

**CLARK COUNTY  
STAFF REPORT**

**DEPARTMENT/DIVISION:** Environmental Services / Resource Enhancement & Permitting / Sustainable Forestry

**DATE:** June 16, 2015

**REQUEST:** Clark County Board of County Councilors' approval of the Quit Claim Deed transferring 157 acres of land known as the Spud Mountain property (Assessor's Parcel No. 137081000) from the State Department of Natural Resources to Clark County through the Trust Land Transfer program.

**CHECK ONE:**             Consent             Hearing             Acting County Manager

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**BACKGROUND:** The Spud Mountain property is a 156-acre forest property located in east Clark County near Camp Bonneville. The only existing improvement on the property is the state's L-1000 road, which will remain in state fee title within an 80-foot right-of-way. The property is on the Department of Natural Resources (DNR) transfer list as a result of interest previously expressed by Clark County Department of Environmental Services (DES). By statute, the DNR is required to appraise transfer properties both for their timber value and for land value. The value of the standing timber (\$755,000) is directed to the state's school construction account. The value of the land (\$940,000) is directed to the natural resources real property replacement account. Funding for the transfer is approved in the state capital budget. The "reimbursements" from the capital budget to the school construction and natural resources replacement accounts are all state revenues.

In December 2014, DES submitted a letter of intent to accept the Trust Land Transfer of the 157-acre Spud Mountain property. The county will accept title in fee but DNR will reserve mineral rights.

**COMMUNITY OUTREACH:** DES participated in a public meeting held by DNR at the Camas Public Library on April 8, 2015 to present the proposed transfer of the Spud Mountain property through the Trust Land Transfer program and to answer questions from interested parties. DES also participated in the Board of Natural Resources hearing on June 2, 2015 where action was taken to approve the transfer.

**BUDGET AND POLICY IMPLICATIONS:** No capital outlay by the County is required. The DNR is compensated for the cost of the transfer by a legislative appropriation to the Common School Fund from the State Building Construction Account. The County would assume responsibility for ongoing maintenance and any taxes or assessments applied to the property. Estimates are that maintenance and assessment costs may amount to \$22 per acre per year, or \$6,864 per biennium, for the 156-acre parcel. Initially, conservation futures revenue will be used for maintenance of the site. Other means of funding maintenance are anticipated to be developed by Environmental Services over the next few years as the property is evaluated for recreational potential and inclusion in the county's Sustainable Forestry program.

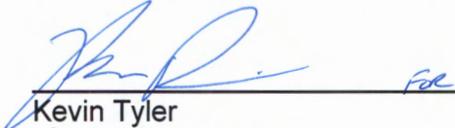
**FISCAL IMPACTS:**             Yes             No

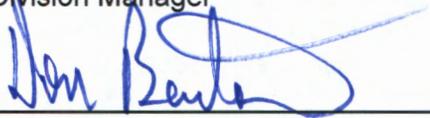
**ACTION REQUESTED:** Clark County Board of County Councilors' accept the Quit Claim Deed transferring 157 acres of land known as the Spud Mountain property (Assessor's Parcel No. 137081000) from the State Department of Natural Resources to Clark County through the Trust Land Transfer program.

*mg  
ok  
y-*



**DISTRIBUTION:** Please return the original copy of the signed Statutory Warranty Deed and the approved staff report to Environmental Services Administration.

  
\_\_\_\_\_  
Kevin Tyler  
Division Manager

  
\_\_\_\_\_  
Don Benton  
Environmental Services Director

(KT/sr)

c: Pat Lee, Legacy Lands Program Manager

APPROVED:   
\_\_\_\_\_  
CLARK COUNTY, WASHINGTON  
BOARD OF COUNTY COUNCILORS

June 16, 2015

SR 116-15

# FISCAL IMPACT ATTACHMENT

## Part I: Narrative Explanation

I.A - Explanation of what the request does that has fiscal impact and the assumptions for developing revenue and costing information.

Accept the Quit Claim Deed transferring 157 acres of land known as the Spud Mountain property (Assessor's Parcel No. 137081000) from the State Department of Natural Resources to Clark County through the Trust Land Transfer program.

## Part II: Estimated Revenues

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
3085: Conservation Futures		\$6,864.00		\$6,864.00		\$6,864.00
Total:	\$0.00	\$6,864.00	\$0.00	\$6,864.00	\$0.00	\$6,864.00

II.A - Describe the type of revenue (grant, fees, etc.)

Conservation Futures property tax levy. Up to 15% (fifteen percent) of the prior year's levy may be used for administration of the Conservation Futures program and maintenance of conservation lands.

## Part III: Estimated Expenditures

III.A - Expenditures summed up

Fund #/Title	FTE's	Current Biennium		Next Biennium		Second Biennium	
		GF	Total	GF	Total	GF	Total
3085: Conservation Futures			\$6,864.00		\$6,864.00		\$6,864.00
Total:		\$0.00	\$6,864.00	\$0.00	\$6,864.00	\$0.00	\$6,864.00

III.B = Expenditure by object category

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
Salary/Benefits						
Contractual Object Code 911		\$6,864.00		\$6,864.00		\$6,864.00
Supplies						
Travel						
Other controllables						
Capital Outlays						
Inter-fund Transfers						
Debt Service						
Total:	\$0.00	\$6,864.00	\$0.00	\$6,864.00	\$0.00	\$6,864.00



June 2, 2015

Don Benton, Director of Environmental Services  
Clark County  
Department of Environmental Services  
PO Box 9810  
Vancouver, WA 98666-9810

RE: Spud Mountain Trust Land Transfer

Dear Mr. Benton:

The Board approved the Spud Mountain Trust Land Transfer on June 2, 2015. Enclosed for your review is a copy of the deed the state will issue under the Trust Land Transfer program for the Spud Mountain property. Also enclosed are a number of documents related to the closing of the transfer.

Please return the following by June 10, 2015 to Department of Natural Resources,  
ATTN: Cindy Neff, Conservation, Recreation and Transactions Division, PO Box 47014,  
Olympia, Washington, 98504-7014.

1. This letter signed and dated (or a copy of this letter *with original signature*) indicating your approval of the deed.
2. A Real Estate Excise Tax Affidavit (all four copies) signed and dated in the space provided at the bottom of the form for Grantee/Agent.
3. Disclosure to Grantee signed and dated.
4. A Notice of Continuing Forestland Obligation Form is enclosed for your signature.

Once I receive your approval of the deed, I will forward it to the Commissioner of Public Lands for approval and then to the Governor for signature. After the Governor signs the deed, I will send you a copy and send the original to the county for recording. Once recorded and returned by the county, the original deed will be forwarded to you.

June 2, 2015  
Don Benton, Clark County Environmental Services

If you have questions, please call me at (360) 902-1009 or call Project Administrator Bob Winslow at (360) 902-1622.

Sincerely,

*Cindy Neff*

Cindy Neff, Project Assistant  
Conservation, Recreation and Transactions Division

Enclosures

c: Pacific Cascade Region  
Transfer File No. 02-090368

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**DEED APPROVED:**

*Don Benton*  
\_\_\_\_\_  
Grantee

*6-5-15*  
\_\_\_\_\_  
Date

*Director*  
\_\_\_\_\_  
Title

**AFTER RECORDING RETURN TO:**

Department of Natural Resources  
Conservation, Recreation and Transactions Division  
ATTN: Bob Winslow  
PO Box 47014  
Olympia, WA 98504-7014

Document Title: Quit Claim Deed

Grantor: STATE OF WASHINGTON, acting by and through the Department of  
Natural Resources

Grantee: CLARK COUNTY, a political subdivision of the State of Washington

Abbreviated Legal Description: PTN SE4 OF SEC 6 T2N R4E WM

Assessor's Property Tax Parcel/Account Number(s): 137081000

**QUITCLAIM DEED**  
**Clark County**

THE GRANTOR, STATE OF WASHINGTON, acting by and through the Department of Natural Resources, for and in consideration of the sum of ONE MILLION SIX HUNDRED NINETY FIVE THOUSAND Dollars (\$1,695,000), which amount has been paid by state legislative appropriation pursuant to Section 3231, Chapter 19, Laws of 2013, hereby conveys and quitclaims to CLARK COUNTY, a political subdivision of the State of Washington, GRANTEE, all interest in the real property situated in Clark County, Washington, and described on EXHIBIT A, attached hereto, which by this reference is made a part hereof.

This property shall be used exclusively for one or more of the following public purposes: fish and wildlife habitat, open space or recreation. This use restriction shall run with the land and shall be binding upon Grantee, its successors and assigns forever; provided, however, Grantee may request approval of additional uses of the property that are compatible with the originally intended public purpose subject to Grantor and the Legislature approval of said uses.

The above-described lands on Exhibit A are subject to that certain statutory reserved right as set forth in RCW 79.36.370 and to the following reservation:

The Grantor hereby expressly saves, excepts, and reserves out of the grant hereby made, unto itself and its successors and assigns forever, all oils, gases, coal, ores, minerals, and fossils of every name, kind, or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, and fossils; and it also hereby expressly saves and reserves out of the grant hereby made, unto itself and its successors and assigns forever, the right to enter by itself or its agents, attorneys, and servants upon said lands, or any part or parts thereof, at any and all times, for the purpose of opening, developing, and working mines thereon, and taking out and removing therefrom all such oils, gases, coal, ores, minerals, and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its successors and assigns, forever, the right by its or their agents, servants, and attorneys at any and all times to erect, construct, maintain, and use all such buildings, machinery, roads, and railroads, sink such shafts, remove such soil, and to remain on said lands or any part thereof for the business of mining and to occupy as much of said lands as may be necessary or convenient for the successful prosecution of such mining business, hereby expressly reserving to itself and its successors and assigns, as aforesaid, generally, all rights and powers in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and the rights hereby expressly reserved.

No rights shall be exercised under the foregoing reservation, by the state or its successors or assigns, until provision has been made by the state or its successors or assigns, to pay to the owner of the land upon which the rights reserved herein to the state or its successors or assigns,

are sought to be exercised, full payment for all damages sustained by said owner, by reason of entering upon said land: PROVIDED, That if said owner from any cause whatever refuses or neglects to settle said damages, then the state or its successors or assigns, or any applicant for a lease or contract from the state for the purpose of prospecting for or mining valuable minerals, or option contract, or lease, for mining coal, or lease for extracting petroleum or natural gas, shall have the right to institute such legal proceedings in the superior court of the county wherein the land is situate, as may be necessary to determine the damages which said owner of said land may suffer.

Grantee accepts the property "AS IS, WHERE IS" with all faults. The Grantor disclaims any warranties, express or implied, including any warranty of merchantability or fitness for a particular purpose about the Property, including but not limited to improvements located thereon, and no employee or agent of the Grantor is authorized otherwise. The foregoing specifically includes warranties with respect to the existence or nonexistence of any pollutants, contaminants, or hazardous waste or claims based thereon arising out of the actual or threatened discharge, disposal, seepage, migration, or escape of such substances at, from, or into the Property. Grantee hereby fully releases the Grantor from any and all liability to Grantee arising out of or related to the condition of the property prior to, at, or after Grantee accepts title to the property, including but not limited to the deposit or release of hazardous or toxic wastes or material and pollutants.

This Deed is executed and delivered pursuant to RCW 79.02.270 at the request of the Commissioner of Public Lands with the approval of the Board of Natural Resources, State of Washington.

WITNESS the Seal of the State of Washington, affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
GOVERNOR

ATTEST: \_\_\_\_\_  
SECRETARY OF STATE

Approved as to form this \_\_\_\_\_ day  
of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Assistant Attorney General

Deed No. 26871.  
State Record of Deeds, Volume 14, Page 83.  
Transaction File No. 02-090368

## **EXHIBIT A TO QUITCLAIM DEED**

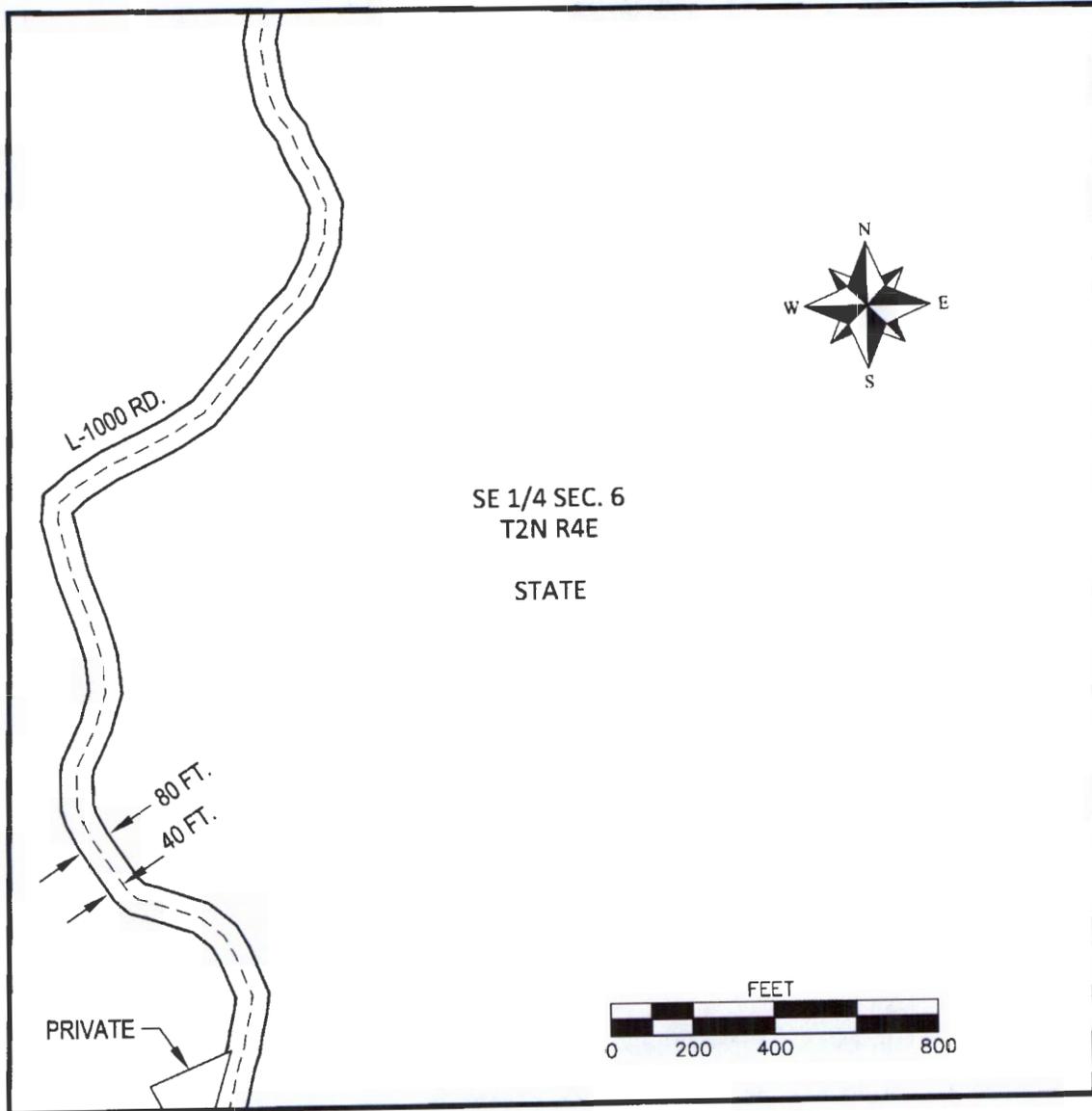
The SE1/4 of Section 6, Township 2 North, Range 4 East, Willamette Meridian, Clark County, Washington, EXCEPT therefrom that parcel shown and described as Parcel "A" on DNR Final Map 734, as recorded April 17, 1991, in Book 29 of Surveys at Page 19, Clark County Records. ALSO EXCEPTING therefrom a strip of land 80 feet wide lying 40 feet each side of the existing centerline of Washington State Department of Natural Resources roadway "L1000" as located on the ground and approximately as shown on Exhibit B.

Rynea L. Edwards  
Land Description & R/W Specialist  
State Land Survey Unit  
PO Box 47060  
Olympia, WA 98504-7060

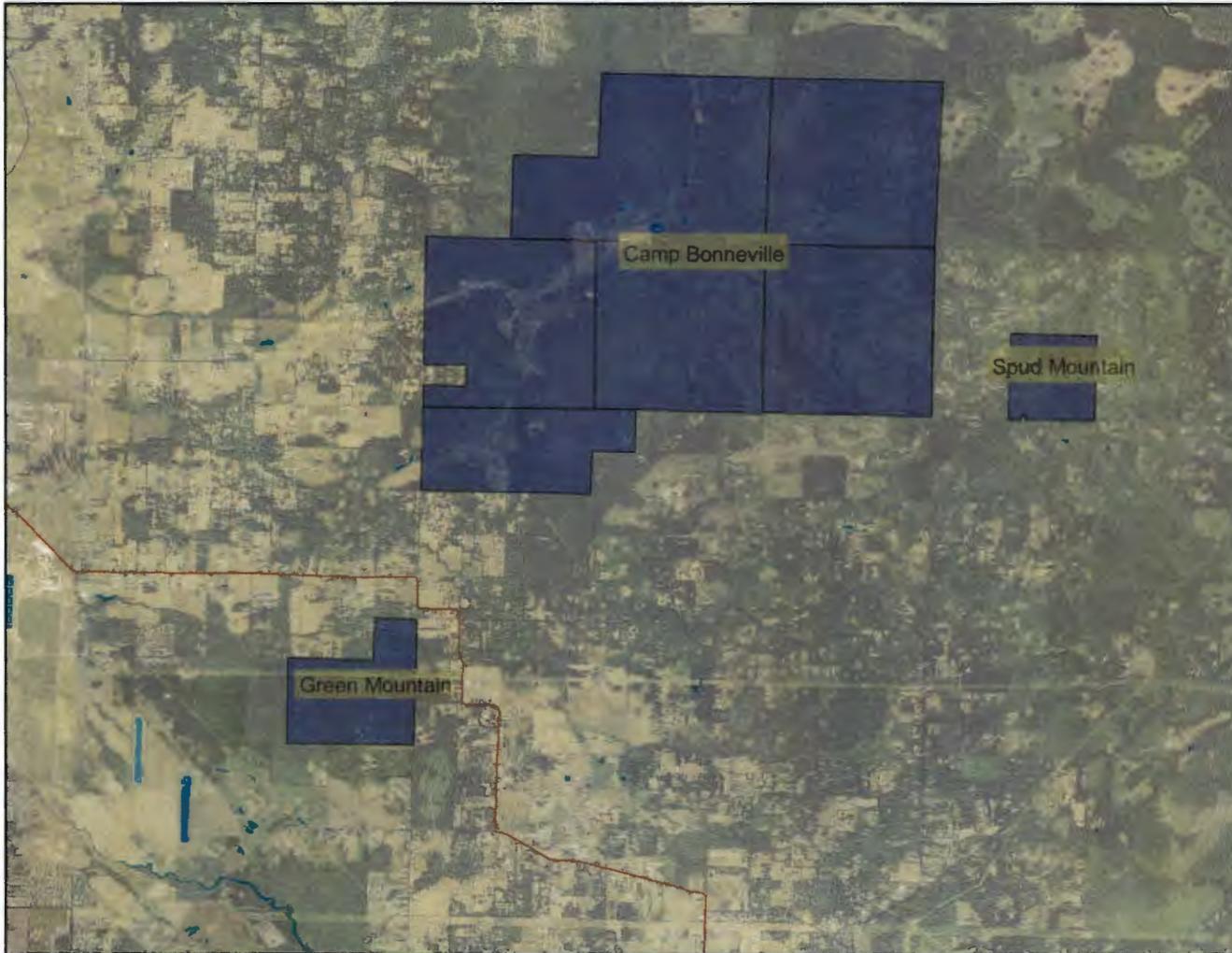
May 28, 2015

**EXHIBIT B TO QUITCLAIM DEED**

L1000 Fee Ownership Retained by the State of Washington  
Within the SE4 of Section 6, Township 2 North, Range 4 East, W.M. in Clark County,  
Washington



# Clark County Sustainable Forestry Program



## Legend

### Major Roads

- State Route
- Interstate
- Minor Collector
- Major Collector
- State Route
- Interstate

### Waterbodies

- Rural Centers
- City Boundaries
- Urban Growth Boundaries
- County Boundary

0 6000 12000 18000 ft.

Map center: 1152235, 130048



Scale: 1:63,367

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