

# CLARK COUNTY STAFF REPORT

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

**DATE:** November 3, 2015

**REQUESTED ACTION:** Accept and approve the Engineer's Report and Preliminary Order to Vacate a portion of NE 29th Avenue located southerly of NE 129th Street to its terminus on the North line of Interstate 205., Sections 25 & 26, T3N, R1E, WM. Work Order Number 11305.

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

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## **PUBLIC WORKS GOALS:**

- Provide safe and efficient transportation systems in Clark County
- Create and maintain a vibrant system of parks, trails and green spaces
- Continue responsible stewardship of public funds
- Promote family-wage job creation and economic development to support a thriving community
- Maintain a healthy, desirable quality of life
- Increase partnerships and foster an engaged, informed community
- Cultivate a nimble, responsive work force
- Make Public Works a great place to work

## **BACKGROUND**

Owners of Salmon Creek Parks, LLC and Ridgefield Self-Storage, LLC have filed a petition for the vacation of a portion of NE 29th Avenue from NE 129<sup>th</sup> Street southerly to its terminus on the North right-of-way line of Interstate 205. The County acquired this road in 1960 and 1961 under Auditor's File numbers G301252 and G 301257. In 1976, the County acquired the remaining area (cul-de-sac) under a turn-back and maintenance agreement with WSDOT which was a result of the construction of Interstate 205. This road vacation obligates Public Works to abide with State Law and Federal Regulations which requires the proceeds from this sale to be returned to the County Road Fund. Staff is recommending the petitioner to compensate the County at the appraised value of \$37,000.00. The area is approximately 25,022 s.f. or 0.57 acres.

## **COUNCIL POLICY IMPLICATIONS**

None.

## **ADMINISTRATIVE POLICY IMPLICATIONS**

None.

## **COMMUNITY OUTREACH**

Notices were sent to the affected property owners, utility companies, and 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	Salmon Creek Parks, LLC and Ridgefield Self-Storage (Petitioners)

**DISTRIBUTION:**

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

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 Tom Grange, PE  
 Engineering & Construction Division Manager

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

APPROVED:   
 CLARK COUNTY, WASHINGTON  
 BOARD OF COUNTY COUNCILORS

DATE: NOV. 3, 2015

SR# \_\_\_\_\_

APPROVED: \_\_\_\_\_  
 Mark McCauley, Acting County Manager

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

## NOTICE OF HEARING

The Clark County Board of Councilors will hold a public hearing at 10 a.m., on Tuesday, the 3<sup>rd</sup> day of November, 2015, in the Hearing Room, 6th floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington to consider the County Engineer's Report on the advisability of a partial road vacation on a portion of NE 29<sup>th</sup> Avenue.

### Legal Description

A parcel of property in the Southwest Quarter of Section 25, and the Southeast Quarter of Section 26, Township 3 North, Range 1 East of the Willamette Meridian, in Clark County, Washington, more particularly described as follows:

BEGINNING at the Northwest corner of the Southwest Quarter of said Section 25;

THENCE South 01° 37' 31" West, along the West line of the Southwest Quarter of said Section 25, a distance of 8.13 feet to a point on a non-tangent 50.00 foot radius curve to the right;

THENCE around said 50.00 radius curve to the right, the long chord of which bears South 01° 37' 31" West 26.48 feet, an arc distance of 26.80 feet to a point on the West line of the Southwest Quarter of said Section 25;

THENCE South 01° 37' 31" West, along the West line of the Southwest Quarter of said Section 25, a distance of 435.10 feet to a point on the Northerly line of SR 205, as established by Columbia River to Jct. SR 5 (shown on sheet 24 of 35), Washington State Highway Commission plans;

THENCE South 51° 58' 38" East, along the Northerly line of said SR 205, a distance of 63.81 feet to a point on the East line of that parcel conveyed to Clark County by deed recorded under Auditor's File Number 8103040003 (and shown on page 54 of said deed), records of Clark County, Washington;

THENCE North 01° 37' 31" East, along the East line of said parcel conveyed to Clark County by deed recorded under Auditor's File Number 8103040003, a distance of 153.72 feet to the Northeast corner thereof;

THENCE North 88° 22' 29" West, along the North line of said parcel conveyed to Clark County by deed recorded under Auditor's File Number 8103040003, a distance of 36.37 feet to the East line of that parcel of land conveyed to Clark County by deed recorded under Auditor's File Number G301252, records of Clark County, Washington;

THENCE North 01° 37' 31" East, along the East line of said parcel conveyed to Clark County by deed recorded under Auditor's File Number G301257, a distance of 354.10 feet to the North line of the Southwest Quarter of said Section 25;

THENCE North 89° 19' 21" West, along the North line of the Southwest Quarter of said Section 25, a distance of 15.00 feet to the POINT OF BEGINNING.

Contains 12,202 Square Feet, more or less.

AND, a parcel of property in the Southeast Quarter of Section 26, Township 3 North, Range 1 East of the Willamette Meridian, in Clark County, Washington, more particularly described as follows:

COMMENCING at the Northeast corner of the Southeast Quarter of said Section 26;

THENCE South 01° 37' 31" West, along the East line of the Southeast Quarter of said Section 26, a distance of 8.13 feet to a point on a non-tangent 50.00 foot radius curve to the right;

THENCE around said 50.00 radius curve to the right, the long chord of which bears South 01° 37' 31" West 26.48 feet, an arc distance of 26.80 feet to a point on the East line of the Southeast Quarter of said Section 26 and the TRUE POINT OF BEGINNING;

THENCE continuing around said 50.00 radius curve to the right, the long chord of which bears South 41° 45' 03" West 41.90 feet, an arc distance of 43.23 feet to the West line of that parcel of land conveyed to Clark County by deed recorded under Auditor's File Number G301252, records of Clark County, Washington;

THENCE South 01° 37' 31" West, along the West line of said parcel conveyed to Clark County by deed recorded under Auditor's File Number G301252, a distance of 287.20 feet to the North line of that parcel of land conveyed to Clark County by deed recorded under Auditor's File Number 8103040003 (and shown on page 54 of said deed), records of Clark County, Washington;

THENCE North 88° 22' 29" West, along the North line of said parcel conveyed to Clark County by deed recorded under Auditor's File Number 8103040003, a distance of 21.63 feet to the Northwest corner thereof;

THENCE South 01° 37' 31" West, along the West line of said parcel conveyed to Clark County by deed recorded under Auditor's File Number 8103040003, a distance of 80.00 feet to a point on the Northerly line of SR 205, as established by Columbia River to Jct. SR 5, (shown on sheet 24 of 35), Washington State Highway Commission plans;

THENCE South 51° 58' 38" East, along the Northerly line of said SR 205, a distance of 60.42 feet to a point on the East line of the Southeast Quarter of said Section 26;

THENCE North 01° 37' 31" East, along the East line of the Southeast Quarter of said Section 26, a distance of 435.10 feet to the TRUE POINT OF BEGINNING.

Contains 12,820 Square Feet, more or less.

Clark County shall reserve an easement for all existing utilities.

More information concerning this matter may be obtained from Clark County Public Works, 1300 Franklin Street, Vancouver, Washington. Contact Laura Henry Slye (360) 397-6118, at extension 4777.

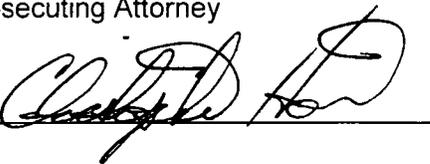
Any person wishing to give testimony in this matter should appear at the time, date, and place above stated.

Work Order Number 11305

BOARD OF CLARK COUNTY COUNCILORS

  
Clerk of the Board

Approved as to Form Only:  
Prosecuting Attorney

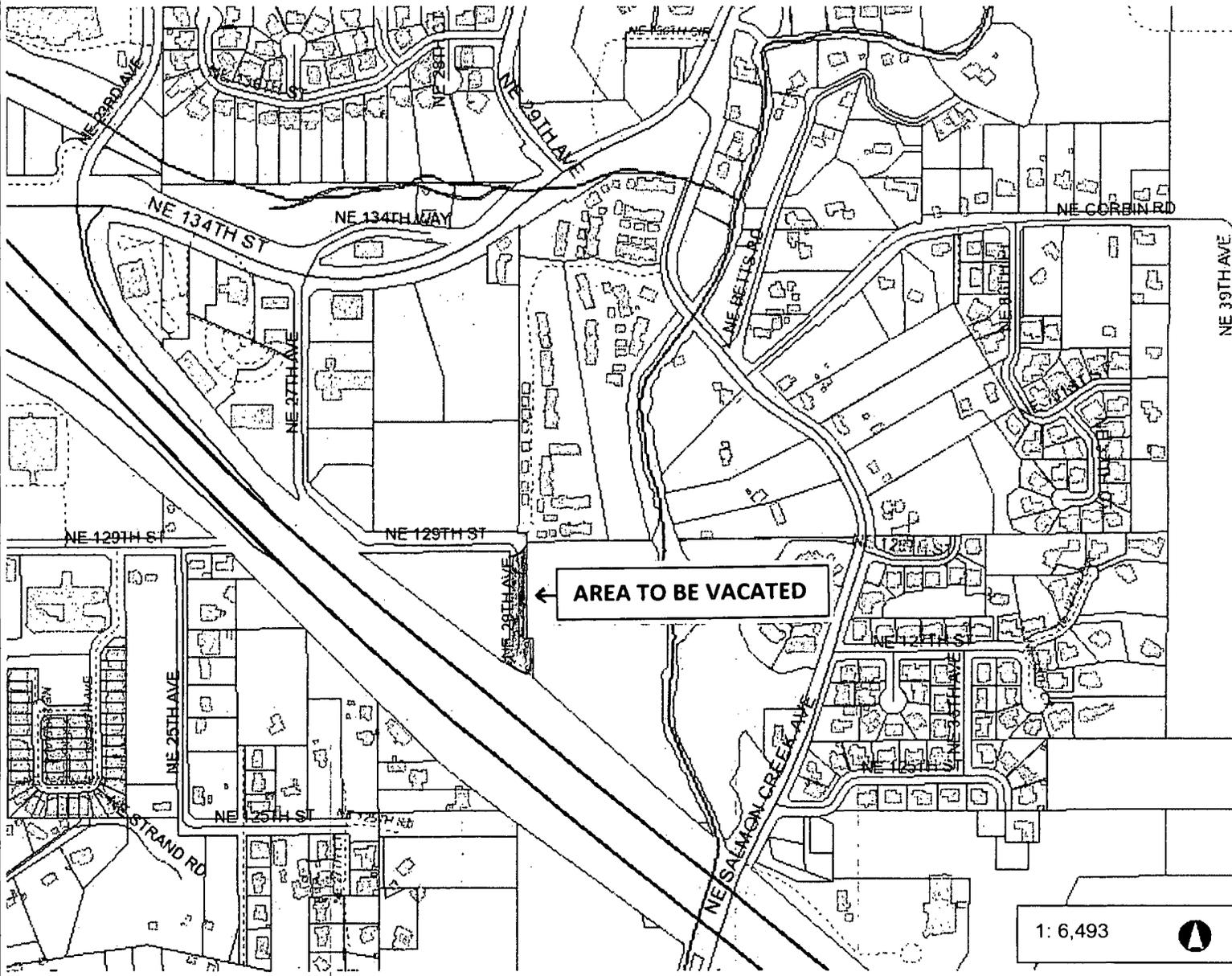
By 

Please publish: October 21, 2015 and October 28, 2015

Persons requiring auxiliary aids or special arrangements in order to participate in this hearing should call 397-2322, at least two days prior to the scheduled meeting.



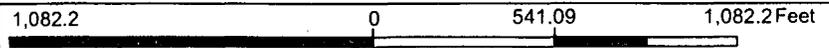
# NE 29th Avenue Area Map



- Legend**
- Building Footprints
  - Taxlots
  - Cities Boundaries
  - Urban Growth Boundaries

**Notes:**

1: 6,493



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
Clark County, WA. GIS - <http://gis.clark.wa.gov>

This map was generated by Clark County's "MapsOnline" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information.

IN THE MATTER OF THE RESOLUTION )  
OF )  
THE BOARD OF COUNTY COUNCILORS )  
FOR )  
THE VACATION OF A COUNTY ROAD )  
)  
KNOWN AS A portion of NE 29<sup>th</sup> Avenue from )  
NE 129<sup>th</sup> St. southerly to its terminus on the )  
North Line of Interstate 5. )

ENGINEER'S REPORT

I, THE UNDERSIGNED, COUNTY ENGINEER OF CLARK COUNTY, WASHINGTON, duly directed by the Board of County Councilors of said County on the 22<sup>th</sup> day of September, 2015, by Resolution No. 2015-09-11 to make an examination of a portion of road sought to be vacated in the Resolution of the Board of County Councilors, did on the 15<sup>th</sup> day of October, 2015, examine the portion of road proposed to be vacated in said petition, and report as follows:

FIRST:

Said portion of road is located within Sections 25 & 26, T3N, R1E, W.M.

SECOND:

Said road was deeded to Clark County by Quit Claim Deed G301252 on November 10, 1960 and Quit Claim Deed G 301257 on January 20, 1961.

THIRD:

In 1976 the County acquired the remaining area (cul-de-sac) under a turn-back and maintenance agreement with WSDOT which was a result of the construction of Interstate 205.

FOURTH:

Said road received regular maintenance until March of 2000. Maintenance stopped when the road vacation of NE Rockwell Road severed public access to this portion of the road. This prevented maintenance on said road until NE 27<sup>th</sup> Avenue was dedicated. Currently, the County does not maintain said road.

FIFTH:

That an easement for all existing utilities including the right of ingress and egress shall be held by Clark County. Easements shall remain in effects until at such time the petitioners records easements with all impacted utilities.

SIXTH:

That the road be vacated in favor of the true property owner(s).

SEVENTH:

Petitioner to compensate County the value of the land being vacated at \$37,000.00.

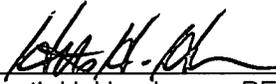
EIGHTH:

That the petitioners pay all administrative costs and expenses.

NINTH:

And, that the public will be benefited by the vacation.

DATED this 23rd day of October, 2015.

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

STATE OF WASHINGTON

PRELIMINARY

County of Clark

ORDER

In the matter of the Petition by  
Salmon Creek Park, LLC  
and Ridgefield Self-Storage, LLC

VACATING  
COUNTY ROAD

For the vacation of a County Road known as  
NE 29<sup>th</sup> Avenue lying southerly of NE 129<sup>th</sup> Street  
to its terminus on the North line of Interstate 205.

RV 15-59

IN THE MATTER OF THE VACATION OF COUNTY ROADS petitioned by Salmon  
Creek Park, LLC and Ridgefield Self-Storage, LLC, the Board finds as follows:

FIRST: That the petition therefore was filed on the 29<sup>th</sup> day of June, 2015, and that said petition  
was signed by the owners of the majority of frontage of said county road or portion thereof.

SECOND: That said petition was accompanied by a check in the sum of \$1,000.00, which said  
check was found to be good and sufficient, and was duly approved by the Director of Public  
Works on the 2<sup>nd</sup> day of July, 2015.

THIRD: That on the 22<sup>nd</sup> day of September, 2015, the County Engineer was duly directed to  
examine said road and make a report in writing on the same.

FOURTH: That on the 23<sup>rd</sup> day of October, 2015, the County Engineer filed in the office of the  
Board his report in writing, as provided by law.

FIFTH: That by an order duly passed by this Board on the 22<sup>th</sup> day of September, 2015, the 3<sup>rd</sup>  
day of November, 2015, was set for hearing the report of the Engineer, and the consideration  
thereof, and that the notice of the time and place where said hearing would be held as given by  
publication and posting as provided by law.

SIXTH: That said report of the County Engineer reports:

- Said portion of road is located within Sections 25 & 26, T3N, R1E, W.M.
- Said road was deeded to Clark County by Quit Claim Deed G 301252 on November 10, 1960 and Quit Claim Deed G 301257 on January 20, 1961.
- In 1976, the County acquired the remaining area (cul-de-sac) under a turn-back and maintenance agreement with WSDOT which was a result of the Construction of Interstate 205.
- Said road received regular maintenance until March of 2000. Maintenance stopped when the road vacation of NE Rockwell Road severed public access to this portion of the road. This prevented maintenance on said road until NE 27th Avenue was dedicated.
- Currently, the County does not maintain said road.

SEVENTH: That the public will be benefited by its vacation.

EIGHTH: That Clark County shall retain an easement for all existing utilities, including ingress and egress, until such time the petitioners provides easements or makes provisions satisfactory to the impacted utilities.

NINTH: That the road petitioned to be vacated be vacated to the true property owner(s).

TENTH: That \$37,000.00 in compensation for the value of the land being vacated be required.

ELEVENTH: That the Petitioners pay all administrative costs and expenses.

The Board having examined the report of the Engineer, and all other papers on file in the proceedings, and heard and considered all testimony and documentary evidence adduced for and against the vacation of the roads, and the Board being satisfied that said roads will not be useful as a part of a general road system, and that the public will be benefited by its vacation.

IT IS ORDERED BY THE BOARD, that the county road petitioned to be vacated by Salmon Creek Park, LLC and Ridgefield Self-Storage, LLC, be vacated upon all conditions being met and payment of all administrative costs and expenses by the principal petitioner and upon the filing of a final order of vacation; and the County Engineer is directed to make a statement in writing of all costs and expenses incurred in the proceedings and shall proceed to collect the same.

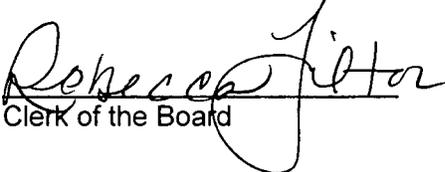
**Said Vacation shall be described as follows:**

A parcel of property located in the Southeast Quarter of Section 26 and the Southwest Quarter of Section 25, Township 3 North, Range 1 East of the Willamette Meridian, in Clark County, Washington, described herein the attached legal descriptions:

An easement for all existing utilities, including the right of ingress and egress, to be retained by Clark County. Easements shall remain in effect until at such time the petitioners records easements with all impacted utilities.

DONE THIS 3<sup>rd</sup> DAY OF NOVember, 2015

ATTEST:

  
Clerk of the Board

BOARD OF COUNTY COUNCIL  
CLARK COUNTY, WASHINGTON

  
\_\_\_\_\_  
David Madore, Chair

\_\_\_\_\_  
Jeanné Stewart, Councilor

\_\_\_\_\_  
Tom Mielke, Councilor

LEGAL DESCRIPTION FOR PROPSTONE, LLC  
WEST PORTION OF NE. 29<sup>TH</sup> AVENUE  
RIGHT-OF-WAY VACATION

July 14, 2015

A parcel of property in the Southeast Quarter of Section 26, Township 3 North, Range 1 East of the Willamette Meridian, in Clark County, Washington, more particularly described as follows:

COMMENCING at the Northeast corner of the Southeast Quarter of said Section 26;

THENCE South  $01^{\circ} 37' 31''$  West, along the East line of the Southeast Quarter of said Section 26, a distance of 8.13 feet to a point on a non-tangent 50.00 foot radius curve to the right;

THENCE around said 50.00 radius curve to the right, the long chord of which bears South  $01^{\circ} 37' 31''$  West 26.48 feet, an arc distance of 26.80 feet to a point on the East line of the Southeast Quarter of said Section 26 and the TRUE POINT OF BEGINNING;

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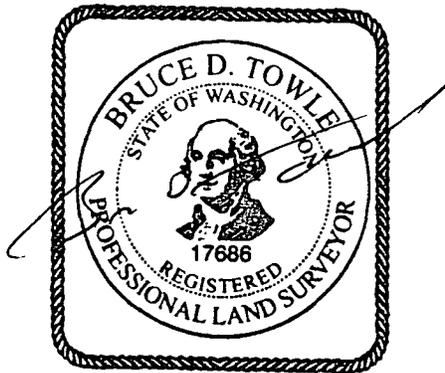
(360) 695-1385  
222 E. Evergreen Blvd.  
Vancouver, WA  
98660

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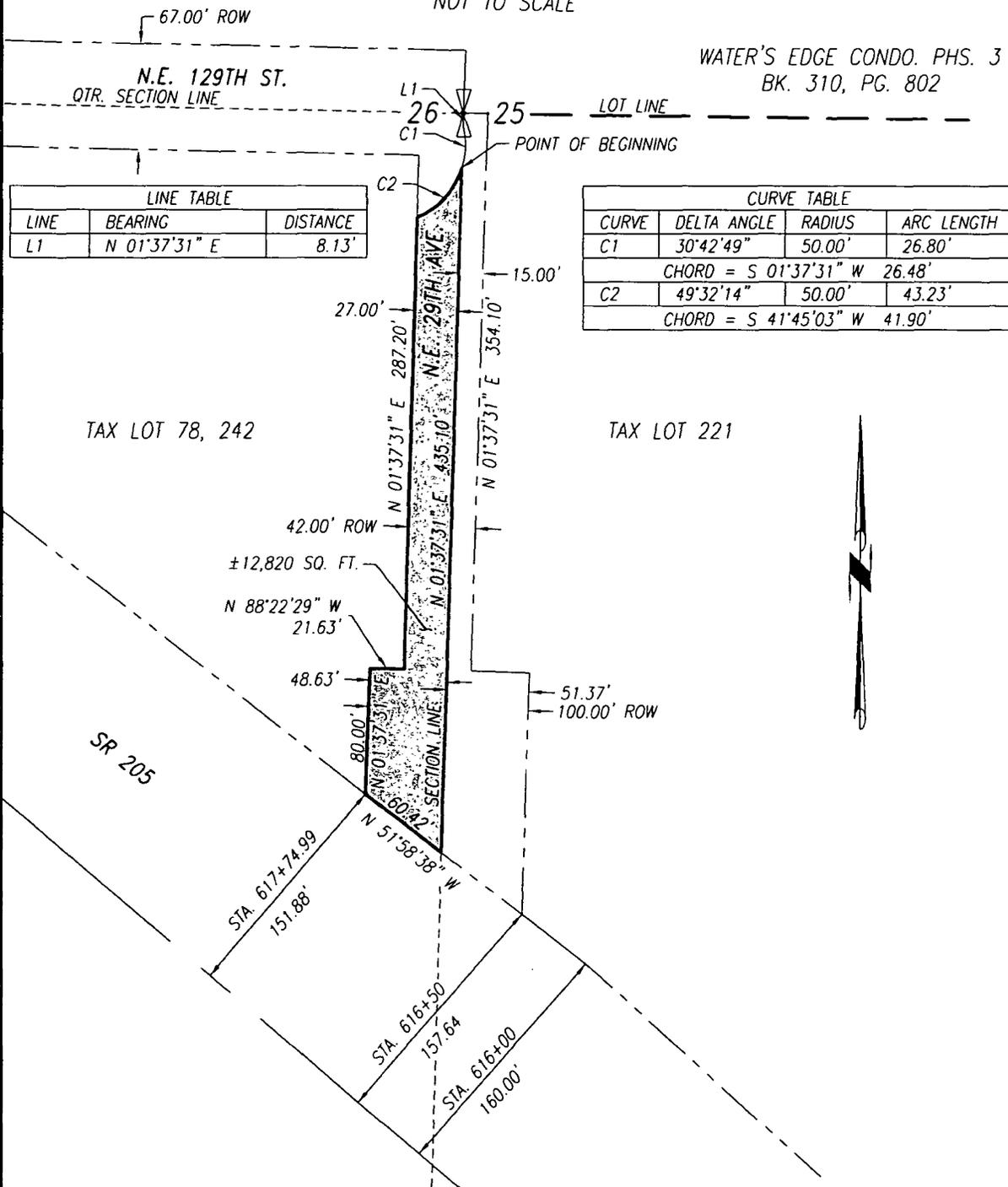
Contains 12,820 Square Feet, more or less.



7/14/15

EXHIBIT FOR VACATION OF A PORTION OF  
NORTHEAST 29TH AVENUE  
NOT TO SCALE

WATER'S EDGE CONDO. PHS. 3  
BK. 310, PG. 802

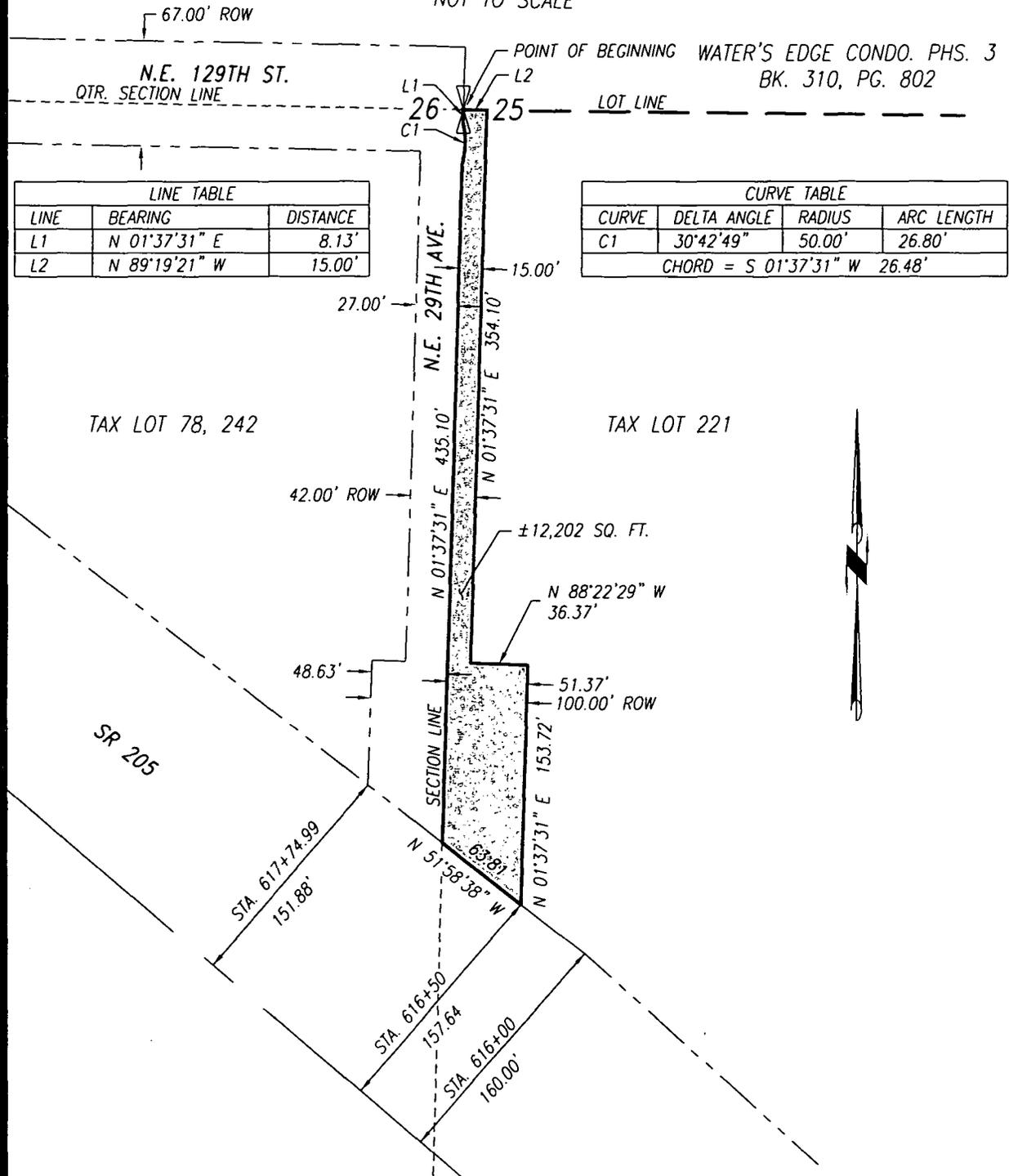


LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 01°37'31" E	8.13'

CURVE TABLE			
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH
C1	30°42'49"	50.00'	26.80'
CHORD = S 01°37'31" W 26.48'			
C2	49°32'14"	50.00'	43.23'
CHORD = S 41°45'03" W 41.90'			

**OLSON** LAND SURVEYORS  
ENGINEERS  
ENGINEERING INC. 222 E. EVERGREEN BLVD, VANCOUVER, WA 98660  
1-360-695-1385  
1-503-289-9936

EXHIBIT FOR VACATION OF A PORTION OF  
NORTHEAST 29TH AVENUE  
NOT TO SCALE



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**OLSON** LAND SURVEYORS  
ENGINEERS  
ENGINEERING INC. 222 E. EVERGREEN BLVD, VANCOUVER, WA 98660  
1-360-695-1385  
1-503-289-9936

# Public Hearing



Partial Road Vacation for  
NE 29<sup>th</sup> Avenue

November 3, 2015

# History Overview of NE 29<sup>th</sup> Avenue



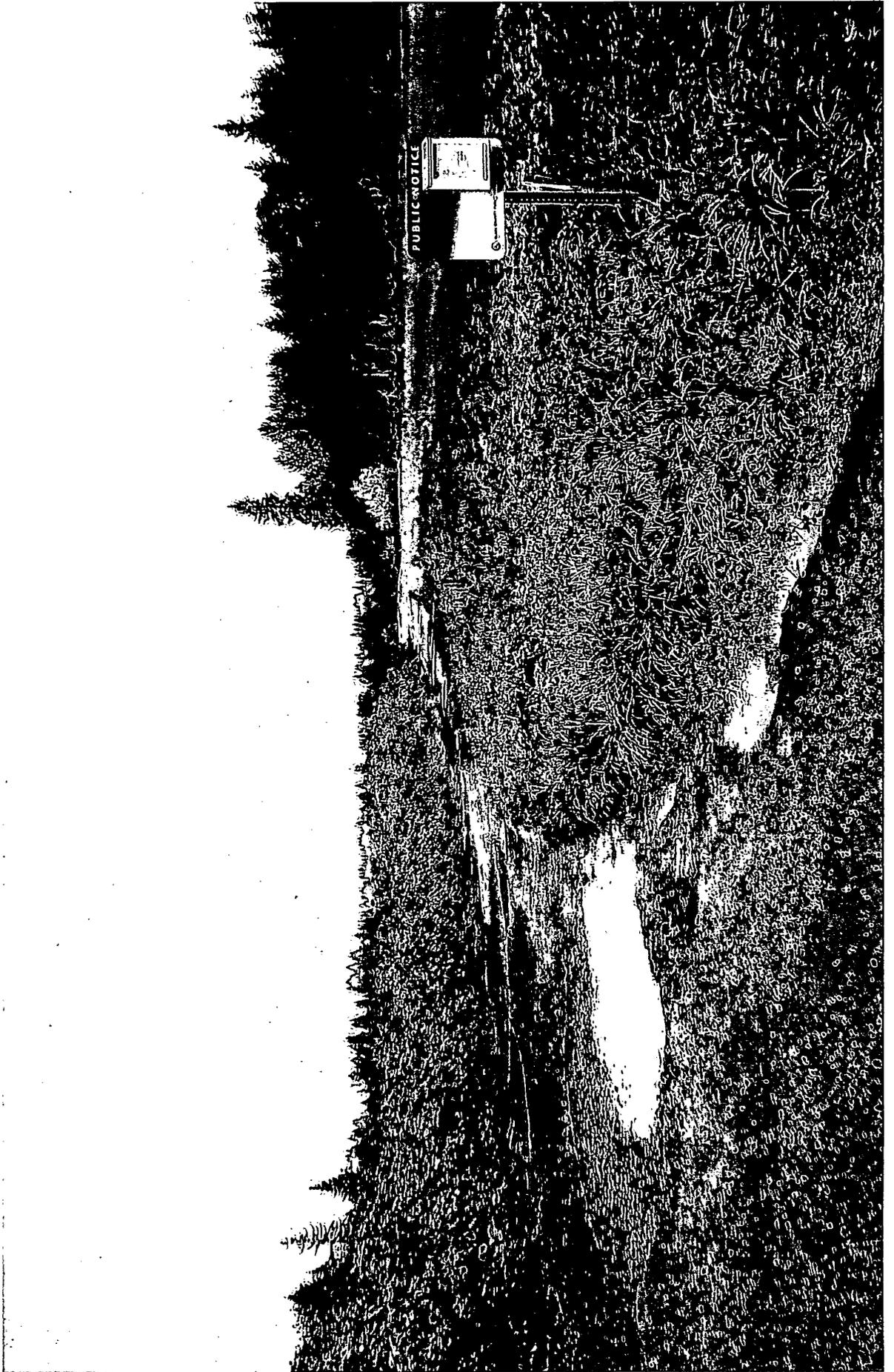
- œ The County acquired this road in 1960 and 1961 under Auditor's Files number G301252 and G 301257.
- œ In 1976, the County acquired the remaining area (cul-de-sac) under a turn-back and maintenance agreement with WSDOT which was a result of the construction of Interstate 205.
- œ In 2000 – County stopped maintaining NE 29<sup>th</sup> Avenue when NE Rockwell road was vacated.

# NE 29<sup>th</sup> Avenue

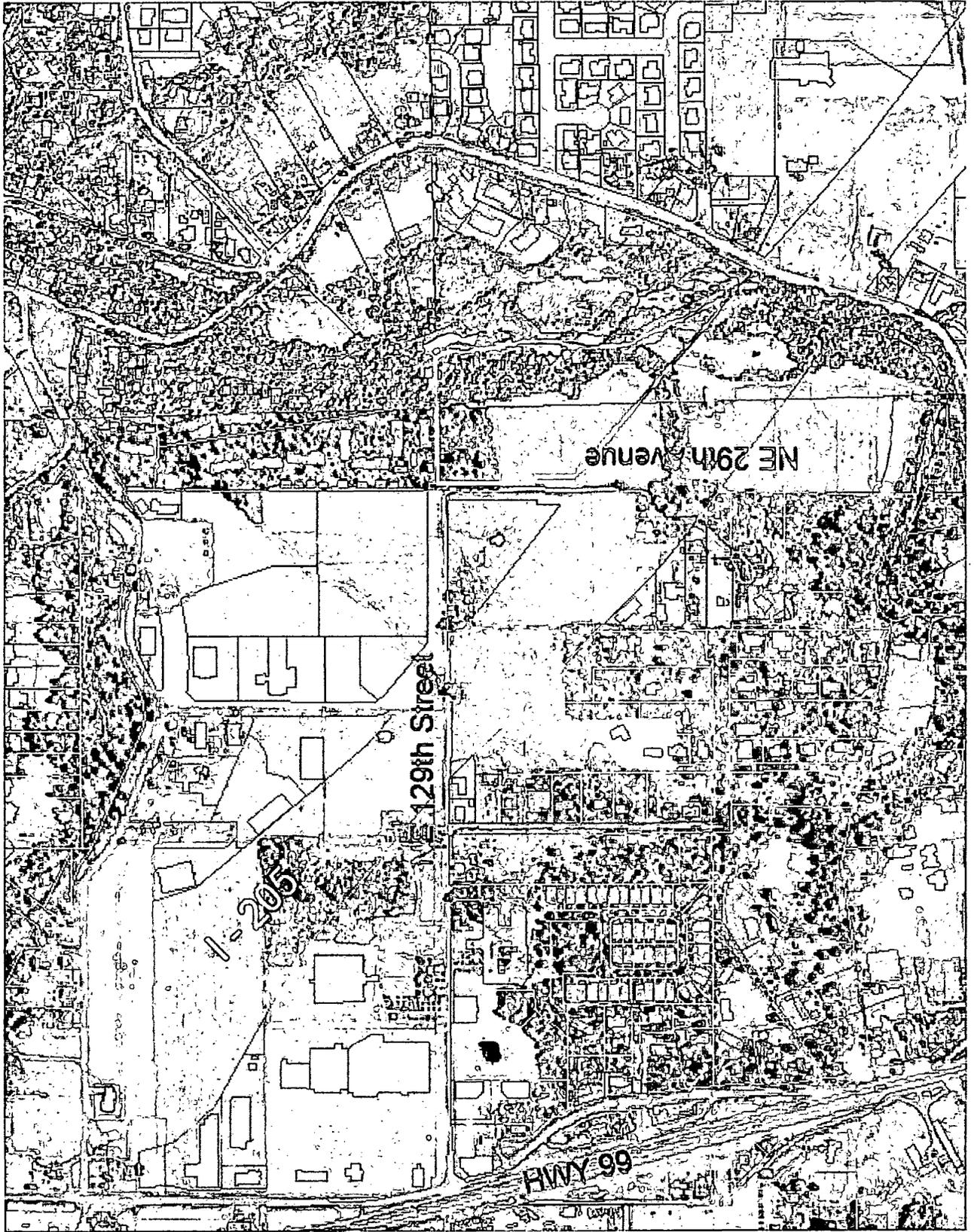


- ∞ Petitioners – Salmon Creek Park, LLC & Ridgefield Self-Storage, LLC
- ∞ Right-of-way – 25,022 s.f. or 0.57 acres
- ∞ Zoning – (GC) General Commercial
- ∞ Location – Salmon Creek Neighborhood
- ∞ Transportation – Agree to vacate.
- ∞ Long Range Planning – Agree to vacate.
- ∞ Local agencies and schools – Agree to vacate

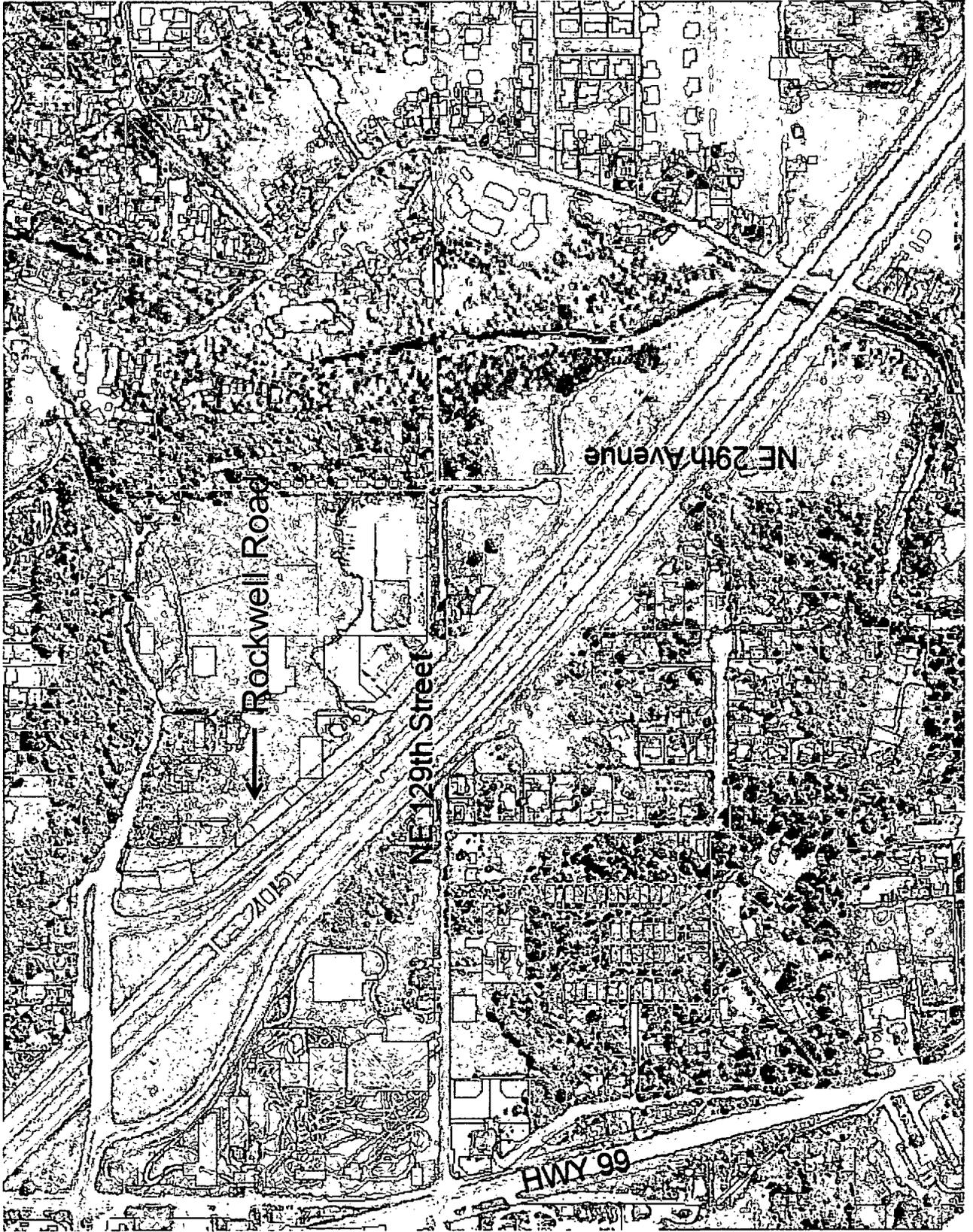
# NE 29<sup>th</sup> Avenue – Looking Southerly



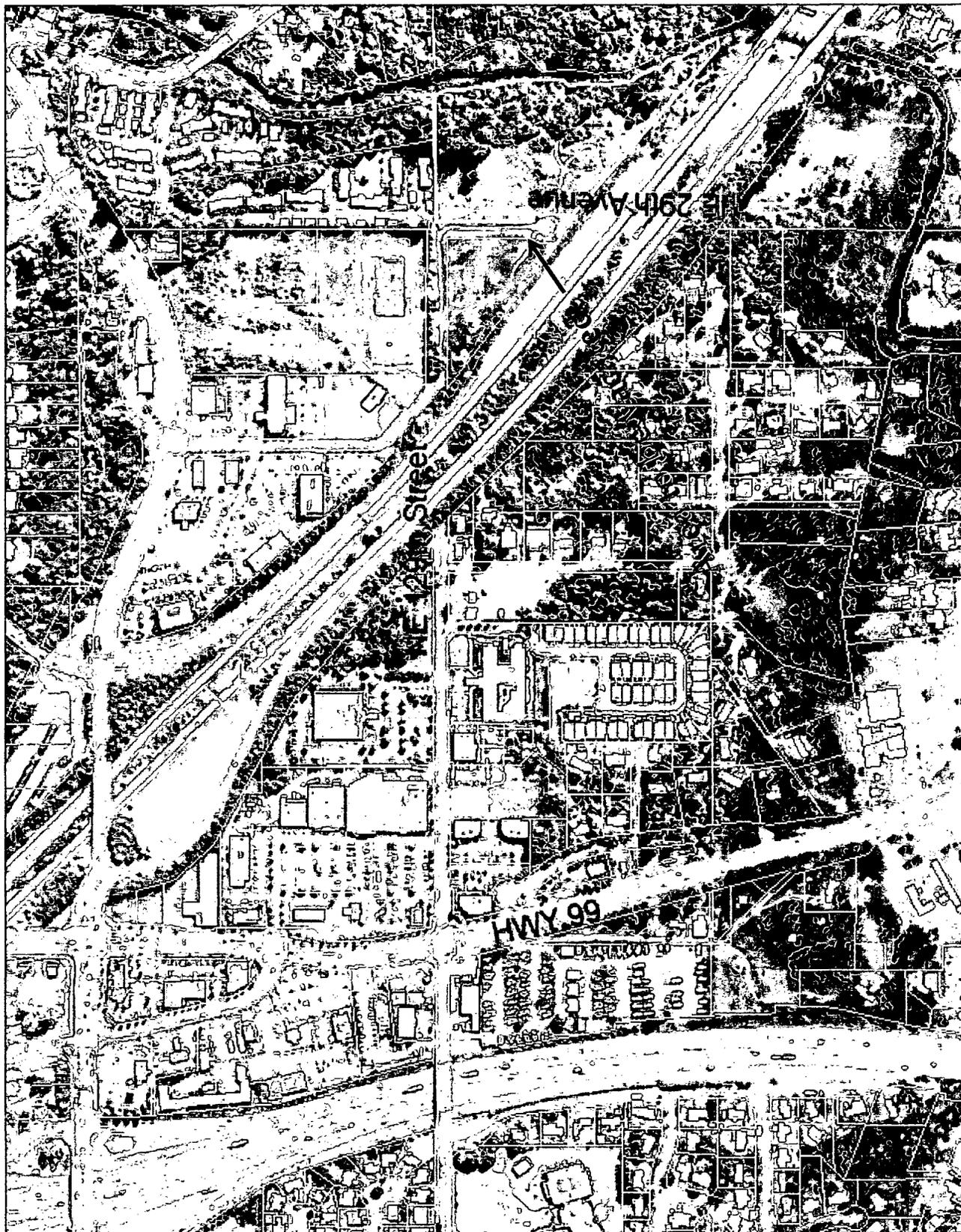
Aerial Photo 1955



1978 Aerial Photo



2014 Aerial Photo





## ∞ Action of the Board

∞ Approve and accept Engineer's Report and Preliminary Order to Vacating County Road

**BOARD OF COUNTY COUNCILORS  
HEARING PACKET**

<b>Hearing Item:</b>	Accept and approve the Engineer's Report and Preliminary Order to Vacate a portion of NE 29 <sup>th</sup> Avenue located southerly of NE 129 <sup>th</sup> Street to its terminus on the North line of Interstate 205. Sections 25 & 26, T3N, R1E, WM. Work Order Number 11305.
<b>Date:</b>	November 3, 2015
<b>Time:</b>	10:00 am

**CONTENTS:**

- 1 Staff Report
- 2 Notice of Hearing
- 3 Engineer's Report
- 4 Preliminary Order to Vacate
- 5 Aerials and Maps

PW 15-086