

## CLARK COUNTY STAFF REPORT

**DEPARTMENT:** Public Works/Clark County Parks

**DATE:** April 11, 2017

**REQUESTED ACTION:** Authorize the County Manager to accept a statutory warranty deed from SJO Lo 90 B, LLC for the purchase of a 5.54-acre parcel in Parks District 5. Tax parcel number 986041-554.

X  Consent      \_\_\_\_\_ Hearing      \_\_\_\_\_ County Manager

**PUBLIC WORKS GOALS:**

- Provide safe and efficient transportation systems in Clark County
- Create and maintain a vibrant system of parks, trails and green spaces
- Continue responsible stewardship of public funds
- Promote family-wage job creation and economic development to support a thriving community
- Maintain a healthy, desirable quality of life
- Increase partnerships and foster an engaged, informed community
- Cultivate a nimble, responsive work force
- Make Public Works a great place to work

**BACKGROUND**

On January 10, 2017, the Board of County Councilors approved the purchase of a 5.54-acre parcel at 13198 NE 99th Street (SR 011-17) for a future neighborhood park. This request seeks BOCC approval for acceptance of the statutory warranty deed to complete the transaction.

**COUNCIL POLICY IMPLICATIONS**

None. Parks District 5 has sufficient funds for the \$1.11 million purchase price and related acquisition costs.

**ADMINISTRATIVE POLICY IMPLICATIONS**

None.

**COMMUNITY OUTREACH**

The Clark County Parks, Recreation and Open Space plan broadly identifies acquisition opportunities in this area. An extensive public outreach effort was conducted in 2015 before the BOCC approved the plan update. The Parks Advisory Board voted to support this purchase for future park use.

**BUDGET IMPLICATIONS**

YES	NO	
X		Action falls within existing budget capacity.
	X	Action falls within existing budget capacity but requires a change of purpose within existing appropriation.
	X	Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

*VP*

PW17-042

*mgr  
OK*

**BUDGET DETAILS**

Local Fund Dollar Amount	\$1,110,000
Grant Fund Dollar Amount	
Account	3075 PIF District 5
Company Name	Clark County, Public Works – Parks Division

**DISTRIBUTION:**

Board staff will post all staff reports to The Grid. <http://www.clark.wa.gov/thegrid/>

Please call Paulette Matison on ext. 4975 when ready for pick up.

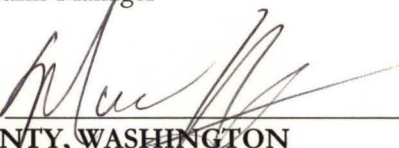
Attachments:

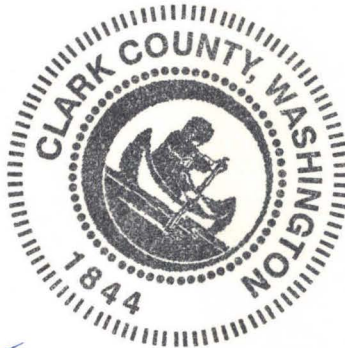
- Fiscal Impact, Deed, Resolution, Map


**PUBLIC WORKS APPROVALS:**

  
\_\_\_\_\_  
Bill Bjerke  
Clark County Parks Manager

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

APPROVED:   
\_\_\_\_\_  
CLARK COUNTY, WASHINGTON  
BOARD OF COUNTY COUNCILORS  
DATE: April 11, 2017  
SR #: 078-17



APPROVED:   
\_\_\_\_\_  
Mark McCauley, County Manager  
DATE: 4/11/17

CLARK COUNTY, WASHINGTON  
RESOLUTION NO. 2017-04-05

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

WHEREAS, the Board of County Councilors, Clark County, WA is in regular session this 11<sup>th</sup> day of April, 2017, and

WHEREAS, it appears in the best interest of Clark County the following is hereby accepted:

Document

Statutory Warranty Deed

Data

FROM:

SJO LO 90 B, LLC

TO:

Clark County, Washington

CONSIDERATION: \$1,110,000.00

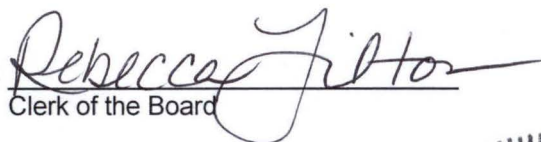
NOW THEREFORE, IT IS HEREBY RESOLVED that the hereinabove mentioned document(s) be recorded and filed.

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

BOARD OF COUNTY COUNCIL  
CLARK COUNTY, WASHINGTON

  
\_\_\_\_\_  
Marc Boldt, Chair

ATTEST:

  
\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Jeanne E. Stewart, Councilor

\_\_\_\_\_  
Julie Olson, Councilor

\_\_\_\_\_  
John Blom, Councilor

\_\_\_\_\_  
Eileen Quiring, Councilor



Recording requested by:  
Clark County Parks  
4700 NE 78th Street  
Vancouver, WA 98665

Document Title: Statutory Warranty Deed  
Grantor: SJO LO 90 B, LLC  
Grantee: Clark County, Washington  
Legal Description: #83 Sec 35 T3N R2E WM  
Additional Legal Description is attached as Exhibit "A"  
Ptn of Serial #: 986041-554  
Project: Parks District 5 Acquisition  
WO #: 012015

### **STATUTORY WARRANTY DEED**

THE GRANTOR, **SJO LO 90 B, LLC**, a Washington Limited Liability Company 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.

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

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 Council.

**CONSIDERATIONS: One Million One Hundred Ten Thousand and No/100 Dollars (\$1,110,000.00).**

Statutory Warranty Deed  
Ptn of Serial #: 986041-554  
Project: Parks District 5 Acquisition  
WO #: 012015

Dated this 27th day of MARCH, 2017.

SJO LO 90 B, LLC

By: [Signature]  
Steven J. Oliva, Managing Member

Accepted on behalf of Clark County  
Clark County, Washington

[Signature]  
Mark McCauley, County Manager

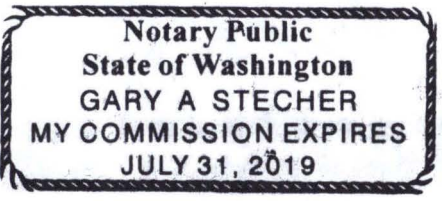
STATE OF WASHINGTON  
COUNTY OF CLARK

On this day personally appeared before me Steven J Oliva to me known to be the Managing Member of SJO LO 90 B, LLC, a Washington Limited Liability Company, and acknowledged that said instrument to be the free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

Dated: 3/27/2017

[Signature]

Notary Public in and for the State of WA  
Residing at VANCOUVER  
My commission expires: 7/31/2019





AKS ENGINEERING & FORESTRY VANCOUVER  
9600 NE 126th Avenue, Suite 2520, Vancouver, WA 98682  
P: (360) 882-0419 F: (360) 882-0426

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

**LEGAL DESCRIPTION  
FOR  
SJO LO 90 B, LLC**

**PROPOSED PARK TRACT**

Being a portion of the Southwest quarter of Section 32, Township 3 North, Range 2 East, Willamette Meridian, Clark County, Washington, described as follows:

**COMMENCING** at a Brass Cap in concrete marking the Southwest quarter of Section 35 as shown in Book 56 of Surveys, Page 75, Clark County Auditor's Files:

Thence North 01° 53' 45" East, along the West line of the Southwest quarter of Section 35 as shown in Jenkins Meadow recorded in Book 311 of Plats, Page 693, and Norwegian Meadows recorded in Book 311 of Plats, Page 716, and Abbey Glen recorded in Book 311 of Plats, Page 827, Clark County Auditor's Records for a distance of 40.01 feet to the North right-of-way line of Northeast 99<sup>th</sup> Street as described under Clark County Auditor's File No. 4569094, as shown in Book 62 of Surveys, Page 17, Clark County Auditor's Records;

Thence continuing North 01° 53' 45" East, along said West line for a distance of 1434.53 and the **POINT OF BEGINNING**;

Thence leaving said West line South 89° 24' 10" East, for a distance of 79.03 feet;

Thence along the arc of a 45.00-foot radius curve to the Left, through a central angle of 18° 14' 50" (the long chord bears North 81° 28' 25" East, 14.27 feet) for an arc distance of 14.33 feet;

Thence along the arc of a 50.00-foot radius curve to the Right, through a central angle of 127° 47' 35" (the long chord bears South 43° 45' 13" East, 89.80 feet) for an arc distance of 111.52 feet;

Thence along the arc of a 45.00-foot radius curve to the Left, through a central angle of 18° 14' 50" (the long chord bears South 11° 01' 10" West, 14.27 feet) for an arc distance of 14.33 feet;

Thence South 01° 53' 45" West, for a distance of 56.78 feet;

Thence South 88° 05' 13" East, for a distance of 299.76 feet;



Thence North 01° 54' 41" East, for a distance of 537.92 feet;

Thence North 69° 32' 10" West, for a distance of 136.86 feet;

Thence North 88° 05' 13" West, for a distance of 324.59 feet to the West line of the Southwest quarter of Section 35 as shown in Book 56 of Surveys, Page 75, Clark County Auditor's Records;

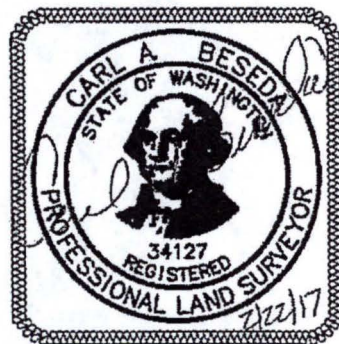
Thence South 01° 54' 47" West, along said West line for a distance of 267.29 feet to the Easterly extension of the North line of Abbey Glen recorded in Book 311 of Plats, Page 827, Clark County Auditor's Records;

Thence North 89° 16' 00" West, along said Easterly extension for a distance of 0.50 feet to the Northeast corner of Abbey Glen (311-827);

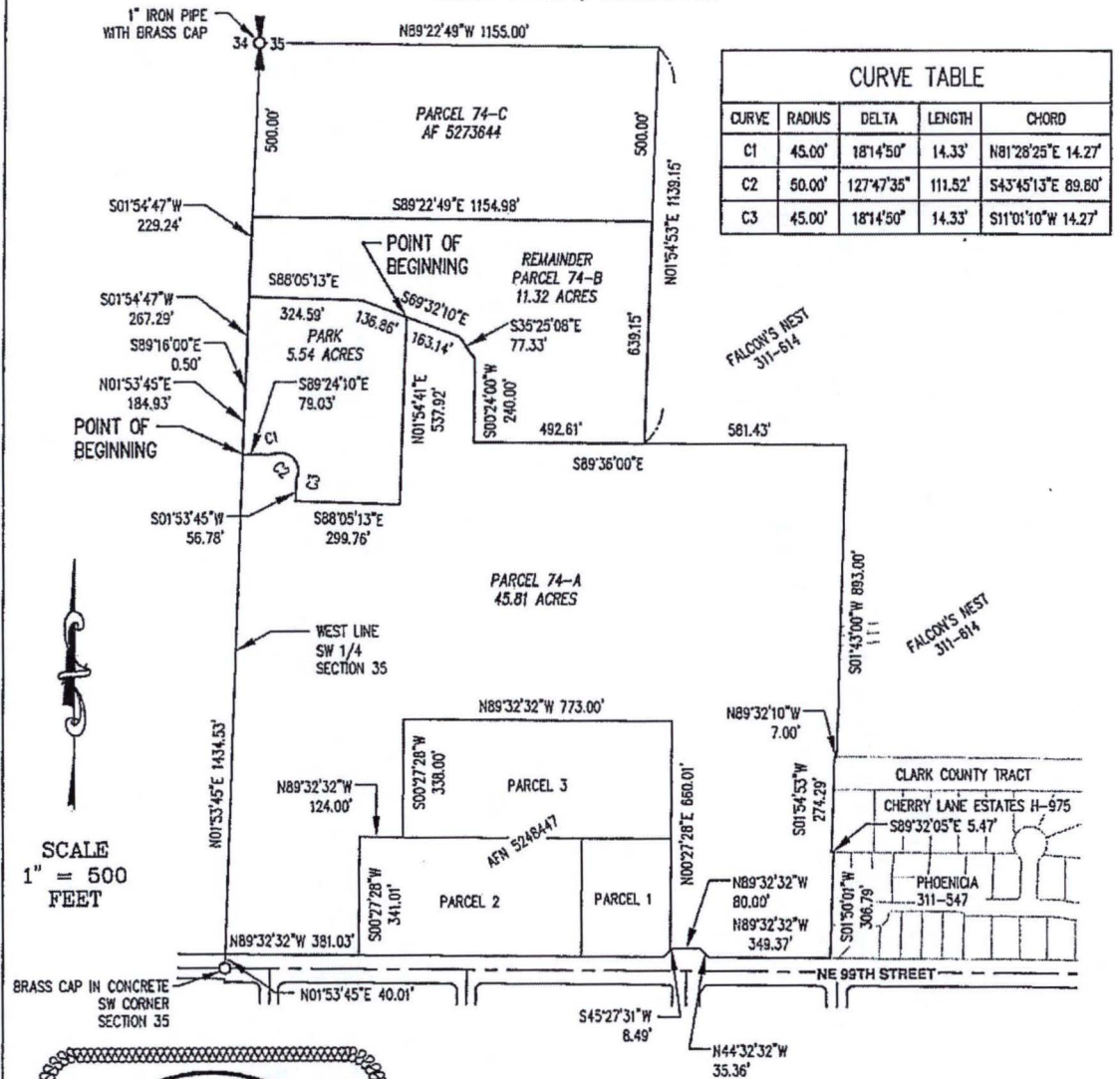
Thence South 01° 53' 45" West, along the East line of Abbey Glen (311-827) for a distance of 184.93 feet to the **POINT OF BEGINNING**.

Contains approximately 5.54 acres.

Together with and subject to easements and restrictions of record.



**SKETCH SHOWING  
REMAINDER PARCEL 74-B AND PROPOSED PARK TRACT  
FOR SJO LO 90 B, LLC  
IN A PORTION OF THE SW 1/4 OF SECTION 35, T3N, R2E, W.M.  
CLARK COUNTY, WASHINGTON**



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	45.00'	181°4'50"	14.33'	N81°28'25"E 14.27'
C2	50.00'	127°47'35"	111.52'	S43°45'13"E 89.80'
C3	45.00'	181°4'50"	14.33'	S11°01'10"W 14.27'



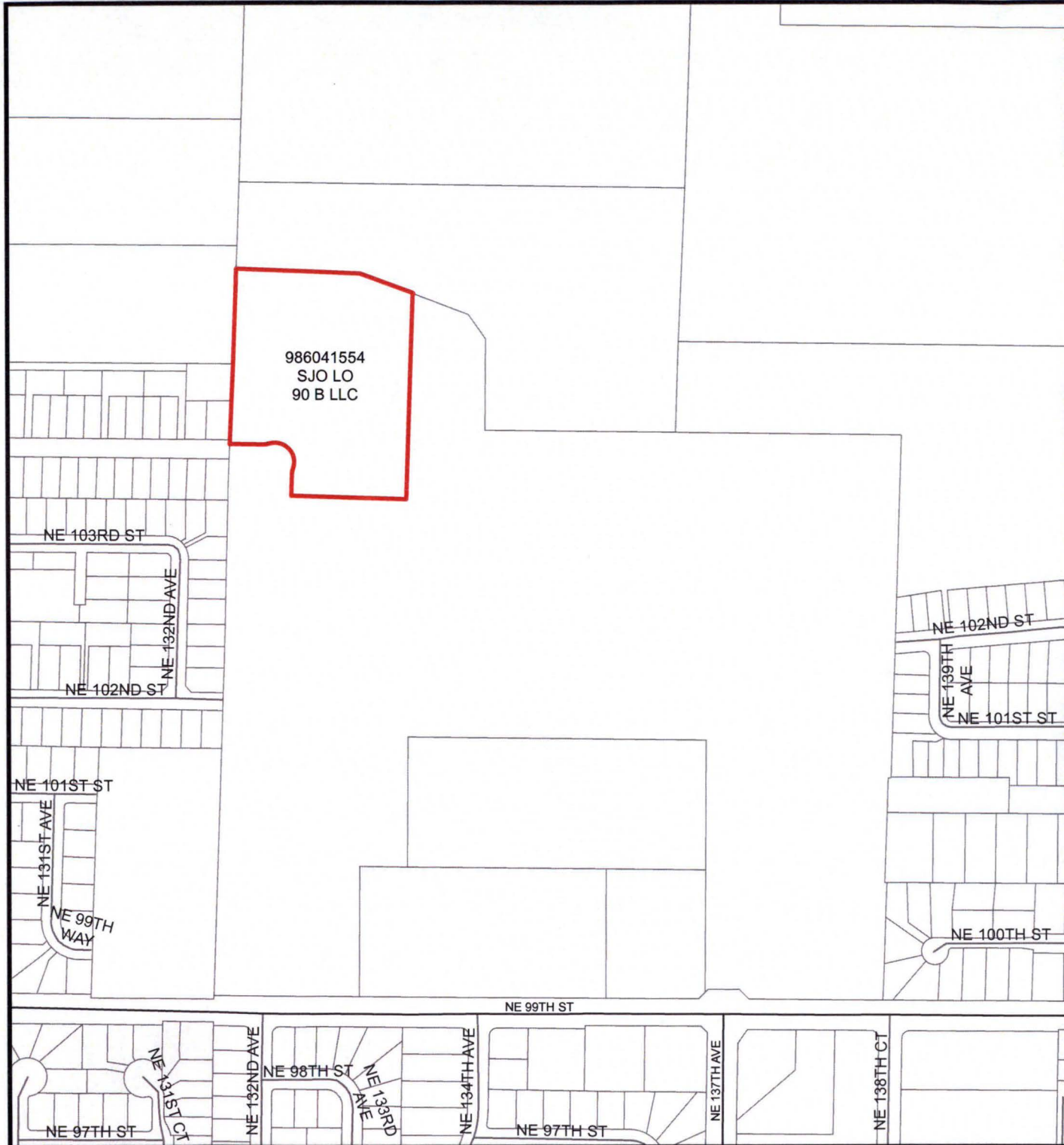
DATE: 02-23-2017

REMAINDER PARCEL 74-B		
DRAWN BY: BJA	CHECKED BY: CAB	DWG: 4437EXH BLA4
AKS ENGINEERING & FORESTRY, LLC		
9600 NE 126TH AVE, SUITE 2520		
VANCOUVER, WA 98682 www.aks-eng.com		
PHONE: 360.882.0419 FAX: 360.882.0426		





Tax Parcel 986041-554



986041554  
SJO LO  
90 B LLC

KEY

1:4,538



proud past, promising future

CLARK COUNTY WASHINGTON Geographic Information System

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

Printed On: Mar 27, 2017  
Project: G:\RealPropEdit\RealPropEditing\_nf20.mxd ( daniejl )