

# CLARK COUNTY STAFF REPORT

**DEPARTMENT:** Public Works, Engineering and Construction Division

**DATE:** March 10, 2020

**REQUESTED ACTION:** Approve the Final Order of Vacation for a portion of Northeast 129th Street, from Northeast 25th Avenue to the west line of Interstate 205. Activity No. A012588.

Consent       Hearing       County Manager

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## BACKGROUND

This Final Order of Vacation is for a portion of Northeast 129th Street, from Northeast 25th Avenue to the west line of Interstate 205. This road was originally established as Montague Road on October 4th, 1921. As part of the Interstate 205 construction project, the Washington State Department of Transportation acquired additional right-of-way and deeded this area back to the county under a turn-back agreement.

In 2018, Public Works received a request to vacate a portion of Northeast 129th Street. After review, Public Works determined that this portion of road was not needed to meet traffic circulation needs and supported the road vacation. A public hearing was held on June 26, 2018, and the conditions of the Preliminary Order to Vacate have been met including the recording of an access and maintenance agreement filed under AF #5694393 EAS.

Project background and history were provided in two previous staff reports (RV18-07 and SR# 105-18). This is the third and final staff report for this road vacation. The petitioners have paid the administrative costs and expenses in the amount of \$34,151.17. The area is zoned General Commercial (GC) and is approximately 8,997 sf (0.21 acres).

## COUNCIL POLICY IMPLICATIONS

None.

## ADMINISTRATIVE POLICY IMPLICATIONS

None.

## COMMUNITY OUTREACH

Notices were sent to the affected property owners, utility companies and the public.

**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.

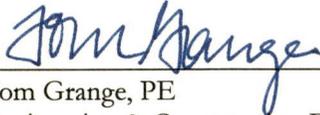
**BUDGET DETAILS**

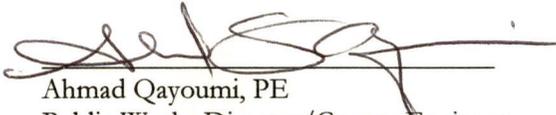
Local Fund Dollar Amount	N/A
Grant Fund Dollar Amount	N/A
Account	N/A
Company Name	Edwards, Sinclair, petitioners

**DISTRIBUTION:**

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

**ATTACHMENTS:** (1) Final Order of Vacation; (2) Certificate of Costs; and (3) 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 Contact: Laura Henry Slye, Ext. 4777

APPROVED:   
 CLARK COUNTY, WASHINGTON  
 CLARK COUNTY COUNCIL

DATE: March 10, 2020

SR# 037-20



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

Document Title: Final Order of Vacation  
Petitioner: Jolina Sinclair and Ron Edwards  
Description of Vacation: NE 129th Street lying  
Easterly of NE 25th Avenue to the Westerly  
Right of way line of I-205 lying in Section 26,  
Township 1 North, Range 3 East, of the W.M.  
Activity Number: #A012588

RV 20-03

## FINAL ORDER OF VACATION

In the matter of the Petitioners Jolina Sinclair and Ron Edwards for the Vacation of County Roads known as NE 129th Street, lying Easterly of NE 25th Avenue to the Westerly right-of-way line of I-205 located in Section 26, Township 1 North, Range 3 East, W.M., Clark County, Washington.

The **Council** having on the 26th day of June, 2018, ordered the preliminary vacation of said road upon payment by the principal petitioner(s) of all costs and expenses incurred in the proceedings, and said costs and expenses amounting to the sum of Thirty-four Thousand One Hundred fifty-one and 17/100 (\$34,151.17), having been paid to the Treasurer of this County on the 10th day of January, 2020, and all conditions being met, including the recording of an easement filed under AF# 5694393 EAS.

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

### Legal Description

A portion of the Southeast Quarter and a portion of the Northeast Quarter of Section 26, Township 3 North, Range 1 East, Willamette Meridian, Clark County, Washington, described as follows:

**Final Order of Vacation  
Activity Number 012588**

**Beginning** at a concrete monument with 2" diameter brass disk marking the East Quarter corner of said Section 26; Thence North  $88^{\circ}48'26''$  West, along the North line of the Southeast Quarter of Section 26, for a distance of 1073.54 feet, to the Westerly Right-of-Way line of Interstate 205 (I-205), as shown in Book 66 of Surveys, at Page 114, records of the Clark County Auditor and the **TRUE POINT OF BEGINNING:**

Thence, leaving said North line, Southeasterly along said Westerly Right-of-Way line along the arc of a 10,100.00-foot radius non-tangent curve to the right (the radius point of which bears North  $47^{\circ}01'13''$  East), through a central angle of  $00^{\circ}19'02''$ , for an arc distance of 55.92 feet; Thence, leaving said Westerly Right-of-Way Line, North  $88^{\circ}48'26''$  West, parallel with and 40.00 feet South of, when measured at right angles to the North line of the Southeast Quarter of Section 26, for a distance of 187.19 feet, to the East Right-of-Way line of Northeast 25th Avenue; Thence, North  $01^{\circ}11'34''$  East, along the Northerly extension of said East Right-of-Way line, for a distance of 40.00 feet to the North line of the Southeast Quarter of said Section 26; Thence, South  $88^{\circ}48'26''$  East, along said North line, for a distance of 45.88 feet; Thence leaving said North line of the Southeast Quarter, North  $48^{\circ}54'04''$  East, for a distance of 66.57 feet, to said Westerly Right-of-Way line of Interstate 205; Thence, South  $48^{\circ}40'13''$  East, along said Westerly Right-of-Way line (I-205), for a distance of 68.57 feet; Thence, continuing along said Westerly Right-of-Way line (I-205), along the arc of a 10,100.00-foot radius non-tangent curve to the right (the radius point of which bears North  $47^{\circ}01'30''$  East), through a central angle of  $00^{\circ}00'17''$ , for an arc distance of 0.82 feet, to the **TRUE POINT OF BEGINNING.**

Containing 8,997 square feet of land, more or less.

Subject to an easement for all existing utilities for the construction, repair and maintenance of said public utilities and services, including the right of ingress and egress be held by Clark County and remain in effect until such time the petitioner(s) record a replacement easement with all impacted utilities as follows:

- A 15-foot wide sanitary sewer easement in favor to Clark County Public Works including catch basins and storm lines.

- A 15-foot wide utility easement in favor of Clark Public Utilities which includes poles, aerial cables, buried cables and junction boxes.
- A 10-foot wide utility easement in favor of Comcast for the existing infrastructure which includes an existing conduit and pedestals.

Done this 10<sup>th</sup> day of March, 2020

ATTEST:

  
 \_\_\_\_\_  
 Clerk of the Council

CLARK COUNTY COUNCIL  
 CLARK COUNTY, WASHINGTON

By   
 \_\_\_\_\_  
 Eileen Quiring, Chair

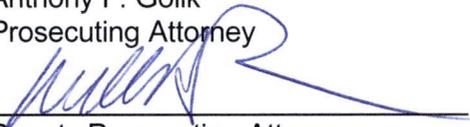
By \_\_\_\_\_  
 Temple Lentz, District 1

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

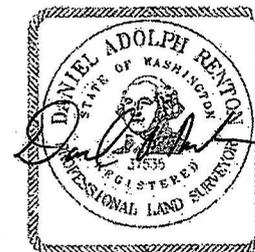
  
 \_\_\_\_\_  
 Deputy Prosecuting Attorney  
 William Richardson



SECTION 26, T3N, R1E

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC DIST.	CHORD BEARING	CHORD DIST.
C1	10100.00'	0°19'02"	55.92'	S 43°08'18" E	55.92'
C2	10100.00'	0°00'17"	0.82'	S 42°58'38" E	0.82'

04-12-18



#186550-000

I-205

Stipulated Judgment  
Superior Court #50182

±8,997 SQ. FT.

S 88°48'26" E 45.88'

NORTH LINE OF  
SOUTHEAST QUARTER  
OF SECTION 26

N 01°11'34" E  
40.00'

Established as Montague road - Road Book 8, Page 201

NE 129TH ST

Parcel # 186724-000

LEGEND:

T.P.O.B. INDICATES TRUE POINT OF BEGINNING

☉ INDICATES RIGHT OF WAY CENTERLINE

— INDICATES BOUNDARY

Parcel # 186728-000

N 88°48'26" W 187.19'

N 88°48'26" W 1073.54'

26

NE 25TH AVE

S 48°54'04" W 106.91'

HES  
LL STA: 628+55

N 48°54'04" E 66.57'

S 48°40'13" E 66.57'

N 47°01'30" E (RADIAL)

N 47°01'13" E (RADIAL AT T.P.O.B.)

N 46°42'11" E (RADIAL)

# **Final Road Vacation A Portion of NE 129th Street Lying east of NE 25th Avenue to I-205**

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Clark County Public Works

March 10, 2020



## Final Road Vacation

### A Portion of NE 129th Street – Lying between NE 25th Avenue & I-205

Council District 2

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- A Public Hearing was held on June 26, 2018.
- The petitioners have paid all costs, expenses and the appraised value of the land in the amount of \$34,151.17.
- The petitioners have met the conditions set by the Council in regard to the Preliminary Road Vacation.
- This consent item finalizes the road vacation process by signing the order and filing it with the County Auditor.



# Final Road Vacation A Portion of NE 129th Street – Lying between NE 25th Avenue & I-205 Council District 2

