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**CLARK COUNTY
STAFF REPORT**

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

DATE: February 26, 2013

REQUEST: Approve and execute a Bargain and Sale Deed to Fred Meyer Stores, Inc.
Adjacent to Tax Parcel Number 186525-000.

X Consent

Chief Administrative Officer

PUBLIC WORKS GOALS:

- Provide safe and efficient transportation systems within Clark County
- Continue responsible stewardship of public funds
- Promote family-wage job creation and economic development to support a thriving community
- Maintain a desirable quality of life
- Improve environmental stewardship and protection of natural resources
- Increase partnerships and foster an engaged, informed community
- Make Public Works a great place to work

BACKGROUND: The construction of the Salmon creek Interchange project required the realignment of Tenney Road at NE 139th Street and the relocation of Fred Meyer's stormwater facility. The property agreement for this work included an exchange of unnecessary county right-of-way for an equivalent area (10,999 square feet) of Fred Meyer's property. The process to fulfill this agreement requires the county to vacate its interest in the unneeded right-of-way and then deed it to Fred Meyer. The Board of County Commissioner's approved the final road vacation on November, 2012 (SR 12-69). The execution of this Bargain and Sale deed will complete the property exchange with Fred Meyer.

COMMUNITY OUTREACH: WSDOT and Clark County have been involved in an extensive public outreach program through four open houses, meetings, and newsletters.

BUDGET AND POLICY IMPLICATIONS: None.

FISCAL IMPACTS: Yes (see Fiscal Impacts Attachment) No

ACTION REQUESTED: Approve and execute a Bargain and Sale Deed to Fred Meyer Stores, Inc.
Adjacent to Tax Parcel Number 186525-000.

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

[Handwritten signature of Heath H. Henderson]

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

Approved *Feb 26 2013*
CLARK COUNTY, WASHINGTON
BOARD OF COMMISSIONERS

[Handwritten signature of Peter Capell]

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

SR 024-13

HHH/PC/PAM/pmm
Attachments: Bargain and Sale Deed, Resolutions, Maps

After recording return to:
Clark County Public Works
Real Property Services
PO Box 9810
Vancouver, WA 98666-9810

Document Title: Bargain and Sale Deed
Grantor: Clark County, Washington
Grantee: Fred Meyer Stores, Inc.
Legal Description is attached as Exhibit "A"
Ptn of Tenney Rd adj. to Serial # 186525-000
Project: Salmon Creek Interchange
CRP #: 330322 Fed Aid #: HPP 9906(021)MD-2004(073)

PW 139

BARGAIN AND SALE DEED

THE GRANTOR, CLARK COUNTY, a political subdivision of the State of Washington, for and in consideration of valuable consideration as set out in part below, bargains, sells and conveys to FRED MEYER STORES, INC., an Ohio corporation successor by merger to Roundup Co., a Washington corporation, 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**

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.

CONSIDERATIONS: Mutual Benefits.

Dated this 26th day of February, 2013.

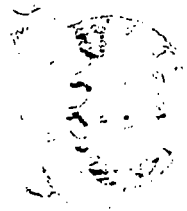
BOARD OF COUNTY COMMISSIONERS
OF CLARK COUNTY, WASHINGTON



Steve Stuart, Chair

Tom Mielke, Commissioner

David Madore, Commissioner



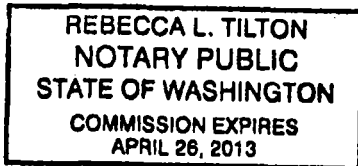
Bargain and Sale Deed
Ptn of Tenney Rd adj. to Serial # 186525-000
Project: Salmon Creek Interchange
CRP #: 330322 Fed Aid #: HPP 9906(021)MD-2004(073)

STATE OF WASHINGTON

COUNTY OF CLARK

On this 26th day of February, 2013, before me personally appeared Steve Stuart and _____, to me known to be the duly elected, qualified and acting County Commissioner(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/they is/are authorized to execute said instrument by resolution of the Board of County Commissioners of Clark County and that the seal affixed is the official seal of Clark County.

Dated: February 26, 2013 Rebecca L. Tilton



Notary Public in and for the State of WA,
Residing at Battle Ground
My commission expires: 4/26/13



proud past, promising future

CLARK COUNTY
WASHINGTON

Superior service that is responsive and cost justified

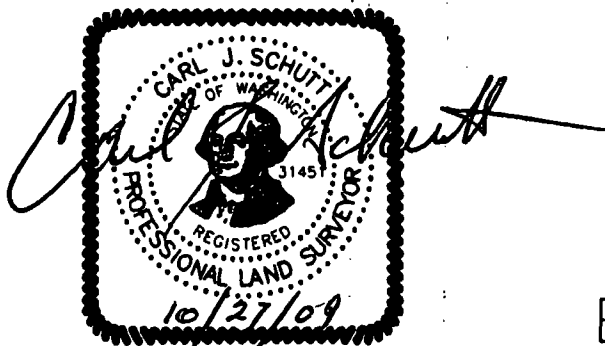
DEPARTMENT OF PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

EXHIBIT "A"
SALMON CREEK INTERCHANGE – CRP # 330322
TENNEY ROAD VACATION

A portion of Northeast Tenney Road lying in the northeast quarter of Section 27, Township 3 North, Range 1 East of the Willamette Meridian in Clark County, Washington, being more particularly described as follows:

Beginning at a point in said Tenney Road, said point being 40.29 feet southerly of, when measured at right angles to, the centerline of Northeast 139th Street, as described in Exhibit "B", attached, at Engineers' station 23+74.16; thence South 00°16'47" East 8.48 feet; thence from a tangent which bears South 67°28'43" East, along the arc of a 753.00 foot radius curve right through a central angle of 21°31'58" a distance of 282.99 feet; thence from a tangent which bears North 29°14'19" West, along the arc of a 174.50 foot radius curve right through a central angle of 28°14'58" a distance of 86.04 feet; thence from a tangent which bears North 51°11'27" West, along the arc of an 800.00 foot radius curve left through a central angle of 10°31'34" a distance of 146.97 feet; thence South 89°43'14" West 90.69 feet to the point of beginning, all in Clark County, Washington.

This description contains 10,099 square feet as calculated by the double meridian distance method.



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

V060.doc



proud past, promising future

CLARK COUNTY
WASHINGTON

Superior service that is responsive and cost justified

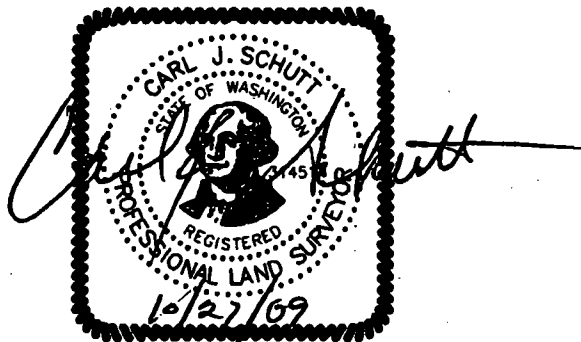
DEPARTMENT OF PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

EXHIBIT "B"
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:

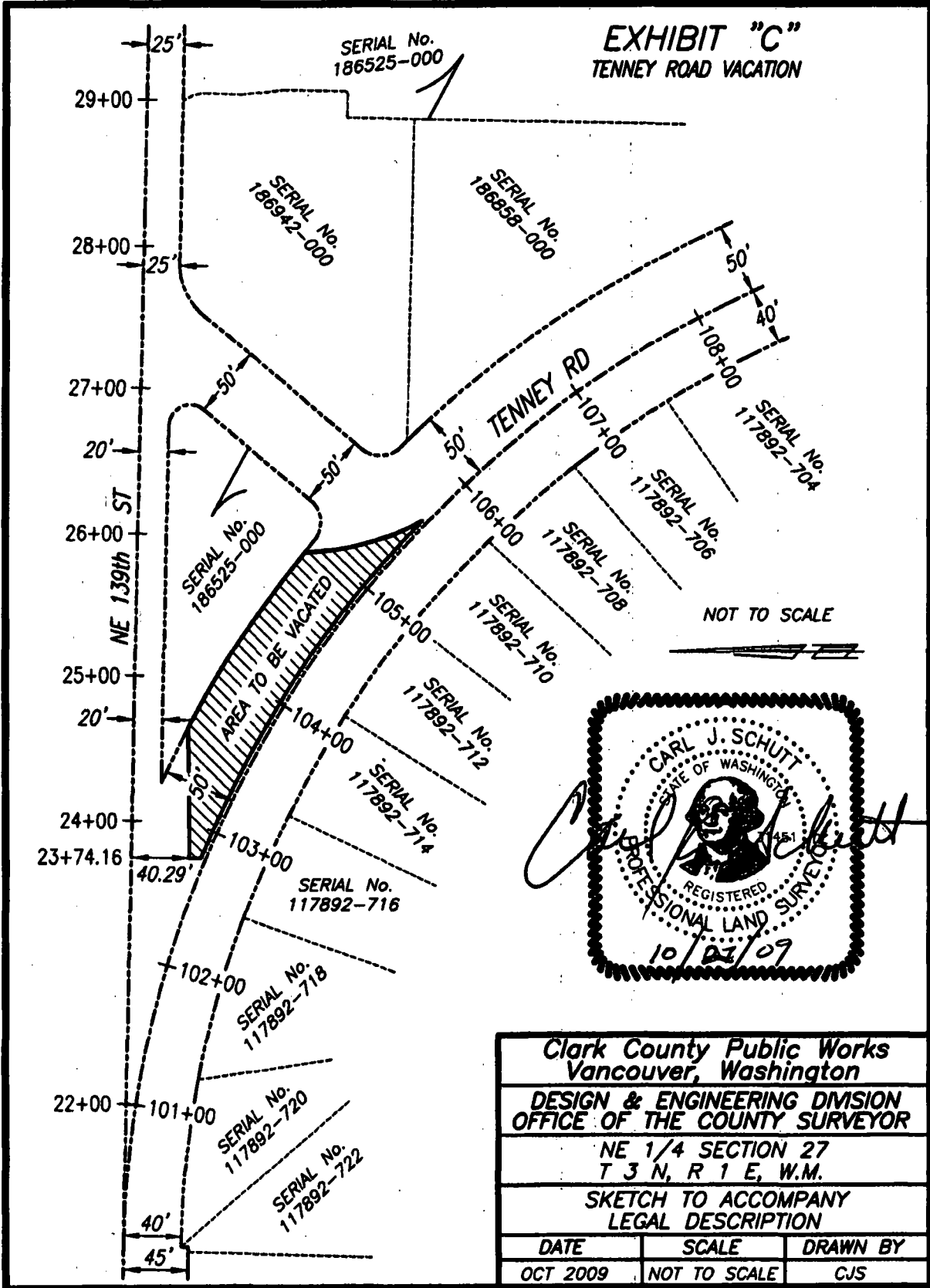
Beginning at an aluminum cap marking the north quarter corner of Section 27, Township 3 North, Range 1 East, W.M., said point being designated as Engineer's station 10+00.00; thence South 88°50'51" East 2631.78 feet to a brass cap marking the northeast corner of said Section 27; thence South 88°37'08" East 2626.82 feet to a brass cap marking the north quarter corner of Section 26, Township 3 North, Range 1 East, W.M.; thence South 88°44'49" East 2628.76 feet to a brass cap marking the northeast corner of said Section 26, and there terminating, all in Clark County, Washington.

Bearings are based on the north line of the northeast quarter of Section 27, 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: *CS*
REVIEWED BY: *AS*

EXHIBIT "C"
TENNEY ROAD VACATION



Clark County Public Works Vancouver, Washington		
DESIGN & ENGINEERING DIVISION OFFICE OF THE COUNTY SURVEYOR		
NE 1/4 SECTION 27 T 3 N, R 1 E, W.M.		
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
DATE	SCALE	DRAWN BY
OCT 2009	NOT TO SCALE	CJS

CLARK COUNTY, WASHINGTON
RESOLUTION NO. 2013-02-20

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

WHEREAS, the Board of County Commissioners is in regular session this 20th day of February, 2013, 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: Fred Meyer Stores, Inc.

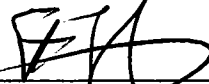
FOR: 330322 Salmon Creek Interchange Project

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 Commissioners.

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, WASHINGTON



Steve Stuart, Chair

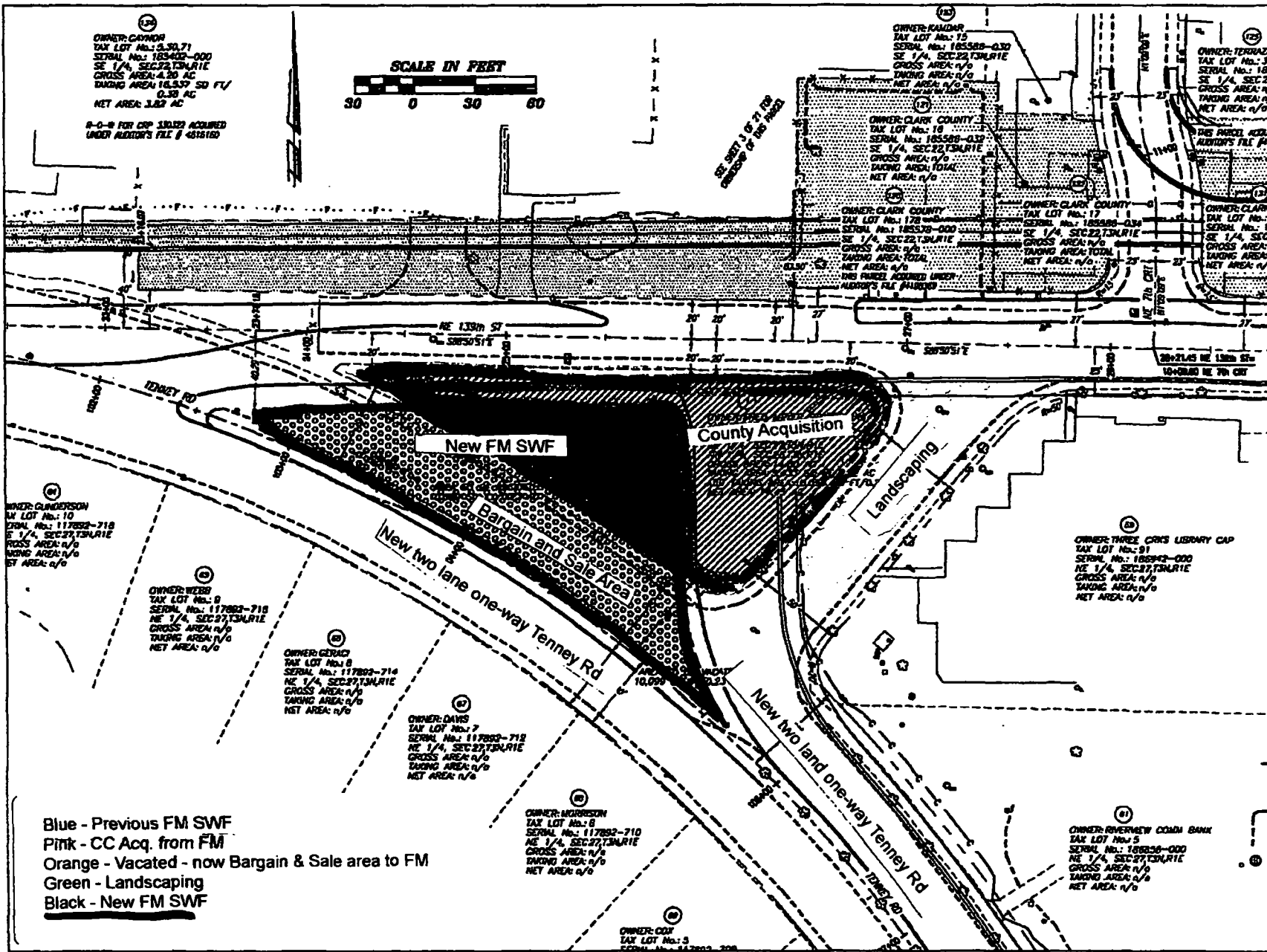
ATTEST:



Clerk of the Board

Tom Mielke, Commissioner

David Madore, Commissioner



OWNER: CAYNER
 TAX LOT No.: 5, 30, 71
 SERIAL No.: 185400-000
 SE 1/4, SEC 22, T34R1E
 GROSS AREA: 4.29 AC
 TAKING AREA: 16.537 SD FT /
 0.38 AC
 NET AREA: 3.82 AC
 P-O-B FOR COP 33022 ACQUIRED
 UNDER ADJUTOR'S FILE # 4618120



OWNER: KANDAR
 TAX LOT No.: 15
 SERIAL No.: 185580-030
 SE 1/4, SEC 22, T34R1E
 GROSS AREA: n/a
 TAKING AREA: n/a
 NET AREA: n/a

OWNER: CLARK COUNTY
 TAX LOT No.: 18
 SERIAL No.: 185580-037
 SE 1/4, SEC 22, T34R1E
 GROSS AREA: n/a
 TAKING AREA: TOTAL
 NET AREA: n/a

OWNER: CLARK COUNTY
 TAX LOT No.: 178
 SERIAL No.: 185580-000
 SE 1/4, SEC 22, T34R1E
 GROSS AREA: n/a
 TAKING AREA: TOTAL
 NET AREA: n/a

OWNER: CLARK COUNTY
 TAX LOT No.: 17
 SERIAL No.: 185580-034
 SE 1/4, SEC 22, T34R1E
 GROSS AREA: n/a
 TAKING AREA: TOTAL
 NET AREA: n/a

OWNER: TERHAZ
 TAX LOT No.: 3
 SERIAL No.: 181
 SE 1/4, SEC 2
 GROSS AREA: n/a
 TAKING AREA: n/a
 NET AREA: n/a

OWNER: CLARK COUNTY
 TAX LOT No.: 1
 SERIAL No.: 1
 SE 1/4, SEC 10
 GROSS AREA: n/a
 TAKING AREA: n/a
 NET AREA: n/a

OWNER: GUNDERSON
 TAX LOT No.: 10
 SERIAL No.: 117892-318
 S 1/4, SEC 27, T34R1E
 GROSS AREA: n/a
 TAKING AREA: n/a
 NET AREA: n/a

OWNER: WEBB
 TAX LOT No.: 9
 SERIAL No.: 117892-718
 NE 1/4, SEC 27, T34R1E
 GROSS AREA: n/a
 TAKING AREA: n/a
 NET AREA: n/a

OWNER: GIBNEY
 TAX LOT No.: 8
 SERIAL No.: 117892-714
 NE 1/4, SEC 27, T34R1E
 GROSS AREA: n/a
 TAKING AREA: n/a
 NET AREA: n/a

OWNER: DAVIS
 TAX LOT No.: 7
 SERIAL No.: 117892-712
 NE 1/4, SEC 27, T34R1E
 GROSS AREA: n/a
 TAKING AREA: n/a
 NET AREA: n/a

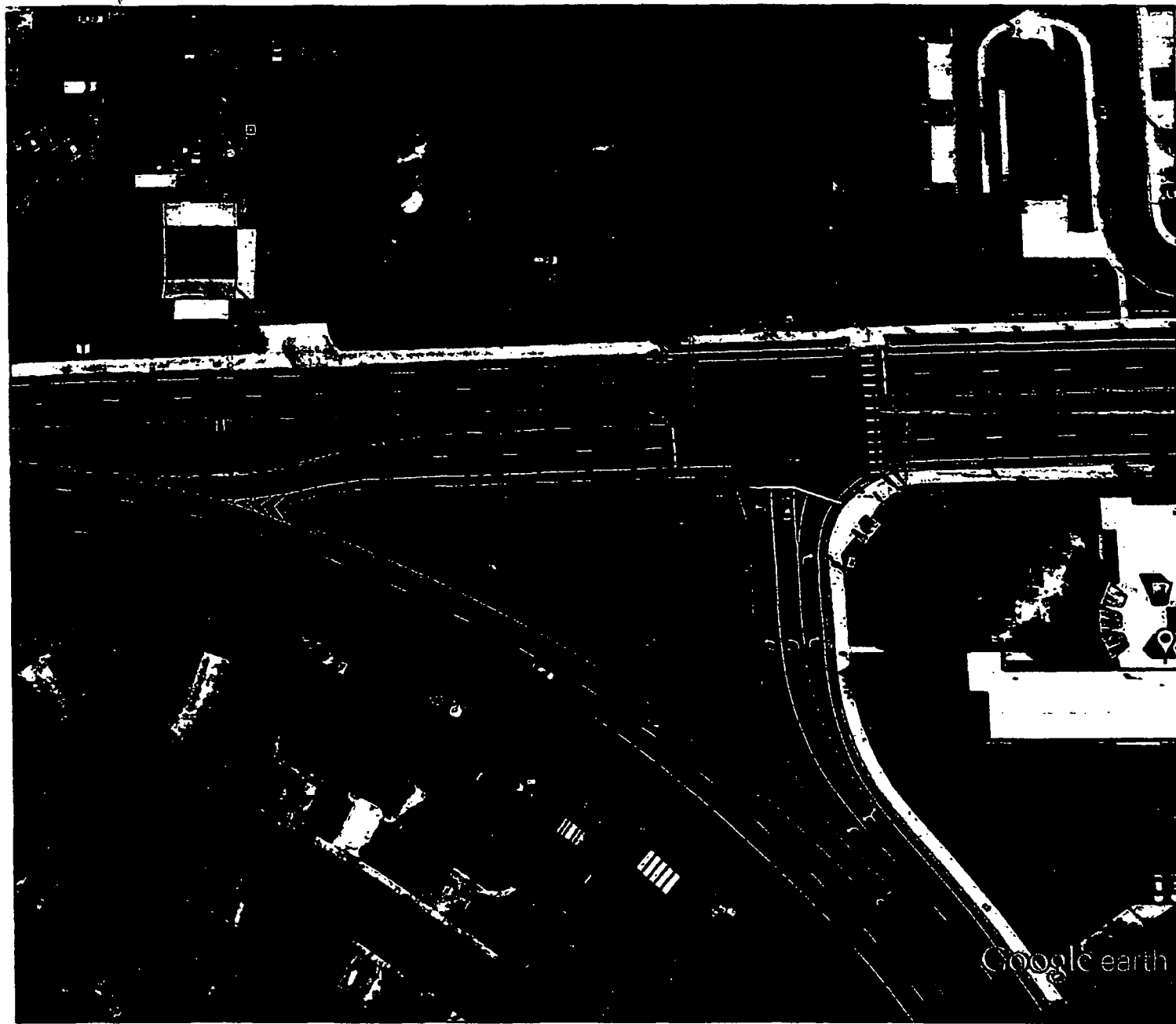
OWNER: MARRISON
 TAX LOT No.: 6
 SERIAL No.: 117892-710
 NE 1/4, SEC 27, T34R1E
 GROSS AREA: n/a
 TAKING AREA: n/a
 NET AREA: n/a

OWNER: COY
 TAX LOT No.: 5
 SERIAL No.: 117892-308

OWNER: THREE CROWS LIBRARY CAP
 TAX LOT No.: 51
 SERIAL No.: 185940-000
 NE 1/4, SEC 27, T34R1E
 GROSS AREA: n/a
 TAKING AREA: n/a
 NET AREA: n/a

OWNER: OVERSEW CO-OP BANK
 TAX LOT No.: 5
 SERIAL No.: 189250-000
 NE 1/4, SEC 27, T34R1E
 GROSS AREA: n/a
 TAKING AREA: n/a
 NET AREA: n/a

Blue - Previous FM SWF
 Pink - CC Acq. from FM
 Orange - Vacated - now Bargain & Sale area to FM
 Green - Landscaping
 Black - New FM SWF



Google earth

