

# CLARK COUNTY STAFF REPORT

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

**DATE:** May 29, 2018

**REQUESTED ACTION:** Execute a utility easement to Clark Public Utilities for relocating utility poles and service equipment for the Northeast 119th Street East (Northeast 87th Avenue – Northeast 112th Avenue) Project Number 342422.

Consent       Hearing       County Manager

**BACKGROUND**

Upcoming road construction on Northeast 119th Street will require Clark Public Utilities to relocate utility poles and other equipment from within easements the utility had previously acquired from private landowners.

The utility easement would allow the poles and equipment to be relocated on county right of way adjacent to Tax Parcel Nos. 198546-000, 198587-000, 198326-000, 198339-000, 198340-000, 198342-000, 119360-000, 119350-000, 119335-000, 119320-000, 119290-015, 119290-000, 119280-000, 119256-000, 119255-000, 119245-015, 119210-005, 198307-005, 198307-000, 198374-000, 198371-000, 198316-000, 198353-000, 198363-000 and 198354-000.

**COUNCIL POLICY IMPLICATIONS**

None. It has been county policy to accommodate utilities whenever possible.

**ADMINISTRATIVE POLICY IMPLICATIONS**

None.

**COMMUNITY OUTREACH**

None related to this utility easement, although there has been considerable outreach for upcoming road construction, including neighborhood association meetings, open houses, mailers, website content and one-on-one conversations. Public Works also will send out a mailer prior to the start of road construction.

**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.

*Pw18-083*

**BUDGET DETAILS**

Local Fund Dollar Amount	N/A
Grant Fund Dollar Amount	N/A
Account	Road Fund
Company Name	Public Utility District No. 1 of Clark County

**DISTRIBUTION:**

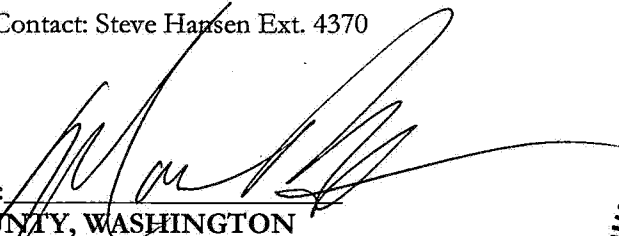
Council staff will post all staff reports to the county website, [www.clark.wa.gov/the-grid](http://www.clark.wa.gov/the-grid).  
Please notify Real Property Services of the council's action by calling Paulette Matison, ext. 4975.

Attachments: Easement, Resolution

  
Tom Grange, PE  
Engineering & Construction Division Manager

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

Primary Staff Contact: Steve Hansen Ext. 4370

  
APPROVED:  
CLARK COUNTY, WASHINGTON  
CLARK COUNTY COUNCIL

DATE: May 29, 2018  
SR# 109-18



APPROVED: \_\_\_\_\_  
Jim Rumpeltes, Interim County Manager

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

RETURN TO:  
Clark Public Utilities  
P. O. Box 8900  
Vancouver, WA 98668

Document Title: Utility Easement  
Grantor: Clark County, a political subdivision of the State of Washington  
Grantee: Public Utility District No.1 of Clark County  
Legal Description: Portions of NE 119<sup>th</sup> St Right of Way in Sec. 28 & 29-3-2E WM  
Serial No: Adjacent to 198546000, 198587000, 198326000, 198339000,  
198340000, 198342000, 119360000, 119350000, 119335000,  
119320000, 119290015, 119290000, 119280000, 119256000,  
119255000, 119245015, 119210005, 198307005, 198307000,  
198374000, 198371000, 198316000, 198353000, 198363000,  
198354000  
GEO: 3228220, 3228230, 3228320, 3228330, 3229222  
ENGINEER: Pilling  
RIO: 418020

EA 18-04

#### UTILITY EASEMENT

The GRANTOR(S), **CLARK COUNTY, a political subdivision of the State of Washington**, for and in consideration of mutual benefits hereby acknowledged, does grant and convey to **PUBLIC UTILITY DISTRICT NO. 1 OF CLARK COUNTY, a municipal corporation of the state of Washington**, GRANTEE, its successors and assigns, including joint users, a non-exclusive, perpetual easement six (6) feet in width lying within the Right of Way of NE 119<sup>th</sup> Street for maintaining and operating thereon and therein an electric system, facilities and appurtenances including communication and service conductors with surface-mounted transformer(s), pole(s), anchor(s), and appurtenances necessary thereto.

Together with the right of ingress and egress, and for necessary operations for installing, constructing, erecting, altering, repairing, and maintaining and operating said system located in said easement within the Right of Way of NE 119<sup>th</sup> Street.

Also together with an easement to tap into said facilities to serve adjacent and/or adjoining lands, in, on, over, under and across the Right of Way of NE 119<sup>th</sup> Street adjacent to or south of noted parcels:

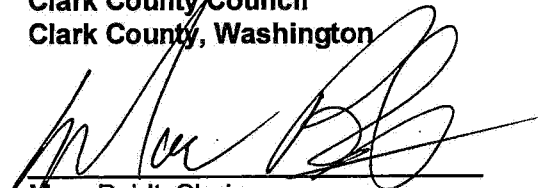
As of this date being a portion of the right of way of NE 119<sup>th</sup> Street, adjacent to or South of Assessor Parcel Nos. 198546000, 198587000, 198326000, 198339000, 198340000, 198342000, 119360000, 119350000, 119335000, 119320000, 119290015, 119290000, 119280000, 119256000, 19255000, 119245015, 119210005, 198307005, 198307000, 198374000, 198371000, 198316000, 198353000, 198363000, 198354000 in Sections 28 and 29, Township 3 North, Range 2 E of the Willamette Meridian, more particularly shown on the attached Exhibit "B", by this reference made a part hereof.

Upon completion of installation of all facilities, said six (6) foot easement herein granted shall be centered on and limited to the location of the facilities as placed as per said map submitted to the Office of the County Engineer.

The Grantor also covenants to and with the Grantee that Grantor has the right and power to convey an Easement over the tract of land described herein.

DATED this 20<sup>th</sup> day of May, 2018

Clark County Council  
Clark County, Washington

  
\_\_\_\_\_  
Marc Boldt, Chair

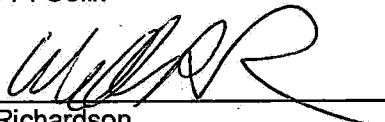
\_\_\_\_\_  
John Blom, Councilor

\_\_\_\_\_  
Jeanne E. Stewart, Councilor

\_\_\_\_\_  
Eileen Quiring, Councilor

\_\_\_\_\_  
Julie Olson, Councilor

Approved as to Form:  
Anthony F. Golik

By:   
\_\_\_\_\_  
Bill Richardson  
Deputy Prosecuting Attorney



NOTARIAL ACKNOWLEDGMENT

STATE OF WASHINGTON )

ss

COUNTY OF CLARK )

On this 29<sup>th</sup> day of May, 2018, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Marc Boldt, 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 the 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 is authorized to execute the said instrument by resolution of the Clark County Council and that the seal affixed is the official seal of Clark County, Washington.

Rebecca L. Messinger  
Notary Public in and for said County and State of WA  
residing at Vancouver, WA  
My Appointment Expires 4/26/2021

REBECCA L MESSINGER  
NOTARY PUBLIC  
STATE OF WASHINGTON  
COMMISSION NUMBER 3715  
COMMISSION EXPIRES APRIL 26, 2021

## EXHIBIT "A"

### Easement Description:

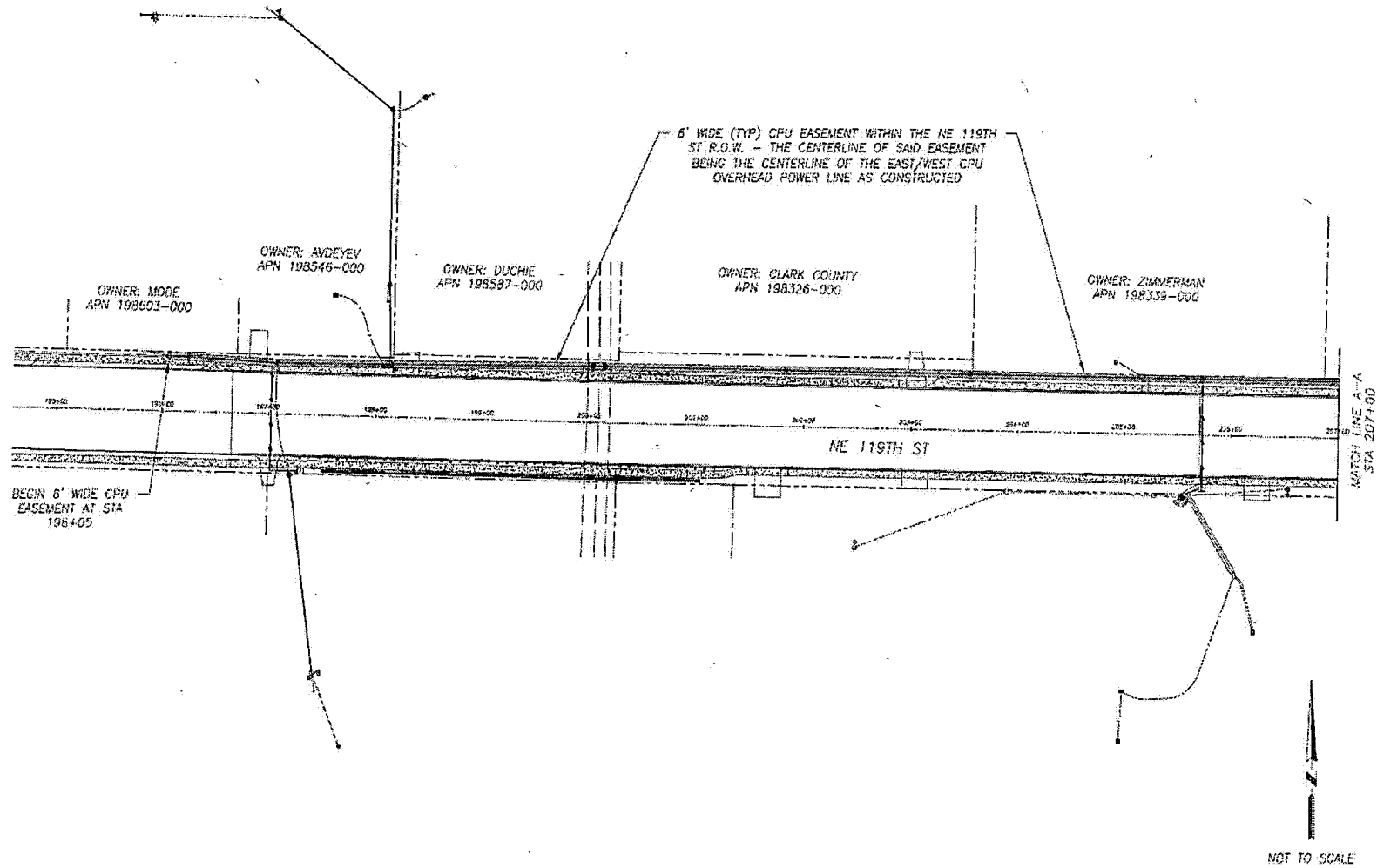
An easement 6 feet wide being centered on the relocated line in the right of way of NE 119<sup>th</sup> St. for electrical facilities as placed between STA 196+05 to STA 253 +10 the easement is adjacent to or South of the listed properties with the general location shown on Exhibit "B", said easements herein granted shall have reasonable rights of ingress and egress for the purposes above stated.

### Adjacent Properties:

APN 198546000 – known as 9018 NE 119<sup>th</sup> St  
APN 198587000 – known as 9012 NE 119<sup>th</sup> St  
APN 198326000 – known as 9210 NE 119<sup>th</sup> St  
APN 198339000 – known as 9316 NE 119<sup>th</sup> St  
APN 198340000 – known as 9504 NE 119<sup>th</sup> St  
APN 198342000 – known as 12014 NE 96<sup>th</sup> Ave  
APN 119360000 – known as 12001 NE 96<sup>th</sup> Ave  
APN 119350000 – known as 9710 NE 119<sup>th</sup> St  
APN 119335000 – known as 9714 NE 119<sup>th</sup> St  
APN 119320000 – known as 11912 NE 99<sup>th</sup> Ave  
APN 119290015 – known as 10110 NE 119<sup>th</sup> St  
APN 119290000 – known as 11912 NE 102<sup>nd</sup> Ave  
APN 119280000 – known as 11904 NE 103<sup>rd</sup> Ave  
APN 119256000 – known as 11913 NE 103<sup>rd</sup> Ave  
APN 119255000 – known as 10408 NE 119<sup>th</sup> St  
APN 119245015 – known as 11904 NE 105<sup>th</sup> Ave  
APN 119210005 – known as 10612 NE 119<sup>th</sup> St  
APN 198307005 – known as 10706 NE 119<sup>th</sup> St  
APN 198307000 – known as 12019 NE 107<sup>th</sup> Ave  
APN 198374000 – known as 12015 NE 108<sup>th</sup> Ave  
APN 198371000 – known as 10818 NE 119<sup>th</sup> St  
APN 198316000 – known as 10916 NE 119<sup>th</sup> St  
APN 198353000 – known as 11012 NE 119<sup>th</sup> St  
APN 198363000 – known as 12005 NE 111<sup>th</sup> Ave  
APN 198354000 – known as 11118 NE 119<sup>th</sup> St

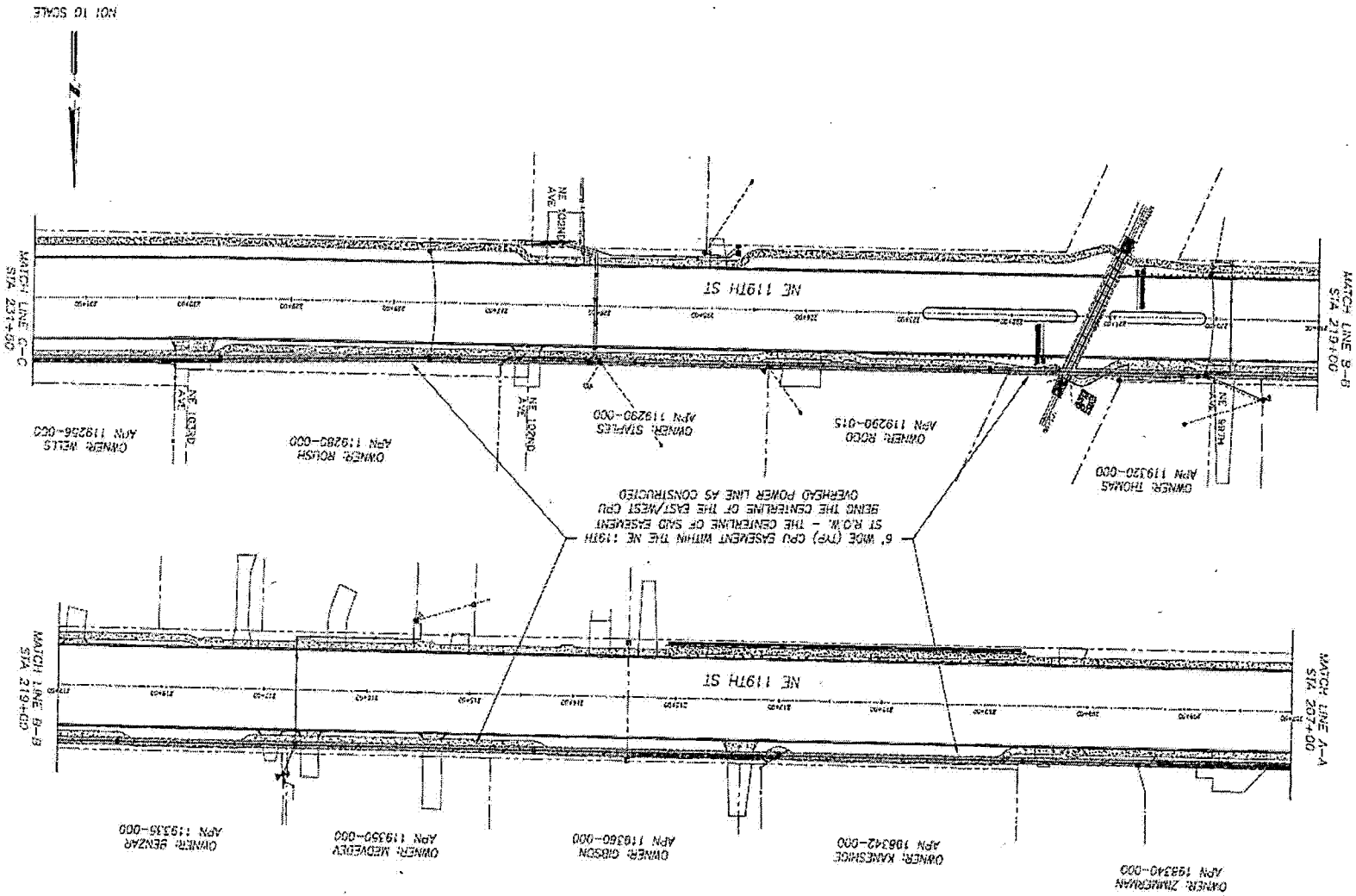
# EASEMENT EXHIBIT 'B'

SHEET 1 OF 3



EASEMENT EXHIBIT 'B'

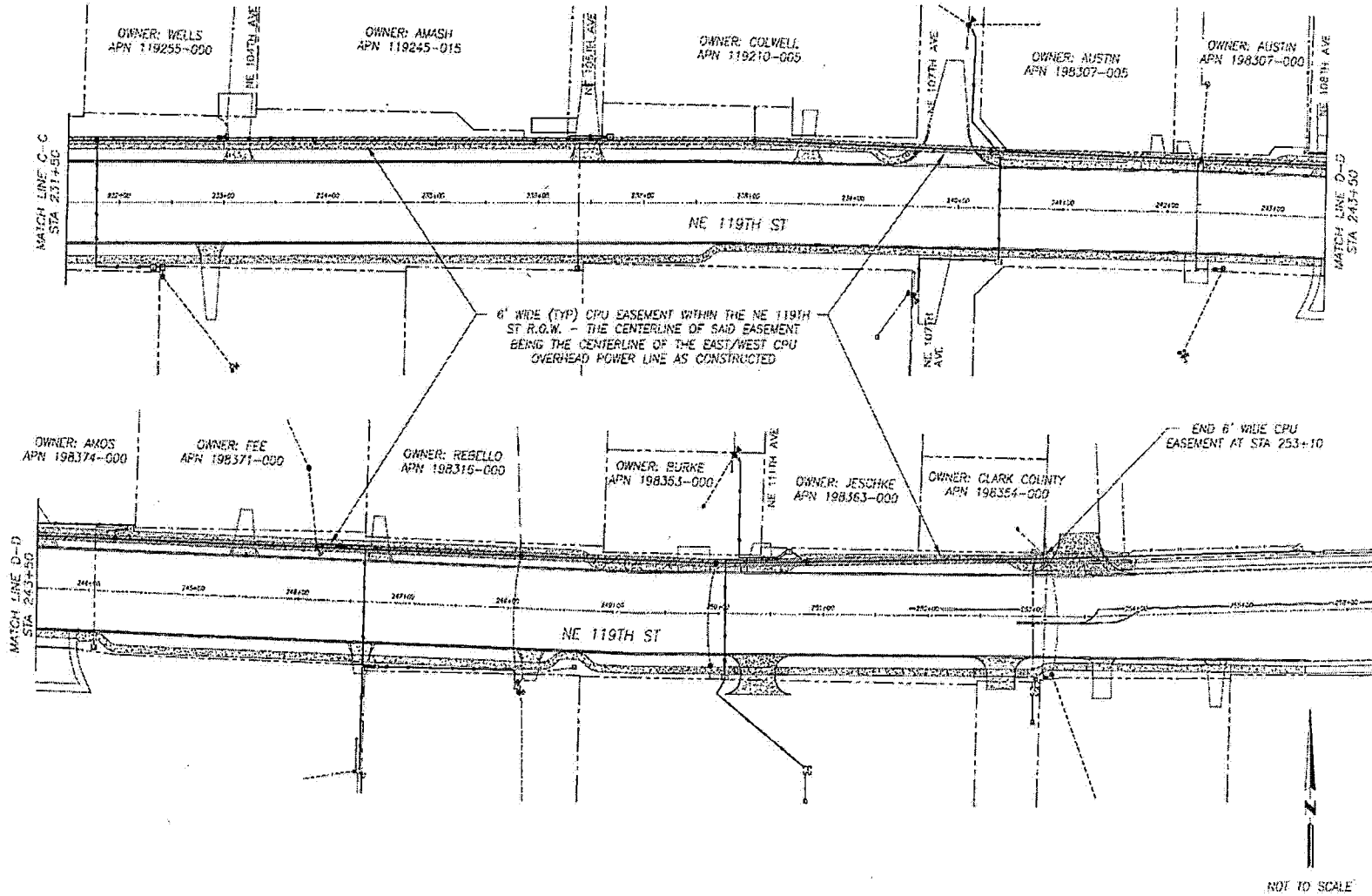
SHEET 2 OF 3





# EASEMENT EXHIBIT 'B'

SHEET 3 OF 3



CLARK COUNTY, WASHINGTON  
RESOLUTION NO. 2018-05-21

IN THE MATTER OF EXECUTION OF UTILITY EASEMENT FROM CLARK COUNTY

WHEREAS, the Clark County Council, Clark County, WA is in regular session this 29<sup>th</sup>  
day of May, 2018, and

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

Document

Utility Easement

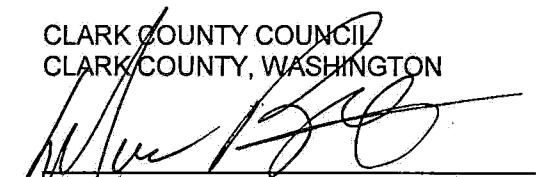
Data

FROM: Clark County, Washington  
TO: Public Utility District No. 1 of Clark County  
CONSIDERATION: Mutual Benefits

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.

CLARK COUNTY COUNCIL  
CLARK COUNTY, WASHINGTON

  
\_\_\_\_\_  
Marc Boldt, Chair

ATTEST:

  
\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Jeanne E. Stewart, Councilor

\_\_\_\_\_  
Julie Olson, Councilor

\_\_\_\_\_  
John Blom, Councilor

\_\_\_\_\_  
Eileen Quiring, Councilor

