

CLARK COUNTY STAFF REPORT

DEPARTMENT: Public Works, Engineering & Construction Division

DATE: March 24, 2020

REQUESTED ACTION: Approve the Final Order of Vacation for a portion of Northwest 41st Avenue and right of way for an adjacent, unconstructed east-west road. Activity Number A280156.

Consent Hearing County Manager

BACKGROUND

This Final Order of Vacation is for a portion of Northwest 41st Avenue and right of way for an adjacent, unconstructed east-west road. The right of way was dedicated in 1987 as a condition for a conditional use permit and site plan approval for a private dog kennel on the property (CUP No. 87-11-84). Northwest 41st Avenue serves one residential home south of the proposed road vacation which is now owned by the Cowlitz Tribe. There are no plans to develop this road and the roadway is not in the County's Arterial Atlas.

A public hearing was held on January 7, 2020. Clark County Public Works initiated this road vacation with the support of the Cowlitz Tribe and all conditions have been met. This is the final step requiring council approval in the road-vacation process.

The area is approximately 1.02 acres and is zoned Rural – 5 (R-5).

COUNCIL POLICY IMPLICATIONS

None.

ADMINISTRATIVE POLICY IMPLICATIONS

None.

COMMUNITY OUTREACH

Notices were sent to the affected property owners. Signs were posted near the proposed vacation site.

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.

BUDGET DETAILS

Local Fund Dollar Amount	N/A
Grant Fund Dollar Amount	N/A
Account	N/A
Company Name	Clark County

DISTRIBUTION:

Council staff will post all staff reports to the web. <https://www.clark.wa.gov/council-meetings>

ATTACHEMENTS: (1) Final Order of Vacation; and (2) PowerPoint



 Tom Grange, PE
 Engineering & Construction Division Manager



 Ahmad Qayoumi, PE
 Public Works Director/County Engineer

for 

 Cherie Sabug
 Interim Finance Division Manager

Primary Staff: Laura Henry Slye, Ext. 4777

APPROVED: 
 CLARK COUNTY, WASHINGTON
 CLARK COUNTY COUNCIL
 DATE: March 24, 2020
 SR# 046-20



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

Document Title: Final Order of Vacation
Clark County Public Works & supported by Cowlitz Tribe
Description of Vacation: A portion of NW 41st Avenue
And an unnamed, unconstructed east-west road
in Section 8, Township 4 North, Range 1 East, of the W.M.
Activity Number: #A280156
Adjacent to parcel # 211017-000

RV20-04

FINAL ORDER OF VACATION

In the matter of Clark County, for the Vacation of a portion of the County Road known as NW 41st Avenue, and a right of way for an adjacent east-west road, located in Section 8, Township 4 North, Range 1 East, W.M., Clark County, Washington.

The **COUNCIL** having on the 7th day of January, 2020, ordered the preliminary vacation subject to retaining easements for all public utilities and that the fire department and other emergency services will not to be impeded.

IT IS ORDERED BY THE COUNCIL, all members concurring, that the County Road petitioned by Clark County to be vacated as follows:

THE ROAD VACATION SHALL BE DESCRIBED AS FOLLOWS:

A parcel of land lying in the Northeast 1/4 in the Northwest 1/4 of Section 8, Township 4 North, Range 1 East of the Willamette Meridian, said parcel being more particularly described as follows:

All of that certain parcel conveyed to Paul F. McAndrews and Margaret I. McAndrews, husband and wife, recorded May 19, 1987 under Auditor's File # 8705190013, Clark County deed records, lying Easterly of a line drawn 30.00 feet westerly of, when measured at right angles to the Easterly line of said certain parcel, and all of said certain parcel lying Southerly of a line drawn 40.00 feet northerly of, when measured at right angle to the Southerly line of said certain parcel, and all of said certain parcel lying Southeasterly of a line drawn from a point on first

described line being 20.00 North of its intersection with second described line and running Southwesterly to a point on the second described line 20 feet West of its intersection with first described line, all in Clark County, Washington.

Containing approximately 1.02 acres.

Reserving an easement for all existing utilities for the repair and maintenance of all existing public utilities and services, including the right of ingress and egress shall be held by Clark County and remain in effect until such time the adjacent land owners record a replacement easement with all impacted utilities.

This vacation shall not impede the fire department and other emergency service providers the ability to access NW 41st Avenue with emergency vehicles to provide emergency and fire response.

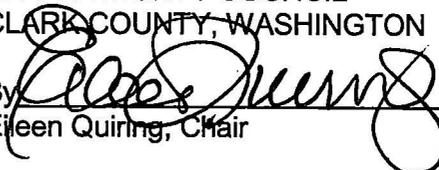
Done this 24th day of March, 2020

ATTEST:



Clerk to the Council

CLARK COUNTY COUNCIL
CLARK COUNTY, WASHINGTON

By 

Eileen Quiring, Chair

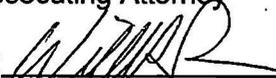
By _____
Temple Lentz, District 1

By _____
Julie Olson, District 2

By _____
John Blom, District 3

By _____
Gary Medvigy, District 4

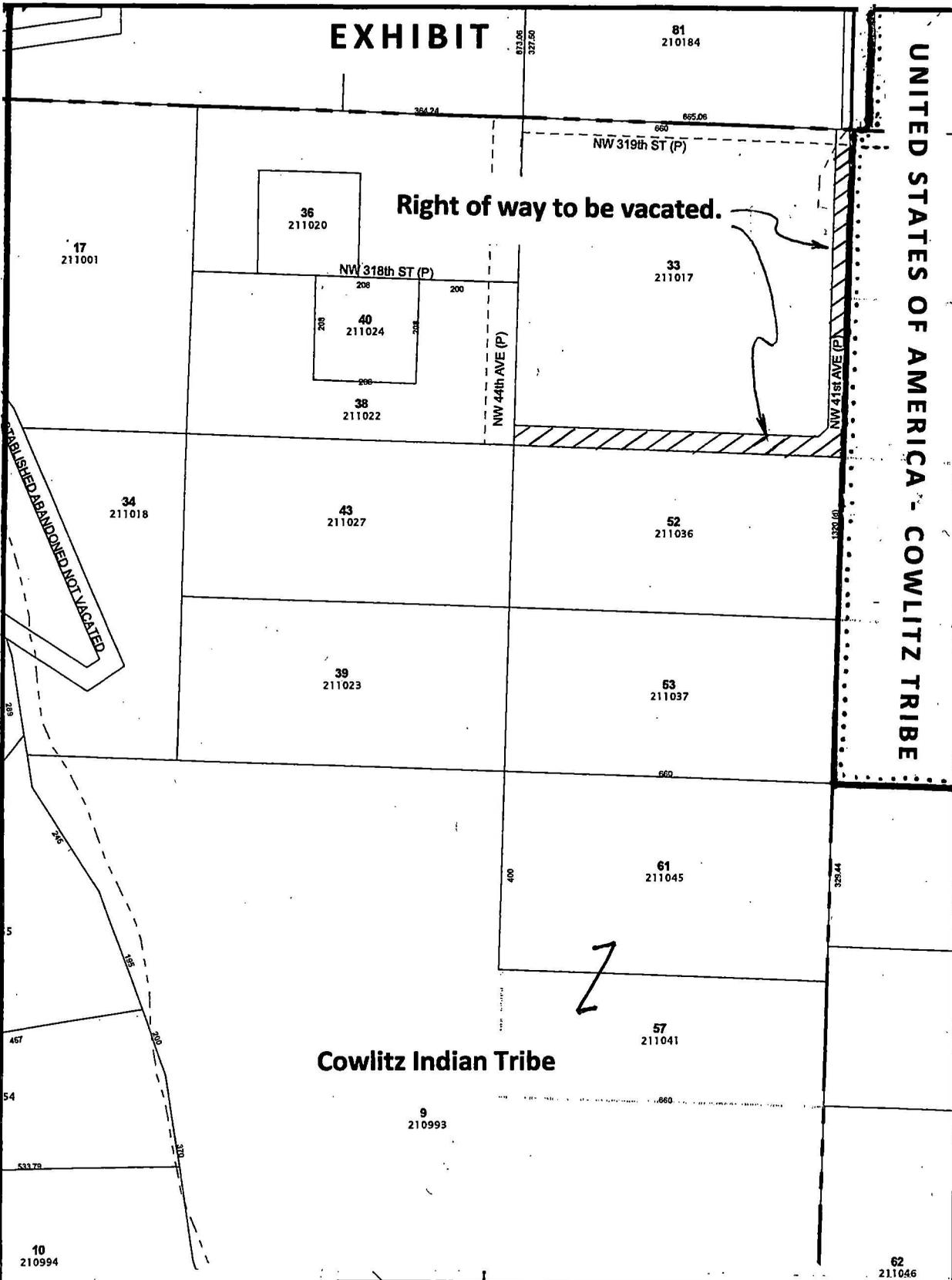
Approved as to Form Only:
Anthony F. Golik
Prosecuting Attorney

By: 



EXHIBIT

UNITED STATES OF AMERICA - COWLITZ TRIBE



Final Road Vacation for a Portion of NW 41st Avenue and an Unnamed East-West Road

Public Works – Engineering & Construction Division

March 24, 2020



Final Road Vacation

A Portion of NW 41st Avenue and an Unnamed East-West Road

Council District 2

- A public hearing was held on January 7, 2020.
- The Council concurred with the Public Works Director's recommendation to vacate the road and right of way.
- All conditions have been met for the road vacation have been met.
- The road vacation process will be complete following the signing of the order by the Council and subsequent recording and filing with the County Auditor.



Final Road Vacation

A Portion of NW 41st Avenue and an Unnamed East-West Road

Council District 2

