



CLARK COUNTY
STAFF REPORT

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

DATE: April 29, 2014

REQUEST: Accept and approve the Engineer's Report and Preliminary Order to vacate a portion of NE Repass Road. Work Order Number 11342.

___ Consent X Hearing ___ 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: Clark County has received a request to vacate a constructed portion of NE Repass Road which lies west of NE HWY 99 and is located in NE ¼ of Section 10, Township 2 North, Range 1 East, of the W.M. NE Repass Road was dedicated to Clark County on October 22, 1941, in the Plat of Alexander Tracts, Book "E", of Plats, Page 1, Records of Clark County, Washington. The vacation request is for approximately 14,421 square feet (.33 acre) in an area zoned CH (Highway Commercial). The petitioners have agreed that the Final Order to Vacate will not be recorded until an access easement is signed by all of property owners abutting the road vacation.

COMMUNITY OUTREACH: Affected property owners, governmental agencies, and utilities were sent letters notifying them of the public hearing. The Notice of Hearing was published in *The Columbian* two consecutive Tuesdays prior to the hearing and the site was posted 21 days prior to the hearing.

BUDGET AND POLICY IMPLICATIONS: None.

FISCAL IMPACTS: Yes (see Fiscal Impacts Attachment) No

ACTION REQUESTED: Accept and approve the Engineer's Report and Preliminary Order to vacate a portion of NE Repass Road. Work Order Number 11342.

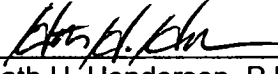
DISTRIBUTION: Please notify the Real Property Services Section of the Board's action by calling extension 4975.



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

Approved April 29, 2014

CLARK COUNTY, WASHINGTON
BOARD OF COMMISSIONERS



Heath H. Henderson, P.E.
Public Works Director/County Engineer

TG/HHH/LHS/pmm

Attachments: Notice of Hearing, Engineer's Report, Preliminary Order to Vacation, Map, PP

CLARK COUNTY, WASHINGTON
RESOLUTION NO. 2014-03-08

A RESOLUTION declaring the intention of the Board of County Commissioners to investigate the possible partial vacation and abandonment of a **portion of NE Repass Road**.

WHEREAS, an application has been received alleging said road is no longer being used and will not be used. Now, therefore, IT IS HEREBY DIRECTED that the Director of Public Works shall examine and report in writing his opinion on the advisability and propriety of vacating and abandoning that portion of Road described as follows:

Legal Description

Partial road vacation of NE Repass Road

A 50 foot wide strip of land located in the Northeast Quarter of Section 10, Township 2 North, Range 1 East, of the W.M., Clark County, Washington and further described as follows:

All that part of NE Repass Avenue as shown on the plat, Alexander Tracts, as recorded in Volume "E" of Plats, Page 1, records of Clark County, Washington lying between the Westerly right-of-way line of Pacific Highway, more commonly known as NE Highway 99 and the Easterly right-of-way line of Interstate 5.

Containing 14,421 sq. ft. or 0.33 acres more or less.

Clark County shall reserve an easement for all existing utilities.

PASSED THIS 18th DAY OF March, 2014

Work Order Number 11342

ATTEST:

Rebecca Filtor
Clerk of the Board

Board of County Commissioners
Clark County, Washington

By Tom Mielke
Tom Mielke, Chair

By _____
David Madore, Commissioner

APPROVE AS TO FORM ONLY:

Charles F. Ford
Deputy Prosecuting Attorney

IN THE MATTER OF THE RESOLUTION

OF

THE BOARD OF COUNTY COMMISSIONERS

ENGINEER'S REPORT

FOR

THE VACATION of a COUNTY ROAD

Known as a constructed portion of
Repass Road lying Westerly of NE Hwy 99
and Easterly of Interstate 5

I, THE UNDERSIGNED, COUNTY ENGINEER OF CLARK COUNTY, WASHINGTON, duly directed by the Board of County Commissioners of said County on the 18th day of, March, 2014, by Resolution No. 2014-03-08 to make an examination of a portion of road sought to be vacated in the Resolution of the Board of County Commissioners, did on the 28th day of, March, 2014, examine the portion of road proposed to be vacated in said petition, and report as follows:

FIRST:

Said portion of road may only be vacated.

SECOND:

Said portion of road was dedicated to Clark County by plat dedication on October 22, 1941 by Alexander Tracts, Volume "E", of Plats, page 1, records of Clark County, Washington.

THIRD:

It would not be necessary to preserve this portion of road for the general road system.

FOURTH:

The public will be benefited by the vacation.

FIFTH:

Said portion of road is located within NE 1/4 of Section 10, Township 2 North, Range 1 East, of the Willamette Meridian.

SIXTH:

That an easement for all existing utilities including the right of ingress and egress shall be held by Clark County. Easements shall remain in effects until at such time the petitioners records easements with all impacted utilities.

SEVENTH:

It is the recommendation of the County Engineer that the road be vacated in favor of the true property owner(s).

EIGHTH:

Petitioner to pay all administrative costs and expenses.

DATED this 22ND day of APRIL, 2014.



Heath H. Henderson, P.E.
Public Works Director/County Engineer

STATE OF WASHINGTON

County of Clark

In the matter of the Petition by
The Kroger Company

RV 14-13

For the vacation of a County road known
as a constructed portion of NE Repass Road
lying West of NE Hwy 99 and East of Interstate 5

PRELIMINARY
ORDER
VACATING
COUNTY ROAD

IN THE MATTER OF THE VACATION OF COUNTY ROADS petitioned by Kroger, LLC,
the Board finds as follows:

FIRST: That the petition therefor was filed on the 2nd day of February, 2014, and that said petition was signed by the owners of the majority of frontage of said county road or portion thereof.

SECOND: That said petition was accompanied by a check in the sum of \$1000.00, which said check was found to be good and sufficient, and was duly approved by the Director of Public Works on the 11th day of February, 2014.

THIRD: That on the 18th day of March, 2014, the County Engineer was duly directed to examine said road and make a report in writing on the same.

FOURTH: That on the 22nd day of April, 2014, the County Engineer filed in the office of the Board his report in writing, as provided by law.

FIFTH: That by an order duly passed by this Board on the 18th day of March, 2014, the 29th day of April, 2014, was set for hearing the report of the Engineer, and the consideration thereof, and that the notice of the time and place where said hearing would be held as given by publication and posting as provided by law.

SIXTH: That said report of the County Engineer shows:

That said portion of road was dedicated to Clark County on October 22, 1941, in the Plat of Alexander Tracts, Book "E", of Plats, Page 1, Records of Clark County, Washington.

That it will not be advisable to preserve the same for a general road system in the future.

That the public will be benefited by its vacation.

That \$27,000.00 which is the appraised value of said road will be required payment for this road vacation along with administrative costs and expenses.

That Clark County shall retain an easement for all existing utilities, including ingress and egress, until such time the petitioners provides easements or makes provisions satisfactory to the impacted utilities.

That the road petitioned to be vacated be vacated to the true property owner(s).

The Board having examined the report of the Engineer, and all other papers on file in the proceedings, and heard and considered all testimony and documentary evidence adduced for and against the vacation of the roads, and the Board being satisfied that said roads will not be useful as a part of a general road system, and that the public will be benefited by its vacation.

IT IS ORDERED BY THE BOARD, that the county roads petitioned to be vacated by Kroger, be vacated upon all conditions being met and payment of all administrative costs and expenses by the principal petitioner and upon the filing of a final order of vacation; and the County Engineer is directed to make a statement in writing of all costs and expenses incurred in the proceedings and shall proceed to collect the same.

Said Vacation shall be described as follows:

A 50-foot wide strip of land located in the Northeast Quarter of Section 10, Township 2 North, Range 1 East, of the W.M., Clark County, Washington and further described as follows:


All that part of NE Repass Avenue as shown on the plat of Alexander Tracts., as recorded in Book "E" of Plats, Page 1, Records of Clark County, Washington, lying between the Westerly right-of-way line of Pacific Highway, more commonly known as NE Highway 99 and the Easterly right-of-way line of Interstate 5. Excepting there from any easements.

An easement for all existing utilities, including the right of ingress and egress, to be retained by Clark County. Easements shall remain in effect until at such time the petitioners records easements with all impacted utilities.

Containing 14,421 square feet or 0.33 acres more or less.

DONE THIS 29th DAY OF April, 2014.

ATTEST:


Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, WASHINGTON


Tom Mielke, Chair

David Madore, Commissioner

Vacant Position, Commissioner

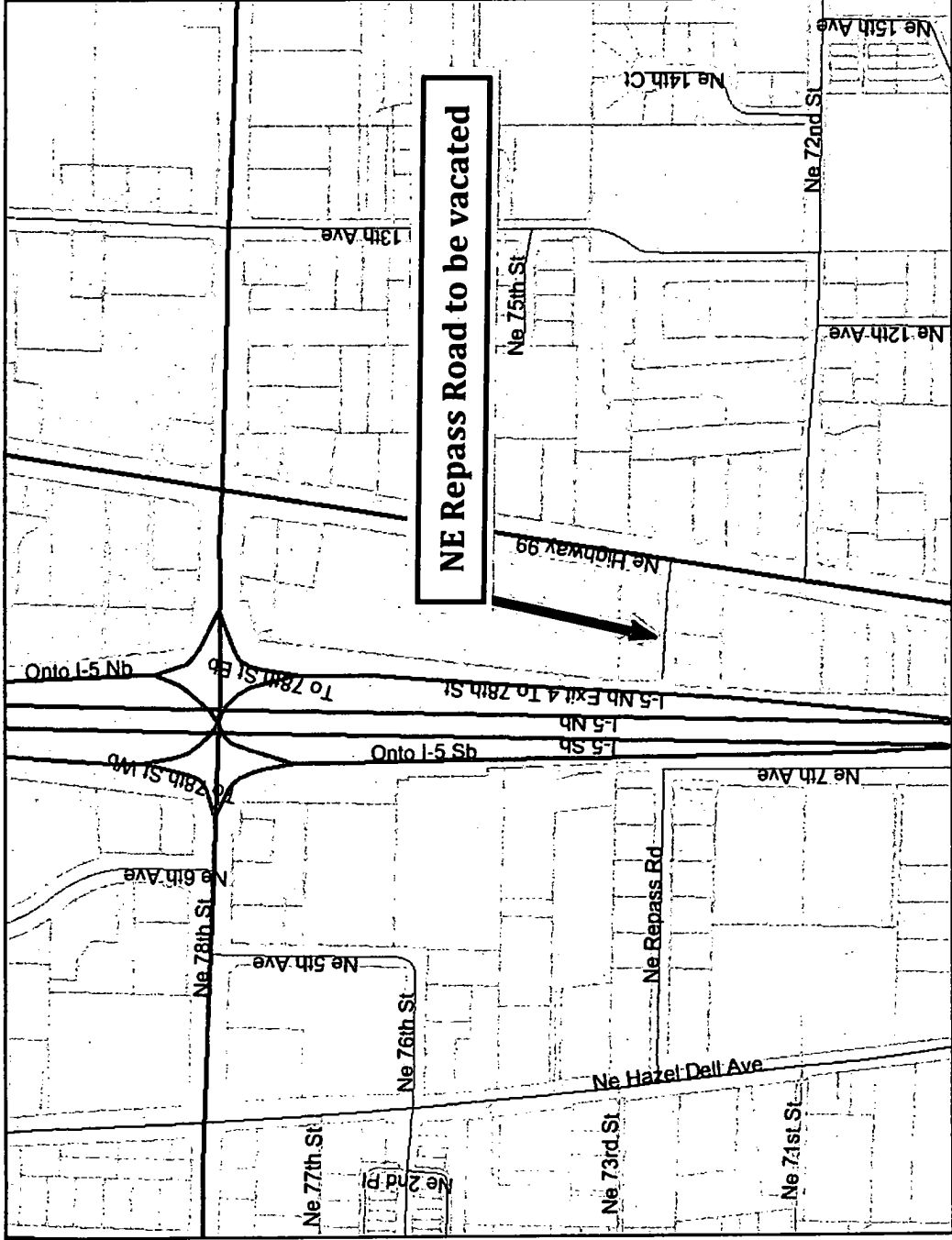
NE Repass Road Vacation



Legend

- Parcels
- Roads
- Alley
- Arterial
- 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: 1:5,646



Map center: 1087454, 132761

1650 ft.

1100

550

0

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.

NE REPASS ROAD ROAD VACATION

April 29, 2014

NE Repass Road PARTIAL VACATION

- Petitioner – The Kroger Company
- Right-of-way 13,000 s.f. or 0.33 acres
- Location – Hazel Dell Neighborhood
- Zoning - Commercial
- Transportation – Agree to vacate
- Long Range Planning – Agree to vacate
- Notices mailed to utilities, agencies and owners

Easements to be retained

Clark Regional Wastewater District

Requires a 15 ft wide easement for sanitary sewer

Clark Public Utilities

Requires blanket easement for aerial and underground facilities

Washington State Department of Transportation

Requires easement drainage system

Century Link

Requires 10 ft wide easement for both aerial and buried cable

Clark County Environmental Services

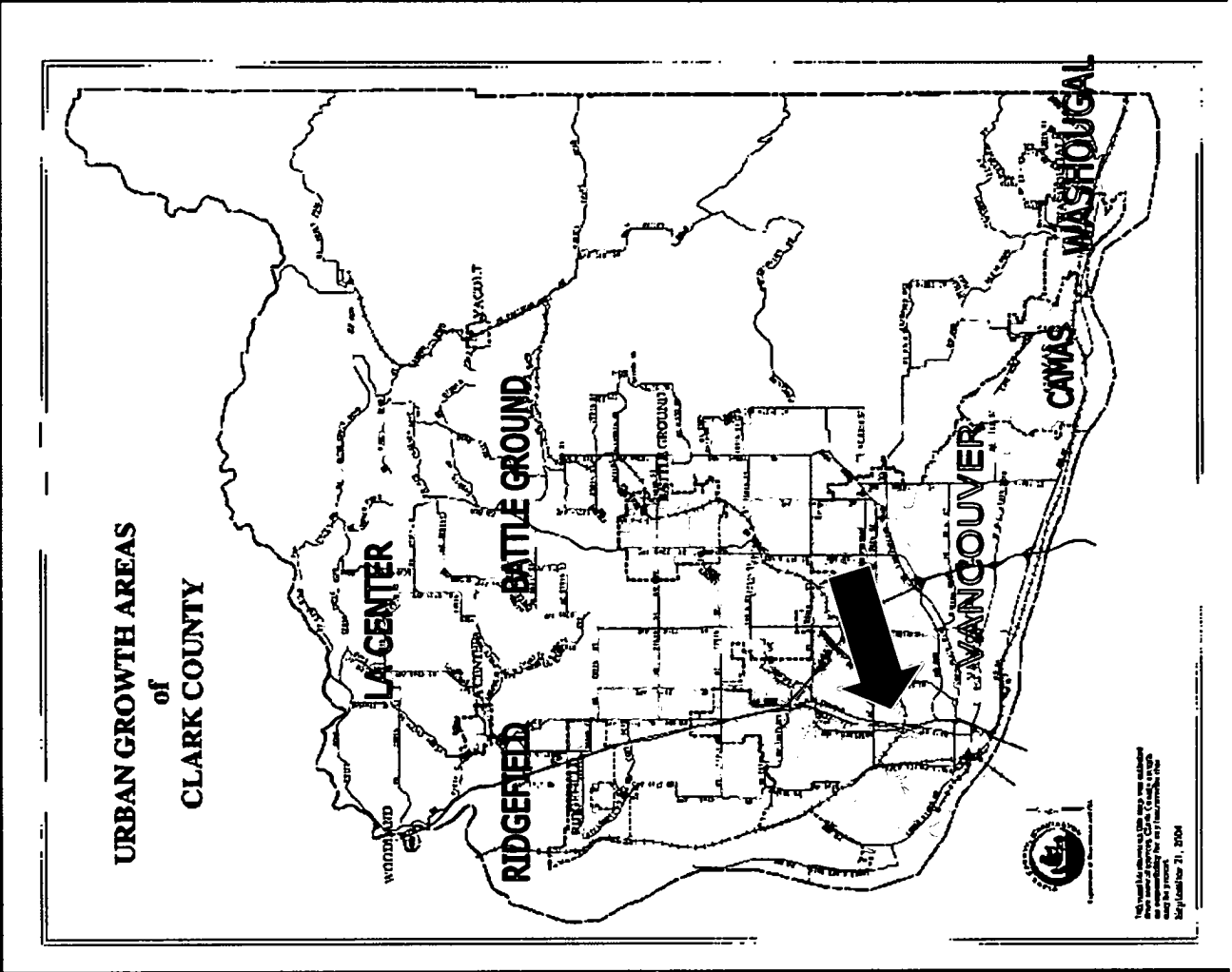
Requires a 20 ft wide easement for Drainage system

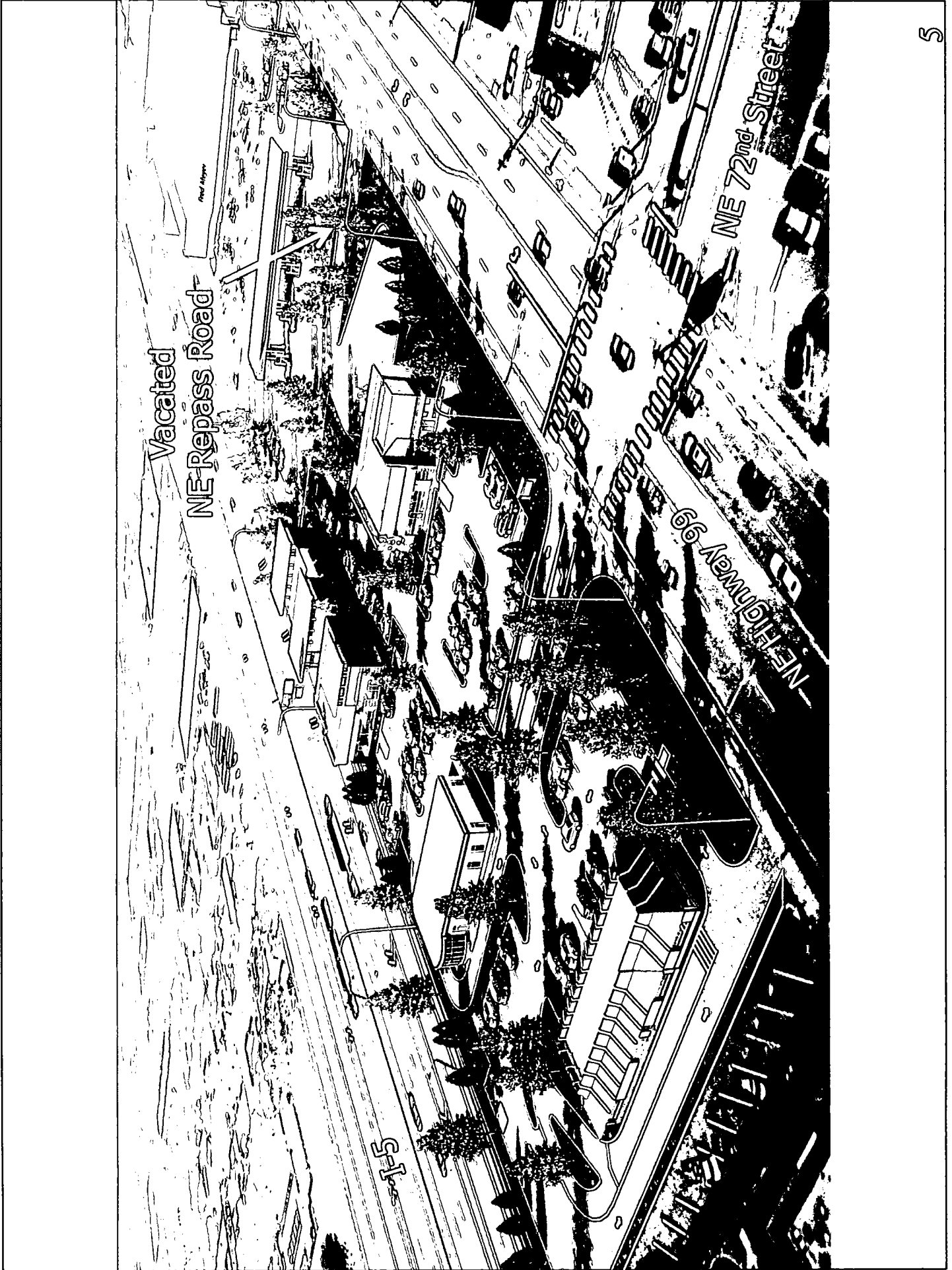
Clark County Public Works

Requires access easement for equipment to maintain drainage system

NE Repass Road - Road Vacation

URBAN GROWTH AREAS of CLARK COUNTY

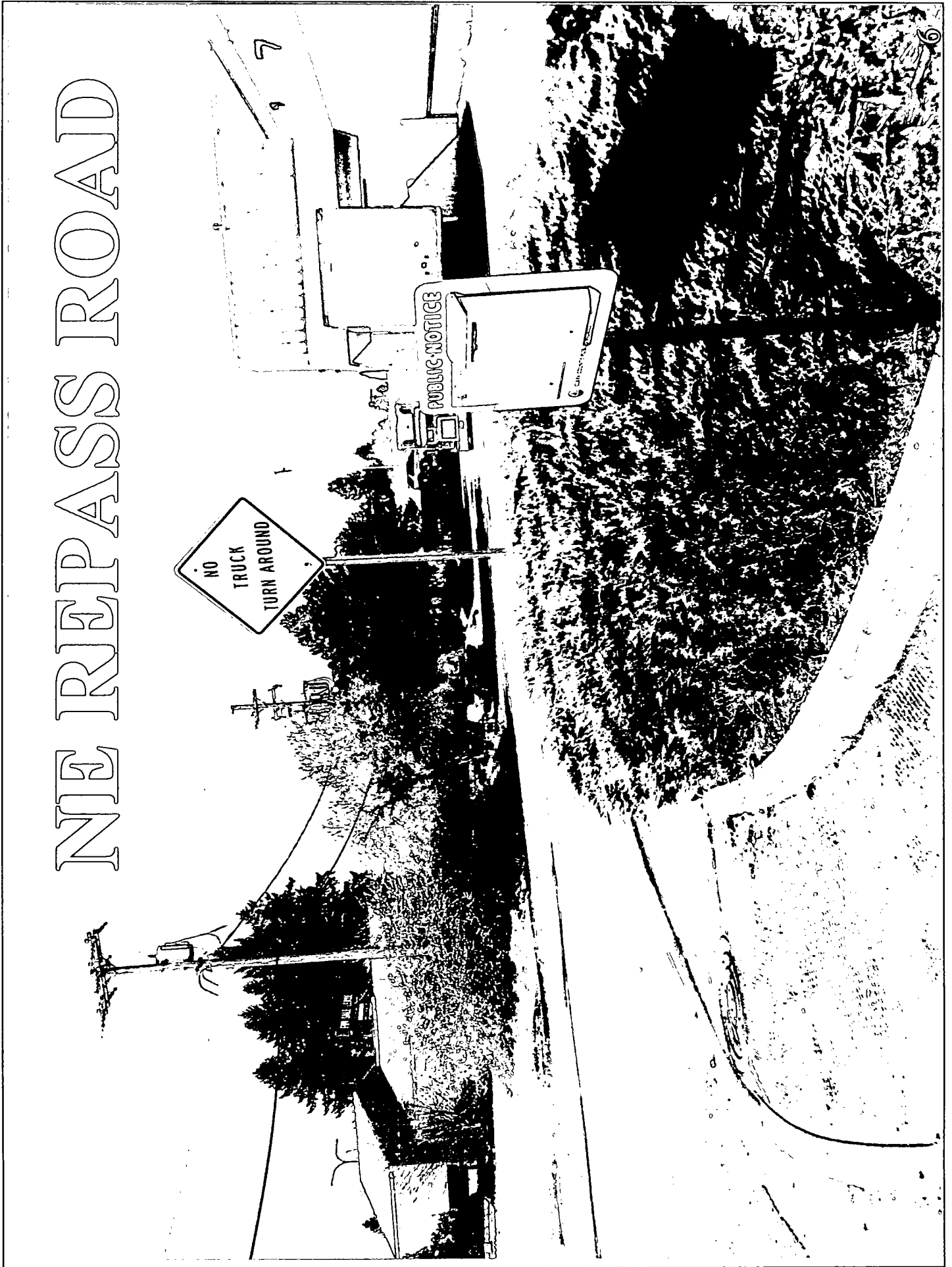




NET REPASS ROAD

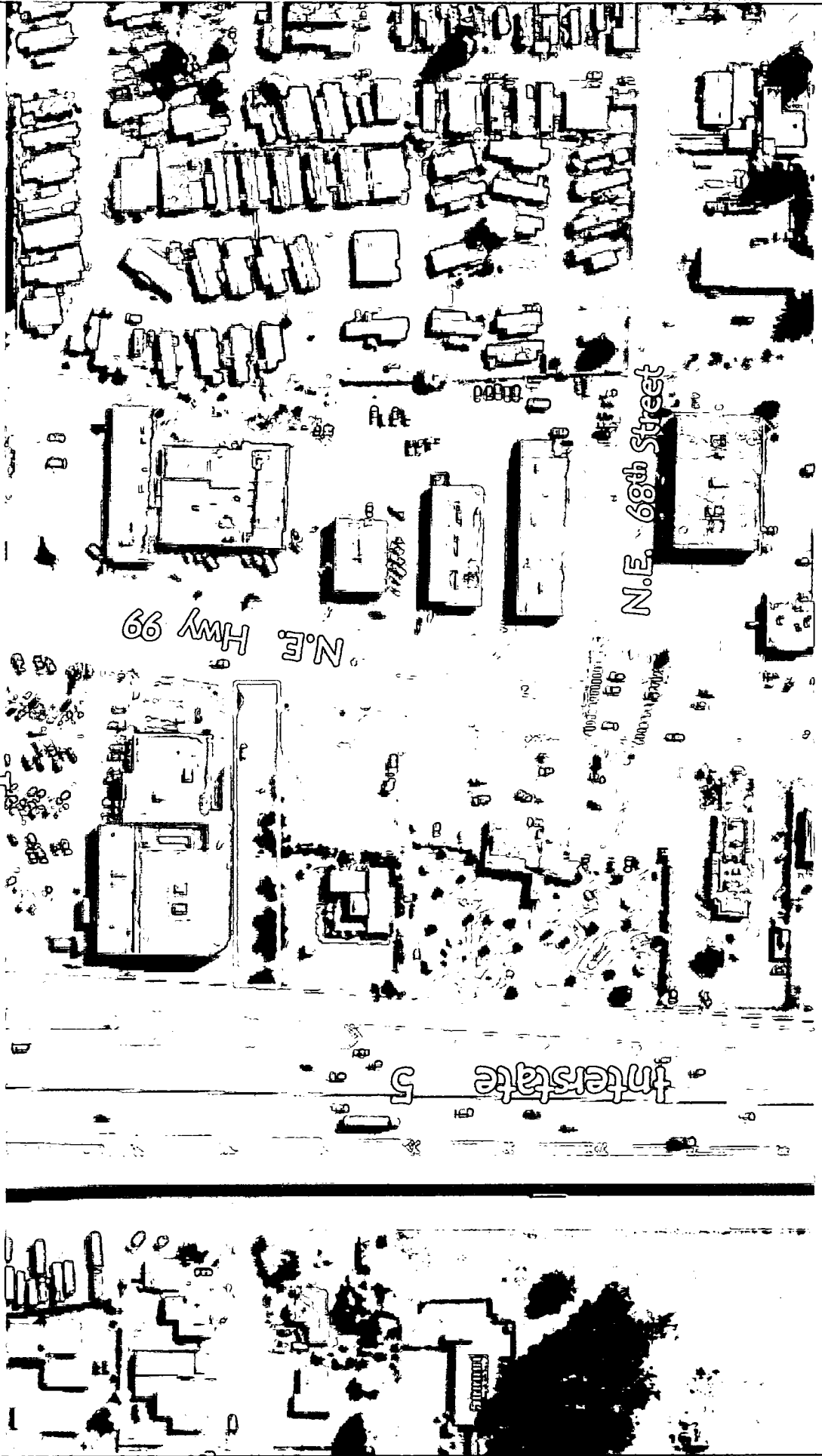
NO
TRUCK
TURN AROUND

PUBLIC NOTICE



AERIAL VIEW

N.E. Repass Road



**NE REPASS ROAD
ROAD VACATION**