

# CLARK COUNTY STAFF REPORT

**DEPARTMENT:** Public Works/Clark County Parks

**DATE:** July 19, 2016

**REQUESTED ACTION:** Approve and authorize the County Manager to accept a Statutory Warranty Deed from Arline and Frank Faruolo Revocable Living Trust for the purchase of a 4.87-acre parcel for a park in Parks District 8 for \$858,000. An additional amount of up to \$50,000 of Park Impact Fee (PIF) Acquisition Funds is also requested for level 1 cleanup for public use and safety. Total Amount requested is \$908,000. Tax parcel number 099290-000.

  X   BOCC           COUNTY MANAGER           HEARING

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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**

The 4.87 acre property located at approximately NE 17<sup>th</sup> Ave & NE 63<sup>rd</sup> Street has been deemed by staff to be a highly suitable location for a future Neighborhood Park within the West Minnehaha area of Clark County. The property is currently surrounded by homes with multiple neighborhood access points and road frontage along NE 17<sup>th</sup> Ave. Purchase of park property in this area has been identified as a priority for 2016 in the Parks, Recreation and Open Space Plan. This purchase will also eliminate looming concurrency concerns in the PIF 8 acquisition fund that will take effect in January 2017.

Staff's initial purchase offer was at the appraisal price of \$780,000. The seller provided a counter offer of \$858,000 which represents a 10% increase. The 10% falls within reasonable price range, so staff accepted the counter offer. Until future funding is secured for park development, this property will be cleaned up, fenced and signed for public use as a neighborhood green space.

## **COUNCIL POLICY IMPLICATIONS**

None. Parks District 8 has sufficient acquisition funds for the \$858,000.00 purchase price and the related acquisition costs.

## **ADMINISTRATIVE POLICY IMPLICATIONS**

None.

## **COMMUNITY OUTREACH**

The Clark County Parks, Recreation and Open Space (PROS) plan broadly identifies acquisition opportunities in this area of the county. An extensive public outreach effort was conducted as a part of developing the PROS plan. The Parks Advisory Board voted to support the purchase of the property to preserve it for park use.

**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	\$908,000
Grant Fund Dollar Amount	\$0
Account	PIF District 8 Account
Company Name	Clark County Public Works –Parks Division

**DISTRIBUTION:**

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

Attachments:

- Deed, Fiscal Impact, Resolution, and Map

**PUBLIC WORKS APPROVALS:**

\_\_\_\_\_  
 Bill Bjerke  
 Clark County Parks Manager

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

**APPROVED:** \_\_\_\_\_  
**CLARK COUNTY, WASHINGTON**  
**BOARD OF COUNTY COUNCILORS**

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

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

Recording requested by:  
Clark County Parks  
4700 NE 78th Street  
Vancouver, WA 98666

DRAFT

Document Title: Statutory Warranty Deed  
Grantor: Arline and Frank Faruolo Revocable Living Trust  
Grantee: Clark County, Washington  
Legal Description: Lot 19 Arcadia Acres  
Additional Legal Description is attached as Exhibit "A"  
Serial #: 099290-000  
Project: Parks District 8 Acquisition  
WO #: 20919

### **STATUTORY WARRANTY DEED**

THE GRANTORS, **FRANK E. FARUOLO**, Trustee of the **Arline and Frank Faruolo Revocable Living Trust** dated **July 5, 2005** 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**, the following described real estate situated in the County of Clark, State of Washington.

**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 Councilors.

**CONSIDERATIONS: Eight Hundred Fifty-eight Thousand and No/100 Dollars (\$858,000.00).**

Statutory Warranty Deed  
Serial #: 099290-000  
Project: Parks District 8 Acquisition  
WO #: 20919

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Arline and Frank Faruolo Revocable  
Living Trust

Accepted on behalf of Clark County  
Clark County, Washington

By: \_\_\_\_\_  
Frank E. Faruolo, Trustee

\_\_\_\_\_  
Mark McCauley  
County Manager

STATE OF WASHINGTON

COUNTY OF CLARK

I certify that I know or have satisfactory evidence that Frank E. Faruolo is the person who appeared before me and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as Trustee of the Arline and Frank Faruolo Revocable Living Trust, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument, and further states that as of the date herein said trust has not been revoked.

Dated: \_\_\_\_\_

\_\_\_\_\_

Notary Public in and for the state of WA  
Residing at  
My commission expires:

**EXHIBIT "A"**

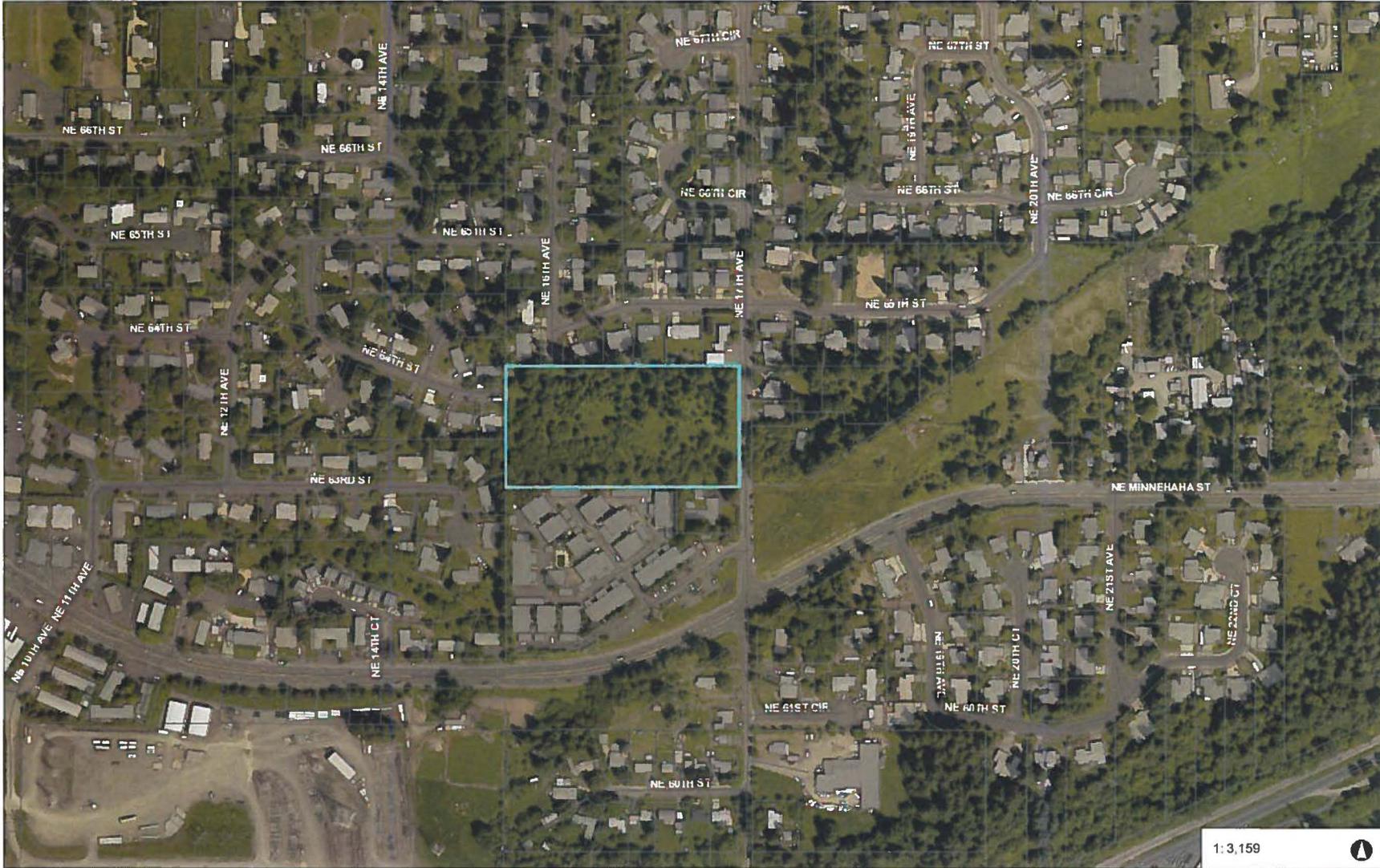
**BEGINNING AT A POINT THAT IS SOUTH 0°14' WEST 1018.82 FEET OF A POINT THAT IS 1306 FEET WEST OF THE CENTER OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 1 EAST AND RUNNING THENCE EAST PARALLEL WITH THE NORTH LINE OF SOUTHWEST QUARTER OF SAID SECTION 635.92 FEET; THENCE SOUTH 0°14' WEST 332.94 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER 636.9 FEET TO THE WEST LINE OF THE EAST ONE HALF OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE NORTH 0°14' EAST ALONG SAID WEST LINE 332.94 FEET TO THE POINT OF BEGINNING.**

**ALSO BEING KNOWN AS LOT 19 OF THE UNRECORDED PLAT OF ARCADIA ACRES.**





# Faruolo Property



- Legend**
- Building Footprints
  - Taxlots
  - Roads
  - ImageOrtho**
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3
  - Cities Boundaries
  - Urban Growth Boundaries

**Notes:**

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.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

528.6 0 263.28 528.6 Feet

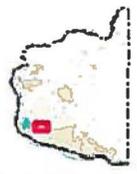
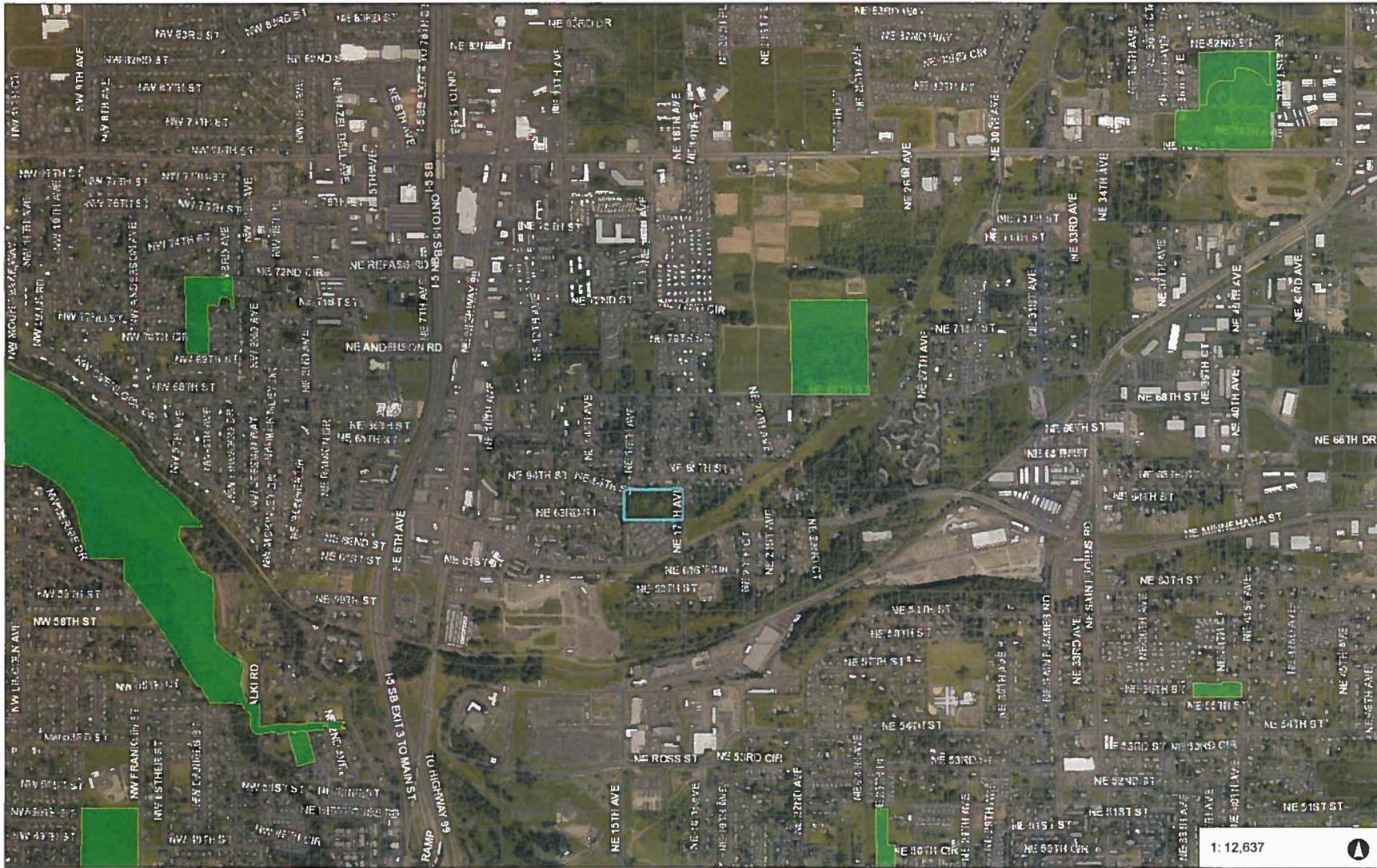
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
Clark County, WA GIS - <http://gis.clark.wa.gov>

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# Faruolo Property



- Legend**
- Park Land
  - Building Footprints
  - Taxlots
  - Roads
  - ImageOrtho**
  - Red Band\_1
  - Green Band\_2
  - Blue Band\_3
  - Cities Boundaries
  - Urban Growth Boundaries

Notes:

1: 12,637



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

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BERKSHIRE HATHAWAY | Northwest Real Estate  
HomeServices

June 16, 2016

Bill Bjerke  
Clark County Parks Manager  
4700 NE 78<sup>th</sup> Street  
Vancouver, WA 98665

RE: Real Estate Purchase and Sale Agreement – Faruolo- Lot 19 Arcadia Acres

Bill,

Mr. Faruolo, seller, wanted me to express his gratitude to you and the Clark County Parks Department for submitting this offer to him. He is especially pleased that the property will be a public recreation area. He thinks that this use will benefit and improve the property values and quality of life in the neighborhood he has called home for 65 years.

In review, the list price of the property is \$885,000 and the County's offer is \$780,000. Mr. Faruolo has countered back at \$858,000. He agrees to all other terms and conditions of the contract. He will see to it that if there is any trash on the property, it will be removed before closing, so that the County will not need to deal with any further expense for cleanup other than clearing vegetation.

Thank you again for the offer. We look forward to hearing from you.

Please contact me by phone if you have any questions.

Sincerely,

A handwritten signature in black ink that reads 'Michele Nigro'.

Michele Nigro  
Real Estate Broker  
Berkshire Hathaway  
360-737-2969  
[mnigro@bhhsnw.com](mailto:mnigro@bhhsnw.com)

enc: Purchase Offer Counteroffer