

*Sub
7/12*

**CLARK COUNTY
STAFF REPORT**

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

DATE: August 6, 2013

REQUEST: Approve and accept a Statutory Warranty Deed from John R. Tidyman, Leslie R. Newton, and Calvin Newton for the NE 119th Street (NE 72nd to 87th Ave.) Project. County Road Project Number 390722. Tax Parcel Number 198558-000.

CHECK ONE: X Consent Chief Administrative Officer

BACKGROUND: This 0.73 acre parcel (zoned R-5), which includes a 528 square foot home, is being acquired for the NE 119th Street (NE 72nd to 87th Ave.) road widening project (County Road Project 390722). The structures will be removed to accommodate the project improvements. The acquisition price of \$147,000.00 was established by an appraisal and a subsequent appraisal review.

COMMUNITY OUTREACH: The purchase of this property is the result of direct property owner communication along with other community outreach through open houses, meetings, and newsletters.

BUDGET AND POLICY IMPLICATIONS: Funds for the parcel (\$147,000.00) are included in the 2013-2018 Transportation Improvement Program and the 2013 Annual Construction Program.

FISCAL IMPACTS: Yes (see Fiscal Impacts Attachment) No

ACTION REQUESTED: Approve and accept a Statutory Warranty Deed from John R. Tidyman, Leslie R. Newton, and Calvin Newton for the NE 119th Street (NE 72nd to 87th Ave.) Project. County Road Project Number 390722. Tax Parcel Number 198558-000.

DISTRIBUTION: Please notify the Real Property Service section of the Board's action by calling extension 4975.

Heath H. Henderson
Heath H. Henderson, P.E.
Engineering & Construction Division Manager

APPROVED: *Aug. 6, 2013*
CLARK COUNTY, WASHINGTON
BOARD OF COMMISSIONERS

Peter Capell
Peter Capell, P.E.
Public Works Director/County Engineer

SR 152-13

HHH/PC/PAM/pmm
Attachments: Deed, Fiscal Impact, Resolution, and Map



FISCAL IMPACT ATTACHMENT

Part I: Narrative Explanation

IA - Explanation of what the request does that has fiscal impact and the assumptions for developing revenue and costing information.

The acquisition of this property is currently in the approved 2013-2018 Transportation Improvement Program and the 2013 Annual Construction Program.

Part II: Estimated Revenues

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	RF	Total	RF	Total	RF	Total
1012/Road Fund	\$147,000.00	\$147,000.00				
Total:	\$147,000.00	\$147,000.00	\$0.00	\$0.00	\$0.00	\$0.00

II.A - Describe the type of revenue (grant, fees, etc.)

Funding for this project is already budgeted in the 2013 budget for the Road Fund.

Part III: Estimated Expenditures

III.A - Expenditures summed up

Fund #/Title	FTE's	Current Biennium		Next Biennium		Second Biennium	
		RF	Total	RF	Total	RF	Total
1012/Road Fund		\$147,000.00	\$147,000.00				
Total:		\$147,000.00	\$147,000.00	\$0.00	\$0.00	\$0.00	\$0.00

III.B = Expenditure by object category

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	RF	Total	RF	Total	RF	Total
Salary/Benefits						
Contractual						
Supplies						
Travel						
Other controllables						
Capital Outlays	\$147,000.00	\$147,000.00				
Inter-fund Transfers						
Debt Service						
Total:	\$147,000.00	\$147,000.00	\$0.00	\$0.00	\$0.00	\$0.00

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

Document Title: Statutory Warranty Deed
Grantors: John R. Tidyman and Leslie R. Newton
Grantee: Clark County, Washington
Legal Description: #21 & #22 Sec 29 T3N R2E WM
Additional Legal Description is attached as Exhibit "A"
Serial #: 198558-000 (8)
Project: NE 119th St (NE 72nd to 87th Ave)
CRP #: 390722 Fed Aid #: STPUL-4430 (003)

PW 13-37

STATUTORY WARRANTY DEED

THE GRANTORS, JOHN R. TIDYMAN, a single person and LESLIE R. NEWTON, a married woman joined by her spouse Calvin Newton, who acquired title as Leslie R. Schmid, for and in consideration of valuable consideration as set out in part below, conveys and warrants to CLARK COUNTY, a political subdivision of the State of Washington, its heirs and assigns, the following described real estate situated in the County of Clark, State of Washington, under the imminent threat of the grantee's exercise of its rights of Eminent Domain.

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

The Grantor represents and warrants that they are not aware of any hazardous or toxic waste, substance or material on or under the subject property.

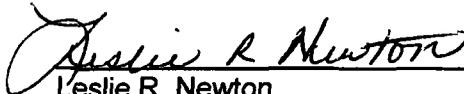
NOTE: It is understood and agreed that the delivery of this deed is hereby tendered and the terms and obligations hereof shall not become binding upon Clark County, Washington, until this document is accepted and approved by the Clark County Board of County Commissioners.

CONSIDERATIONS: One Hundred Forty Seven Thousand and No/100 Dollars (\$147,000.00).

Statutory Warranty Deed
Serial #: 198558-000 (8)
Project: NE 119th St (NE 72nd to 87th Ave)
CRP #: 390722 Fed Aid #: STPUL-4430 (003)



John R. Tidyman

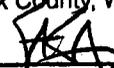


Leslie R. Newton



Calvin Newton

Accepted for recording by:
Board of County Commissioners
Clark County, Washington



Steve Stuart, Chair

Tom Mielke, Commissioner

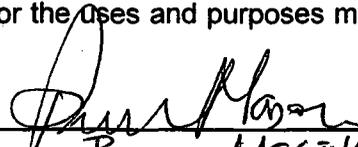
David Madore, Commissioner

STATE OF WASHINGTON

COUNTY OF CLARK

I hereby certify that I know or have satisfactory evidence that John R. Tidyman is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 9-23-13



Pam Mason

Notary Public in and for the State of WA
Residing at Vanc. WA
My commission expires: 5-01-17



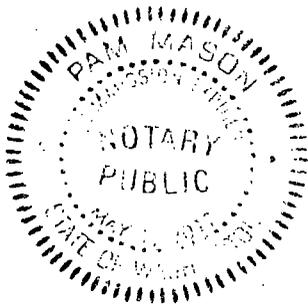
Statutory Warranty Deed
Serial #: 198558-000 (8)
Project: NE 119th St (NE 72nd to 87th Ave)
CRP #: 390722 Fed Aid #: STPUL-4430 (003)

STATE OF WASHINGTON

COUNTY OF CLARK

I hereby certify that I know or have satisfactory evidence that Leslie R. Newton is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 7-23-13



Pam Mason
Pam Mason

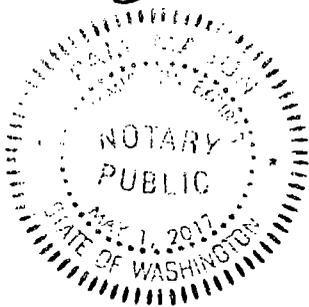
Notary Public in and for the State of WA
Residing at Vanc WA
My commission expires: 5-01-17

STATE OF WASHINGTON

COUNTY OF CLARK

I hereby certify that I know or have satisfactory evidence that Calvin Newton is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 7-23-13



Pam Mason
Pam Mason

Notary Public in and for the State of WA
Residing at Vanc WA
My commission expires: 5-01-17

EXHIBIT "A"

That portion of the Southeast quarter of Section 29, Township 3 North, Range 2 East of the Willamette Meridian, Clark County, Washington, described as follows:

BEGINNING at a point 663.33 feet West of the Southeast corner of Section 29, Township 3 North, Range 2 East of the Willamette Meridian; thence North 446.51 feet; thence West 455.00 feet; thence South 446.51 feet; thence East 455.00 feet to the True Point of Beginning.

EXCEPT the following described property:

BEGINNING at a point 663.33 feet West of the Southeast corner of Section 29, Township 3 North, Range 2 East of the Willamette Meridian; thence North 446.51 feet; thence West 455.00 feet; thence South 277.51 feet; thence East 190 feet; thence South 170 feet to the South line of the Southeast quarter; thence East to the True Point of Beginning.

EXCEPT County Roads.

CLARK COUNTY, WASHINGTON
RESOLUTION NO. 2013-08-02

IN THE MATTER OF EXECUTION OF STATUTORY WARRANTY DEED TO CLARK COUNTY

WHEREAS, the Board of County Commissioners is in regular session this 10th day of August, 2013, and

WHEREAS, it appears in the best interest of Clark County the following are hereby executed:

Document

Statutory Warranty Deed

Data

FROM: John R. Tidyman, Leslie R. Newton, and Calvin Newton

FOR: NE 119th St. Project (NE 72nd to 87th Ave)

CRP# 390722

Consideration: \$147,000.00

NOW THEREFORE, IT IS HEREBY RESOLVED that the hereinabove mentioned document(s) be recorded and filed.

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

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, WASHINGTON



Steve Stuart, Chair

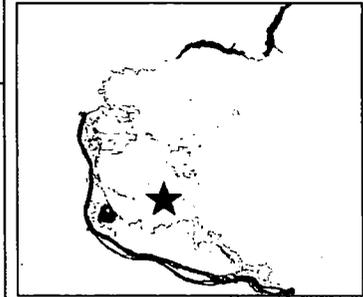
Tom Mielke, Commissioner

David Madore, Commissioner

ATTEST:

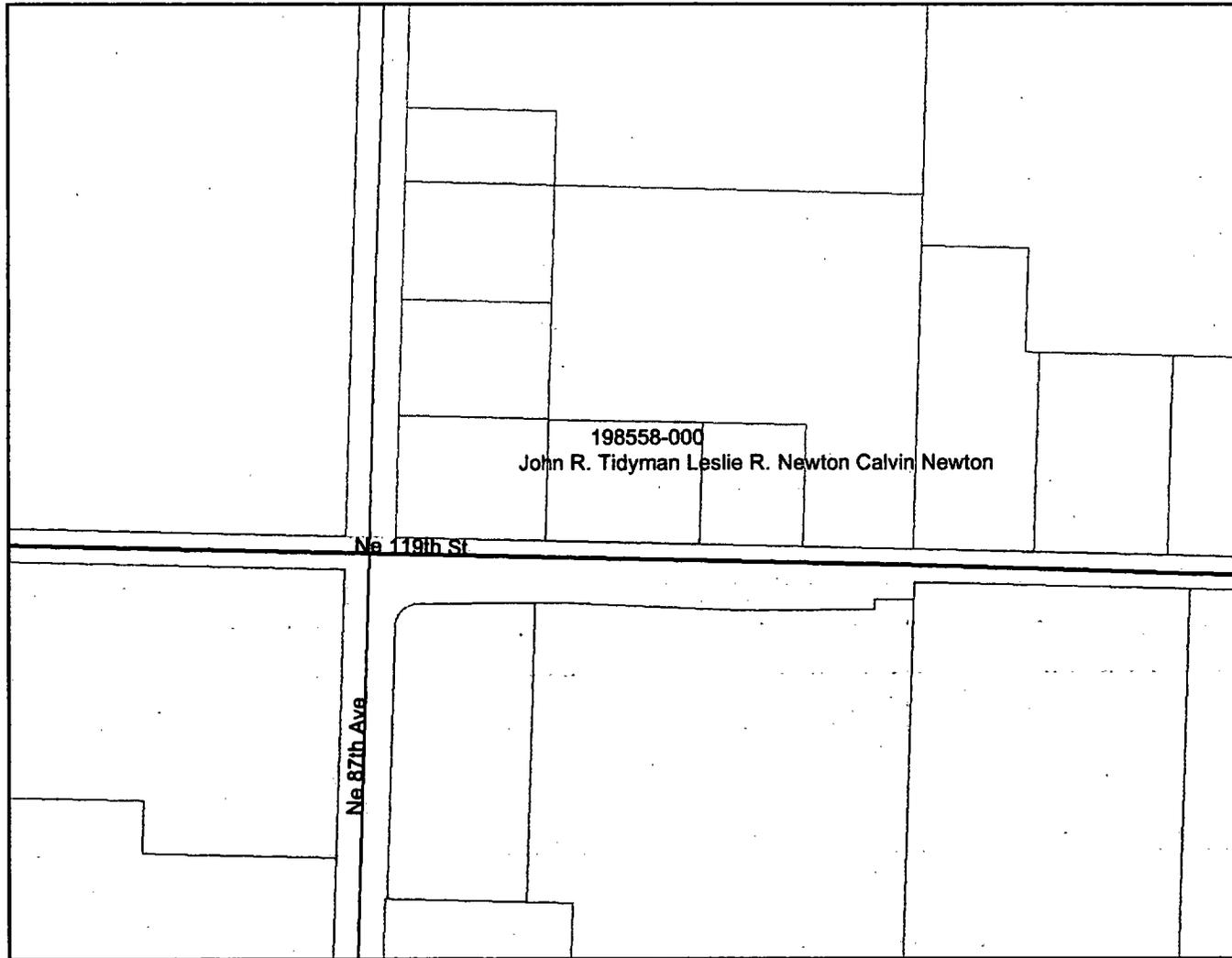

Clerk of the Board

Tax Parcel 198558-000



Legend

- Parcels
- Roads**
- ^ Alley
- ~ Arterial
- ~ DNR
- ~ DNR (Private Land)
- ~ Driveway
- ~ Interstate
- ~ Interstate Ramp
- ~ Primary Arterial
- ~ Private Roads
- ~ Private Roads w/o Names
- ~ Public Roads
- ~ SR Ramp
- ~ State Route
- Waterbodies
- Rural Centers
- City Boundaries
- Urban Growth Boundaries
- County Boundary



Map center: 1108413, 143655



Scale: 1:2,452

This map was generated by Clark County's "Maps Online" 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.