

CLARK COUNTY STAFF REPORT

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

DATE: October 11, 2016

REQUESTED ACTION: Execute and approve a Bargain and Sale Deed for the sale of surplus property to John Wolcott and Jennifer Wolcott, for the bid amount of \$70,000.00; Tax parcel number 258455-000.

 X Consent Hearing County Manager

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

This 5.4 acre parcel zoned R-5 was purchased by Clark County in 1998 for conservation purposes in order to protect the natural resources on the East Fork Lewis River and allow limited public access to the river. A deed of conservation easement was recorded in 2015 and this parcel is no longer needed by Clark County. The Board declared this parcel surplus (SR 217-15) and approved it being sold. The highest bid was \$70,000.00 by John Wolcott and Jennifer Wolcott.

COUNCIL POLICY IMPLICATIONS

The proceeds from the sale will be returned to the Conservation Futures Fund (50%) and Road Fund (50%). Sale is pursuant to County Property Management Code 2.33A.120.

ADMINISTRATIVE POLICY IMPLICATIONS

None.

COMMUNITY OUTREACH

The parcel was advertised by Realty Marketing Northwest in 18 different newspapers throughout Washington, Oregon, California, and Idaho. They also direct-mail approximately 35,000 fliers to prospects from their database, operate a website that receives a high number of visits, and place highly visible auction notice signs on all sale properties.

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.

PW16-119

BUDGET DETAILS

Local Fund Dollar Amount	
Grant Fund Dollar Amount	
Account	Conservation Futures Fund (50%) and Road Fund (50%)
Company Name	John Wolcott and Jennifer Wolcott

JW

DISTRIBUTION:

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

Please call Paulette Matison on ext. 4975 when ready for pick up.

Attachments:

- Deed, Budget Impact, Resolution, and Map

PUBLIC WORKS APPROVALS:

Tom Grange, P.E.
Engineering & Construction Division Manager



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

APPROVED: _____
CLARK COUNTY, WASHINGTON
BOARD OF COUNTY COUNCILORS

DATE: _____

SR #: _____

After recording return to:
John and Jennifer Wolcott
15795 NW Windhill Drive
Banks, OR 97106

Document Title: Bargain and Sale Deed
Grantor: Clark County, Washington
Grantee: John Wolcott and Jennifer Wolcott
Legal Description: #43 Sec 32 T5N R1E WM
Serial #: 258455-000
Project: Advance R/W Property Sales
WO #: 11360

BARGAIN AND SALE DEED

THE GRANTOR, **CLARK COUNTY**, a political subdivision of the State of Washington, for and in consideration of Seventy Thousand and No/100 Dollars (\$70,000.00), in hand paid bargains, sells, and conveys to **JOHN WOLCOTT and JENNIFER WOLCOTT, husband and wife**, Grantees the following described real estate, situated in the County of Clark, State of Washington, being described as follows:

A portion of the Northeast quarter of the Southeast quarter and Southeast quarter of the Northeast quarter of Section 32, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington, described as follows:

Beginning at a 5/8 inch iron rod set to mark the quarter corner between Sections 32 and 33, as shown in Book 7 of Surveys at page 116; thence South 01°28'47" West, along the east line of Section 32, 11.29 feet to the south right-of-way line of the Pacific Highway; thence continuing South 01°28'47" West, 707.00 feet to a 1/2 inch iron rod at the True Point of Beginning; thence North 88°30'00" West, 278.00 feet to a 1/2 inch iron rod; thence South 01°30'00" West, 820 feet, more or less, to the North Bank of the East fork of the Lewis River; thence Easterly along the North Bank, 286 feet, more or less, to the east line of Section 32; thence North 01°28'47" East, 888 feet, more or less, to the True Point of Beginning.

"SUBJECT TO the encumbrances, exceptions, easements, restrictions and reservations set forth in **EXHIBIT "A"**, which is attached hereto and made a part hereof by this reference."

The Grantor for itself and for its successors in interest does by these presents expressly limit the covenants of the deed to those herein expressed, and excludes all covenants arising or to arise by statutory or other implications.

Bargain and Sale Deed
Serial #: 258455-000
Project: Advance R/W Property Sales
WO #: 11360

Dated this _____ day of _____, 2016.

BOARD OF COUNTY COUNCILORS
CLARK COUNTY, WASHINGTON

Marc Boldt, Chair

Jeanne E. Stewart, Councilor

Julie Olson, Councilor

David Madore, Councilor

Tom Mielke, Councilor

STATE OF WASHINGTON

COUNTY OF CLARK

On this _____ day of _____, 20____, before me personally appeared _____ and _____, to me known to be the duly elected, qualified and acting County Councilors(s) of Clark County, Washington, who executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of Clark County, for the uses and purposes therein mentioned, and on oath stated that he/she/they is/are authorized to execute said instrument by resolution of the Board of County Councilors of Clark County and that the seal affixed is the official seal of Clark County.

Dated: _____

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

Exhibit A

1. Taxes for the current year, if any, and future years.
2. Unpaid charges and assessments, if any, levied by the City of La Center.
3. Easement to Public Utility District No. 1 of Clark County for electric transmission and distribution recorded August 10, 1949 as Auditor's File Number G 29709, records of Clark County, Washington.
4. Easement for roadway purposes recorded July 12, 1962 as Auditor's File Number G 336729, records of Clark County, Washington.
5. Matters disclosed by survey recorded December 12, 1977 as Book 7, Page 116, records of Clark County, Washington.
6. Matters disclosed by survey recorded February 21, 1990 as Book 26, Page 87, records of Clark County, Washington.
7. Matters disclosed by survey recorded October 22, 1993 as Book 34, Page 140, records of Clark County, Washington.
8. Matters disclosed by survey recorded June 15, 1995 as Book 38, Page 006, records of Clark County, Washington.
9. Matters disclosed by survey recorded November 04, 1998 as Book 44, Page 5 which includes conservation easement, public access, ingress, egress and utilities.
10. Reservations and other matters and the terms and conditions recorded as Auditor's File Number G 336729, records of Clark County, Washington.
11. Easement for pipelines recorded July 18, 1990 as Auditor's File Number 9007180203, records of Clark County, Washington.
12. Easement for recreational, ingress, egress and utilities recorded as Auditor's File Number Book 38, Page 006, records of Clark County, Washington.
13. Covenants, Conditions and Restrictions contained in instrument recorded July 18, 1978 as Auditor's File Number 7807180173.
14. Agreement regarding well recorded March 29, 1991 as Auditor's File Number 9103290273, records of Clark County, Washington.
15. Covenants, Conditions and Restrictions contained in instrument recorded March 29, 1991 as Auditor's File Number 9103290274, records of Clark County, Washington.
16. Agreement regarding road maintenance recorded March 29, 1991 as Auditor's File Number 9103290275, records of Clark County, Washington.

17. Utility Service Covenant regarding furnishing water and/or Sewer Service Agreement regarding annexation to the City of Vancouver recorded April 27, 1995 as Auditor's File Number 9504270072, records of Clark County, Washington.
18. Covenants, Conditions and Restrictions contained in instrument recorded April 27, 1995 as Auditor's File Number 9504270071, records of Clark County, Washington.
19. Easement to Citizens of Clark County for Deed of Conservation purposes recorded November 19, 2015 as Auditor's File number 5233804, records of Clark County, Washington.
20. Right of the State Of Washington in and to the portion of said premises, if any, in the bed of the East Fork of the Lewis River.
21. Any question that may arise due to shifting or change in the course of the East Fork of the Lewis River due to said river having changed its course.
22. Any prohibition or limitation on the use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any waters which may cover the land or to use any portion of the land which is now or may formerly have been covered by water.

CLARK COUNTY, WASHINGTON
RESOLUTION NO. _____

IN THE MATTER OF EXECUTION OF BARGAIN AND SALE DEED FROM CLARK COUNTY

WHEREAS, the Board of County Councilors, Clark County, WA is in regular session this _____ day of _____, 2016, and

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

Document

Bargain and Sale Deed

Data

FROM: Clark County, Washington
TO: John Wolcott and Jennifer Wolcott
CONSIDERATION: \$70,000.00

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 Councilors.

BOARD OF COUNTY COUNCILORS
CLARK COUNTY, WASHINGTON

Marc Boldt, Chair

Jeanne E. Stewart, Councilor

Julie Olson, Councilor

David Madore, Councilor

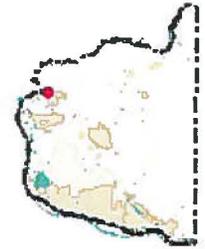
Tom Mielke, Councilor

ATTEST:

Clerk of the Board



258455000



Legend

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

Notes:

1: 3,613 

602.1 0 301.04 602.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
Clark County, WA. GIS - <http://gis.clark.wa.gov>

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