

CLARK COUNTY STAFF REPORT

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

DATE: Jan. 9, 2018

REQUESTED ACTION: Authorize the County Manager to accept a warranty deed and release of damages from Kenneth Thomas and a quitclaim deed from Glenwood Little League for the Northeast 119th Street, Northeast 87th Avenue to Northeast 112th Avenue, road project.

Consent Hearing County Manager

BACKGROUND

County Road Project No. 342422 is the fourth project along the Northeast 119th Street corridor and will improve a section of roadway between two previous projects.

The county is acquiring 2,809 square feet of a 43,560-square-foot parcel, No. 119320-000, zoned R-5 (rural), from Kenneth Thomas. This acquisition includes release of damages on the remaining property to ensure a porch/deck, roof overhang and other improvements are removed, as well as proximity damages to the residence because of the improved road. Consideration is included on the warranty deed. The \$239,000 acquisition price is based on an appraisal.

The county also is acquiring 24,885 square feet of a 415,998-square-foot parcel, No. 199627-000, zoned R-22 (residential), from Glenwood Little League. The acquisition includes compensation for moving a scoreboard, fences and other facilities. The \$176,895 acquisition price is based on an appraisal.

COUNCIL POLICY IMPLICATIONS

None. Funds for purchasing the two properties were included in the 2017-2022 Transportation Improvement Program and the 2017 Annual Construction Program.

ADMINISTRATIVE POLICY IMPLICATIONS

None.

COMMUNITY OUTREACH

Public Works has done extensive outreach for projects along the Northeast 119th Street corridor, including mailers, open houses and web content. Prior to the start of construction, a mailer will be sent to property owners and residents in the area.

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.

PW18-006

BUDGET DETAILS

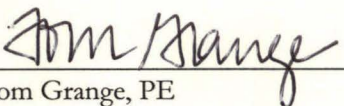
Local Fund Dollar Amount	\$239,000 and \$176,895
Grant Fund Dollar Amount	N/A
Account	Road Fund
Company Name	N/A

DISTRIBUTION:


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

Please contact Paulette Matison at extension 4975 when ready for pick up.

Attachments: Deeds, Resolution and Map

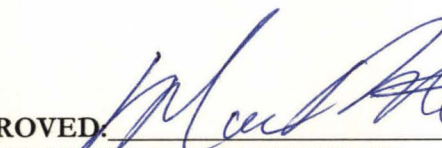


Tom Grange, PE
Engineering & Construction Division Manager



Heath H. Henderson, PE
Public Works Director/County Engineer

Primary Staff Contact: Steve Hansen, Ext.4370



APPROVED:
CLARK COUNTY, WASHINGTON
BOARD OF COUNTY COUNCILORS
DATE: 1-9-18
SR# 08-18



APPROVED: _____
Jim Rumpeltes, Interim County Manager

DATE: _____

After recording return document to:

**Clark County Public Works
Real Property Services
PO Box 9810
Vancouver, WA 98666-9810**

Document Title: Warranty Deed

Grantor: Kenneth Thomas

Grantee: Clark County, Washington

Legal Description: McFarlane & Wells Subdiv #1 Lot 12

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 119320-000 (21)

WARRANTY DEED

NE 119th Street (NE 87th Avenue to NE 112th Avenue)

The Grantor, **KENNETH THOMAS, a single man** for and in consideration of the sum of Two Hundred Thirty-nine Thousand and No/100 (\$239,000.00) Dollars, and other valuable consideration, hereby conveys and warrants to **CLARK COUNTY, a political subdivision of the State of Washington**, Grantee, the following described real property situated in Clark County, in the State of Washington, under the imminent threat of the Grantee's exercise of its rights of Eminent Domain:

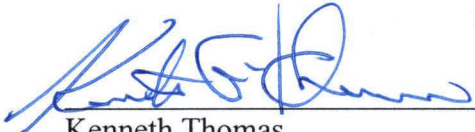
See Exhibits attached hereto and made a part hereof.

The Grantor requests the Clark County Assessor and Treasurer to set over to the remainder of the hereinafter described parcel "A", the lien of all unpaid taxes, if any, affecting the real estate herein conveyed, as provided for by RCW 84.60.070.

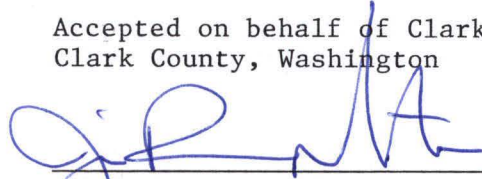
It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon Clark County unless and until accepted and approved hereon in writing by Clark County Board of County Councilors or its authorized agent.

WARRANTY DEED

Date: 11/9/2017


Kenneth Thomas

Accepted on behalf of Clark County
Clark County, Washington


Jim Rumpeltes
Interim County Manager

STATE OF WASHINGTON

COUNTY OF CLARK

I hereby certify that I know or have satisfactory evidence that Kenneth Thomas is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 11-9-17



Notary Public in and for the State of WA
Residing at Vancouver
My commission expires: Jan. 25, 2018





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**CLARK COUNTY
WASHINGTON**

Superior service that is responsive and cost justified

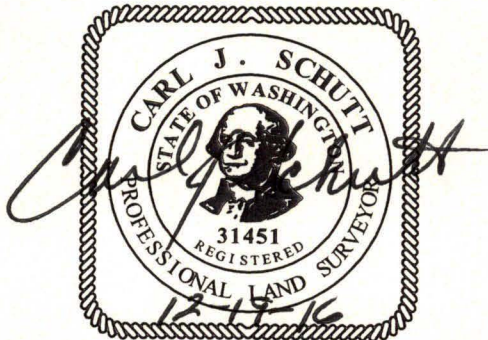
**PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE**

**EXHIBIT "A"
NE 119th STREET – CRP # 342422
THOMAS PARCEL**

A parcel of land lying in the southwest quarter of Section 28, Township 3 North, Range 2 East of the Willamette Meridian in Clark County, Washington, being more particularly described as follows:

All that portion of that parcel described in that Statutory Warranty Deed to Kenneth Thomas, a single man, recorded November 16, 2007 under Auditor's file No. 4396046, records of Clark County, Washington, listed as Serial No. 119320-000, lying southerly of a line 55.00 feet northerly of, when measured at right angles to the centerline of Northeast 119th Street, as described in Exhibit "B", attached, all in Clark County, Washington.

This description contains 2,809 square feet as calculated by the double meridian distance method.



21 AQ.doc

WRITTEN BY: *CJS*
REVIEWED BY: *JMB*



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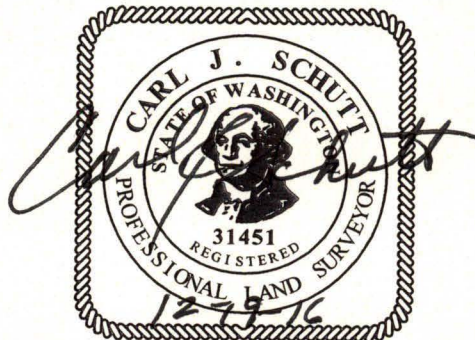
**PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE**

**EXHIBIT "B"
NE 119th ST CENTERLINE DESCRIPTION
CRP #342422**

A strip of land of varying width lying in Sections 27, 28, 29, 32, 33, and 34, Township 3 North, Range 2 East of the Willamette Meridian, the centerline of said strip being more particularly described as follows:

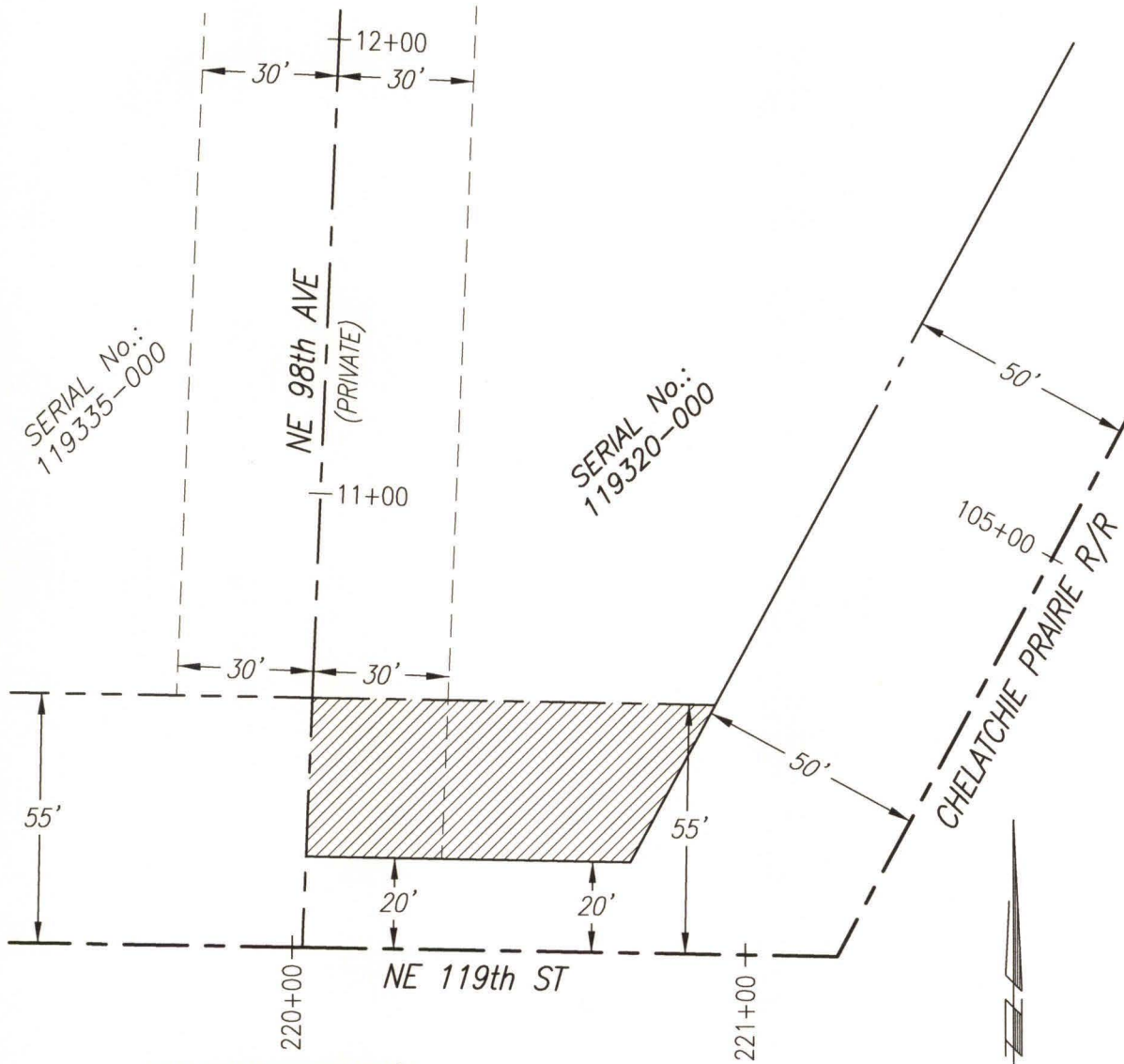
Beginning at a brass disk marking the south quarter corner of said Section 29, being designated as Engineers' station 173+71.42; thence South 88°36'15" East 2654.82 feet to a brass disk marking the southwest corner of said Section 28; thence South 88°58'32" East 2640.53 feet to a brass disk marking the south quarter corner of said Section 28; thence South 88°58'23" East 2641.26 feet to a brass disk marking the southwest corner of said Section 27; thence South 89°47'50" East 2658.57 feet to a brass disk marking the south quarter corner of said Section 27, and there terminating, all in Clark County, Washington.

Bearings are based on north line of the northeast quarter of Section 32, Township 3 North, Range 2 East of the Willamette Meridian, as being South 88°36'15" East between found monuments based on the Washington State Plane Coordinates System, South Zone, NAD83(91) adjustment. The control scheme is on file at the Clark County Surveyor's office.

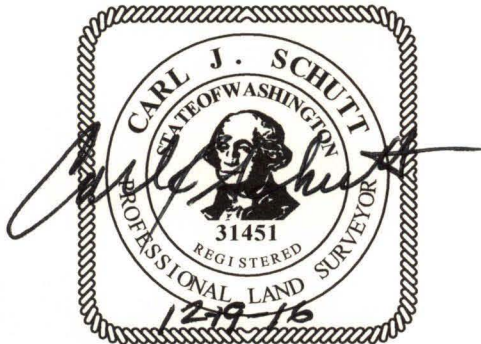


WRITTEN BY: *CJS*
REVIEWED BY: *JMB*

EXHIBIT "C"
 SERIAL No. 119320-000



NOT TO SCALE



Clark County Public Works Vancouver, Washington		
DESIGN & ENGINEERING DIVISION OFFICE OF THE COUNTY SURVEYOR		
SW 1/4 SECTION 28 T 3 N, R 2 E, W.M.		
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
DATE	SCALE	DRAWN BY
DEC 2016	NOT TO SCALE	CJS

CLARK COUNTY, WASHINGTON
RESOLUTION NO. 2018-01-12

IN THE MATTER OF EXECUTION OF WARRANTY DEED FROM CLARK COUNTY

WHEREAS, the Board of County Councilors, Clark County, WA is in regular session this 9th day of January, 2018, and

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

Document

Warranty Deed

Data

FROM: Kenneth Thomas
TO: Clark County, Washington
CONSIDERATION: \$239,000.00

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 Councilors.

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



After recording return document to:
Clark County Public Works
Real Property Services
PO Box 9810
Vancouver, WA 98666-9810

Document Title: Release of Damages
Grantor: Kenneth Thomas
Grantee: Clark County, Washington
Legal Description: McFarlane & Wells Subdiv #1 Lot 12
Additional Legal Description is on Page 3 of Document.
Assessor's Tax Parcel Number: 119320-000 (21)

RELEASE OF DAMAGES

NE 119th Street (NE 87th Avenue to NE 112th Avenue)

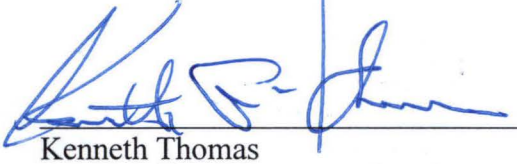
KENNETH THOMAS, a single man, owner of the lands herein described, for and in consideration of the sum of TWO HUNDRED NINETEEN THOUSAND THREE HUNDRED AND 00/100 (\$219,300.00) Dollars, do for his heirs, successors or assigns hereby completely release and forever discharge **Clark County, a political subdivision of the State of Washington**, its agents and/or contractors from any and all claims, demands and causes of action of any nature whatsoever for damages which may have occurred or may hereafter occur to the herein described property located in Clark County, State of Washington or to personal property or persons by reason of the removal of roof overhang, removal of porch/deck, and for the loss in value of the residence and site improvements due to the construction, operation and maintenance of NE 119th Street (NE 87th Avenue to NE 112th Avenue).

See Exhibits attached hereto and made a part hereof.

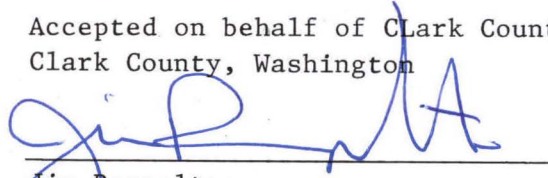
It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon Clark County unless and until accepted and approved hereon in writing by Clark County Board of County Councilors or its authorized agent.

RELEASE OF DAMAGES

Date: 11/9/2017


Kenneth Thomas

Accepted on behalf of Clark County
Clark County, Washington

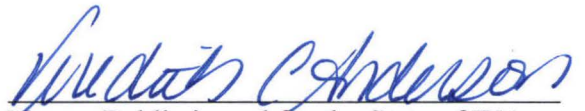

Jim Rumpeltes
Interim County Manager

STATE OF WASHINGTON

COUNTY OF CLARK

I hereby certify that I know or have satisfactory evidence that Kenneth Thomas is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 11-9-17


Notary Public in and for the State of WA
Residing at Vancouver
My commission expires: Jan. 25, 2018





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WASHINGTON**

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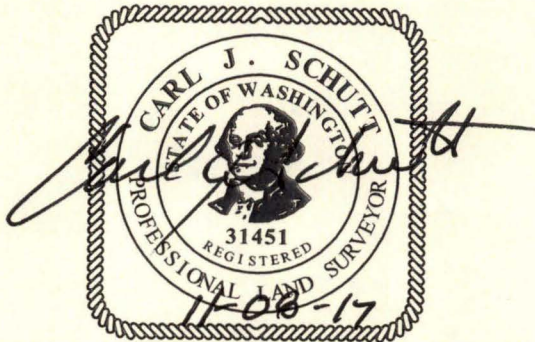
**PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE**

**EXHIBIT "A"
NE 119th STREET – CRP # 342422
THOMAS PARCEL REMAINDER**

A parcel of land lying in the southwest quarter of Section 28, Township 3 North, Range 2 East of the Willamette Meridian in Clark County, Washington, being more particularly described as follows:

All that portion of that parcel described in that Statutory Warranty Deed to Kenneth Thomas, a single man, recorded November 16, 2007 under Auditor's file No. 4396046, records of Clark County, Washington, listed as Serial No. 119320-000, lying northerly of a line 55.00 feet northerly of, when measured at right angles to the centerline of Northeast 119th Street, as described in Exhibit "B", attached, all in Clark County, Washington.

This description contains 0.94 acres, more or less, per Clark County Auditors records.



21 REMAINDER.doc

WRITTEN BY: *CJS*
REVIEWED BY: *YL*



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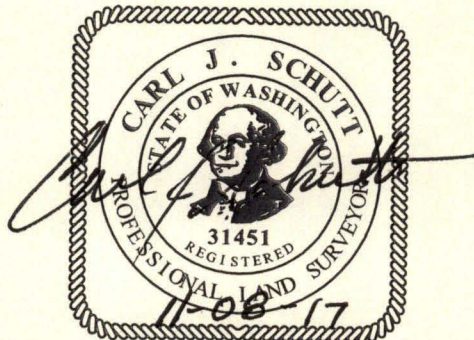
**PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE**

**EXHIBIT "B"
NE 119th ST CENTERLINE DESCRIPTION
CRP #342422**

A strip of land of varying width lying in Sections 27, 28, 29, 32, 33, and 34, Township 3 North, Range 2 East of the Willamette Meridian, the centerline of said strip being more particularly described as follows:

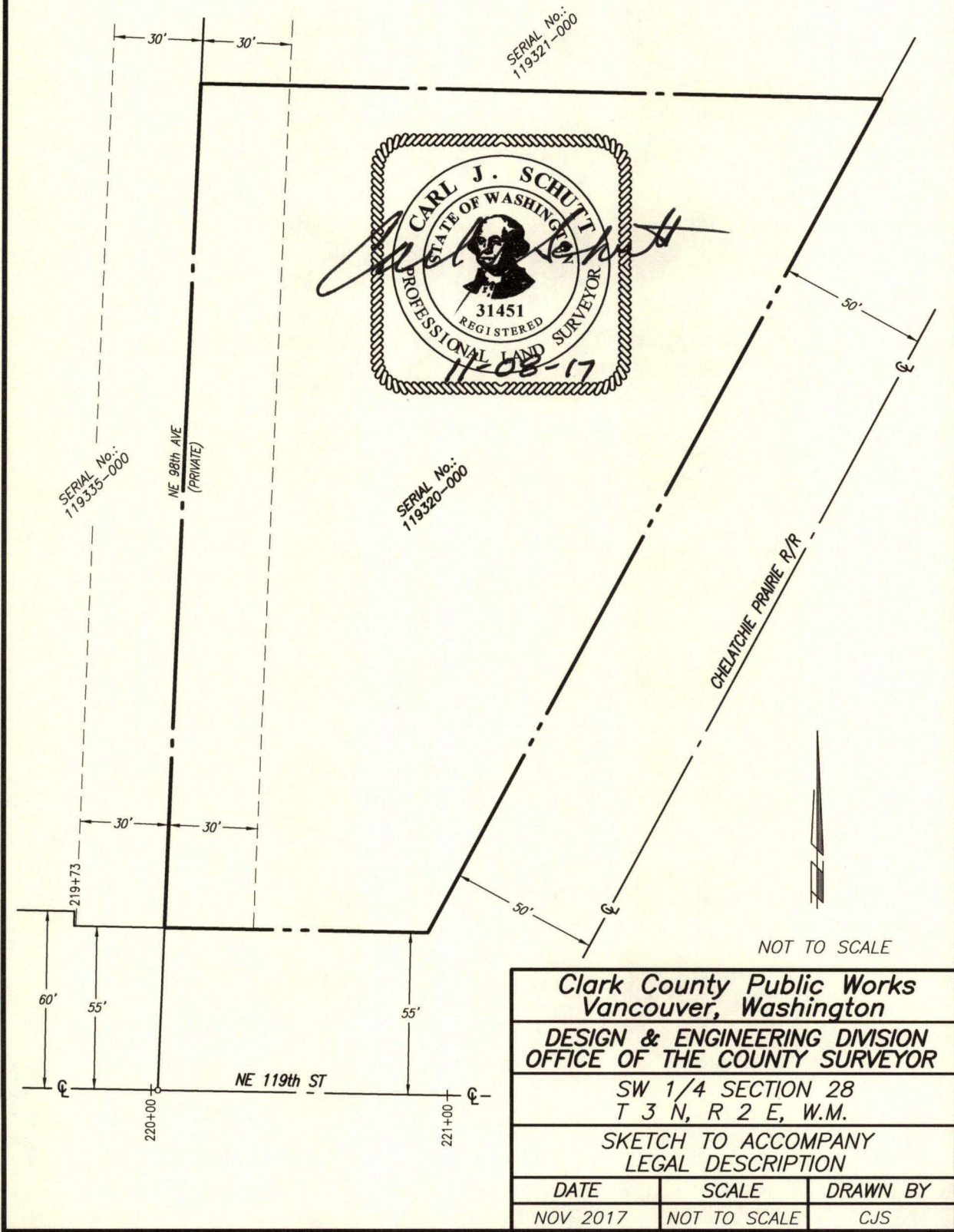
Beginning at a brass disk marking the south quarter corner of said Section 29, being designated as Engineers' station 173+71.42; thence South 88°36'15" East 2654.82 feet to a brass disk marking the southwest corner of said Section 28; thence South 88°58'32" East 2640.53 feet to a brass disk marking the south quarter corner of said Section 28; thence South 88°58'23" East 2641.26 feet to a brass disk marking the southwest corner of said Section 27; thence South 89°47'50" East 2658.57 feet to a brass disk marking the south quarter corner of said Section 27, and there terminating, all in Clark County, Washington.

Bearings are based on north line of the northeast quarter of Section 32, Township 3 North, Range 2 East of the Willamette Meridian, as being South 88°36'15" East between found monuments based on the Washington State Plane Coordinates System, South Zone, NAD83(91) adjustment. The control scheme is on file at the Clark County Surveyor's office.



WRITTEN BY: *CS*
REVIEWED BY: *CS*

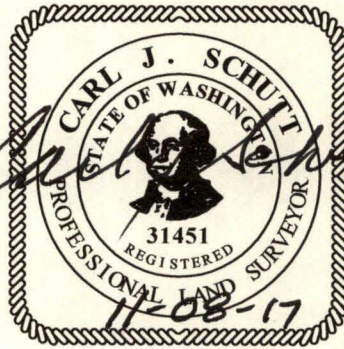
EXHIBIT "C"
 SERIAL No. 119320-000



SERIAL No.:
119321-000

SERIAL No.:
119335-000

SERIAL No.:
119320-000



NOT TO SCALE

Clark County Public Works Vancouver, Washington		
DESIGN & ENGINEERING DIVISION OFFICE OF THE COUNTY SURVEYOR		
SW 1/4 SECTION 28 T 3 N, R 2 E, W.M.		
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
DATE	SCALE	DRAWN BY
NOV 2017	NOT TO SCALE	CJS

After recording return document to:
Clark County Public Works
Real Property Services
P.O. Box 9810
Vancouver, WA 98666-9810

Document Title: Quitclaim Deed
Grantor: Glenwood Little League
Grantee: Clark County, Washington
Legal Description: #26 Sec 33 T3N R2E WM
Additional Legal Description is on Page 3 of Document.
Assessor's Tax Parcel Number: 199627-000 (68)

QUITCLAIM DEED

NE 119th Street (NE 87th Avenue to NE 112th Avenue)

The Grantor, **GLENWOOD LITTLE LEAGUE, a Washington non-profit corporation**, for and in consideration of the sum of One Hundred Seventy-six Thousand Eight Hundred Ninety-five No/100 (\$176,895.00) Dollars, and other valuable consideration, convey and quitclaim to the **CLARK COUNTY, a political subdivision of the State of Washington**, Grantee, the following described real property, and any after acquired interest therein, situated in Clark County, in the State of Washington, under the imminent threat of the Grantee's exercise of its rights of Eminent Domain:

See Exhibits attached hereto and made a part hereof.

Grantor also hereby releases the described real property from the Option to Purchase Agreement recorded on November 30, 1982 as Auditor's File Number 8211300072, by and between Glenwood Little League, a non-profit association and Luda Belisle, a widow and assigned to Glenwood Baseball Fields, LLC, a Washington Limited Liability Company on July 3, 2012 as Auditor's File Number 4869272.

It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon Clark County unless and until accepted and approved hereon in writing by Clark County Board of County Councilors or its authorized agent.

QUITCLAIM DEED

Date: 12-13-17

Glenwood Little League

By: Michael Upton
Michael Upton, President

Accepted on behalf of Clark County
Clark County, Washington

Jim Rumpeltes
Interim County Manager

STATE OF WASHINGTON

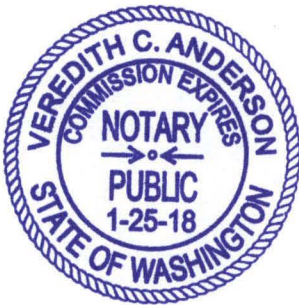
COUNTY OF CLARK

I certify that I know or have satisfactory evidence that Michael Upton
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 President of
Glenwood Little League, 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: 12-13-17

Veredith C. Anderson

Notary Public in and for the State of WA
Residing at Vancouver, WA
My commission expires: Jan. 25, 2018





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PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

EXHIBIT "A"
NE 119th STREET – CRP # 342422
GLENWOOD BASEBALL FIELDS, LLC PARCEL

A parcel of land lying in the northwest quarter of Section 33, Township 3 North, Range 2 East of the Willamette Meridian in Clark County, Washington, being more particularly described as follows:

All that portion of that parcel described in that Statutory Warranty Deed to Glenwood Baseball Fields, LLC, a Washington limited Liability Company, recorded July 3, 2012 under Auditor's file No. 4869272, listed as Serial No. 199627-000, lying northerly of a line 50.00 feet southerly of, when measured at right angles to the centerline of Northeast 119th Street, as described in Exhibit "B", attached, all in Clark County, Washington.

This description contains 24,885 square feet as calculated by the double meridian distance method.



68 AQ.doc

WRITTEN BY: *CS*
REVIEWED BY: *JMB*



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WASHINGTON

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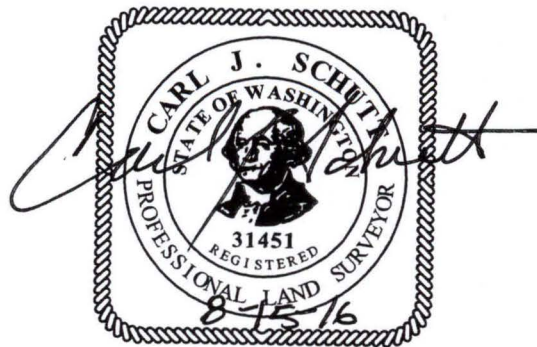
PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

EXHIBIT "B"
NE 119th ST CENTERLINE DESCRIPTION
CRP #342422

A strip of land of varying width lying in Sections 27, 28, 29, 32, 33, and 34, Township 3 North, Range 2 East of the Willamette Meridian, the centerline of said strip being more particularly described as follows:

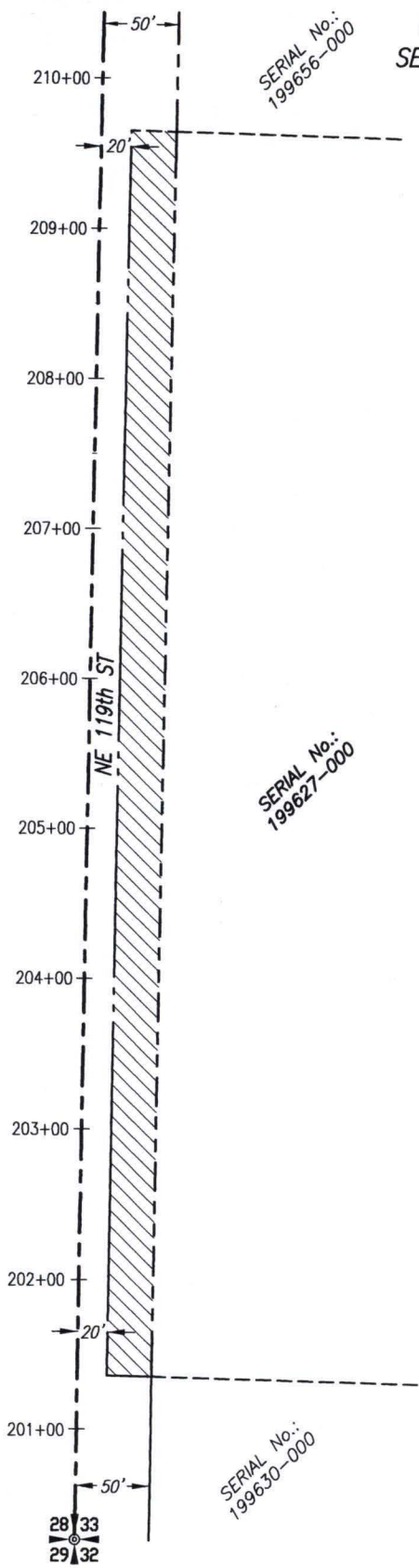
Beginning at a brass disk marking the south quarter corner of said Section 29, being designated as Engineers' station 173+71.42; thence South 88°36'15" East 2654.82 feet to a brass disk marking the southwest corner of said Section 28; thence South 88°58'32" East 2640.53 feet to a brass disk marking the south quarter corner of said Section 28; thence South 88°58'23" East 2641.26 feet to a brass disk marking the southwest corner of said Section 27; thence South 89°47'50" East 2658.57 feet to a brass disk marking the south quarter corner of said Section 27, and there terminating, all in Clark County, Washington.

Bearings are based on north line of the northeast quarter of Section 32, Township 3 North, Range 2 East of the Willamette Meridian, as being South 88°36'15" East between found monuments based on the Washington State Plane Coordinates System, South Zone, NAD83(91) adjustment. The control scheme is on file at the Clark County Surveyor's office.

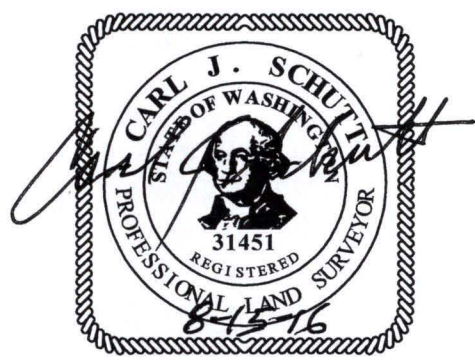


WRITTEN BY: *CJS*
REVIEWED BY: *JMB*

EXHIBIT "C"
 SERIAL No. 199627-000



NOT TO SCALE



Clark County Public Works Vancouver, Washington		
DESIGN & ENGINEERING DIVISION OFFICE OF THE COUNTY SURVEYOR		
NW 1/4 SECTION 33 T 3 N, R 2 E, W.M.		
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
DATE	SCALE	DRAWN BY
AUG 2016	NOT TO SCALE	CJS

CLARK COUNTY, WASHINGTON
RESOLUTION NO. 2018-01-13

IN THE MATTER OF EXECUTION OF QUITCLAIM DEED FROM CLARK COUNTY

WHEREAS, the Board of County Councilors, Clark County, WA is in regular session this 9th day of January, 2018, and

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

Document

Quit Claim Deed

Data

FROM:

Glenwood Little League

TO:

Clark County, Washington

CONSIDERATION: \$176,895.00

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 Councilors.

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



Tax Parcel 119320-000 & 199627-000

119320000
THOMAS
HENNETH

NE 119th St

199627000
GLENWOOD BASEBALL
FIELDS LLC

KEY

1:4,689

0 100 200 400 600 800 1,000 Feet



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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: Dec 20, 2017
Project: G:\RealPropEdit\RealPropEditing_nt20.mxd (danielj)