

CLARK COUNTY STAFF REPORT

DEPARTMENT: Public Works, Parks and Lands Division

DATE: June 2, 2020

REQUESTED ACTION: Execute a Quit Claim Deed granting Parcel No. 191073-000 to Curtis Lake Ranch, LLC.

Consent Hearing County Manager

BACKGROUND

During planning for the new Columbia River outfall for the Salmon Creek Wastewater Treatment Plant, the Discovery Clean Water Alliance was contacted by owners of the Curtis Lake Ranch, LLC to request assistance in clarifying the parcel boundaries and ownership of Parcel No. 191073000.

There had been a boundary dispute/litigation between Curtis Lake Ranch and John and Dorothy Mettler, from whom Clark County purchased the Green Lake property (Parcel Nos 190862000, 190965000, 191086000, 500150000) in 1990. This affected the subject parcel and resulted in incorrect representations of the geographic extent of that parcel and county-owned Parcel No. 191086000 on the county's GIS system.

After research, the county determined that the correct boundaries of Parcel No. 191073000 are depicted in Auditor's Record No. 4710450, attached to this staff report. The quit claim deed would clear title to Parcel No. 191073000 and enable an update of the boundaries of these parcels in the county's GIS system.

COUNCIL POLICY IMPLICATIONS

None.

ADMINISTRATIVE POLICY IMPLICATIONS

None. This action will correct and update the boundaries of the affected parcels in the county's GIS system.

COMMUNITY OUTREACH

None.

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	N/A

DISTRIBUTION:

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

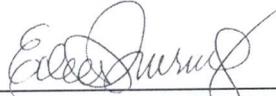
ATTACHMENTS: (1) Resolution; (2) Quit Claim Deed; (3) Declaration (Auditor's Record No. 4710450); and (4) PowerPoint

Galina Burley, MPA
Parks and Lands Division Manager

Ahmad Qayoumi, PE
Public Works Director/County Engineer

Cherie Sabug
Interim Finance Division Manager

Primary staff: Patrick Lee, ext. 1652

APPROVED: 
CLARK COUNTY, WASHINGTON
CLARK COUNTY COUNCIL

DATE: 6-1-2020

SR# 078-20



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.

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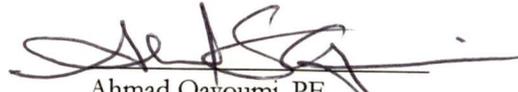
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APPROVED: _____
CLARK COUNTY, WASHINGTON
CLARK COUNTY COUNCIL

DATE: _____

SR# _____

CLARK COUNTY, WASHINGTON
RESOLUTION NO. 2020-06-05

IN THE MATTER OF EXECUTION OF QUIT CLAIM DEED FROM CLARK COUNTY

WHEREAS, the County Council, Clark County, WA is in regular session this 2nd day of June, 2020, and

WHEREAS, it appears to the council that the best interests of Clark County will be served by the acceptance of the following document:

Document

Quit Claim Deed

Data

FROM: Clark County

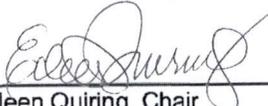
TO: Curtis Lake Ranch, LLC

CONSIDERATION: Valuable considerations in the public interest

NOW THEREFORE, IT IS HEREBY RESOLVED that the above mentioned documents be executed by the County Council and then be recorded and filed.

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

COUNTY COUNCIL
CLARK COUNTY, WASHINGTON


Eileen Quiring, Chair

Temple Lentz, District 1

Julie Olson, District 2

John Blom, District 3

Gary Medvigy, District 4

ATTEST:



Clerk of the Council

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

By: Bill Richardson

Bill Richardson, Deputy Civil Prosecutor



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

Document Title: Quit Claim Deed
Grantor: Clark County, Washington
Grantee: Curtis Lake Ranch, LLC
Legal Description: #15 John Dillon DLC
Serial #: 191073000

DE 2011

QUIT CLAIM DEED

The Grantor, Clark County, a political subdivision of the State of Washington, for and in consideration of Ten Dollars and No/100 (\$10.00), and other valuable consideration, conveys and quit claims to Curtis Lake Ranch, LLC, a Washington Limited Liability Company, the following described real property and any acquired interest therein, situated on Clark County, in the State of Washington.

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

Grantor and Grantee believe It is in their best interest to clear title to Assessor's tax parcel serial number 191073000, as described in the attached legal description, which had been the subject of prior litigation, Superior Court Docket No. 85-2-02333, dismissed on January 18, 1991.

Dated this 2nd day of June, 2020.

County Council Clark County, Washington

Approved as to form only:
Anthony F. Golik, Prosecuting Attorney

By: Eileen Quiring
Eileen Quiring, Chair

By: Bill Richardson
William Richardson
Deputy Prosecuting Attorney

By: _____
Temple Lentz, District 1

By: _____
Julie Olson, District 2

By: _____
John Blom, District 3



By: _____
Gary Medvigy, District 4

STATE OF WASHINGTON

COUNTY OF CLARK

On this 2nd day of June, 2020, before me personally appeared _____,

Eileen Quiring and _____, to me known to be the duly elected, qualified and acting County Councilors(s) of Clark County, Washington, who executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of Clark County, for the uses and purposes therein mentioned, and on oath stated that he/she/they is/are authorized to execute said instrument by resolution of the County Council, Clark County, Washington and that the seal affixed is the official seal of Clark County.

Dated 6/1/2020

Rebecca L. Messinger

REBECCA L MESSINGER
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION NUMBER 3715
COMMISSION EXPIRES APRIL 26, 2021

Notary Public in and for the State of WA
Residing at Vancouver
My commission expires: 4/26/2021

LEGAL DESCRIPTION FOR CURTIS LAKE RANCH
Perimeter description for Auditor's Parcel No. 191073000

A parcel of property located in the Northeast quarter of Section 13, Township 3 North, Range 1 West of the Willamette Meridian in Clark County, Washington described as follows:

COMMENCING at the Southeast corner of said Section 13;

THENCE North 02° 06' 29" East along the East line of said Section 13 a distance of 4162.53 feet to the TRUE POINT OF BEGINNING;

THENCE continuing along said East line, North 02° 06' 29" East 1137.49 feet to the Northeast corner of said Section 13;

THENCE North 88° 22' 04" West along the North line of said section 1013.55 feet;

THENCE South 03° 37' 10" East 492.13 feet to a point that bears North 54° 20' 51" West from the TRUE POINT OF BEGINNING;

THENCE South 54° 20' 51" East 1157.11 feet to the TRUE POINT OF BEGINNING.

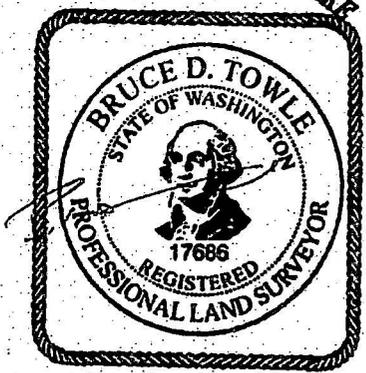
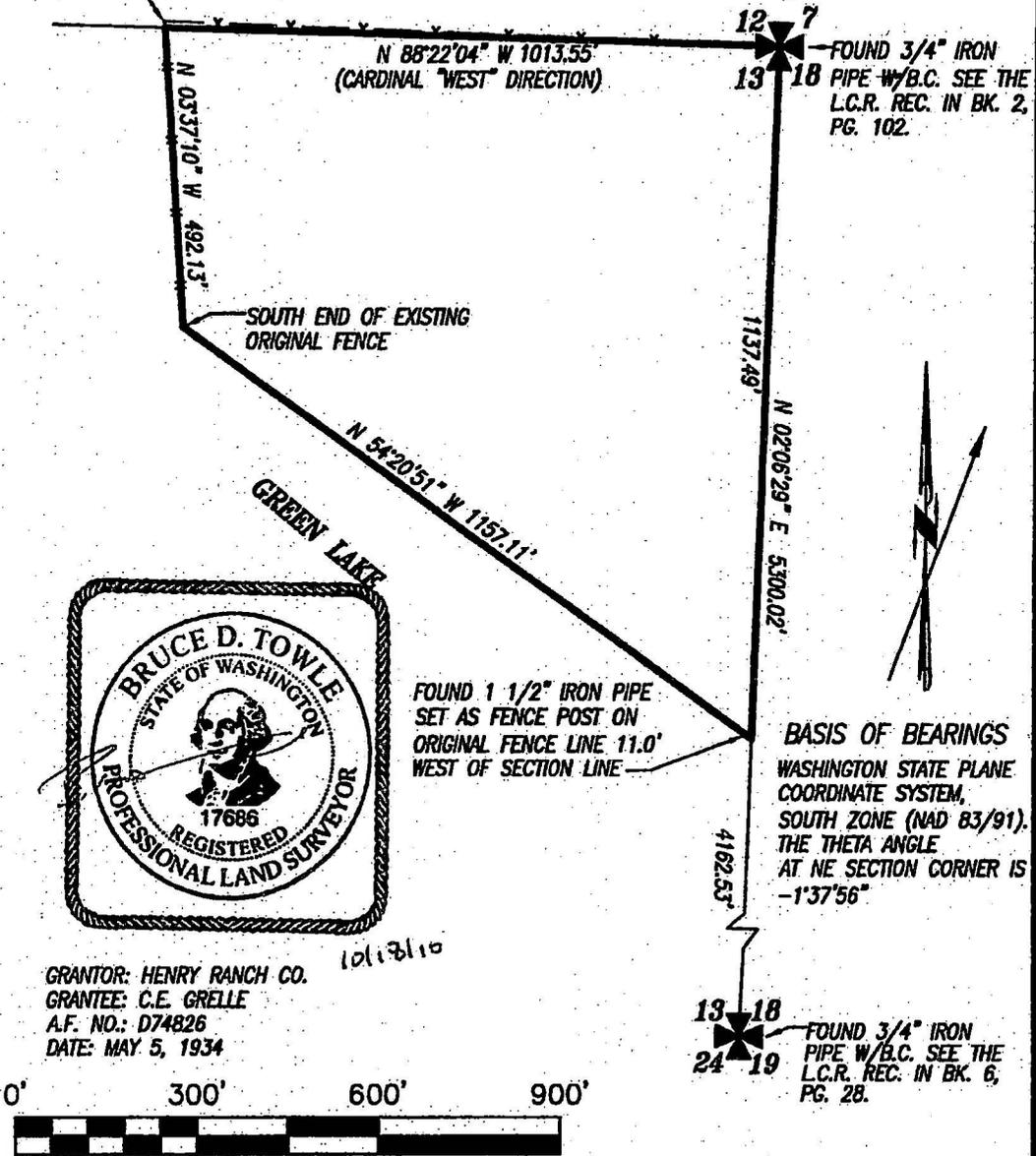


10/18/10

ASSESSOR'S PARCEL NO. 191073000

LYING IN THE NE 1/4 OF THE NE 1/4
SECTION 13, T. 3 N., R. 1 W., W.M.,
CLARK COUNTY, WA

FENCE CORNER 9.5'
NORTH OF SECTION
LINE



GRANTOR: HENRY RANCH CO.
GRANTEE: C.E. GRELE
A.F. NO.: D74826
DATE: MAY 5, 1934



OLSON LAND SURVEYORS
ENGINEERS
ENGINEERING INC. 1111 BROADWAY, VANCOUVER, WA 98000
1-360-655-1335
1-503-286-8338

J:\data\8617.exhibit.dwg

4710450 DEC

RecFee - \$67.00 Pages: 6 - JAMES R MEYER
Clark County, WA 10/28/2010 09:03



When Recorded Return to:

James R. Meyer
17416 NW 31st Ave
Ridgefield, WA 98642

Document Title: Declaration

Reference Number(s) of related documents: 8303020014

Grantor(s): Meyer, James R.
Meyer, Thomas F.

Grantee(s): Public

Legal Description: #15 John Dillon DLC (abbrev.)

Assessor's Property Tax Parcel/Account Number: 191073000

DECLARATION OF LEGAL DESCRIPTION

THIS DECLARATION, made and entered into this 26 day of October, 2010, by **James R. Meyer and Thomas F. Meyer** (hereinafter referred to as "Curtis Lake Ranch").

RECITALS:

WHEREAS Curtis Lake Ranch a partnership between James R. Meyer and Thomas F. Meyer acquired in 1982 property in the northeast quarter of the northeast quarter of Section 13, Township 3 North Range 1 West of the Willamette Meridian, Clark County, Washington and recorded under Clark County Auditor File No. 8303020014.

WHEREAS said property is described as follows: That portion of the following described tract lying West of the Willamette Meridian, in the County of Clark, State of Washington, to wit: **BEGINNING** at the Northwest corner of Section 18, Township 3 North, Range 1 East of the Willamette Meridian and running thence East on the Section line 23.24 chains, more or less, to the West boundary line of the Joseph Stanley Donation Land Claim; thence South along the West line of said Stanley claim and along the line extended therefrom to the North boundary line of the William Green Donation Land Claim, 23.20 chains, more or less, to the West line of said Section 18; thence North along the West line of said Section 18 to a point where the line intersects the East shore of Green Lake; thence following the meander line of said Green Lake to a point due West of the place of beginning; thence East to the place of beginning (recorded under Clark County Auditor File No. D74826).

WHEREAS, Curtis Lake Ranch claimed and marked said property by constructing and reconstructing the existing original fencing in the same location along the north and westerly perimeter lines of said property in 1983. In addition at that time perimeter corners of said property were located and marked with fence posts or steel pipe based on the physical location of the shoreline and uplands. Said property was also posted with no trespass signs. Curtis Lake Ranch has continued to actively utilize said property and maintain no trespassing signs on the perimeter lines of said property.

WHEREAS, said property had a property dispute due to an overlap of Title between Curtis Lake Ranch and property conveyed to John A. Mettler recorded under Clark County Auditor File No. 1083412 (Clark County Superior Court Case No. 85-2-02333-5).

WHEREAS, prior to, during, and following resolution of the property dispute and title overlap, Curtis Lake Ranch claimed said property to be to the intersection of the east shore of Green Lake

Page 1 of 3

with the east line of Section 13 and thence following the meander of the shoreline northwest to the north line of Section 13 thence to the northeast corner of Section 13, containing approximately 18 acres. The original fencing, no trespass signing, and perimeter corners placed in 1983, based on physical location of the shoreline and uplands at the time, established said area conveyed to and claimed by Curtis Lake Ranch. In addition, 1984 Aerial Photograph of Green Lake, Clark County, Washington, Section 13, T3N, R1W, WM by Clark County Department of Mapping, Aerial Negative Date: 9-24-84, along with other aerial photography dating back to the late 1940's was use to evidence the shoreline of the subject area of Green Lake.

WHEREAS, to settle and resolve said property dispute and title overlap, John A. Mettler Quit Claim his interest in said property to Curtis Lake Ranch. Said Quit Claim recorded under Clark County Auditor File No. 9111270032.

WHEREAS, John A. Mettler in 1990, sold his property to Clark County, Washington, a Municipal Corporation and recorded under Clark County Auditor File No. 9011300202. The subject property was excepted out from this conveyance.

WHEREAS, Green Lake is a shallow water, non-tidal, non-navigable lake with a patent (Donation Land Claim) given to John T. Dillon by the U.S. Government in 1864 which included the bed of Green Lake and adjacent uplands (G.L.O. Survey 1860). The shoreline and uplands of Green Lake have changed since acquisition by Curtis Lake Ranch. Non-natural causes have contributed to this change; construction of a weir/dam on the drainage outlet of Green Lake by hunters to flood the northern uplands of Green Lake; beavers damming the drainage outlet of Green Lake; and no maintenance of or removal of debris from the drainage outlet of Green Lake.

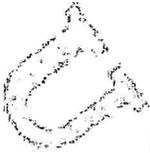
WHEREAS, the existing fencing and perimeter corners of said property have been and are the established accepted boundaries of Curtis Lake Ranch ownership.

WHEREAS, Curtis Lake Ranch had Olson Engineering, Inc. locate and map existing fencing and perimeter corners and write a legal description of the subject property (REFER TO EXHIBITS "A" AND "B" ATTACHED HERETO AND INCORPORATED HEREIN FULLY):

REFERENCE DOCUMENTS:

- 1) Patent: United States of America to Dillon; 1864; recorded 3/24/1879, Book "N" Page 522
- 2) Warranty Deed: Henry Ranch Company to C.E. Grelle; 1934; Auditor File No. D74826
- 3) Warranty Fulfillment Deed: J. E. Grelle and C.M. Grelle to F. G Meyer and M. J. Meyer; 1981; Auditor File No. 8208130081

Page 2 of 3



OLSON
ENGINEERING INC.

- EXHIBIT "A" -

LAND SURVEYORS
ENGINEERS

(360) 695-1385
1111 Broadway
Vancouver, WA
98660



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10/26/10



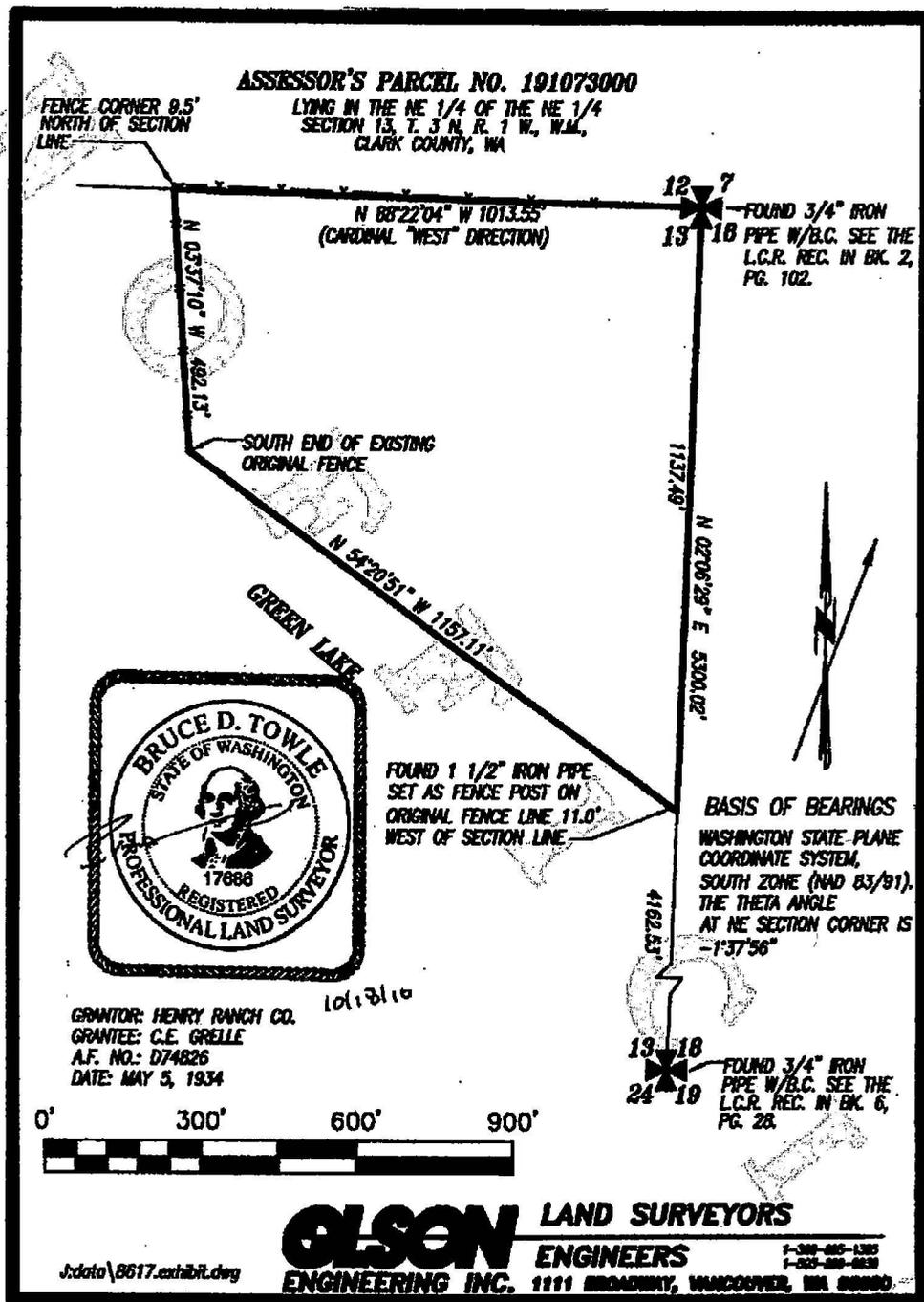
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- EXHIBIT "B" -



Curtis Lake Ranch, LLC Quit Claim Deed

Clark County Public Works

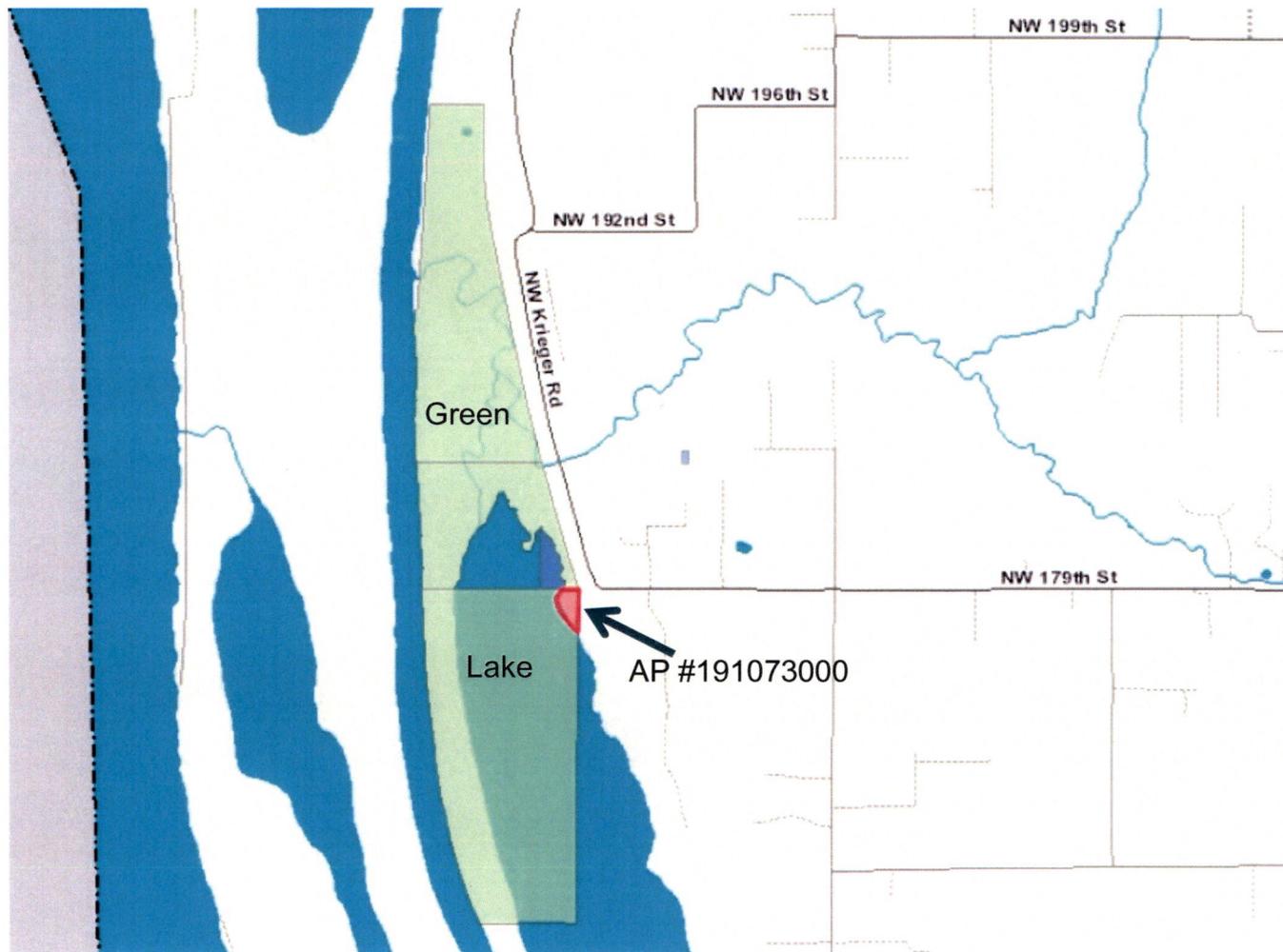


Background

- Discovery Clean Water Alliance is negotiating to purchase right-of-way from Curtis Lake Ranch, LLC for the new Salmon Creek Wastewater Treatment Plant outfall.
- Curtis Lake Ranch's property abuts the county's Green Lake property.
- Prior to County purchase of the Green Lake property, there was a boundary dispute between Curtis Lake Ranch and the seller of the Green Lake property. Litigation was dismissed via Superior Court Case No. 85-2-02333-5.
- Approving the deed would clear title to the Curtis Lake Ranch property and allow outfall negotiations to continue.



Existing Green Lake and Parcel No. 191073000 Boundaries



Amended Boundaries – Quit Claim Deed Approved

