

CLARK COUNTY
STAFF REPORT

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

DATE: December 10, 2013

REQUEST: Approve and accept a Statutory Warranty Deed from Neil D. McPherson and Richard D. Schaible and Georgette M. Schaible for the NE 94th Avenue (Padden Pkwy to NE 99th St.) Project. County Road Project Number 350822. Tax Parcel Numbers 199864-000 and 199868-000.

CHECK ONE: X Consent Chief Administrative Officer

BACKGROUND: The following two properties are being acquired for the NE 94th Avenue (Padden Parkway to NE 99th Street) road widening project (County Road Project 350822).

Parcel 199864-000 (McPherson, zoned IL); 0.16 acres, which includes a 1024 square foot home with a carport for \$105,000, and

Parcel 199868-000(Schaible, zoned IL); 0.29 acres, which includes a 1344 square foot home and a 448 square foot detached shop for \$200,000.

The existing structures will be removed to accommodate the project improvements and the remainder property will be surplus. The acquisition prices were established by appraisals and subsequent appraisal reviews.

COMMUNITY OUTREACH: The purchase of this property is the result of direct property owner communication along with other community outreach.

BUDGET AND POLICY IMPLICATIONS: Funds for the parcels (\$305,000.00) are included in the 2013-2018 Transportation Improvement Program and the 2013 Annual Construction Program.

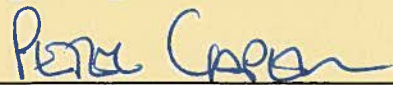
FISCAL IMPACTS: Yes (see Fiscal Impacts Attachment) No

ACTION REQUESTED: Approve and accept a Statutory Warranty Deed from Neil D. McPherson and Richard D. Schaible and Georgette M. Schaible for the NE 94th Avenue (Padden Pkwy to NE 99th St.) Project. County Road Project Number 350822. Tax Parcel Numbers 199864-000 and 199868-000.

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



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



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

APPROVED: 

CLARK COUNTY, WASHINGTON
BOARD OF COMMISSIONERS

Dec. 10, 2013

SR 255-13

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

mgr
o/c
y.i.

PW13-104

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 these properties are 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	\$305,000	\$305,000				
Total:	\$305,000	\$305,000	\$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		\$305,000	\$305,000				
Total:		\$305,000	\$305,000	\$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	\$305,000	\$305,000				
Inter-fund Transfers						
Debt Service						
Total:	\$305,000	\$305,000	\$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
Grantor: Neil D. McPherson
Grantee: Clark County, Washington
Legal Description: #33 James McAllister DLC
Additional Legal Description is attached as Exhibit "A"
Serial #: 199864-000 (94)
Project: NE 94th Ave (Padden Pkwy to NE 99th St)
CRP #: 350822 Fed Aid #: STPUL-4401(007) / TA-4945

PW 13-14

STATUTORY WARRANTY DEED

THE GRANTOR, NEIL D. MCPHERSON, an unmarried person, 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 he is 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 Five Thousand and No/100 Dollars (\$105,000.00).

Statutory Warranty Deed
Serial #: 199864-000 (94)
Project: NE 94th Ave (Padden Pkwy to NE 99th St)
CRP #: 350822 Fed Aid #: STPUL-4401(007) / TA-4945



Neil D. McPherson

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 Neil D. McPherson 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: 11-7-13



Notary Public in and for the State of WA
Residing at RIDGEFIELD, WA.
My commission expires: 1-1-16

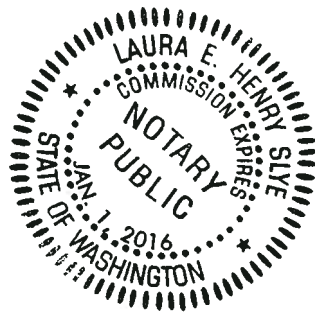


EXHIBIT "A"

The following described property, situated in Clark County, Washington, described as follows:

BEGINNING at the point 316.53 feet North of the Southwest corner of the James and Delliah McAllister Donation Land Claim in Section 4, Township 2 North, Range 2 East of the Willamette Meridian, Clark County, Washington, said point being 60 feet South of the Southwest corner of that certain tract conveyed to Ferdinand A. Leedy by deed recorded in Book 85, page 521, records of Clark County, Washington; thence East 90 feet; thence South 80 feet; thence West 90 feet; thence North 80 feet to the True Point of Beginning.

EXCEPT any portion in NE 94th Avenue.

ALSO EXCEPT that portion conveyed to Clark County, Washington by deed recorded under Auditor's File No. 9605300431.

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

Document Title: Statutory Warranty Deed
Grantors: Richard D. Schaible and Georgette M. Schaible
Grantee: Clark County, Washington
Legal Description: #37 James McAllister DLC
Additional Legal Description is attached as Exhibit "A"
Serial #: 199868-000 (99)
Project: NE 94th Ave (Padden Pkwy to NE 99th St)
CRP #: 350822 Fed Aid #: STPUL-4401(007) / TA-4945

PW 1367

STATUTORY WARRANTY DEED

THE GRANTORS, **RICHARD D. SCHAIBLE and GEORGETTE M. SCHAIBLE, husband and wife**, 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: Two Hundred Thousand and No/100 Dollars (\$200,000.00).

Statutory Warranty Deed
Serial #: 199868-000 (99)
Project: NE 94th Ave (Padden Pkwy to NE 99th St)
CRP #: 350822 Fed Aid #: STPUL-4401(007) / TA-4945


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



Steve Stuart, Chair

Tom Mielke, Commissioner

David Madore, Commissioner



Richard D. Schaible




Georgette M. Schaible

STATE OF WASHINGTON

COUNTY OF CLARK

I hereby certify that I know or have satisfactory evidence that Richard D. Schaible and Georgette M. Schaible are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: Nov 21, 2013



Laura E. Henry Slye
Notary Public in and for the State of WA
Residing at Ridgefield, WA
My commission expires: Jan 1, 2016



EXHIBIT "A"

That portion of the Northwest quarter of Section 4, Township 2 North, Range 2 East of the Willamette Meridian, Clark County, Washington lying within the James McAllister Donation Land Claim, described as follows:

BEGINNING at a point on the West line of said Donation Land Claim, that is 958.48 feet North of the Southwest corner thereof; thence East, parallel with the South line of said Donation Land Claim, 122 feet; thence North, parallel with the West line of said Donation Land Claim, 102 feet; thence West 122 feet to a point on the West line of said Donation Land Claim, that is 102 feet North of the Point of Beginning; thence South 102 feet to the Point of Beginning.

EXCEPT the West 20 feet thereof, lying within NE 94th Avenue, located in the County of Clark, State of Washington.

CLARK COUNTY, WASHINGTON
RESOLUTION NO. 2013-12-12

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 December, 2013, and

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

Document

Statutory Warranty Deed

Data

FROM: Neil D. McPherson
FOR: NE 94th Ave. (NE Padden Pkwy to NE 99th St.)
CRP# 350822
Consideration: \$105,000.00

Document

Statutory Warranty Deed

Data

FROM: Richard D. Schaible and Georgette M. Schaible
FOR: NE 94th Ave. (NE Padden Pkwy to NE 99th St.)
CRP# 350822
Consideration: \$200,000.00

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

ATTEST:

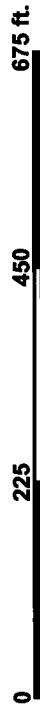


Clerk of the Board

Tom Mielke, Commissioner

David Madore, Commissioner

CRP 350822



Map center: 1110083, 136516



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



Scale: 1:2,316

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.