

CLARK COUNTY STAFF REPORT

DEPARTMENT: Public Works / Chelatchie Prairie Railroad

DATE: July 17, 2018

REQUESTED ACTION: Approve and execute a utility easement with Clark Public Utilities so the Battle Ground, Yacolt, and Chelatchie Prairie Railroad Association can construct a maintenance building in Yacolt.

Consent Hearing County Manager

BACKGROUND

Clark County owns property (Tax Parcel No. 300011-000) along the Chelatchie Prairie Railroad in Yacolt. The Battle Ground, Yacolt, and Chelatchie Prairie Railroad Association (BYCX), which operates a passenger excursion train from May through December, leases the property from the county and maintains the track along this portion of the 33-mile short line.

BYCX wants to construct a maintenance building on the property, which will be owned by the county once constructed. BYCX needs to secure access to utilities before construction can begin. Approving this utility easement with Clark Public Utilities will allow this project to proceed.

COUNCIL POLICY IMPLICATIONS

None. The county's practice is to accommodate utilities whenever possible.

ADMINISTRATIVE POLICY IMPLICATIONS

None.

COMMUNITY OUTREACH

None.

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.

PW18-091

BUDGET DETAILS

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

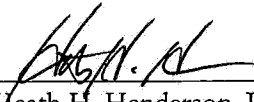
DISTRIBUTION:

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

Attachments: Easement, Resolution and Map



Jerry Barnett, PE
Program Manager/Public Works
Railroad Coordinator



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

Primary Staff Contact: Jerry Barnett, 360-566-6992

APPROVED: 
CLARK COUNTY, WASHINGTON
CLARK COUNTY COUNCIL

DATE: 7-7-18

SR# 127-18



APPROVED: _____
Kathleen Otto, Deputy County Manager

DATE: _____

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

Document: Utility Easement
Grantor: Clark County, Washington
Grantee: Public Utility District No. 1 of Clark County
Legal Description: Parcel 11 Sec 35 T5N R3E WM
Serial No. 300011-000
Geo No. 5335333
Engineer: Lattanzi
Job No.: 513861
WO No.: 028867

UTILITY EASEMENT

The GRANTOR, **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 twenty (20) feet in width, together with the right of ingress and egress for the purpose of installing, constructing, erecting, altering, repairing, 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 and easement to tap into said facilities to serve adjacent and/or adjoining lands, in, on, over, under and across the lands in Clark County, Washington, described as follows:

A portion of Tax lot 11 in the SW 1/4 of Section 35, Township 5 North, Range 3 East of the Willamette Meridian, APN 300011-000 and more particularly described and shown on the attached Exhibits, by this reference made a part hereof.

Upon completion of installation of all facilities, THE EASEMENT HEREIN GRANTED SHALL BE CENTERED ON AND LIMITED TO THE LOCATION OF THE FACILITIES AS PLACED WITH REASONABLE RIGHTS OF INGRESS AND EGRESS FOR THE PURPOSES ABOVE STATED.

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 17 day of July, 2018.

Clark County Council
Clark County, Washington

[Signature]
Marc Boldt, Chair

Jeanne E. Stewart, Councilor

Julie Olson, Councilor

John Blom, Councilor

Eileen Quiring, Councilor

Approved as to Form Only:
Anthony F. Golik
Prosecuting Attorney

By: [Signature]
Bill Richardson



STATE OF WASHINGTON

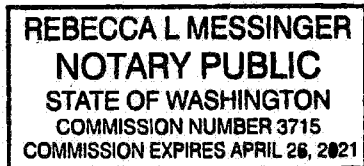
COUNTY OF CLARK

On this 17 day of July, 2018, before me personally appeared Marc Boldt 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 Clark County Council of Clark County and that the seal affixed is the official seal of Clark County.

Dated 7/17/18

Rebecca L. Messinger

Notary Public in and for the State of WA
Residing at Vancouver
My commission expires: 4/26/21





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CLARK COUNTY
WASHINGTON

Superior service that is responsive and cost justified

PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

**CHELATCHIE PRAIRIE RAILROAD
CLARK COUNTY
EASEMENT FOR CLARK PUBLIC UTILITIES
Parcel No. 30011-000**

A 20 foot permanent powerline easement for construction, operation, and maintenance, all situated in Southwest quarter of Section 35, Township 5 North, Range 3 East, Clark County Washington, being 10 feet on each side of the following described centerline:

Commencing at the Southwest corner of that tract of land recorded as Auditor's File No. 5270903 of records of Clark County, Washington, thence easterly along south line of said tract 113.5 feet to THE TRUE POINT OF BEGINNING;

Thence Northwesterly and parallel with westerly line of the above mentioned tract North 24°46'02" West 119.5 feet; Thence North 7°58'39" West 62.0 feet; Thence North 65°13'58" East 13.0 feet to the point of terminus of the described easement.

The southerly side lines of said easement to be shortened or extended to intersect the south line of said Tract. Together with the right of ingress egress over said tract for access to said easement.

The basis of bearing of this description is the south line of said tract being held as North 90°00'00" West

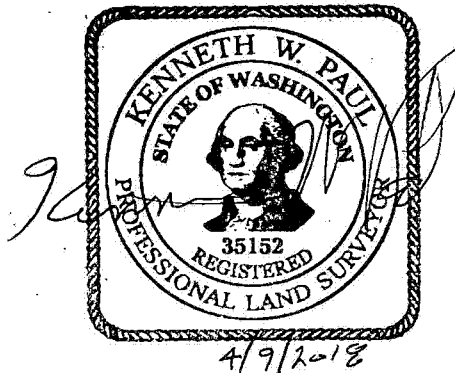
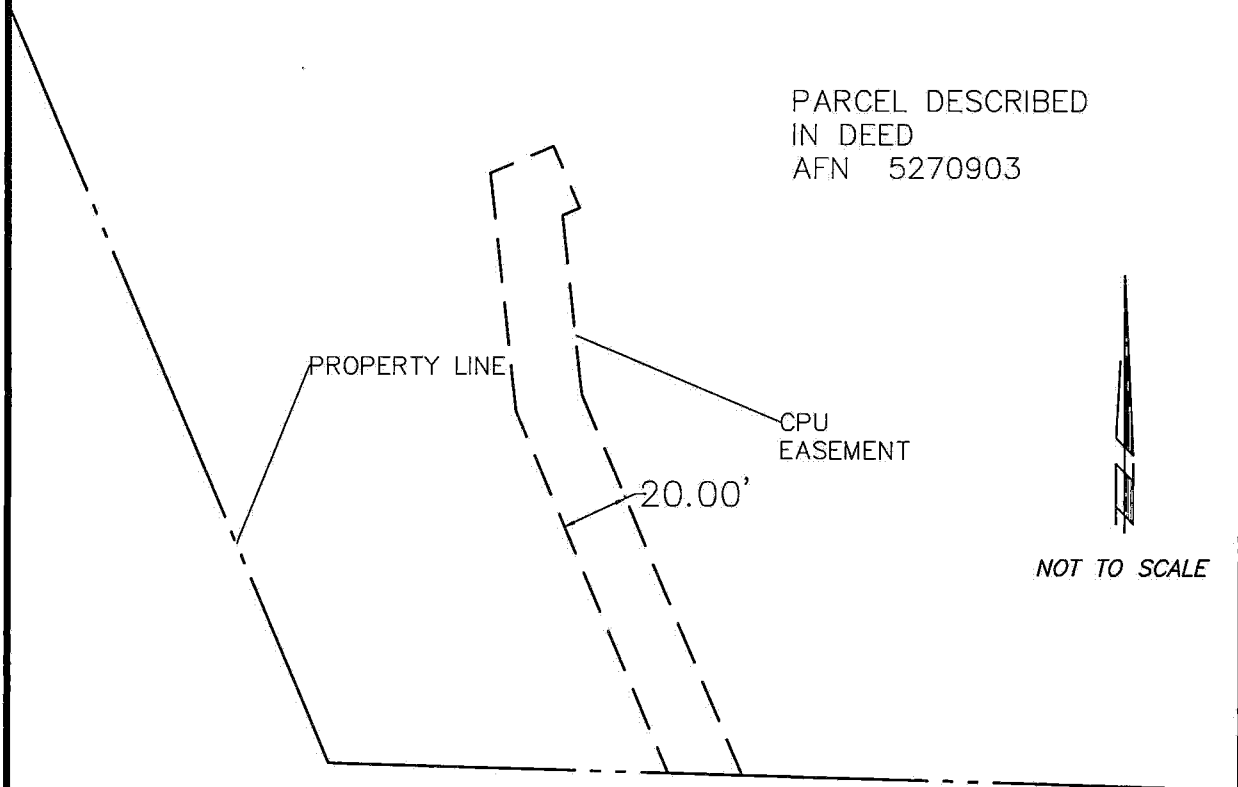
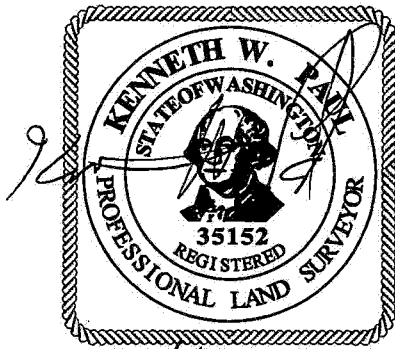


EXHIBIT "C"
SERIAL No. 300011-000



W YACOLT RD

SECTION LINE



6/1/2018

Clark County Public Works Vancouver, Washington		
DESIGN & ENGINEERING DIVISION OFFICE OF THE COUNTY SURVEYOR		
SW 1/4 SEC 35 T 5 N, R 3 E, W.M.		
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
DATE	SCALE	DRAWN BY
JUN 2018	NOT TO SCALE	LD

CLARK COUNTY, WASHINGTON
RESOLUTION NO. 2018-07-07

IN THE MATTER OF EXECUTION OF UTILITY EASEMENT FROM CLARK COUNTY

WHEREAS, the Clark County Council, Clark County, WA is in regular session this 17
day of July, 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
CONSIDERATION: Mutual Benefit

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

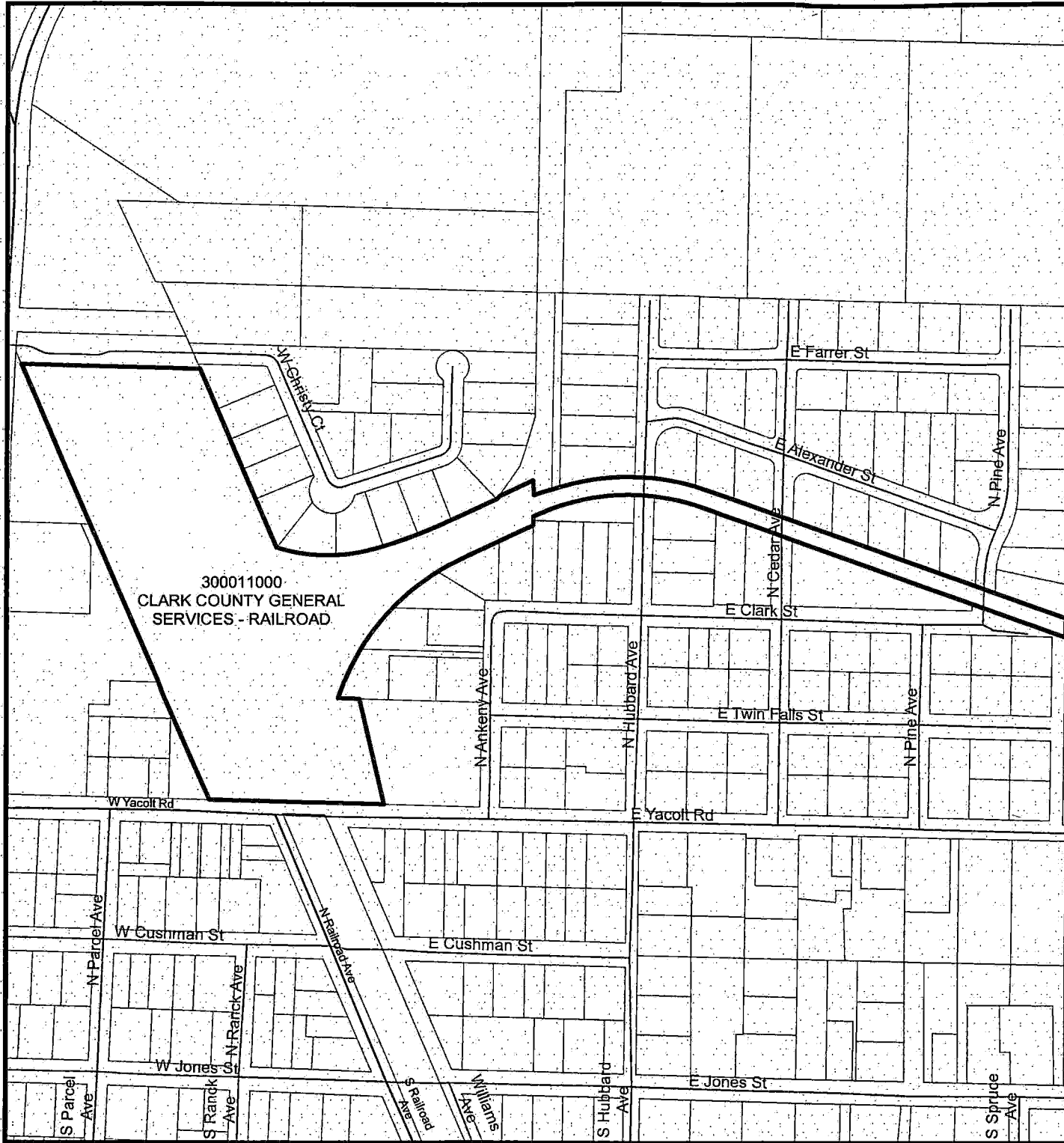
Julie Olson, Councilor

John Blom, Councilor

Eileen Quiring, Councilor



Tax Parcel 300011-000



KEY

1:4,321



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CLARK COUNTY WASHINGTON Geographic Information System

Information shown on this map was collected from several sources. Clark County accepts no responsibility for any inaccuracies that may be present.

Printed On: Feb 23, 2016
Project: G:\RealPropEdit\RealPropEditing_nt20.mxd (dantell)