATE: December 7, 2015

REQUEST: Amend a 1913 cemetery plat at the County's Heritage Farm site to remove an unused road easement in order to construct parking lot improvements.

CHECK ONE: X Consent CAO

BACKGROUND

Clark County General Services has obtained preliminary approval for construction of a parking lot in the northwest corner of the County's Heritage Farm site on NE 78th Street. A road easement on a 1913 cemetery plat (recorded in survey book 53, page 152) encroaches into the western part of the parking lot, and in order to construct within this area, the road easement needs to be removed by amending the 1913 plat.

The 1913 cemetery plat shows a dedicated 20 foot wide road that runs along the west property line, starting from NE 78th Street, and continuing south to provide access to the cemetery which is located in the southwest corner of the site.

Per aerial photos dating back to 1955, no road has been provided in this area in recent history, and the cemetery has, and will continue to have access from NE 68th Street.

The proposed plat alteration received preliminary approval under PLD2015-00017 along with the preliminary site plan review.

COMMUNITY OUTREACH

Notice of the proposed plat alteration and parking lot project was mailed to the applicant, property owners with 300 feet of the site, and the NE Hazel Dell Neighborhood Association on June 5, 2015. No comments were received.

BUDGET AND POLICY IMPLICATIONS

None

FISCAL IMPACTS

Yes (see attached form) No

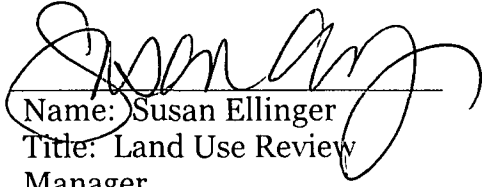
ACTION REQUESTED

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

*my
OK
N*

DISTRIBUTION

Chris Horne, Deputy Prosecuting Attorney


Name: Susan Ellinger
Title: Land Use Review
Manager

Approved: Dec 22, 2015 SR 241-15

CLARK COUNTY
BOARD OF COUNTY
COUNCILORS

Serial #: 148084-000
Sec-T-R: NE ¼, Sec. 11, T2N, R1E, W.M.
Project: PSR2015-00013

DECLARATION AMENDING PLAT OF CLARKE COUNTY CEMETERY, BOOK D,
PAGE 13

We, Clark County, Washington, the owner of certain real property in Clark County, Washington, legally described therein below (hereinafter "Site"), 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, Clark County, Washington is the owner of property, part of a plat recorded under Book D, Page 13, the Site, 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 recorded plat by removing a 20-foot wide road previously dedicated for access to the Clarke County Cemetery, and

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

1. The undersigned owners declare that they are the sole and exclusive owners of the real property, described in Exhibit A (legal description and graphic depiction), that is affected by the plat alteration. The plat is recorded in Book D at Page 13, records of Clark County, Washington.
2. That portion of the plat to be amended is shown on Exhibit B;
3. A revised drawing of the approved alteration or change is attached hereto and incorporated herein as Exhibit C.

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.


Declarant/Property owner

STATE OF WASHINGTON)
 :SS
COUNTY OF CLARK)

TINA REDLINE
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
APRIL 5, 2016


My commission expires: *April 5, 2016*

APPROVED this 22 day of December, 2015.

Attest:

BOARD OF CONTY COUNCILORS
CLARK COUNTY, WASHINGTON


Clerk to the Board

By: 
Chair of the Board

Deputy

Approved as to form only:
ANTHONY F. GOLIK
Prosecuting Attorney

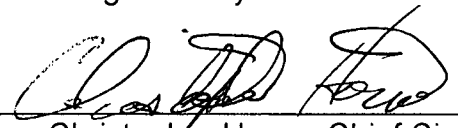
By: 
Christopher Horne, Chief Civil Deputy

EXHIBIT A

CLARKE COUNTY CEMETERY

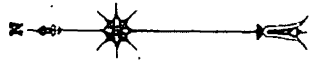
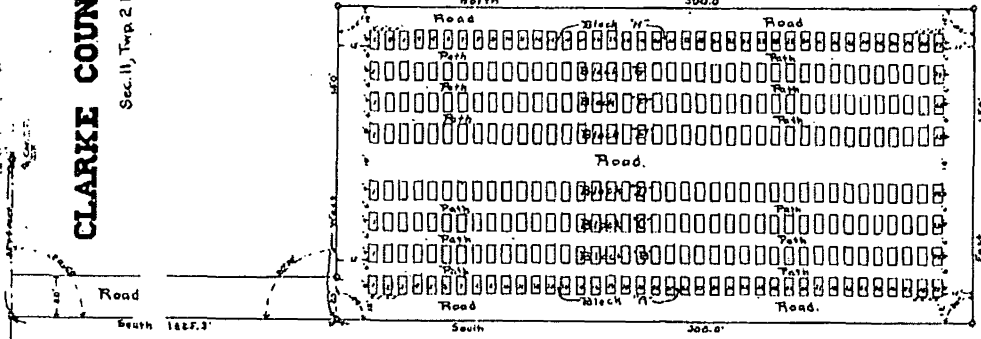
Sec. 11, Twp. 2 N. R. 1 E. W. 1 M.

Graves are 4' x 5' and 39 in each block.
 Paths are 3' wide running East & West
 and 6' wide running North & South.
 Roads are as designated.

Approved and accepted this 11th day of April, 1913.

Commissioner 10 Dist.
 Commissioner 22 Dist.
 Commissioner 3rd Dist.

W. S. Lindsay
A. Hanson
H. J. Schmitt
 County Auditor



Received for record on the 11th day of April, 1913, of the plan of the Clarke County Cemetery, as shown on the attached plan, and returned at the request of the County Auditor.

W. S. Lindsay
 County Auditor

CLATSOP COUNTY CHIEFTAIN

MEMORANDUM

Beginning at a point twenty three hundred feet (2300) feet East and eighteen hundred twenty five feet (2175) feet North of the corner of Section Two, Three, Ten and eleven (2-3-10-11) in Township 37N R. 12E S. 10E, Clatsop County, Oregon, and running thence South thereabout 120 feet (120) feet to the center of the 1/4 section between Sections Three and eleven (3-3-10-11) in Township 37N R. 12E S. 10E, Clatsop County, Oregon, and thence East thereabout 120 feet (120) feet to the place of beginning, in shown upon the plat of said survey hereto attached;

It also hereby declares the following described tract of land to be used as a school of loggers and agrees to hold the same in trust for the use of the Clatsop County Park, from the Section line between Sections Ten (2) and eleven (11), Township 37N R. 12E S. 10E, Clatsop County, Oregon, to the Section line of the survey above shown upon the plat.

DEDICATION

By, W. J. Lindberg, A. Larson and S. E. Stewart, County Commissioners in and for Clatsop County, State of Washington, said County being the owner of the above described tract of land, do hereby lay out and plat the same as a school of loggers, and do hereby certify that the same is for the use of the "Clatsop County Park" and do hereby dedicate the same for the use of the same, and for road purposes only, the portion laid out as such.

Dated this 11th day of April, 1913.

Witness my hand and the seal of said County, this 11th day of April, 1913.

Countersigning the Record of County Commissioners of Clatsop County, Washington.

STATE OF WASHINGTON,
County of Clatsop,)
SS:

THIS IS TO CERTIFY that on this 11th day of April, A. D. 1913, before me, E. W. Marshall, County Auditor in and for the above named County and State, personally appeared W. J. Lindberg, A. Larson and S. E. Stewart, as County Commissioners in and for Clatsop County, State of Washington, to me known to be the individuals described in the foregoing instrument, and that they acknowledged to me that they executed the same as their free and voluntary act and deed as said County Commissioners, for the use and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, this 11th day of April, A. D. 1913.

Recorded for record April 20, 1913 at 10:25 o'clock A.M., and recorded as the requires of the County Auditor.

W. J. Lindberg
County Auditor

EXHIBIT B

CLARKE COUNTY CEMETERY

Sec. 11, Twp. 2 N. R. 1 E. W. 1 M.

Graves are 4' x 3' and 33" in each block.
Paths are 3' wide running East & West
and 6' wide running North & South.
Roads are as designated.

Approved and accepted this 11th day of April, 1913.

W. J. Lindsay

Commissioner of the Board

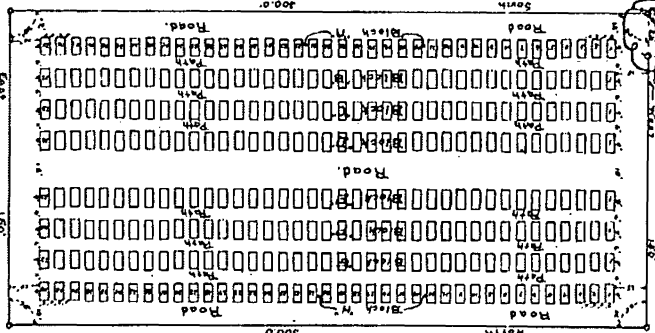
A. Ransom

Commissioner of the Board

W. J. Ransom

Commissioner of the Board

Wm. J. Ransom
County Auditor



Reference for record in the official map of
Clarke County, Georgia, is made to the
of Clark A.M. and recorded at the request of
County Auditor.

CLARKE COUNTY CEMETERY.

DESCRIPTION

Beginning at a point twenty three hundred ten (2310) feet East and eighteen hundred twenty five and three tenths (1825.3) feet South of the corner to Sections two, three, ten and eleven (2-3-10-11) in Township two (2) North of Range one (1) East of the Willamette Meridian, and running thence South three hundred (300) feet, thence East one hundred fifty (150) feet, thence South three hundred (300) feet, and thence West one hundred fifty (150) feet, to the place of beginning, as shown upon the plat of said cemetery hereto attached.

We also hereby dedicate the following described tract of land to be used as a means of ingress and egress to said cemetery site, as shown upon the plat:

A strip of land twenty (20) feet in width along the west line of the Clarke County Farm, from the Section line between Sections ten (10) and eleven (11), Township two (2) North of Range one (1) East of W.M., to the North line of the Cemetery site, as shown upon the plat.

DEDICATION

We, W.S. Lindsay, A. Rawson and S.M. Secrist, County Commissioners in and for Clarke County, State of Washington, said County being the owner of the above described tract of land, do hereby lay out and plod the same into Blocks, Lots and Roads, as shown upon the plat hereto attached, to be known and designated as "CLARKE COUNTY CEMETERY," and do hereby dedicate, for cemetery purposes only, the portion laid out as such, and for road purposes only, the portion laid out as such.

Dated this 11th day of April, 1913.

Attest: *Wm. J. Marshall*
County Auditor and Clerk of Board.

W.S. Lindsay
A. Rawson
S.M. Secrist
Constituting the Board of County Commissioners of
Clarke County, Washington.

STATE OF WASHINGTON,
188.
County of Clarke.)

THIS IS TO CERTIFY that on this 11th day of April, A.D. 1913, before me, Wm. J. Marshall, County Auditor in and for the above named County and State, personally appeared W.S. Lindsay, A. Rawson and S.M. Secrist, as County Commissioners in and for Clarke County, State of Washington, to me known to be the individuals described herein known to me to be the County Commissioners in and for said County and State, and subscribed the within Cemetery Plat and dedication thereof, and acknowledged to me that they executed the same as their free and voluntary act and deed as said County Commissioners, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 11th day of April, A.D. 1913.

Wm. J. Marshall
County Auditor in and for Clarke County, Washington,
residing at Vancouver therein.

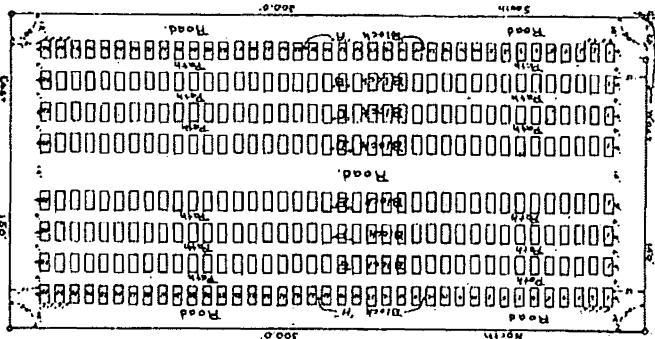
Received for record April 19, 1913 at 10:25 o'clock A.M.,
and recorded at the request of the County Auditor.

Wm. J. Marshall
County Auditor.

Portion of plat
to be annexed

CLARKE COUNTY CEMETERY

Sec. 11, Twp. 2 N. R. 1 E. W. M.



Graves are 4' x 5' and 39 in each Block.
 Paths are 5' wide running East & West
 and 6' wide running North & South.
 Roads are as designated.

Approved and accepted this 11th day of April, 1913.

W. J. Finney Commissioner Ex. Dir.
J. Rawson Commissioner Ex. Dir.
W. P. Adams Commissioner Ex. Dir.
Wm. H. Reynolds County Auditor



Received for record at the regular July 1st
 Clarke County Auditor's Office, Apr. 12, 1913, at 10:25
 a.m. and recorded at the request of
 County Auditor.

EXHIBIT C

CLARK COUNTY CEMETERY

RESOLUTION

Beginning at a point twenty three hundred ten (2310) feet East and eighteen hundred twenty five and three hundred (1825 3/4) feet South of the corner to sections two, three, ten and eleven (2-3-10-11) in township 22 North, range 12 East, T. 22 N., R. 12 E., 3rd Meridian, Clark County, Washington, there are shown as bounded city (150) feet, thence North three hundred (300) feet, thence East one hundred fifty (150) feet, thence South three hundred (300) feet, and thence West one hundred fifty (150) feet, to the place of beginning, as shown upon the plat of said cemetery hereto attached.

DEDICATION

We, W. J. Lindberg, A. Hanson, and R. E. Bennett, County Commissioners in and for Clark County, State of Washington, do hereby certify that the above described plat of cemetery is a public cemetery and that the same is to be known and designated as "CLARK COUNTY CEMETERY" and do hereby dedicate the same to the public use only, the portion laid out as such, and for that purpose only, the portion laid out as such.

Dated this 11th day of April, 1913.

Witness my hand and seal of office as County Auditor of Clark County, Washington, this 11th day of April, 1913.

W. J. Lindberg
A. Hanson
R. E. Bennett

County Auditor of Clark County, Washington.

STATE OF WASHINGTON,
County of Clark.)
1913.

THIS IS TO CERTIFY that on this 11th day of April, 1913, before me, E. Marshall, County Auditor in and for the above named County and State, personally appeared W. J. Lindberg, A. Hanson and R. E. Bennett, as above mentioned, and they acknowledged to me that they executed the above mentioned plat and resolution thereof, and acknowledged to me that they executed the same as their free and voluntary act and deed as said County Commissioners, for the use and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 11th day of April, A.D. 1913.

W. J. Lindberg
County Auditor for Clark County, Washington,
residing at Vancouver therein.

Received for record April 10, 1913 at 10:25 o'clock A.M., and recorded at the request of the County Auditor.

W. J. Lindberg
County Auditor