

CLARK COUNTY  
STAFF REPORT

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

DATE: December 10, 2013

REQUEST: Approve and accept a Statutory Warranty Deed from Thornton Properties, LLC, a Washington Limited Liability Company and Marwan Said Al-Deen Mousleh and Anastacia Mousleh for the NE 119<sup>th</sup> Street (NE 72<sup>nd</sup> to 87<sup>th</sup> Ave.) Project, County Road Project Number 390722, for a portion of Tax Parcel Numbers 199396-000, 198812-000, and 198803-000.

CHECK ONE:   X   Consent            Chief Administrative Officer

**BACKGROUND:** Portions of the following parcels are being acquired for the NE 119<sup>th</sup> Street (NE 72<sup>nd</sup> to 87<sup>th</sup> Ave.) road widening project (County Road Project 390722).

Parcel 199396-000 (Thornton; zoned IL); 13,758 square feet for \$249,000, and Parcel 198812-000 and 198803-000 (Mousleh; zoned C-3); 35,182 square feet for \$183,370.

The acquisition prices were established by an appraisal and a subsequent appraisal review.

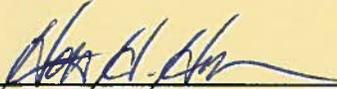
**COMMUNITY OUTREACH:** The purchase of this property is the result of direct property owner communication along with other community outreach through open houses, meetings, and newsletters.

**BUDGET AND POLICY IMPLICATIONS:** Funds for the parcels (\$432,370.00) are included in the 2013-2018 Transportation Improvement Program and the 2013 Annual Construction Program.

**FISCAL IMPACTS:**  Yes (see Fiscal Impacts Attachment)  No

**ACTION REQUESTED:** Approve and accept a Statutory Warranty Deed from Thornton Properties, LLC, a Washington Limited Liability Company and Marwan Said Al-Deen Mousleh and Anastacia Mousleh for the NE 119<sup>th</sup> Street (NE 72<sup>nd</sup> to 87<sup>th</sup> Ave.) Project, County Road Project Number 390722, for a portion of Tax Parcel Numbers 199396-000, 198812-000, and 198803-000.

**DISTRIBUTION:** Please notify the Real Property Service section of the Board's action by calling extension 4975.

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

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

HHH/PC/PAM/pmm  
Attachments: Deed, Fiscal Impact, Resolution, and Map

APPROVED:   
CLARK COUNTY, WASHINGTON  
BOARD OF COMMISSIONERS

DEC. 10, 2013  
SR 256-13

sign  
OK  
y

PW 13-105

# 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.

The acquisition of these properties are currently in the approved 2013-2018 Transportation Improvement Program and the 2013 Annual Construction Program.

## Part II: Estimated Revenues

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	RF	Total	RF	Total	RF	Total
1012/Road Fund	\$432,370	\$432,370				
<b>Total:</b>	<b>\$432,370</b>	<b>\$432,370</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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

Funding for this project is already budgeted in the 2013 budget for the Road Fund.

## Part III: Estimated Expenditures

III.A - Expenditures summed up

Fund #/Title	FTE's	Current Biennium		Next Biennium		Second Biennium	
		RF	Total	RF	Total	RF	Total
1012/Road Fund		\$432,370	\$432,370				
<b>Total:</b>		<b>\$432,370.00</b>	<b>\$432,370</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

III.B = Expenditure by object category

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	RF	Total	RF	Total	RF	Total
Salary/Benefits						
Contractual						
Supplies						
Travel						
Other controllables						
Capital Outlays	\$432,370	\$432,370				
Inter-fund Transfers						
Debt Service						
<b>Total:</b>	<b>\$432,370</b>	<b>\$432,370</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

*Handwritten signature/initials*

Recording requested by:  
Clark County Public Works  
Real Property Services  
P.O. Box 9810  
Vancouver, WA 98666-9810

Document Title: Statutory Warranty Deed  
Grantor: Thornton Properties, LLC  
Grantee: Clark County, Washington  
Legal Description: #26 Sec 32 T3N R2E WM  
Additional Legal Description is attached as Exhibit "A"  
Serial #: 199396-000 (78)  
Project: NE 119th St (NE 72nd to 87th Ave)  
CRP #: 390722 Fed Aid #: STPUL-4430 (003)

PW 13-65

**STATUTORY WARRANTY DEED**

THE GRANTOR, THORNTON PROPERTIES, LLC, a Washington Limited Liability Company, for and in consideration of valuable consideration as set out in part below, conveys and warrants to CLARK COUNTY, a political subdivision of the State of Washington, its heirs and assigns, the following described real estate situated in the County of Clark, State of Washington, under the imminent threat of the grantee's exercise of its rights of Eminent Domain.

**SEE LEGAL DESCRIPTION ATTACHED HERETO, WHICH,  
BY THIS REFERENCE, IS INCORPORATED HEREIN**

The Grantor requests the Clark County Assessor and Treasurer to set over to the remainder of the hereinafter described parcel "A", the lien of all unpaid taxes, if any, affecting the real estate herein conveyed, as provided for by RCW 84.60.070.

The Grantor represents and warrants that they are not aware of any hazardous or toxic waste, substance or material on or under the subject property.

**NOTE:** It is understood and agreed that the delivery of this deed is hereby tendered and the terms and obligations hereof shall not become binding upon Clark County, Washington, until this document is accepted and approved by the Clark County Board of County Commissioners.

**CONSIDERATIONS: Two Hundred Forty-nine Thousand and No/100 Dollars (\$249,000.00).**





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**CLARK COUNTY**  
WASHINGTON

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**DEPARTMENT OF PUBLIC WORKS**  
**COUNTY SURVEYOR'S OFFICE**

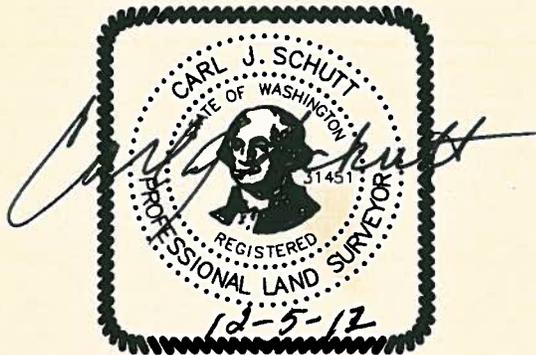
**EXHIBIT "A"**  
**NE 119th STREET – CRP # 390722**  
**THORNTON PARCEL**

A parcel of land lying in the northwest quarter of Section 32, Township 3 North, Range 2 East of the Willamette Meridian in Clark County, Washington, being more particularly described as follows:

All that portion of that parcel described in that Warranty Deed to Glen A. Thornton and Nancy L. Thornton, husband and wife, as tenants by the entirety, recorded April 2, 1991 under Auditor's file No. 9104020222, listed as Serial No. 199396-000, lying northerly of the following described line:

Beginning at a point on the westerly line of said parcel, said point being 50.00 feet southerly of, when measured at right angles to the construction centerline of Northeast 119th Street, as described in Exhibit "B", attached; thence to a point 50.00 feet southerly of, when measured at right angles to said centerline opposite Engineers' station 154+81.65; thence to a point 87.50 feet southerly of, when measured at right angles to said centerline opposite station 155+14.23; thence to a point 87.50 feet southerly of, when measured at right angles to said centerline opposite station 155+94.19; thence to a point 50.00 feet southerly of, when measured at right angles to said centerline opposite station 156+26.69; thence to a point 50.00 feet southerly of, when measured at right angles to said centerline on the easterly line of said parcel, and there terminating, all in Clark County, Washington.

This description contains 13,758 square feet as calculated by the double meridian distance method.



WRITTEN BY: CSJ  
REVIEWED BY: WJZ

X078.doc



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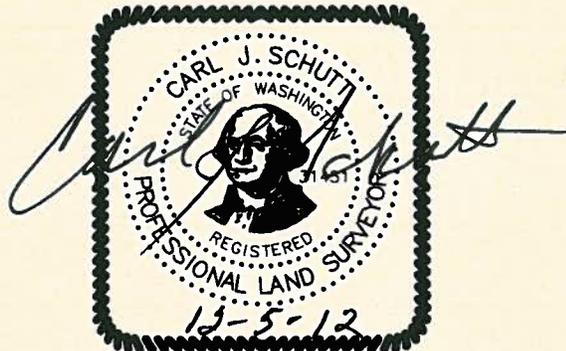
**DEPARTMENT OF PUBLIC WORKS  
COUNTY SURVEYOR'S OFFICE**

**EXHIBIT "B"  
N.E. 119th STREET CRP #390722  
CONSTRUCTION CENTERLINE DESCRIPTION**

A strip of land lying in Sections 29 and 30, Township 3 North, Range 2 East of the Willamette Meridian, the centerline of said strip being more particularly described as follows:

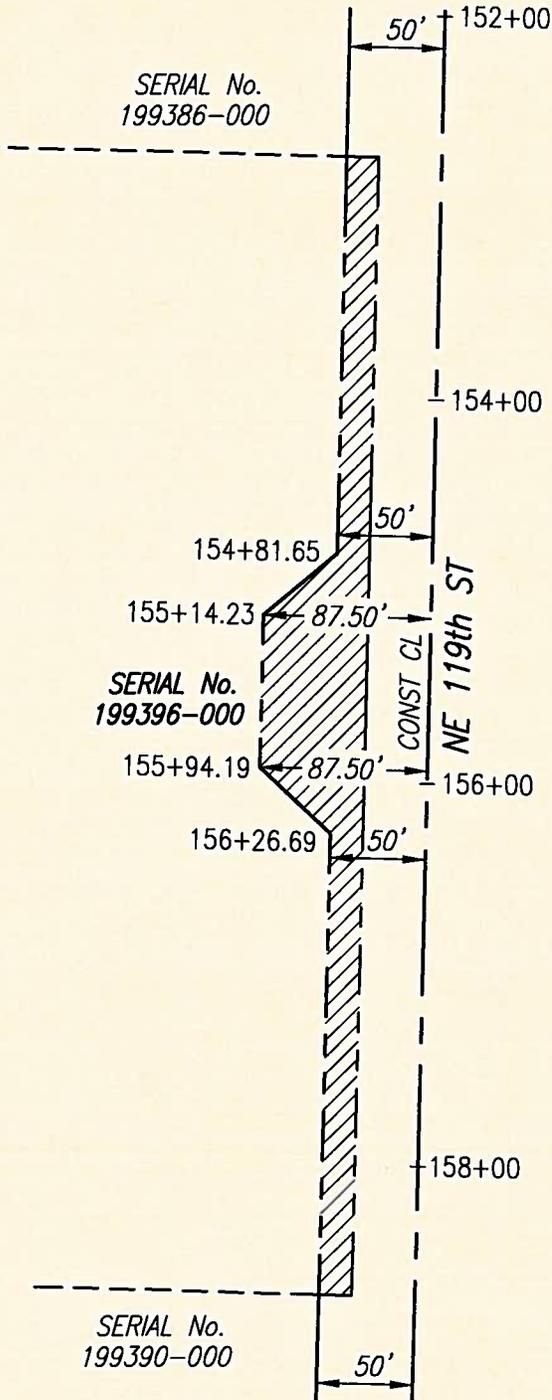
Beginning at a brass disk marking the south quarter corner of Section 30, Township 3 North, Range 2 East, Willamette Meridian, being designated as Engineers' station 120+59.30; thence South 88°41'55" East 1348.55 feet; thence along the arc of an 8650.00 foot radius curve left through a central angle of 1°22'47" a distance of 208.29; thence North 89°55'18" East 351.46 feet; thence along the arc of an 8650.00 foot radius curve right through a central angle of 1°25'53" a distance of 216.09 feet; thence South 88°38'49" East 529.31 feet; thence South 88°38'47" East 1472.96 feet; thence along the arc of an 8650.00 foot radius curve right through a central angle of 1°08'44" a distance of 172.94 feet; thence South 87°30'03" East 462.68 feet thence along the arc of an 8650.00 foot radius curve left through a central angle of 1°06'12" a distance of 166.55; thence South 88°36'15" East 3038.12 feet to a brass disk marking the southeast corner of Section 29, said Township and Range, and there terminating, all in Clark County, Washington.

Bearings are based on the south line of the southeast quarter of Section 30, Township 3 North, range 2 East, W.M., as being South 88°41'55" East based on Washington State Plane coordinates, South Zone, NAD83(91) adjustment. The control scheme is on file at the Clark County Surveyor's office.



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

**EXHIBIT "C"**  
 SERIAL No. 199396-000



NOT TO SCALE

<b>Clark County Public Works Vancouver, Washington</b>		
<b>DESIGN &amp; ENGINEERING DIVISION OFFICE OF THE COUNTY SURVEYOR</b>		
NW 1/4 SECTION 32 T 3 N, R 2 E, W.M.		
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
DATE	SCALE	DRAWN BY
NOV 2012	NOT TO SCALE	CJS

Recording requested by:  
Clark County Public Works  
Real Property Services  
P.O. Box 9810  
Vancouver, WA 98666-9810

**Document Title: Statutory Warranty Deed**  
**Grantors: Marwan Said Al-deen Mousleh and Anastacia Mousleh**  
**Grantee: Clark County, Washington**  
**Legal Description: #42 #34 Sec 30 T3N R2E WM**  
**Additional Legal Description is attached as Exhibit "A"**  
**Serial #: 198812-000 (1); 198803-000 (127)**  
**Project: NE 119th St (NE 72nd to 87th Ave)**  
**CRP #: 390722 Fe-1 Aid #: STPUL-4430 (003)**

PW 13-68

**STATUTORY WARRANTY DEED**

THE GRANTORS, **MARWAN SAID AL-DEEN MOUSLEH**, also known as **David M. Mousleh** and **ANASTACIA MOUSLEH**, husband and wife, for and in consideration of valuable consideration as set out in part below, conveys and warrants to **CLARK COUNTY, a political subdivision of the State of Washington**, its heirs and assigns, the following described real estate situated in the County of Clark, State of Washington, under the imminent threat of the grantee's exercise of its rights of Eminent Domain.

**SEE LEGAL DESCRIPTION ATTACHED HERETO, WHICH,  
BY THIS REFERENCE, IS INCORPORATED HEREIN**

The Grantor requests the Clark County Assessor and Treasurer to set over to the remainder of the hereinafter described parcel "A", the lien of all unpaid taxes, if any, affecting the real estate herein conveyed, as provided for by RCW 84.60.070.

The Grantor represents and warrants that they are not aware of any hazardous or toxic waste, substance or material on or under the subject property.

**NOTE:** It is understood and agreed that the delivery of this deed is hereby tendered and the terms and obligations hereof shall not become binding upon Clark County, Washington, until this document is accepted and approved by the Clark County Board of County Commissioners.

**CONSIDERATIONS: One Hundred Eighty-three Thousand Three Hundred Seventy and No/100 Dollars (\$183,370.00).**

Statutory Warranty Deed  
Serial #: 198812-000 (1); 198803-000 (127)  
Project: NE 119th St (NE 72nd to 87th Ave)  
CRP #: 390722 Fed Aid #: STPUL-4430 (003)

Dated this 7th day of November, 2013.

Marwan Said Al-Deen Mousleh  
Marwan Said Al-deen Mousleh

Anastacia Mousleh  
Anastacia Mousleh

Accepted for recording by:  
Board of County Commissioners  
Clark County, Washington

[Signature]  
Steve Stuart, Chair

\_\_\_\_\_  
Tom Mielke, Commissioner

\_\_\_\_\_  
David Madore, Commissioner

STATE OF WASHINGTON

COUNTY OF CLARK

I hereby certify that I know or have satisfactory evidence that Marwan Said Al-deen Mousleh is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 11-7-2013

Pam Mason  
Pam Mason

Notary Public in and for the State of WA  
Residing at Vancouver WA

My commission expires: 05-01-2017



Statutory Warranty Deed  
Serial #: 198812-000 (1); 198803-000 (127)  
Project: NE 119th St (NE 72nd to 87th Ave)  
CRP #: 390722 Fed Aid #: STPUL-4430 (003)

STATE OF WASHINGTON

COUNTY OF CLARK

I hereby certify that I know or have satisfactory evidence that Anastacia Mousleh is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 11-7-13

*Pam Mason*  
*Pam Mason*

Notary Public in and for the State of WA

Residing at *Vancouver WA*

My commission expires: *05-01-2017*





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WASHINGTON

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**DEPARTMENT OF PUBLIC WORKS**  
**COUNTY SURVEYOR'S OFFICE**

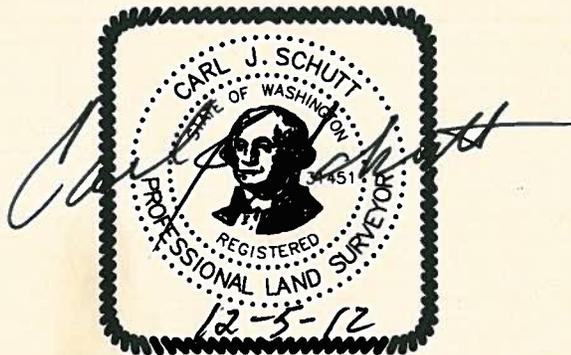
**EXHIBIT "A"**  
**NE 119th STREET – CRP # 390722**  
**MOUSLEH PARCEL**

A parcel of land lying in the Southeast quarter of Section 30, Township 3 North, Range 2 East of the Willamette Meridian in Clark County, Washington, being more particularly described as follows:

All that portion of that parcel described in that Statutory Warranty Deed to David M. Mousleh and Anastacia Mousleh, husband and wife, recorded December 4, 1998 under Auditor's file no. 3038294, records of Clark County, Washington, listed as Serial No.'s 198812-000 and 198803-000, lying southerly and easterly of the following described line"

Beginning at a point on the westerly line of said parcel, said point being 50.00 feet northerly of, when measured at right angles to the construction centerline of Northeast 119th Street, as described in Exhibit "B", attached; thence to a point 50.00 feet northerly of, when measured at right angles to said centerline opposite Engineers' station 146+38.10; thence to a point 74.97 feet northerly of, when measured at right angles to said centerline and 50.00 feet westerly of, when measured at right angles to the centerline of Northeast 72nd Avenue, as described in Exhibit "C", attached; thence to a point 50.00 feet westerly of, when measured at right angles to the centerline of said Northeast 72nd Avenue opposite Engineers' station 82+50.00; thence to a point 60.00 feet westerly of, when measured at right angles to the centerline of said Northeast 72nd Avenue opposite station 82+50.00; thence to a point 60.00 feet westerly of, when measured at right angles to the centerline of said Northeast 72nd Avenue on the north line of said parcel, and there terminating, all in Clark County, Washington.

This description contains 35,182 square feet as calculated by the double meridian distance method.



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

X001.doc



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WASHINGTON

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**DEPARTMENT OF PUBLIC WORKS**  
**COUNTY SURVEYOR'S OFFICE**

**EXHIBIT "B"**  
**N.E. 119th STREET CRP #390722**  
**CONSTRUCTION CENTERLINE DESCRIPTION**

A strip of land lying in Sections 29 and 30, Township 3 North, Range 2 East of the Willamette Meridian, the centerline of said strip being more particularly described as follows:

Beginning at a brass disk marking the south quarter corner of Section 30, Township 3 North, Range 2 East, Willamette Meridian, being designated as Engineers' station 120+59.30; thence South 88°41'55" East 1348.55 feet; thence along the arc of an 8650.00 foot radius curve left through a central angle of 1°22'47" a distance of 208.29; thence North 89°55'18" East 351.46 feet; thence along the arc of an 8650.00 foot radius curve right through a central angle of 1°25'53" a distance of 216.09 feet; thence South 88°38'49" East 529.31 feet; thence South 88°38'47" East 1472.96 feet; thence along the arc of an 8650.00 foot radius curve right through a central angle of 1°08'44" a distance of 172.94 feet; thence South 87°30'03" East 462.68 feet thence along the arc of an 8650.00 foot radius curve left through a central angle of 1°06'12" a distance of 166.55; thence South 88°36'15" East 3038.12 feet to a brass disk marking the southeast corner of Section 29, said Township and Range, and there terminating, all in Clark County, Washington.

Bearings are based on the south line of the southeast quarter of Section 30, Township 3 North, range 2 East, W.M., as being South 88°41'55" East based on Washington State Plane coordinates, South Zone, NAD83(91) adjustment. The control scheme is on file at the Clark County Surveyor's office.



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



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**CLARK COUNTY**  
WASHINGTON

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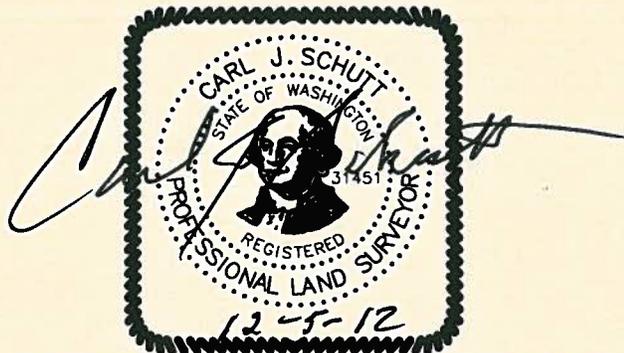
**DEPARTMENT OF PUBLIC WORKS**  
**COUNTY SURVEYOR'S OFFICE**

**EXHIBIT "C"**  
**N.E. 72nd AVENUE**  
**CENTERLINE DESCRIPTION**

A strip of land of varying width lying in Sections 29, 30, 31, and 32, Township 3 North, Range 2 East of the Willamette Meridian, the centerline of said strip being more particularly described as follows:

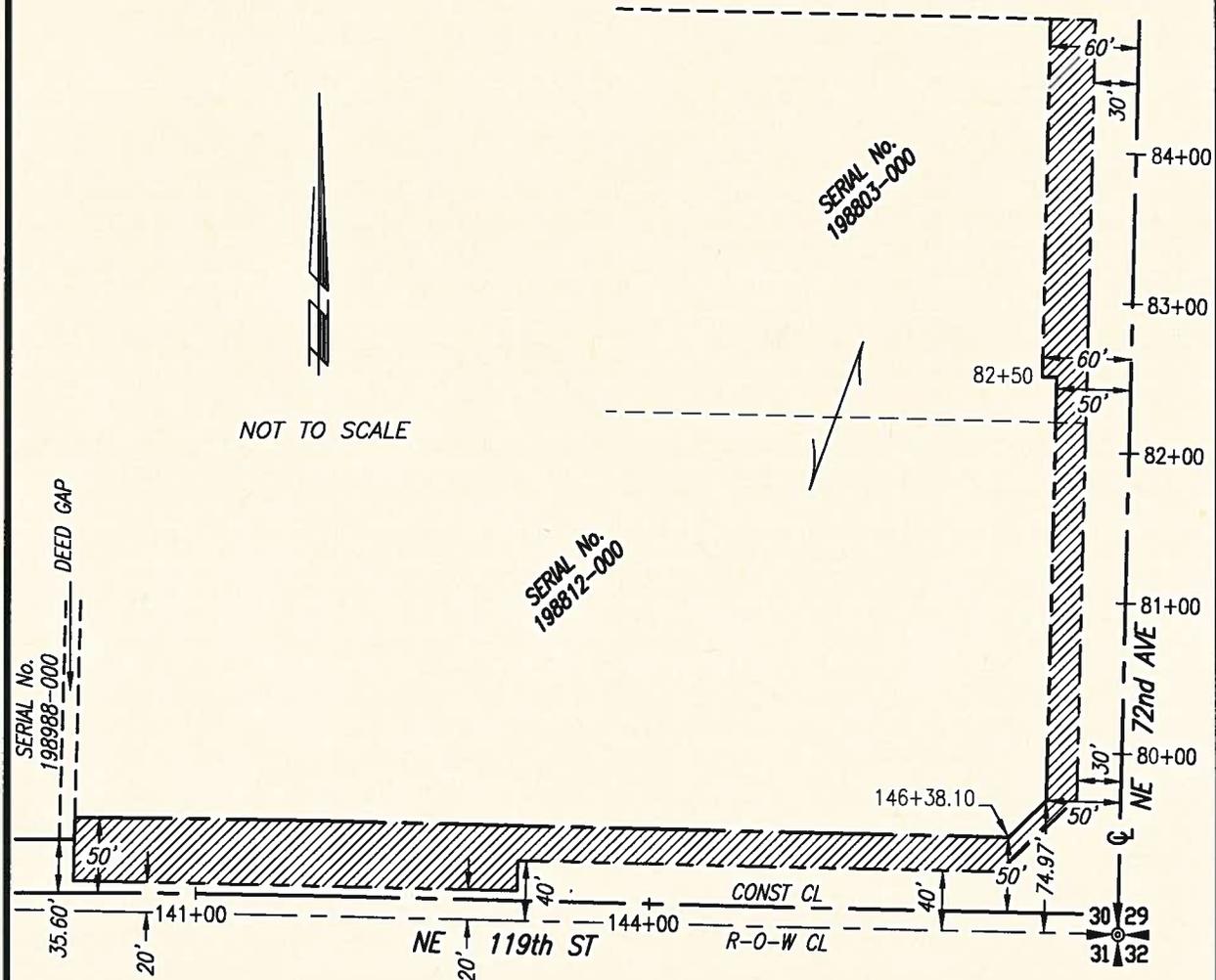
Beginning at a brass cap marking the quarter corner between Sections 31 and 32, Township 3 North, Range 2 East of the Willamette Meridian, said point being in the center of NE 72nd Avenue, being designated as Engineer's station 52+44.94; thence North 1°35'37" East 2634.76 feet to a brass cap marking the northeast corner of said Section 31, said Township and Range; thence North 1°25'51" East 2660.78 feet to a brass cap marking the quarter corner between said Sections 29 and 30, said Township and Range, and there terminating, all in Clark County, Washington

Bearings hereon used are based on Washington State Plane coordinates, South Zone, NAD83(91) adjustment. The control scheme is on file at the Clark County Surveyor's office.



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

**EXHIBIT "D"**  
 SERIAL No.'s 198812-000 & 198803-000



Clark County Public Works Vancouver, Washington		
DESIGN & ENGINEERING DIVISION OFFICE OF THE COUNTY SURVEYOR		
SE 1/4 SECTION 30 T 3 N, R 2 E, W.M.		
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
DATE	SCALE	DRAWN BY
OCT 2012	NOT TO SCALE	CJS

CLARK COUNTY, WASHINGTON  
RESOLUTION NO. 2013-12-13

IN THE MATTER OF EXECUTION OF STATUTORY WARRANTY DEED TO CLARK COUNTY

WHEREAS, the Board of County Commissioners is in regular session this 10<sup>th</sup> day of December, 2013, and

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

Document

Statutory Warranty Deed

Data

FROM: Thorton Properties, LLC, a Washington Limited Liability Company

FOR: NE 119<sup>th</sup> St. Project (NE 72nd to 87<sup>th</sup> Ave)

CRP# 390722

Consideration: \$249,000.00

Statutory Warranty Deed

FROM: Marwan Said Al-Deen Mouseh and Anastacia Mouseh

FOR: NE 119<sup>th</sup> St. Project (NE 72nd to 87<sup>th</sup> Ave)

CRP# 390722

Consideration: \$183,370.00

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

# CRP 390722



Map center: 1104390, 143538

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.



## Legend

- Parcels
- Roads
- Alley
- Arterial
- DNR
- 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: 1:3,524