

**BOARD OF COUNTY Councilors
HEARING PACKET**

Hearing Item:	Accept and approve the Engineer's Report and Preliminary Order to Vacate a portion of NE Axel Peterson Road. Located in Section 35, T4N, R3E, WM. Work Order Number 11312.
Date:	June 14, 2016
Time:	10:00 am

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- 1 Staff Report
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- 3 Engineer's Report
- 4 Preliminary Order to Vacate
- 5 Aerial and Assessor Maps

PW16-059

CLARK COUNTY STAFF REPORT

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

DATE: June 14, 2016

REQUESTED ACTION: Accept and approve the Engineer's Report and Preliminary Order to Vacate a portion of NE Axel Peterson Rd. Located in Section 35, T4N, R3E, WM. Work Order Number 011312.

_____ Consent X 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

Clark County Public Works has received a request to vacate a portion of NE Axel Peterson Road which is an unopened, unconstructed road located near the Venersborg Neighborhood. Clark County acquired this road by Order of Establishment on November 15, 1898, by the Board of County Commissioners. The proposed vacation area is zoned Rural-5 (R-5) and is approximately 0.60 acres.

COUNCIL POLICY IMPLICATIONS

None

ADMINISTRATIVE POLICY IMPLICATIONS

None

COMMUNITY OUTREACH

Notices will be 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.

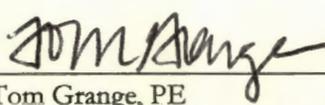
PW16-059

BUDGET DETAILS

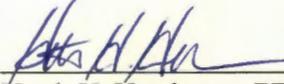
Local Fund Dollar Amount	n/a
Grant Fund Dollar Amount	n/a
Account	n/a
Company Name	Dan Pekus and Beth Terry (Petitioners)

DISTRIBUTION:

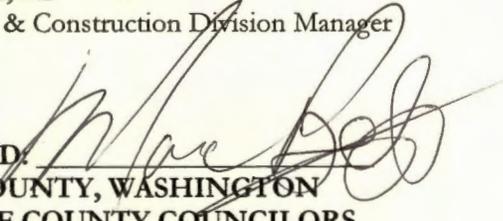
Board staff will post all staff reports to The Grid. <http://www.clark.wa.gov/thegrid/>
Please call Paulette Matison on ext. 4975 when ready for pick up.



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: June 14, 2016
SR# SR

APPROVED: _____
Mark McCauley, Acting County Manager

Date: _____

PW16-059

NOTICE OF HEARING

The Clark County Board of Councilors will hold a public hearing at 10 a.m., on Tuesday, the 14th day of June, 2016, 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 Axel Peterson Road located in the SE Quarter of Section 35, Township 4 North, Range 3 East, of the W.M.

Legal Description

A Road Vacation of a portion of NE Axel Peterson Road located in the SE 1/4 of Section 35, Township 4 North, Range 3 East, W.M., and further described as follows:

All that portion of the Axel Peterson Road established November 15, 1898 recorded in Road Book 4, at pages 290-298, records of Clark County Washington, lying within that parcel described in that Quit Claim Deed to Danny A Pekus and Julie Renee Chapman recorded June 3, 2008 under Auditor's File Number 4461295D records of Clark County, Washington listed as Tax Parcel Number 237048-000.

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, extension 4777.

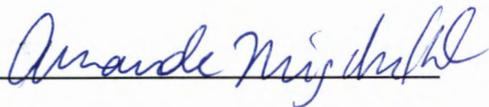
Any person wishing to give testimony in this matter should appear at the time, date, and place above stated.

Work Order Number 011312

BOARD OF CLARK COUNTY COUNCILORS


Clerk of the Board

Approved as to Form Only:
Prosecuting Attorney

By 

Please publish: ~~June 1~~ 2016 and June 8, 2016

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.

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 Axel Peterson Road)
Located in the Venersborg Neighborhood)

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 17th day of May, 2016, by Resolution No. 2016-05-07 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 31st day of May, 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, Section 35, T4N, R3E, WM.

SECOND:

Said road was established on November 15, 1898, in the Road Book 4, pages 290-298, Records of Clark County, Washington.

THIRD:

County does not maintain said road.

FOURTH:

Said road is unopened and unconstructed.

FIFTH:

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

SIXTH:

That the petitioners pay all administrative costs and expenses.

SEVENTH:

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

DATED this 25th day of May, 2016.



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

STATE OF WASHINGTON

County of Clark

In the matter of the Petition by
Dan Pekus and Beth Terry

RV 16-10

For the vacation of a County Road known as
A portion of NE Axel Peterson Road

PRELIMINARY

ORDER

VACATING

COUNTY ROAD

IN THE MATTER OF THE VACATION OF COUNTY ROADS petitioned by Dan Pekus and Beth Terry, the Board finds as follows:

FIRST: That the petition therefore was filed on the 3rd day of May, 2016.

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 6th day of May, 2016.

THIRD: That on the 17th day of May, 2016, the County Engineer was duly directed to examine said road and make a report in writing on the same.

FOURTH: That on the 31th day of May, 2016, 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 17th day of May, 2016, and the 14th day of June, 2016, 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 Section 35, T4N, R3E, WM.
- Said road was established on November 15, 1898, in the Road Book 4, pages 290-298, Records of Clark County, Washington.
- The County does not maintain said road.
- Said road is unopened and unconstructed.
- That the road petitioned to be vacated be vacated to the true property owner(s).
- That the petitioners pay all administrative costs and expenses.
- That the public will be benefited by its vacation.

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 Dan Pekus and Beth Terry, 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 Road Vacation of a portion of NE Axel Peterson Road located in the SE 1/4 of Section 35, Township 4 North, Range 3 East, WM., and further described as follows:

All that portion of the Axel Peterson Road established November 15, 1898, recorded in Road Book 4, at pages 290-298, records of Clark County, Washington lying within that parcel described in that Quit Claim Deed to Danny A Pekus and Julie Renee Chapman recorded June 3, 2008, under Auditor's File Number 4461295D records of Clark County, Washington listed as Tax Parcel Number 237048-000.

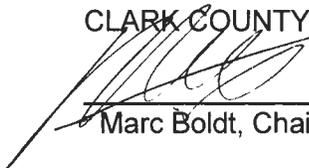
Contains 0.60 acres, more or less.

DONE THIS 14th DAY OF June, 2016.

ATTEST:


Clerk of the Board

BOARD OF COUNTY COUNCIL
CLARK COUNTY, WASHINGTON



Marc Boldt, Chair

Jeanne E. Stewart, Councilor

Julie Olson, Councilor

David Madore, Councilor

Tom Mielke, Councilor

Public Hearing



Partial Road Vacation for
NE Axel Peterson Road

June 14, 2016

History Overview

NE Axel Peterson Road.



- ❧ The County acquired this road on November 15, 1898 by order of Establishment.
- ❧ The County has never maintained this road.
- ❧ Said road is unopened and unconstructed.
- ❧ Petitioners – Danny Pekus and Beth Terry.
- ❧ Right-of-way – 0.60 acres.
- ❧ Zoning – (R-5) Single Family Residence.

NE Axel Peterson Road

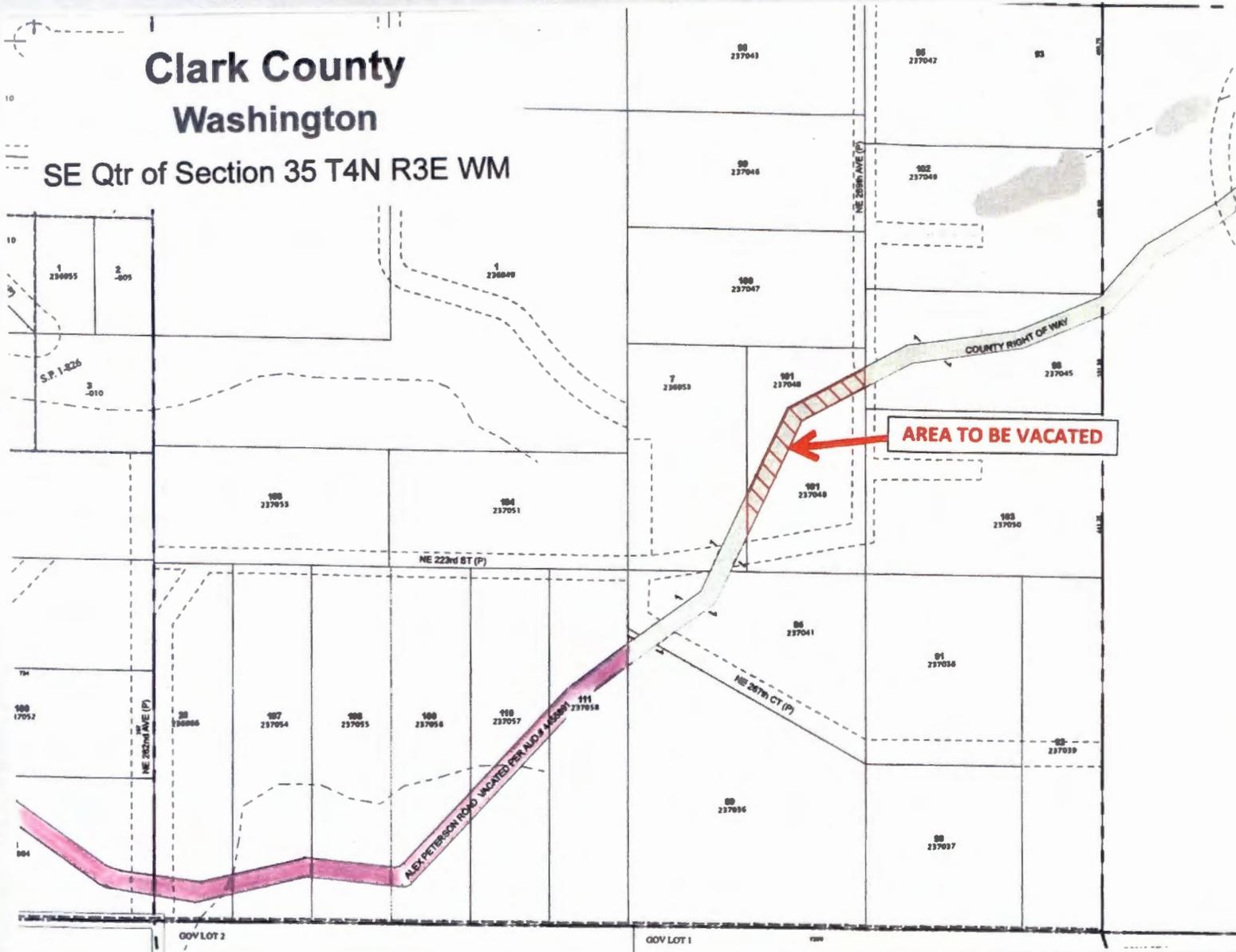


NE Axel Peterson Road



Road to be Vacated.

NE Axel Peterson Road





∞ Action of the Board

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