



CLARK COUNTY STAFF REPORT

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

DATE: January 5, 2016

REQUESTED ACTION: Declare county property surplus and execute and approve a Bargain and Sale Deed for the sale to Life Properties, LLC, for the amount of \$700,000.00; Tax parcel number 186583-000 (Miller Paint property).

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 .64 acre property, zoned GC (commercial districts), is at the southwest corner of NE 139th Street and NE 20th Avenue, (Tax Parcel Nos. 186583-000). This parcel is the remainder after Salmon Creek Interchange Project, County Road Project (CRP) 330322. The adjoining property owner has contacted staff requesting to purchase this parcel for \$700,000.00. The property appraised at \$775,000 and Life Properties, LLC has first right of refusal. Additional costs to market, auction, and staff time correspond with the reduction in value.

COUNCIL POLICY IMPLICATIONS

The proceeds from the sale will be returned to the road fund. Sale is pursuant to County Property Management Code 2.33A.120.

ADMINISTRATIVE POLICY IMPLICATIONS

None.

COMMUNITY OUTREACH

Life Properties, LLC has first right of refusal through property negotiations.

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.

OK
gjt

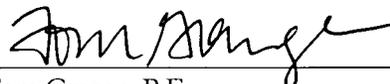
PW16-003

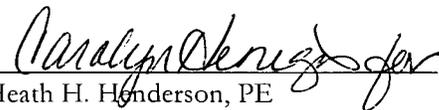
BUDGET DETAILS

Local Fund Dollar Amount	
Grant Fund Dollar Amount	
Account	Road Fund
Company Name	

DISTRIBUTION:

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


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


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


APPROVED:
CLARK COUNTY, WASHINGTON
BOARD OF COUNTY COUNCILORS
DATE: Jun. 5, 2016
SR# SR 005-16



APPROVED: _____
Mark McCauley, Acting County Manager

DATE: _____

FISCAL IMPACT ATTACHMENT

Part I: Narrative Explanation

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

Money received from the sale of these properties will be deposited back into the road fund. The property is being marketed pursuant to County Code CCC233A.180-(13).

Part II: Estimated Revenues

Fund Number / Title	Current Biennium		Next Biennium		Second Biennium	
	RF	Total	RF	Total	RF	Total
Road Fund/1012	\$700,000	\$700,000		\$0		\$0
		\$0		\$0		\$0
		\$0		\$0		\$0
		\$0		\$0		\$0
Total:	\$700,000	\$700,000	\$0	\$0	\$0	\$0

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

Part III: Estimated Expenditures

III.A - Expenditures summed up

Fund Number / Title	FTE's	Current Biennium		Next Biennium		Second Biennium	
		RF	Total	RF	Total	RF	Total
			\$0		\$0		\$0
			\$0		\$0		\$0
			\$0		\$0		\$0
			\$0		\$0		\$0
Total:		\$0	\$0	\$0	\$0	\$0	\$0

III.B = Expenditure by object category

Fund Number / Title	Current Biennium		Next Biennium		Second Biennium	
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Salary/Benefits		\$0		\$0		\$0
Contractual		\$0		\$0		\$0
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Capital Outlays		\$0		\$0		\$0
Inter-fund Transfers		\$0		\$0		\$0
Debt Service		\$0		\$0		\$0
Total:	\$0	\$0	\$0	\$0	\$0	\$0

CLARK COUNTY, WASHINGTON
RESOLUTION NO. 2016-01-09

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

WHEREAS, the Board of County Councilors, Clark County, WA is in regular session this
5th day of January, ~~2015~~, 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: Life Properties, LLC
CONSIDERATION: \$700,000.00

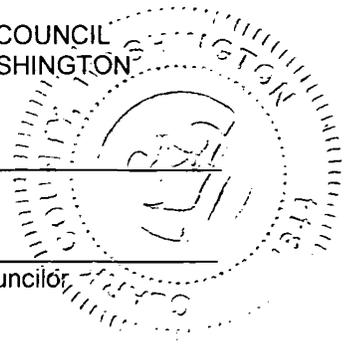
NOW THEREFORE, IT IS HEREBY RESOLVED that the hereinabove mentioned document(s) be recorded and filed.

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.

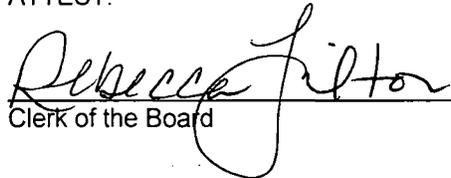
BOARD OF COUNTY COUNCIL
CLARK COUNTY, WASHINGTON



Marc Boldt, Chair



ATTEST:



Clerk of the Board

Jeanne E. Stewart, Councilor

Julie Olson, Councilor

David Madore, Councilor

Tom Mielke, Councilor

After recording return to:
Life Properties, LLC
Attn: Paul Reed
13712 NE 20th Ave., Ste. A
Vancouver, WA 98686

Document Title: Bargain and Sale Deed
Grantor: Clark County, Washington
Grantee: Life Properties, LLC
Legal Description: #90 Sec 26 T3N R1E WM
Serial #: 186583-000
Project: Misc. Surplus Property/ CRP #: 11360

BARGAIN AND SALE DEED

THE GRANTOR, **CLARK COUNTY, WASHINGTON**, a political subdivision of the State of Washington, for and in consideration of Seven Hundred Thousand and No/100 Dollars (\$700,000.00), in hand paid bargains, sells, and conveys to **LIFE PROPERTIES, LLC**, a Washington limited liability company, Grantee the following described real estate, situated in the County of Clark, State of Washington:

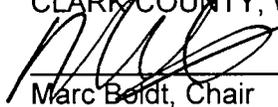
**SEE LEGAL DESCRIPTION ATTACHED HERETO, WHICH
BY THIS REFERENCE, IS INCORPORATED HEREIN**

“SUBJECT TO the encumbrances, exceptions, easements, restrictions and reservations set forth in **Exhibit E**, 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.

Dated this 5th day of January, 2011.

BOARD OF COUNTY COUNCIL
CLARK COUNTY, WASHINGTON



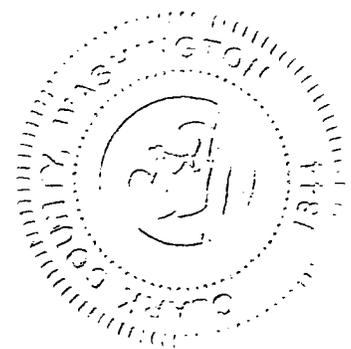
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Jeanne E. Stewart, Councilor

Julie Olson, Councilor

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Bargain and Sale Deed
Serial #: 186583-000
Project: Misc. Surplus Property
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STATE OF WASHINGTON

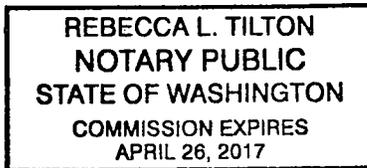
COUNTY OF CLARK

On this 5th day of January, 2016, before me personally appeared
Marc Boldt, _____ and
_____ to me known to be the duly elected, qualified and
acting County Councilor(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: 1/5/16

Rebecca L. Tilton

Notary Public in and for the State of WA
Residing at Vancouver
My commission expires: 4/26/17





proud past, promising future

CLARK COUNTY
WASHINGTON

Superior service that is responsive and cost justified

PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

EXHIBIT "A"
SALMON CREEK INTERCHANGE – CRP # 330322
MILLER PAINT CO, INC REMAINDER PARCEL

A parcel of land lying in the northwest quarter of Section 26, Township 3 North, Range 1 East of the Willamette Meridian in Clark County, Washington, being more particularly described as follows:

All that portion of that parcel described in that Bargain and Sale Deed to Miller Paint Co, Inc., an Oregon corporation, recorded November 19, 2002 under Auditor's file No. # 3544260, records of Clark County, Washington, listed as Serial No. 186583-000, **except** that portion thereof lying northerly of the following described line:

Beginning at a point on the easterly line of said parcel, said point being 47.00 feet westerly of, when measured at right angles to the centerline of Northeast 20th Avenue, as described in Exhibit "B", attached, at Engineers' station 27+74.26; thence to a point 61.23 feet southerly of, when measured at right angles to the centerline of Northeast 139th Street, as described in Exhibit "C", attached, at Engineers' station 61+81.95; thence to a point 61.76 feet southerly of, when measured at right angles to the centerline of said Northeast 139th Street at station 61+50.49; thence from a tangent which bears North 89d35'03" West along the arc of a 754.50 foot radius curve left through a central angle of 10°09'49" a distance of 133.84 feet, more or less, to a point on the west line of said parcel, and there terminating, all in Clark County, Washington.

This description contains 0.64 acres as calculated by the double meridian distance method.



Remainder-149.doc

WRITTEN BY: *CJS*
REVIEWED BY: *WCS*



proud past, promising future

CLARK COUNTY
WASHINGTON

Superior service that is responsive and cost justified

PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

EXHIBIT "B"
NE 20th AVENUE CENTERLINE DESCRIPTION
CRP #330322

A strip of land of varying width lying in Sections 23 and 26, Township 3 North, Range 1 East of the Willamette Meridian, the centerline of said strip being more particularly described as follows:

Beginning at the centerline intersection point of Northeast 134th Street and Northeast 20 Avenue, said point bears South 1°38'08" West 1330.00 feet from a brass cap marking the north quarter corner of Section 26, Township 3 North, Range 1 East, Willamette Meridian and is designated as Engineers' station 15+34.57; thence North 1°38'08" East 1330.00 feet to said brass cap; thence North 1°37'42" East 1318.59 feet along the center section line of Section 23, said Township and Range, to a point that bears South 1°37'42" West 3936.65 feet from an aluminum cap marking the north quarter corner of said Section 23, and there terminating, all in Clark County, Washington.

Bearings are based on the east line of the southwest quarter of Section 23, Township 3 North, Range 1 East, WM as being North 1°37'42" East, based on the Washington State Plane Coordinate System, South Zone, NAD83(91) per information provided by WSDOT .



WRITTEN BY: *[Signature]*
REVIEWED BY: *[Signature]*



proud past, promising future

CLARK COUNTY
WASHINGTON

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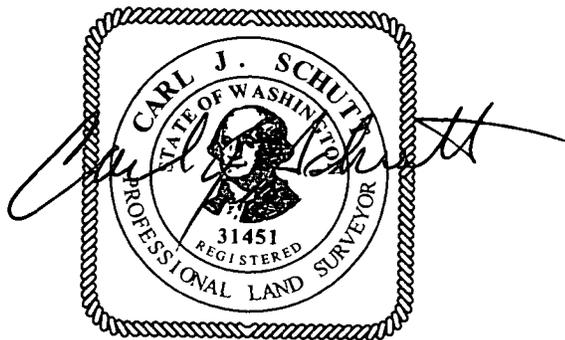
PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

EXHIBIT "C"
NE 139th STREET CENTERLINE DESCRIPTION
CRP #330322

A strip of land lying in Sections 22, 23, 26, and 27, Township 3 North, Range 1 East of the Willamette Meridian, the centerline of said strip being more particularly described as follows:

Beginning at an aluminum cap marking the south quarter corner of Section 22, Township 3 North, Range 1 East, W.M., said point being designated as Engineer's station 10+00.00; thence South 88°50'51" East 2631.78 feet to a brass cap marking the southeast corner of said Section 22; thence South 88°37'08" East 2626.82 feet to a brass cap marking the south quarter corner of Section 23, Township 3 North, Range 1 East, W.M.; thence South 88°44'49" East 2628.76 feet to a brass cap marking the southeast corner of said Section 23, and there terminating, all in Clark County, Washington.

Bearings are based on the south line of the southeast quarter of Section 22, Township 3 North, Range 1 East, WM as being South 88°50'51" East, based on the Washington State Plane Coordinate System, South Zone, NAD83(91) per information provided by WSDOT .

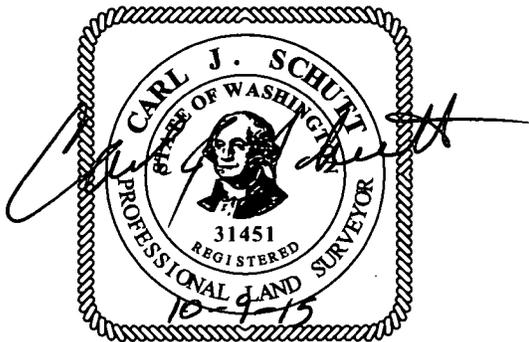
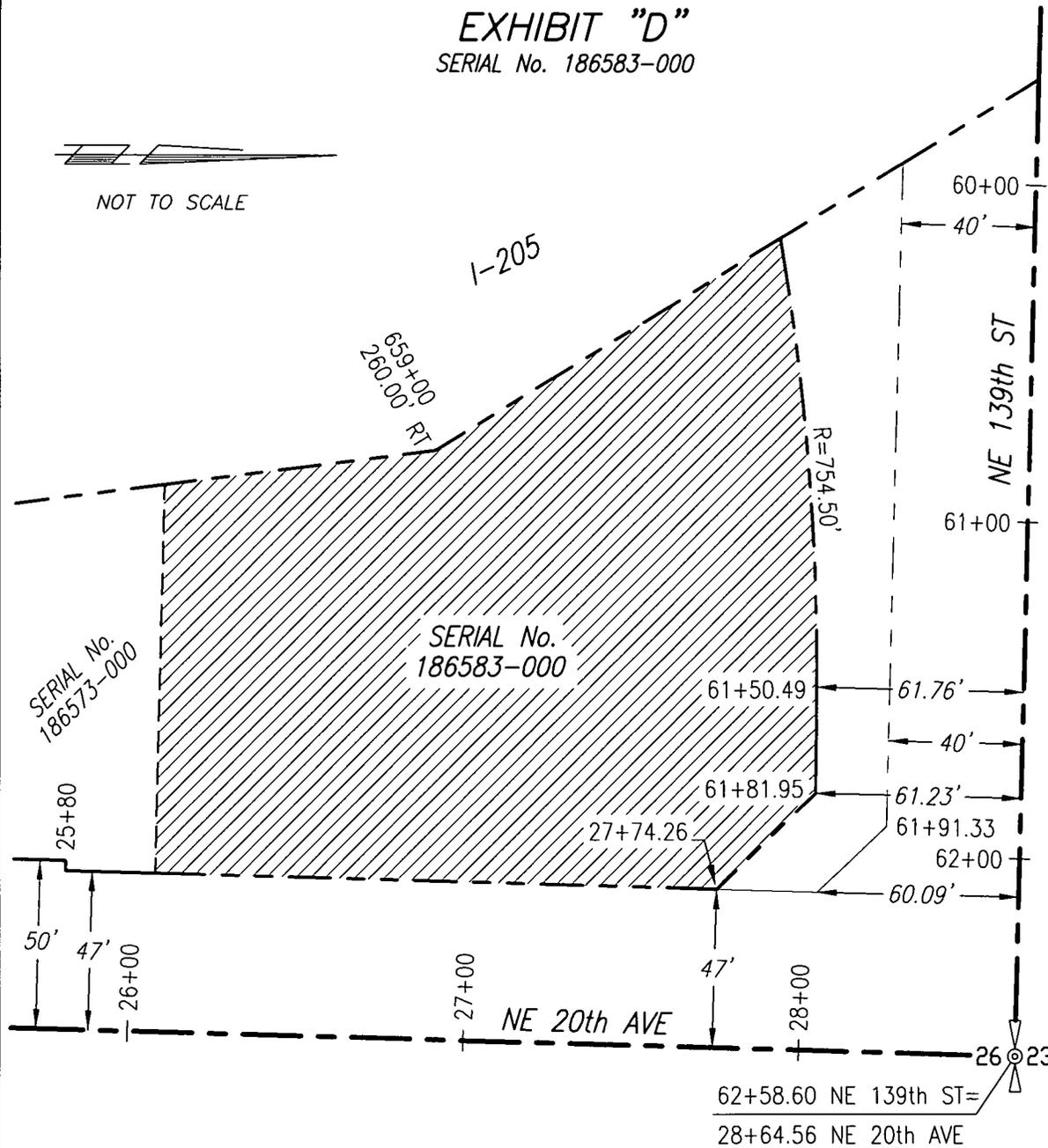


WRITTEN BY: *[Signature]*
REVIEWED BY: *[Signature]*

EXHIBIT "D"
 SERIAL No. 186583-000



NOT TO SCALE



Clark County Public Works Vancouver, Washington		
DESIGN & ENGINEERING DIVISION OFFICE OF THE COUNTY SURVEYOR		
NW 1/4 SECTION 26 T 3 N, R 1 E, W.M.		
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
DATE	SCALE	DRAWN BY
SEPT 2011	NOT TO SCALE	CJS

Exhibit "E"

1. Taxes for the current year and future years.
2. Assessments, if any, levied by Clark Regional Wastewater District.
3. Unrecorded leaseholds, if any; rights of vendors and holders of security interests on personal property installed upon the land; and right of tenants to remove trade fixtures at the expiration of the term.
4. Relinquishments of all existing, future or potential easements for access, light, view and air, and all rights of ingress, egress and regress to, from and between the land and the highway or highways constructed on lands condemned by proceeding under Clark County Superior Court by State of Washington as Cause No. 49745, records of Clark County, Washington.
5. Relinquishment of all easements existing, future or potential, for access, light, view and air, and all rights of ingress, egress and regress to, from and between the land and the highway or highways to be constructed on land conveyed by deed to State of Washington recorded September 15, 1953 as Auditor's File No. G 133202, records of Clark County, Washington.
6. Relinquishment of all easements existing, future or potential, for access, light, view and air, and all rights of ingress, egress and regress to, from and between the land and the highway or highways to be constructed on land conveyed by deed to State of Washington recorded September 15, 1953 as Auditor's File No. G 562055, records of Clark County, Washington.
7. Easement to State of Washington for drainage purposes recorded October 5, 1970 as Auditor's File No. G 562056 and assigned to Clark County by Auditor's File No. 7712300178, records of Clark County, Washington.
8. Covenant running with the land imposed by instruments recorded under Auditor's File Nos. 9709290298 and 9709290299, records of Clark County, Washington.
9. A Joint Access Covenant running with the land imposed by instrument recorded under Auditor's File No. 9712180187, records of Clark County, Washington.
10. Easement to Public Utility District No. 1 of Clark County for Electric transmission and distribution recorded November 16, 1999 as Auditor's File No. 3170032, records of Clark County, Washington.
11. Matters set forth by survey recorded January 26, 2001 as Book 34 Page 177 of surveys, records of Clark County, Washington.
12. Matters set forth by survey recorded January 26, 2001 as Book 47 Page 170 of surveys, records of Clark County, Washington.
13. Agreement regarding easement agreement for Bioswale recorded June 24, 2002 as Auditor's File No. 3480812, records of Clark County, Washington.
14. Agreement regarding easements recorded June 24, 2002 as Auditor's File No. 3480813 and amended as Auditor's File No. 4884973, records of Clark County, Washington.

15. Matters set forth by survey recorded October 7, 2009 as Book 60 Page 74 of surveys, records of Clark County, Washington.
16. Relinquishment of all easements existing, future or potential, for access, light, view and air, and all rights of ingress, egress and regress to, from and between the land and the highway or highways to be constructed on land conveyed by deed to State of Washington recorded August 23, 2012 as Auditor's File No. 4885053, records of Clark County, Washington.
17. Reservations and other matters contained in deed recorded August 23, 2012 as Auditor's File No. 4885053, records of Clark County, Washington.
18. Easement to State of Washington, Department of Transportation recorded September 21, 2015 as Auditor's File No. 5215045, records of Clark County, Washington.



CLARK COUNTY STAFF REPORT

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

DATE: January 5, 2016

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COUNCIL POLICY IMPLICATIONS

The proceeds from the sale will be returned to the road fund. Sale is pursuant to County Property Management Code 2.33A.120.

ADMINISTRATIVE POLICY IMPLICATIONS

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COMMUNITY OUTREACH

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YES	NO	
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OK
y,t

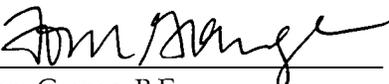
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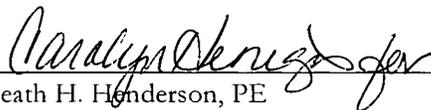
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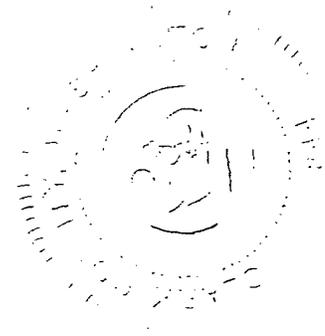
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APPROVED: _____
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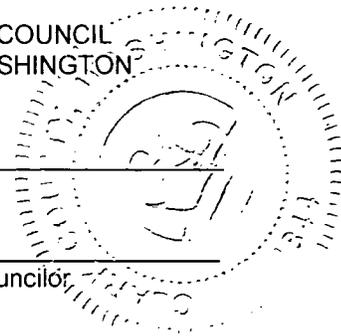
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CLARK COUNTY, WASHINGTON



Marc Boldt, Chair



ATTEST:



Clerk of the Board

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CLARK COUNTY, WASHINGTON



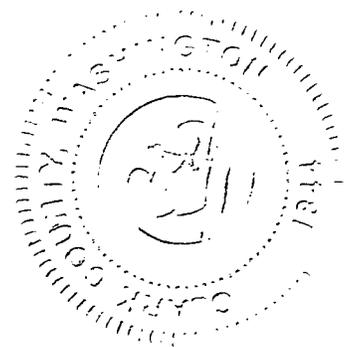
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STATE OF WASHINGTON

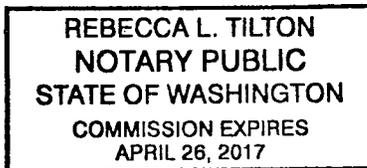
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Dated: 1/5/16

Rebecca L. Tilton

Notary Public in and for the State of WA
Residing at Vancouver
My commission expires: 4/26/17





proud past, promising future

CLARK COUNTY
WASHINGTON

Superior service that is responsive and cost justified

PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

EXHIBIT "A"
SALMON CREEK INTERCHANGE – CRP # 330322
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A parcel of land lying in the northwest quarter of Section 26, Township 3 North, Range 1 East of the Willamette Meridian in Clark County, Washington, being more particularly described as follows:

All that portion of that parcel described in that Bargain and Sale Deed to Miller Paint Co, Inc., an Oregon corporation, recorded November 19, 2002 under Auditor's file No. # 3544260, records of Clark County, Washington, listed as Serial No. 186583-000, **except** that portion thereof lying northerly of the following described line:

Beginning at a point on the easterly line of said parcel, said point being 47.00 feet westerly of, when measured at right angles to the centerline of Northeast 20th Avenue, as described in Exhibit "B", attached, at Engineers' station 27+74.26; thence to a point 61.23 feet southerly of, when measured at right angles to the centerline of Northeast 139th Street, as described in Exhibit "C", attached, at Engineers' station 61+81.95; thence to a point 61.76 feet southerly of, when measured at right angles to the centerline of said Northeast 139th Street at station 61+50.49; thence from a tangent which bears North 89d35'03" West along the arc of a 754.50 foot radius curve left through a central angle of 10°09'49" a distance of 133.84 feet, more or less, to a point on the west line of said parcel, and there terminating, all in Clark County, Washington.

This description contains 0.64 acres as calculated by the double meridian distance method.



Remainder-149.doc

WRITTEN BY: *CJS*
REVIEWED BY: *WEA*



proud past, promising future

CLARK COUNTY
WASHINGTON

Superior service that is responsive and cost justified

PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

EXHIBIT "B"
NE 20th AVENUE CENTERLINE DESCRIPTION
CRP #330322

A strip of land of varying width lying in Sections 23 and 26, Township 3 North, Range 1 East of the Willamette Meridian, the centerline of said strip being more particularly described as follows:

Beginning at the centerline intersection point of Northeast 134th Street and Northeast 20 Avenue, said point bears South 1°38'08" West 1330.00 feet from a brass cap marking the north quarter corner of Section 26, Township 3 North, Range 1 East, Willamette Meridian and is designated as Engineers' station 15+34.57; thence North 1°38'08" East 1330.00 feet to said brass cap; thence North 1°37'42" East 1318.59 feet along the center section line of Section 23, said Township and Range, to a point that bears South 1°37'42" West 3936.65 feet from an aluminum cap marking the north quarter corner of said Section 23, and there terminating, all in Clark County, Washington.

Bearings are based on the east line of the southwest quarter of Section 23, Township 3 North, Range 1 East, WM as being North 1°37'42" East, based on the Washington State Plane Coordinate System, South Zone, NAD83(91) per information provided by WSDOT .



WRITTEN BY *CJS*
REVIEWED BY *JCA*



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CLARK COUNTY
WASHINGTON

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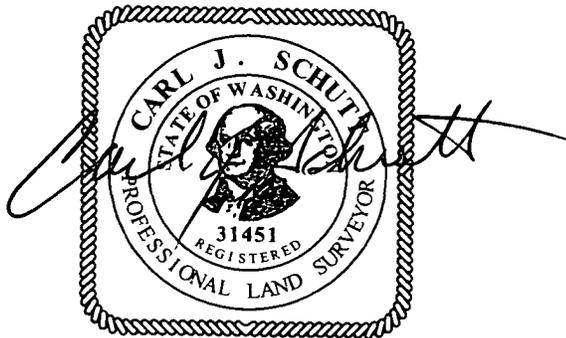
PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

EXHIBIT "C"
NE 139th STREET CENTERLINE DESCRIPTION
CRP #330322

A strip of land lying in Sections 22, 23, 26, and 27, Township 3 North, Range 1 East of the Willamette Meridian, the centerline of said strip being more particularly described as follows:

Beginning at an aluminum cap marking the south quarter corner of Section 22, Township 3 North, Range 1 East, W.M., said point being designated as Engineer's station 10+00.00; thence South 88°50'51" East 2631.78 feet to a brass cap marking the southeast corner of said Section 22; thence South 88°37'08" East 2626.82 feet to a brass cap marking the south quarter corner of Section 23, Township 3 North, Range 1 East, W.M.; thence South 88°44'49" East 2628.76 feet to a brass cap marking the southeast corner of said Section 23, and there terminating, all in Clark County, Washington.

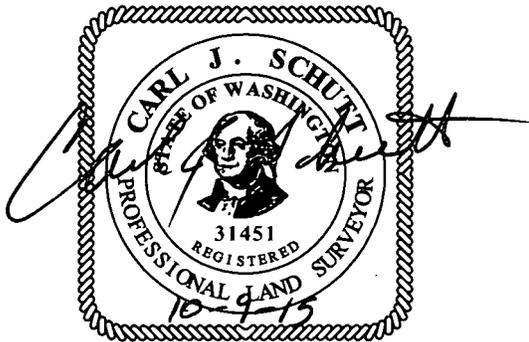
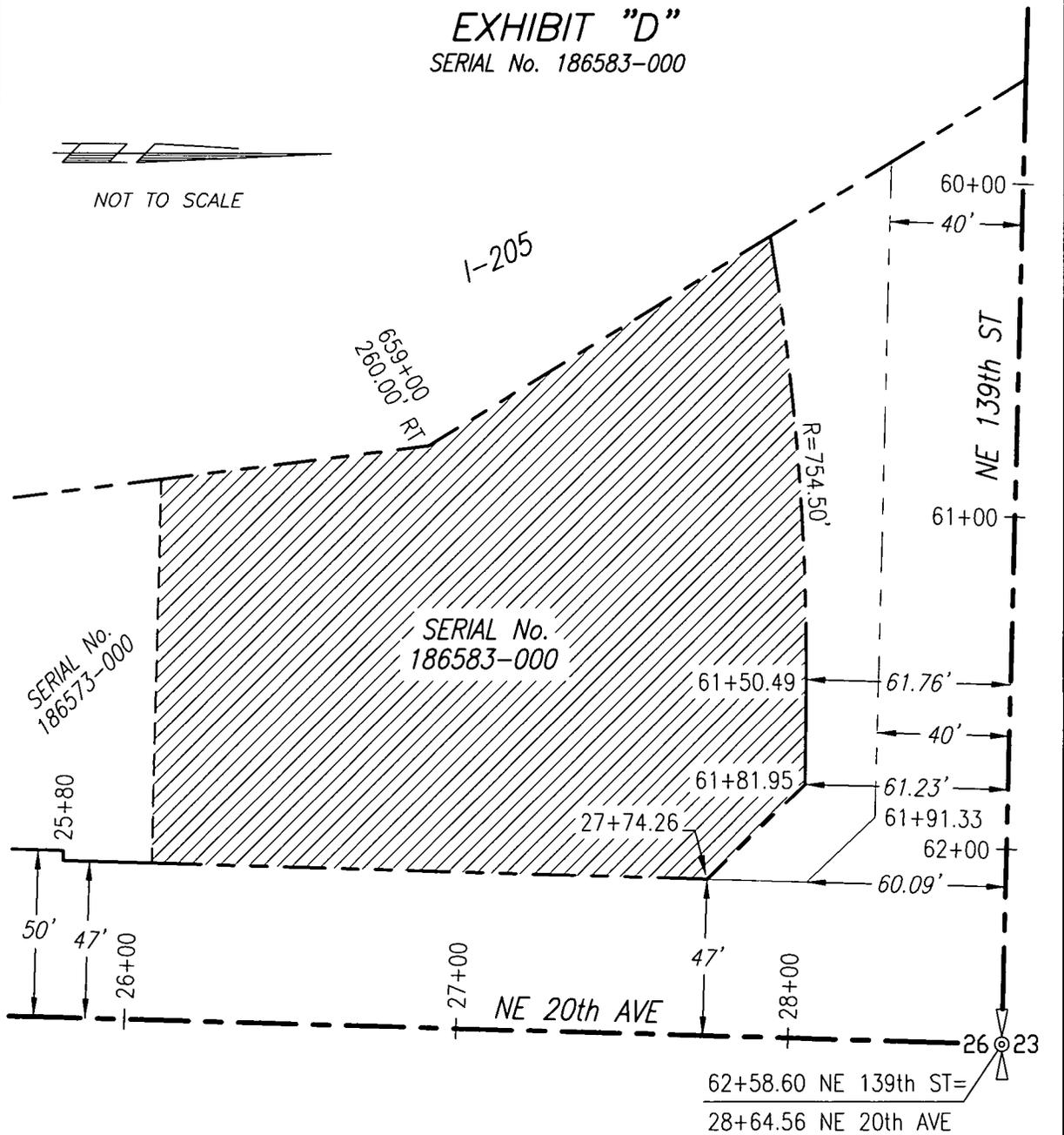
Bearings are based on the south line of the southeast quarter of Section 22, Township 3 North, Range 1 East, WM as being South 88°50'51" East, based on the Washington State Plane Coordinate System, South Zone, NAD83(91) per information provided by WSDOT .



WRITTEN BY: *[Signature]*
REVIEWED BY: *[Signature]*

EXHIBIT "D"
 SERIAL No. 186583-000

NOT TO SCALE



Clark County Public Works Vancouver, Washington		
DESIGN & ENGINEERING DIVISION OFFICE OF THE COUNTY SURVEYOR		
NW 1/4 SECTION 26 T 3 N, R 1 E, W.M.		
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
DATE	SCALE	DRAWN BY
SEPT 2011	NOT TO SCALE	CJS

Exhibit "E"

1. Taxes for the current year and future years.
2. Assessments, if any, levied by Clark Regional Wastewater District.
3. Unrecorded leaseholds, if any; rights of vendors and holders of security interests on personal property installed upon the land; and right of tenants to remove trade fixtures at the expiration of the term.
4. Relinquishments of all existing, future or potential easements for access, light, view and air, and all rights of ingress, egress and regress to, from and between the land and the highway or highways constructed on lands condemned by proceeding under Clark County Superior Court by State of Washington as Cause No. 49745, records of Clark County, Washington.
5. Relinquishment of all easements existing, future or potential, for access, light, view and air, and all rights of ingress, egress and regress to, from and between the land and the highway or highways to be constructed on land conveyed by deed to State of Washington recorded September 15, 1953 as Auditor's File No. G 133202, records of Clark County, Washington.
6. Relinquishment of all easements existing, future or potential, for access, light, view and air, and all rights of ingress, egress and regress to, from and between the land and the highway or highways to be constructed on land conveyed by deed to State of Washington recorded September 15, 1953 as Auditor's File No. G 562055, records of Clark County, Washington.
7. Easement to State of Washington for drainage purposes recorded October 5, 1970 as Auditor's File No. G 562056 and assigned to Clark County by Auditor's File No. 7712300178, records of Clark County, Washington.
8. Covenant running with the land imposed by instruments recorded under Auditor's File Nos. 9709290298 and 9709290299, records of Clark County, Washington.
9. A Joint Access Covenant running with the land imposed by instrument recorded under Auditor's File No. 9712180187, records of Clark County, Washington.
10. Easement to Public Utility District No. 1 of Clark County for Electric transmission and distribution recorded November 16, 1999 as Auditor's File No. 3170032, records of Clark County, Washington.
11. Matters set forth by survey recorded January 26, 2001 as Book 34 Page 177 of surveys, records of Clark County, Washington.
12. Matters set forth by survey recorded January 26, 2001 as Book 47 Page 170 of surveys, records of Clark County, Washington.
13. Agreement regarding easement agreement for Bioswale recorded June 24, 2002 as Auditor's File No. 3480812, records of Clark County, Washington.
14. Agreement regarding easements recorded June 24, 2002 as Auditor's File No. 3480813 and amended as Auditor's File No. 4884973, records of Clark County, Washington.

15. Matters set forth by survey recorded October 7, 2009 as Book 60 Page 74 of surveys, records of Clark County, Washington.
16. Relinquishment of all easements existing, future or potential, for access, light, view and air, and all rights of ingress, egress and regress to, from and between the land and the highway or highways to be constructed on land conveyed by deed to State of Washington recorded August 23, 2012 as Auditor's File No. 4885053, records of Clark County, Washington.
17. Reservations and other matters contained in deed recorded August 23, 2012 as Auditor's File No. 4885053, records of Clark County, Washington.
18. Easement to State of Washington, Department of Transportation recorded September 21, 2015 as Auditor's File No. 5215045, records of Clark County, Washington.