

## CLARK COUNTY STAFF REPORT

**DEPARTMENT:** Community Development

**DATE:** August 21, 2020

**REQUESTED ACTION:** Sign a plat alteration declaration to amend a Short Plat 1-324 & 1-325

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

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**BACKGROUND**

In 1978 the county approved two short plats (Book 1-324, 9.75 acres & Book 1-325, 8.21 acres) creating a total of eight lots. The short plats are located south of NE 159th Street near the NE 145th Avenue intersection. Each short plat contains 4 lots.

As part of the original approval a 60' private road and utility easement was created. The applicant is requesting to adjust and vacate portions of the existing easement to increase development areas.

The proposed plat alteration will reduce the 60 foot private road and utility easement located on the northern portion of Lot 3 of SP 1-324 and Lot 4 of SP 1-325 to a 20 foot shared access and utility easement and will remove the easement entirely from Lot 4 of SP 1-324 and Lot 3 of SP 1-324.

In addition the request includes removing the 60 foot utility and access easement located between SP 1-324 (Lot 3) & SP 1-325 (Lot 4).

The current zoning of the parcels are R-5 (Rural Single-family Residential). The proposal will not change the size of the existing recorded single-family lots. Approval of this final plat declaration and recording of related documents will complete the Plat Alteration process outlined in Clark County Code 40.540.070 and 40.540.120.

**COUNCIL POLICY IMPLICATIONS**

N/A

**ADMINISTRATIVE POLICY IMPLICATIONS**

N/A

**COMMUNITY OUTREACH**

The preliminary portion of the plat declaration was processed as a type II application and included notice sent to property owners within 500 feet of the lot in question on November 5, 2019.

**BUDGET IMPLICATIONS**

YES	NO	
X		Action falls within existing budget capacity.
		Action falls within existing budget capacity but requires a change of purpose within existing appropriation
		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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**BUDGET DETAILS**

Local Fund Dollar Amount	
Grant Fund Dollar Amount	
Account	
Company Name	

**DISTRIBUTION:**

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

*Harriet Padmore for*  
*Susan Ellinger*  
Susan Ellinger *PER Email Authorization*  
Land Use Review Manager  
Community Development  
564-397-5122

*Dan Young*  
Dan Young  
Director  
Community Development  
564-397-4101

*Kathleen Otto*  
APPROVED: *Kathleen Otto*  
Kathleen Otto, ~~Acting~~ County Manager  
*Interim*

DATE: \_\_\_\_\_

RETURN ADDRESS

Quail Development LLC  
4501 NE MINNETTAS ST #200  
VANCOUVER WA 98661

Please print neatly or type information

Document Title(s)

Declaration Amending Plat SP1-325

Reference Numbers(s) of related documents:

SP1-325

Additional Reference #'s on page \_\_\_\_

Grantor(s) (Last, First and Middle Initial)

Quail Development LLC

Additional grantors on page \_\_\_\_

Grantee(s) (Last, First and Middle Initial)

Public

Additional grantees on page \_\_\_\_

Legal Description (abbreviated form: i.e. lot, block, plat or section, township, range, quarter/quarter)

Lot 1-4 book 1 short plat page 325

Additional legal is on page \_\_\_\_

Assessor's Property Tax Parcel/Account Number

197169-000, 197169-005, 197169-010, 197169-015

Additional parcel #'s on page \_\_\_\_

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

\_\_\_\_\_  
Signature of Requesting Party

EXHIBIT A

Serial #: 197169015  
Sec-T-R: 23-3N-2E  
Project: Quail Acres

DECLARATION AMENDING PLAT SP 1-325

We, Quail Development, LLC, the owners of certain real property in Clark County, Washington, legally described therein below (hereinafter "Site"), pursuant to RCW 58.17.215 and CCC 40.540, which, under specific circumstances, allows Clark County to approve alterations to recorded plats, file this declaration to accomplish that end.

*RECITALS:*

Whereas, Quail Development LLC are the owners of property, part of a plat recorded under Auditor's number 7805310201, Book SP 1, Page 325, the Site, which legal description is set forth by a copy of the previously recorded plat in Exhibit A attached hereto; and

Whereas, the owners have sought to amend the recorded plat *to remove the Private Road and Utility Easement located on the east side of Lot 4 and the North side of Lot 3 and Lot 4;* and

Whereas, the owners have previously received the plat alteration approval with conditions of Clark County in that planning application numbered PLD2019-00051; and

Whereas, this document is required to satisfy the conditions of approval, RCW 58.17.215 and CCC 40.540; now, therefore,

1. The undersigned owners declare that they are the sole and exclusive owners of the real property, described in Exhibit A, that is affected by the plat alteration. The plat is recorded in Book SP 1 at Page 325, records of Clark County, Washington.
2. Pursuant to the plat alteration, Clark County has authorized that the existing easements on this Plat can be adjusted and vacated.
3. A revised drawing of the approved alteration is attached hereto and incorporated herein as Exhibit B.

4. The final plat is only amended as set forth above and in all other aspects are unaffected by this document. A copy of this declaration shall be filed with the Clark County Auditor so as to appear in the chain of title of the affected parcels.

Dated this 26<sup>th</sup> day of August, 2020.

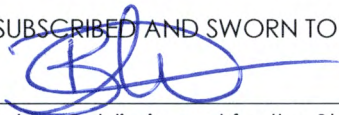


Lot 3 Property Owner, Quail Development, LLC, Lot 4 Property Owner, Quail Development, LLC

STATE OF WASHINGTON )  
  :SS  
COUNTY OF CLARK        )

On this day personally appeared before me Jon Girod managing member, known to me to be the person that executed the within and foregoing instrument, and acknowledged said instrument to be his/her free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 26 DAY OF August, 2020

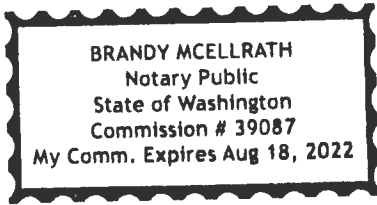


Notary Public in and for the State of Washington, residing at Vancouver, therein.

My commission expires: 8/18/22

Acknowledgment of Corporation

STATE OF WASHINGTON  
COUNTY OF \_\_\_\_\_



On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared \_\_\_\_\_ and \_\_\_\_\_, to me known to be the \_\_\_\_\_ President and \_\_\_\_\_ Secretary, respectively, of \_\_\_\_\_, the corporation that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act of and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that \_\_\_\_\_ authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and seal the day and year first above written.

\_\_\_\_\_  
Notary Public residing at \_\_\_\_\_

Printed Name: \_\_\_\_\_

My Commission Expires:  
\_\_\_\_\_


Approved as to form:

By \_\_\_\_\_

Deputy Prosecuting Attorney

County Manager

Approved and accepted by the County Manager of Clark County, Washington, this **31** day of August, 2020

A handwritten signature in blue ink that reads "Kathleen Ott". The signature is written in a cursive style with a large initial "K" and "O".

\_\_\_\_\_  
County Manager

Approved as to form:

By **Taylor Hallvik**  
Digitally signed by Taylor Hallvik  
DN: cn=Taylor Hallvik, o=Clark County  
Prosecuting Attorney's Office, ou=Civil  
Division, email=taylor.hallvik@clark.wa.gov,  
c=US  
Date: 2020.08.28 16:03:28 -0700

Deputy Prosecuting Attorney

County Manager

Approved and accepted by the County Manager of Clark County, Washington, this \_\_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
County Manager

# EXHIBIT A - Previously Recorded Plat

## SHORT PLAT 325

PORTION N 1/2 of N.E. 1/4; SEC. 23, TWP. 3N, RGE. 2E, W.M.  
 Assessor's Parcel No.(s) of original tract, Tax Lot 12  
 Serial No. 197169; Short Plat File 77-1-2332

### SOUTHWEST WASHINGTON HEALTH DISTRICT

This short plat is approved in general only.  
 An approved public water supply is required.  
 An approved public sewerage system is required.  
 Individual, on site sewage disposal. Individual approvals to be based on regulations and evaluation at time of permit application.

LOT 1 OK,  
2-4 to be  
landfills

Scott McVair 5/11/78  
 DISTRICT HEALTH OFFICER DATE

### COUNTY ENGINEER

Approved:  
Jan E. Washell 5/3/78  
 COUNTY ENGINEER DATE

### ASSESSOR

This plat meets the requirements of R.C.W. 58.18.010  
 Laws of Washington, to be known as Short Plat No. \_\_\_\_\_  
 in the County of Clark, State of Washington.

Lester P. Campbell (mob) 5-31-78  
 COUNTY ASSESSOR DATE

### AUDITOR

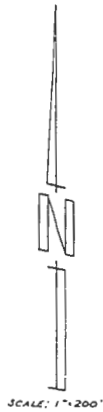
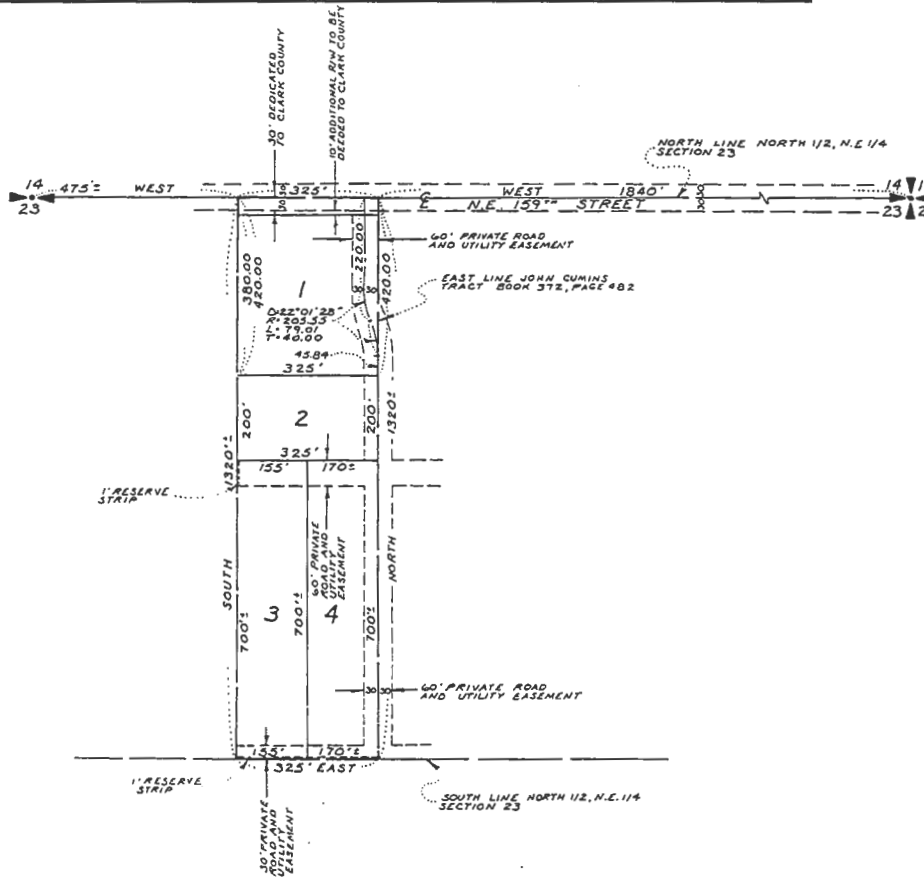
Filed for record this 31st day of May, 19 78  
 in Book 1 of Short Plats at pages 325 at the  
 request of Nale Ferguson

Auditor's Receiving No. 17805316201  
Thyllis Ferguson Ron Dotzger  
 DEPUTY COUNTY AUDITOR

### SURVEYOR'S CERTIFICATE

This map is a true and correct representation of lands actually surveyed by me or under my direction in conformance with the provisions of R.C.W. 58.17 Laws of Washington.

N/A  
 SURVEYOR Date



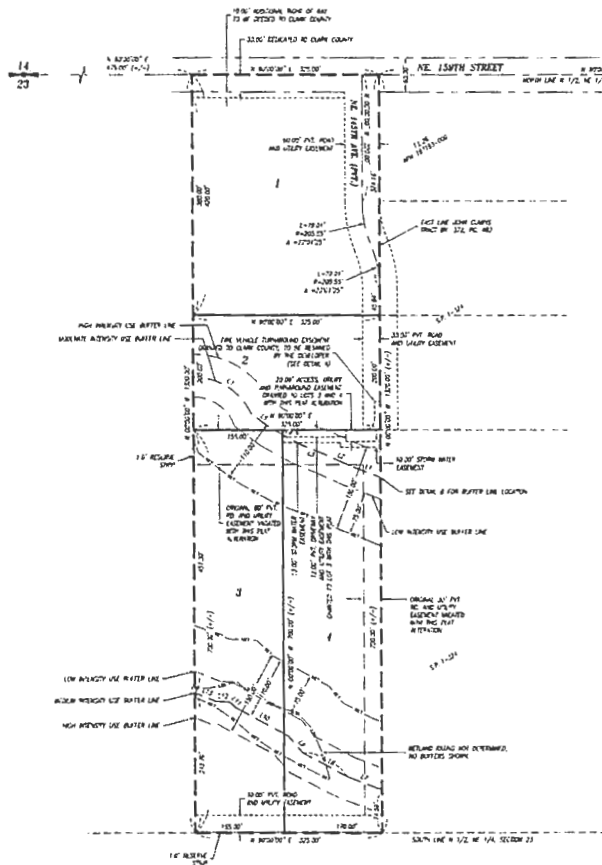
<b>MAINTENANCE OF PRIVATE ROADS</b> The maintenance of private roads shall be the responsibility of the abutting land owners, and no such road shall be maintained by the County until improved to County standards and accepted.		<b>PARKS ASSESSMENT</b> Prior to the issuance of building permits for lots in this short plat, proof of payment of park fees must be provided for that lot. <i>(attach assessment fee paid under Auditor's receipt # 1455)</i>	
	LOT 1-S		FEE
	LOT 2-S		-
	LOT 3-S		-
	LOT 4-S		-

- SPECIAL CONDITIONS OF SHORT PLAT APPROVAL**
- 1) PROVIDE A 60 FOOT ROAD EASEMENT ALONG THE EAST PROPERTY LINE AND A 30 FOOT ROAD EASEMENT ALONG THE SOUTH PROPERTY LINE.
  - 2) PROVISION OF A 40 FOOT HALF-WIDTH RIGHT-OF-WAY DEDICATION ALONG N.E. 159' STREET.
  - 3) MEETING THE REQUIREMENTS OF FIRE DISTRICT NO. 3.
  - 4) MEETING THE REQUIREMENTS OF THE HEALTH DEPARTMENT PER LETTER DATED DECEMBER 5, 1977 BEFORE CONSTRUCTION TAKES PLACE.
  5. *Install fire hydrant at corner of 16 15.9 street (4. easement width)*



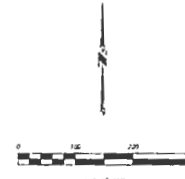
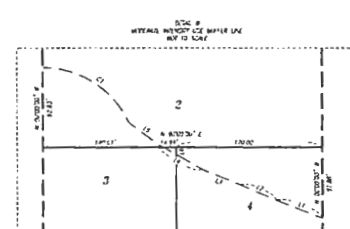
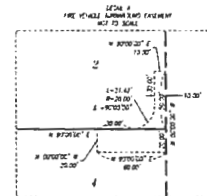
# EXHIBIT B- Plat Alteration

**PLAT ALTERATION FOR  
SHORT PLAT 1-325**  
A PORTION OF THE NW 1/4, NE 1/4 SECTION 23,  
T. 3 N., R. 2 E., OF THE 14<sup>TH</sup>  
CLARK COUNTY, INDIANA  
JULY, 2020  
SHORT PLAT FILE: PLS-2019-00261



LINE	BEARING	DISTANCE
1	S 87°20'12\"/>	

LINE	BEARING	DISTANCE
1	S 87°20'12\"/>	



**BASIS OF BEARINGS**  
BEARINGS ARE AS SHOWN ON SHORT PLAT 1-325.

- LEGEND**
- PUBLIC LAND SURVEY SYSTEM SECTION/QUARTER SECTION BOUNDARY
  - STREET BOUNDARY
  - EASEMENT
  - EXISTING RIGHT-OF-WAY
  - EXISTING CENTER LINE
  - PRIVATE LAND SURVEY SYSTEM SUBDIVISION
  - EASEMENT AS NOTED
  - RETURN

**PROCEDURE**  
FIELD MEASUREMENTS WERE PERFORMED WITH A TRIMBLE S6 (7\"/>

**DEED REFERENCES**

OWNER: DANIEL WELLS PRODUCE COMPANY  
CHANCE: JOHN STANLEY AND BRAD LINDSEY  
#P: 2015014-2  
RECORDED: 05/26/2015

OWNER: DANIEL WELLS PRODUCE COMPANY  
CHANCE: DANIEL WELLS  
#P: 2015014-3  
RECORDED: 11/04/2015

**SURVEY REFERENCES**

- SHORT PLAT NO. 1, PL. 24 (JACKSONVILLE)
- SHORT PLAT NO. 1, PL. 225 (JACKSONVILLE)

**STATEMENT OF PURPOSE**

THE PURPOSE OF THIS PLAT ALTERATION IS TO MODIFY THE EXISTING LOT BOUNDARIES AND EASEMENTS ALONG THE NORTH SIDE OF LOTS 2 AND 4, AND THE 20' EASEMENT AND LOT CENTER EASEMENT ALONG THE EAST SIDE OF LOT 4, AND TO WIDEN ROAD 6 ALONG THE SOUTH SIDE OF LOTS 2 AND 4, AND TO RE-ESTABLISH A 20' PRIVATE ALLEY AND UTILITY EASEMENT AND A 15' SEWER (LOTS 2 AND 4).

**PLAT NOTES**

- APPROVAL IS NOT ALLOWED IN THE ATTACHED JURISDICTION.
- ANY CHANGE OF DEVELOPMENT IN THE UTILITIES ARE NOTED IN BUTTERfly CHANGES ON THE FACE OF THIS PLAT. THERE IS A RETURN POINT.

**CLARK COUNTY HEALTH DEPARTMENT**

THIS SHORT PLAT IS APPROVED AS SHOWN ON THIS DATE:

AN APPROVED PUBLIC WATER SUPPLY IS REQUIRED.

AN APPROVED PUBLIC SEWER SYSTEM IS REQUIRED.

REMOVAL OF EXISTING ZONING, ALIENATION APPROVAL IS REQUIRED IN CONNECTION WITH THE SUBMITTAL OF THIS PLAT.

**COUNTY ASSESSOR**

THIS PLAT MEETS THE REQUIREMENTS OF I.C. 36-1-1-10 OF INDIANA, AS WELL AS THE REQUIREMENTS OF I.C. 36-1-1-10 OF INDIANA, IN THE COUNTY OF CLARK, STATE OF INDIANA.

COUNTY ASSESSOR: \_\_\_\_\_ DATE: \_\_\_\_\_

**COUNTY AUDITOR**

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

IT BEING \_\_\_\_\_ OF SHORT PLATS AT LARGE \_\_\_\_\_ AT 10:00 AM.

WITNESSED BY: \_\_\_\_\_

CLERK OF CLARK COUNTY: \_\_\_\_\_

COUNTY CLERK: \_\_\_\_\_ DATE: \_\_\_\_\_

**COUNTY ENGINEER**

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**COUNTY PLANNING DIRECTOR**

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**COUNTY MANAGER**

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**COUNTY HEALTH DEPARTMENT**

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**COUNTY PLANNING DIRECTOR**

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**COUNTY PLANNING DIRECTOR**

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**COUNTY PLANNING DIRECTOR**

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

THIS MAP IS A TRUE AND CORRECT REPRESENTATION OF LANDS ACTUALLY SURVEYED BY ME OR UNDER MY DIRECTORSHIP IN ACCORDANCE WITH THE PROVISIONS OF I.C. 36-1-1-10 OF INDIANA, AS THE RESULT OF THE JOB ORDER IN WRITING.

DATE: JULY 2020 FILE NO: 2020-00261 DATE: \_\_\_\_\_



**OLSON** LAND SURVEYORS  
ENGINEERS  
ENGINEERING INC.  
211 E. HENRY ROAD, INDIANAPOLIS, IN 46202  
(317) 555-1100  
(317) 799-9336

Lot 1 of SHORT PLAT, as recorded in Book "1" of SHORT PLATS, Page 325, Auditor's File No. 7805310201, records of Clark County, Washington.

EXCEPT that portion conveyed to Clark County by deed recorded June 23, 1978, under Auditor's File No. 7806230162.

LOT 2 OF SHORT PLATS RECORDED IN BOOK 1, PAGE 325 OF SHORT PLATS UNDER CLARK COUNTY AUDITOR'S FILE NO. 7805310201, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 200 FEET OF THE NORTH 620 FEET OF THE FOLLOWING DESCRIBED TRACT:

THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER THAT IS 1840 FEET WEST OF THE NORTHEAST CORNER THEREOF, SAID POINT BEING THE NORTHWEST CORNER OF THE TRACT CONVEYED TO JOHN A. CUMIN BY DEED RECORDED IN BOOK 372, PAGE 482, DEED RECORDS, THENCE WEST, ALONG SAID NORTH LINE, 325 FEET; THENCE SOUTH 1320 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER; THENCE EAST, ALONG SAID SOUTH LINE, 325 FEET TO THE SOUTHWEST CORNER OF SAID CUMIN TRACT; THENCE

NORTH, ALONG THE WEST LINE OF SAID CUMIN TRACT, 1320 FEET, MORE OR LESS, TO THE POINT OF BEGINNING THEREOF.

EXCEPT THAT PORTION CONVEYED TO CLARK COUNTY, WASHINGTON ON JUNE 23, 1978 UNDER CLARK COUNTY AUDITOR'S FILE NO. 7806230162.

TOGETHER WITH A 60 FOOT EASEMENT FOR INGRESS, EGRESS AND UTILITIES THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN CLARK COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER THAT IS 1840 FEET WEST OF THE NORTHEAST CORNER THEREOF, SAID POINT BEING THE NORTHWEST CORNER OF THE TRACT CONVEYED TO JOHN A. CUMIN BY DEED RECORDED IN BOOK 372, PAGE 482, DEED RECORDS; THENCE WEST ALONG SAID NORTH LINE 30 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID TRACT 220 FEET; THENCE ALONG A 205.55 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 22°01'28" FOR AN ARC DISTANCE OF 79.01 FEET; THENCE ALONG A 205.55 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 22°01'28" FOR AN ARC DISTANCE OF 79.01 FEET TO A POINT, SAID POINT BEING ON THE EAST LINE OF THE AFOREMENTIONED CUMIN TRACT; THENCE SOUTH ALONG THE EAST LINE OF SAID CUMIN TRACT TO THE SOUTHEAST CORNER THEREOF AND THE TERMINUS OF SAID LINE.

LOT 3 OF SHORT PLATS RECORDED IN BOOK 1, PAGE 325 OF SHORT PLATS UNDER CLARK COUNTY AUDITOR'S FILE NO. 7805310201, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 155 FEET OF THE FOLLOWING DESCRIBED TRACT:

THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER THAT IS 1840 FEET WEST OF THE NORTHEAST CORNER THEREOF, SAID POINT BEING THE NORTHWEST CORNER OF THE TRACT CONVEYED TO JOHN A. CUMIN BY DEED RECORDED IN BOOK 372, PAGE 482, DEED RECORDS, THENCE WEST, ALONG SAID NORTH LINE, 325 FEET; THENCE SOUTH 1320 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER; THENCE EAST, ALONG SAID SOUTH LINE, 325 FEET TO THE SOUTHWEST CORNER OF SAID CUMIN TRACT; THENCE NORTH, ALONG THE WEST LINE OF SAID CUMIN TRACT, 1320 FEET, MORE OR LESS, TO THE POINT OF BEGINNING THEREOF.

EXCEPT THE NORTH 620 FEET THEREOF.

ALSO EXCEPT THAT PORTION CONVEYED TO CLARK COUNTY, WASHINGTON ON JUNE 23, 1978 UNDER CLARK COUNTY AUDITOR'S FILE NO. 7806230162.

TOGETHER WITH A 60 FOOT EASEMENT FOR INGRESS, EGRESS AND UTILITIES THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN CLARK COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER THAT IS 1840 FEET WEST OF THE NORTHEAST CORNER THEREOF, SAID POINT BEING THE NORTHWEST CORNER OF THE TRACT CONVEYED TO JOHN A. CUMIN BY DEED RECORDED IN BOOK 372, PAGE 482, DEED RECORDS; THENCE WEST ALONG SAID NORTH LINE 30 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID TRACT 220 FEET; THENCE ALONG A 205.55 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 22°01'28" FOR AN ARC DISTANCE OF

79.01 FEET; THENCE ALONG A 205.55 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 22°01'28" FOR AN ARC DISTANCE OF 79.01 FEET TO A POINT, SAID POINT BEING ON THE EAST LINE OF THE AFOREMENTIONED CUMIN TRACT; THENCE SOUTH ALONG THE EAST LINE OF SAID CUMIN TRACT TO THE SOUTHEAST CORNER THEREOF AND THE TERMINUS OF SAID LINE.

ALSO TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE NORTH 60 FEET OF THAT PORTION OF THE FOLLOWING DESCRIBED TRACT, LYING SOUTH OF THE NORTH 620 FEET THEREOF:

THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER THAT IS 1840 FEET WEST OF THE NORTHEAST CORNER THEREOF, SAID POINT BEING THE NORTHWEST CORNER OF THE TRACT CONVEYED TO JOHN A. CUMIN BY DEED RECORDED IN BOOK 372, PAGE 482, DEED RECORDS, THENCE WEST, ALONG SAID NORTH LINE, 325 FEET; THENCE SOUTH 1320 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER; THENCE EAST, ALONG SAID SOUTH LINE, 325 FEET TO THE SOUTHWEST CORNER OF SAID CUMIN TRACT; THENCE NORTH, ALONG THE WEST LINE OF SAID CUMIN TRACT, 1320 FEET, MORE OR LESS, TO THE POINT OF BEGINNING THEREOF.

ALSO TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE SOUTH 30 FEET OF THE FOLLOWING DESCRIBED TRACT:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER THAT IS 1840 FEET WEST OF THE NORTHEAST CORNER THEREOF, SAID POINT BEING THE NORTHWEST CORNER OF THE TRACT CONVEYED TO JOHN A. CUMIN BY DEED RECORDED IN BOOK 372, PAGE 482, DEED RECORDS, THENCE WEST, ALONG SAID NORTH LINE, 325 FEET; THENCE SOUTH 1320 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER; THENCE EAST, ALONG SAID SOUTH LINE, 325 FEET TO THE SOUTHWEST CORNER OF SAID CUMIN TRACT; THENCE NORTH, ALONG THE WEST LINE OF SAID CUMIN TRACT, 1320 FEET, MORE OR LESS, TO THE POINT OF BEGINNING THEREOF.

LOT 4 OF SHORT PLATS RECORDED IN BOOK 1, PAGE 325 OF SHORT PLATS UNDER CLARK COUNTY AUDITOR'S FILE NO. 7805310201, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER THAT IS 1840 FEET WEST OF THE NORTHEAST CORNER THEREOF, SAID POINT BEING THE NORTHWEST CORNER OF THE TRACT CONVEYED TO JOHN A. CUMIN BY DEED RECORDED IN BOOK 372, PAGE 482, DEED RECORDS, THENCE WEST, ALONG SAID NORTH LINE, 325 FEET; THENCE SOUTH 1320 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER; THENCE EAST, ALONG SAID SOUTH LINE, 325 FEET TO THE SOUTHWEST CORNER OF SAID CUMIN TRACT; THENCE NORTH, ALONG THE WEST LINE OF SAID CUMIN TRACT, 1320 FEET, MORE OR LESS, TO THE POINT OF BEGINNING THEREOF.

EXCEPT THE WEST 155 FEET THEREOF.

ALSO EXCEPT THE NORTH 620 FEET THEREOF.

ALSO EXCEPT THAT PORTION CONVEYED TO CLARK COUNTY, WASHINGTON ON JUNE 23, 1978 UNDER CLARK COUNTY AUDITOR'S FILE NO. 7806230162.

TOGETHER WITH A 60 FOOT EASEMENT FOR INGRESS, EGRESS AND UTILITIES THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN CLARK COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER THAT IS 1840 FEET WEST OF THE NORTHEAST CORNER THEREOF, SAID POINT BEING THE NORTHWEST CORNER OF THE TRACT CONVEYED TO JOHN A. CUMIN BY DEED RECORDED IN BOOK 372, PAGE 482, DEED RECORDS; THENCE WEST ALONG SAID NORTH LINE 30 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID TRACT 220 FEET; THENCE ALONG A 205.55 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 22°01'28" FOR AN ARC DISTANCE OF 79.01 FEET; THENCE ALONG A 205.55 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 22°01'28" FOR AN ARC DISTANCE OF 79.01 FEET TO A POINT, SAID POINT BEING ON THE EAST LINE OF THE AFOREMENTIONED CUMIN TRACT; THENCE SOUTH ALONG THE EAST LINE OF SAID CUMIN TRACT TO THE SOUTHEAST CORNER THEREOF AND THE TERMINUS OF SAID LINE.

ALSO TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE NORTH 60 FEET OF THAT PORTION OF THE FOLLOWING DESCRIBED TRACT, LYING SOUTH OF THE NORTH 620 FEET THEREOF:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER THAT IS 1840 FEET WEST OF THE NORTHEAST CORNER THEREOF, SAID POINT BEING THE NORTHWEST CORNER OF THE TRACT CONVEYED TO JOHN A. CUMIN BY DEED RECORDED IN BOOK 372, PAGE 482, DEED RECORDS, THENCE WEST, ALONG SAID NORTH LINE, 325 FEET; THENCE SOUTH 1320 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER; THENCE EAST, ALONG SAID SOUTH LINE, 325 FEET TO THE SOUTHWEST CORNER OF SAID CUMIN TRACT; THENCE NORTH, ALONG THE WEST LINE OF SAID CUMIN TRACT, 1320 FEET, MORE OR LESS, TO THE POINT OF BEGINNING THEREOF.

ALSO TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE SOUTH 30 FEET OF THE FOLLOWING DESCRIBED TRACT:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER THAT IS 1840 FEET WEST OF THE NORTHEAST CORNER THEREOF, SAID POINT BEING THE NORTHWEST CORNER OF THE TRACT CONVEYED TO JOHN A. CUMIN BY DEED RECORDED IN BOOK 372, PAGE 482, DEED RECORDS, THENCE WEST, ALONG SAID NORTH LINE, 325 FEET; THENCE SOUTH 1320 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER; THENCE EAST, ALONG SAID SOUTH LINE, 325 FEET TO THE SOUTHWEST CORNER OF SAID CUMIN TRACT; THENCE NORTH, ALONG THE WEST LINE OF SAID CUMIN TRACT, 1320 FEET, MORE OR LESS, TO THE POINT OF BEGINNING THEREOF.

SITUATE IN THE COUNTY OF CLARK, STATE OF WASHINGTON.