

ORDINANCE NO. 2479

AN ORDINANCE providing for the vacation of a portion of NW 2nd Avenue.

WHEREAS, by Resolution No. 1091 adopted January 22, 2007, the City Council initiated proceedings to vacate a portion of NW 2nd Avenue.

WHEREAS, said Resolution set the 20th day of February, 2007, at 7:00 p.m., in the Council Chambers in the City Hall of Camas, Washington, as the time and place for a public hearing on said vacation, and

WHEREAS, pursuant to said Resolution, the City Clerk caused notices to be posted and mailed in accordance with the requirements of law, and

WHEREAS, at the time and place set for said hearing, the Council considered the testimony of all persons commenting on said vacation, and

WHEREAS, the Council finds that the portion of NW 2nd Avenue that is proposed to be vacated is not currently being utilized for public road or sidewalk purposes and provisions are made within this ordinance for necessary utility easements, now, therefore,

THE COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

Section I

The following described portion of NW 2nd Avenue be and the same is hereby vacated:

See Exhibit "A"

Section II

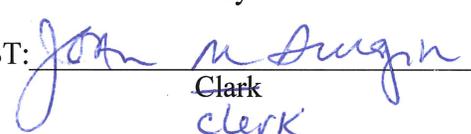
Said vacation is contingent upon the abutting land owner paying the cost of publishing this ordinance, and paying the sum of \$534.13, which is equal to one-half (1/2) the assessed value of the right-of-way being vacated.

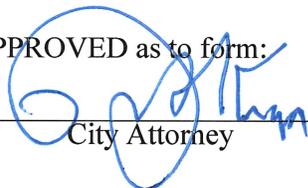
Section III

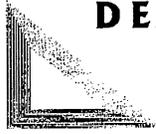
This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED by the Council and APPROVED by the Mayor this 20th day of February, 2007.

SIGNED: 
Mayor

ATTEST: 
Clark
clerk

APPROVED as to form:

City Attorney



DEAN SURVEYING, inc.

717 NE 61st St., #100 Vancouver, WA 98665
(360) 892 2600

February 1, 2007

DESCRIPTION FOR RETAINING WALL A PORTION OF NW 2ND AVE. CITY OF CAMAS

For Matthew Pickering (Tax Parcel #082990.215)

A strip of land situated in the Southwest Quarter of Section 9, Township 1 North, Range 3 East, Willamette Meridian, City of Camas, Clark County, Washington, and more particularly described as follows:

Beginning at the northwest corner of Lot 2 of Short Plat Book 2 Page 924 of Clark County Auditor's short plat records; thence, along the northerly extension of the westerly line of said Lot 2, North 01°29'47" East 24.40 feet; thence, parallel with and 20.00 feet from the northwesterly line of said Lot 2, North 56°33'17" East 20.95 feet, to the True Point of Beginning;

Thence, North 33°26'43" West 4.95 feet, to the northwesterly face of a retaining wall; thence, along said face, North 55°34'36" East 30.86 feet; thence, along said face, North 67°46'28" East 27.47 feet; thence, along said face, North 80°31'32" East 11.55 feet; thence, along said face, North 82°22'46" East 5.63 feet; thence, leaving said face, South 15°04'05" East 23.21 feet, to the northeast corner of said Lot 2; thence, North 26°30'09" West 21.15 feet, to a point of cusp on a curve concave to the south having a radius of 95.00 feet and a central angle of 23°45'17" and being subtended by a chord which bears South 68°25'47" West 39.11 feet; thence, westerly and southwesterly along said curve 39.39 feet; thence, South 56°33'17" West 30.40 feet, to the True Point of Beginning.

Containing 368 square feet of land, more or less.

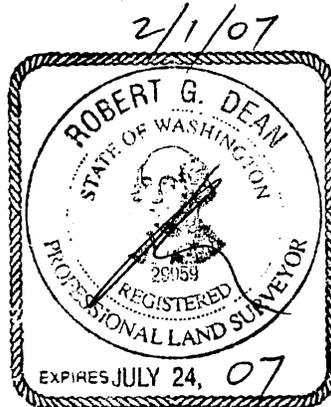
Subject to easements for existing public utilities, if any.

Subject to an easement for ingress and egress over a strip of land described as follows:

Beginning at the northwest corner of Lot 1 of Short Plat Book 2 Page 924 of Clark County Auditor's short plat records; thence, North 26°30'09" West 21.15 feet; thence, North 38°31'05" West 3.50 feet, to the northwesterly face of a retaining wall; thence, along said face, North 82°22'46" East 5.63 feet; thence, leaving said face, South 15°04'05" East 23.21 feet, to the Point of Beginning.

Containing 57 square feet of land, more or less.

EXHIBIT "A"
PAGE 1 OF 2

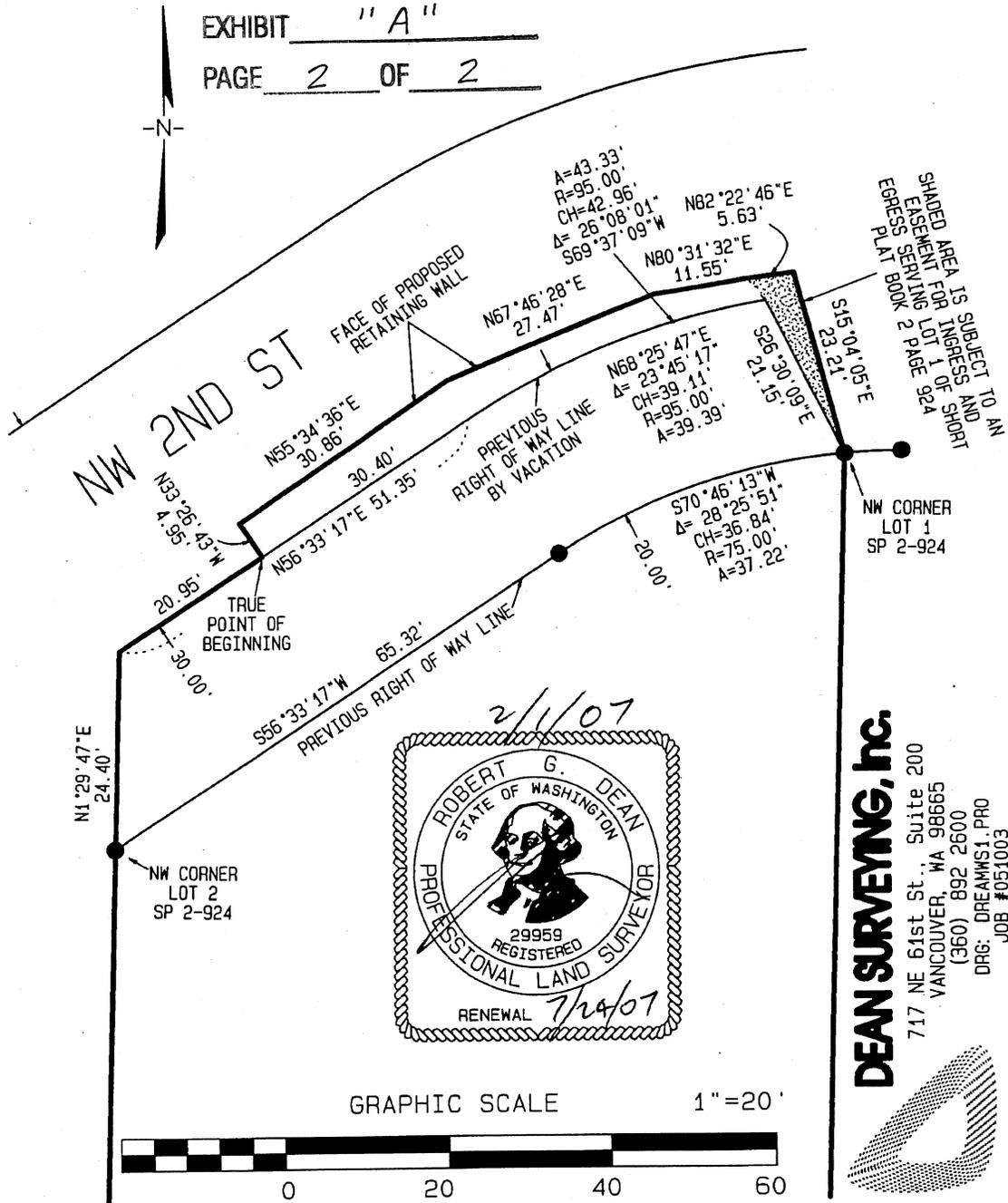


ROAD VACATION SURVEY

for *Dream Builders 2, Inc*

TAX PARCEL #082990-215
 NW 1/4 SEC. 32, T4N, R1E, W.M.
 CITY OF CAMAS, CLARK COUNTY, WASHINGTON.
 DATE OF SURVEY: FEBRUARY 2007

EXHIBIT "A"
 PAGE 2 OF 2



SHADED AREA IS SUBJECT TO AN
 EASEMENT FOR INGRESS AND
 EGRESS SERVING LOT 1 OF SHORT
 PLAT BOOK 2 PAGE 924

DEAN SURVEYING, Inc.
 717 NE 61st St., Suite 200
 VANCOUVER, WA 98665
 (360) 892 2600
 DRG: DREAMWS1.PRO
 JOB #051003

**NW 2nd Avenue
Assessed Land Value
February 12, 2007
Source: Clark County GIS**

Parcel ID#	Site Address	Area (SF)	Assessed Land Value	\$/SF	1/2 \$/SF	1/2 Value
082990-200	3432	92,347	\$146,200.00	\$1.58	\$0.79	
082990-211	3460	36,155	\$178,100.00	\$4.93	\$2.46	
082990-215	No Building	32,234	\$112,500.00	\$3.49	\$1.75	
082990-220	3530	63,162	\$180,300.00	\$2.85	\$1.43	
082990-230	3630	106,286	\$176,500.00	\$1.66	\$0.83	
			Average Value	\$2.90	\$1.45	
Vacation Request Area		368				\$534.13

4301613 ORD

RecFee - \$36.00 Pages: 5 - CITY OF CAMAS
Clark County, WA 03/23/2007 01:31



5

RETURN ADDRESS

City of Camas
P.O. Box 1055
Camas, WA 98607

Real Estate Excise Tax
Ch. 11 Rev. Laws 1951
EXEMPT
Affd. # 0 Date 3-23-07
For details of tax paid see
Affd. # 6
Doug Lasher
Clark County Treasurer
By _____ Deputy

Please print neatly or type information

Document Title(s)

Ordinance No. 2479

Reference Number(s) of related documents:

_____ Additional Reference #'s on page _____

Grantor(s) (Last name, First name and Middle Initial)

City of Camas
_____ Additional grantors on page _____

Grantee(s) (Last name, First name and Middle Initial)

Geis El-Abdeia and Anna Shebani
_____ Additional grantees on page _____

Legal Description: (abbreviated form: i.e. lot, block, plat or section township, range, quarter/quarter)

SW 1/4 of Section 9, Township 1N, Range 3E, Willamette Meridian
_____ Additional legal is on page 3

Assessor's Property Tax Parcel/Account Number

082990.215
_____ Additional parcel #'s on page _____

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording process may cover up or otherwise obscure some part of the text of the original document.

Signature of Requesting Party

REQUEST FOR ITEMS ON COUNCIL AGENDA

PUBLIC WORKS

PLEASE HAVE THE FOLLOWING ITEM OR SUBJECT ON THE COUNCIL AGENDA FOR FEBRUARY 20, 2007:

- Hold a Public Hearing and vote on Ordinance 2479, vacating a portion of NW 2nd Avenue.

RECOMMENDATION FOR ACTION:

- Adopt the ordinance.

JUSTIFICATION FOR DEPARTMENTAL RECOMMENDATION:

- This vacation request is adjacent a steep single-family lot. The City vacated a 20' strip of land to these same vacation request applicants in 2006.
- This vacation would allow the applicants to build, own, and maintain a necessary retaining wall for access to their house that is currently under construction. The vacation request applicants' builder considered in the initial 2006 vacation the necessary front yard setback requirement; however, the need for additional property for the private driveway access to the house was not anticipated.
- Public Works staff does not wish to own or maintain the vacation request applicants' driveway and retaining wall.
- This vacation would not in any way change the function of ownership, maintenance, and access to the utilities and unimproved public street which currently serves as a driveway for three residents at the west end of NW 2nd Avenue.
- The vacation request applicant is proposing to widen the existing adjacent public roadway pavement from 12 feet to 20 feet. Planning and Engineering have determined that the topographical restraints on the properties at the west end of NW 2nd Avenue preclude reasonable development that would constitute a need for future street improvements along subject frontage.

Public Works staff will be present at the Council meeting to give an oral presentation.

Information explaining the above subject and/or recommendation is attached.

James E. Carothers, P.E.

(signed)



CITY OF CAMAS

616 Northeast Fourth Avenue

P.O. Box 1055

Camas, Washington 98607

<http://www.ci.camass.wa.us>

STAFF REPORT

NW 2ND AVENUE RIGHT-OF-WAY VACATION

FILE NO. VAC 06-01A

STAFF REPORT DATE: FEBRUARY 12, 2007

PROPOSAL: Vacation of an approximate 5' wide portion of NW 2nd Avenue

TO: Paul Dennis, Mayor
City Council

FROM: STAFF

HEARING DATE: February 20, 2007

LOCATION: NW 2nd Avenue approximately 500' west of NW Ilwaco Street,
CAMAS, WASHINGTON

Southwest ¼ of Section 9, Township 1 North, Range 3 East of the
Willamette Meridian (WM). Clark County Assessor parcel number
082990-215

OWNERS: Geis Alabdeia and Amna Shebani
1920 NW 110th Court
Portland, OR 97229

DATES: **Vacation Request Submitted by Owner:** 12/19/06
Administration, Finance, Fire, Operations, & Police Notified: 12/20/06
Resolution passed to set Public Hearing Date: 01/22/07
Notice of Hearing Published (Post Record): 01/30/07
Notice of Hearing Posted at City Hall, Public Library, and Post Office: 01/25/07
Notice of Hearing Posted at & near Site: 01/29/07

FINDINGS: This vacation request is adjacent a steep single-family lot. The City vacated a 20' strip of land for the adjacent property to these same vacation request applicants in 2006.

This vacation would allow the applicants to build, own, and maintain a necessary retaining wall for access to their house that is currently under construction. The vacation request applicants' builder considered in the initial 2006 vacation the necessary front yard setback requirement; however, the need for additional property for the private driveway access to the house was not anticipated.

Planning and Engineering have determined that the topographical restraints on the properties at the west end of NW 2nd Avenue preclude reasonable development that would constitute a need for future street widening improvements along subject frontage.

Public Works staff does not wish to own or maintain the vacation request applicants' driveway and retaining wall.

This vacation would not in any way change the function of ownership, maintenance, and access to the utilities and unimproved public street which currently functions as a community driveway for three residents at the west end of NW 2nd Avenue.

The cost for this right-of-way was determined by averaging the assessed value of the applicant's property, two properties to the west, and two properties to the east. Payment of one-half the assessed value is in accordance with RCW 39.79.030.

As of February 12th, no public comments had been received.

RECOMMENDATION: Staff recommends adoption of this ordinance.



L2NDVAC 3/28/06

1 inch equals 150 feet

CITY OF CAMAS NW 2ND AV
RIGHT-OF-WAY VACATION

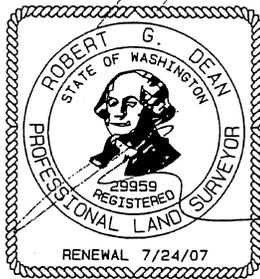
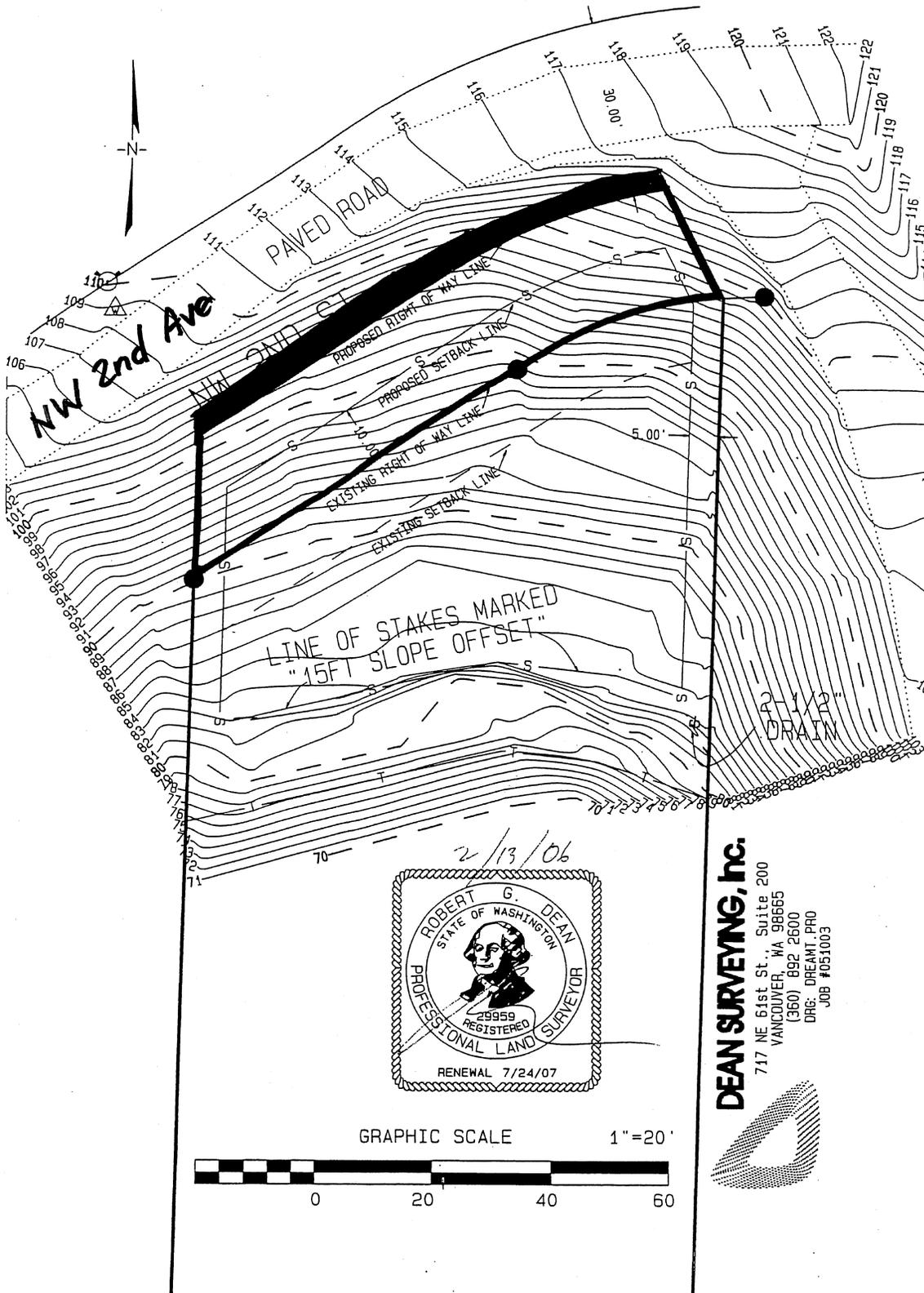
INITIAL VACATED AREA (VAC-06-01)

TOPOGRAPHIC SURVEY for Dream Builders 2, Inc

TAX PARCEL #082990-215
NW 1/4 SEC. 32, T4N, R1E, W.M.
CITY OF CAMAS, CLARK COUNTY, WASHINGTON.
DATE OF SURVEY: OCTOBER 2005

 previously vacated
ROW in 2006

 Proposed new vacation
w/ 4' to 10' high wall
along north edge
(Applicant to provide
20' wide paved road
along their frontage)



DEAN SURVEYING, INC.
717 NE 61st St., Suite 200
VANCOUVER, WA 98665
(360) 892 2600
DRG: DREAMT PRO
JOB #051003



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February 12, 2007
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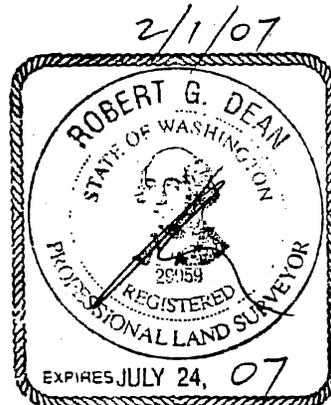
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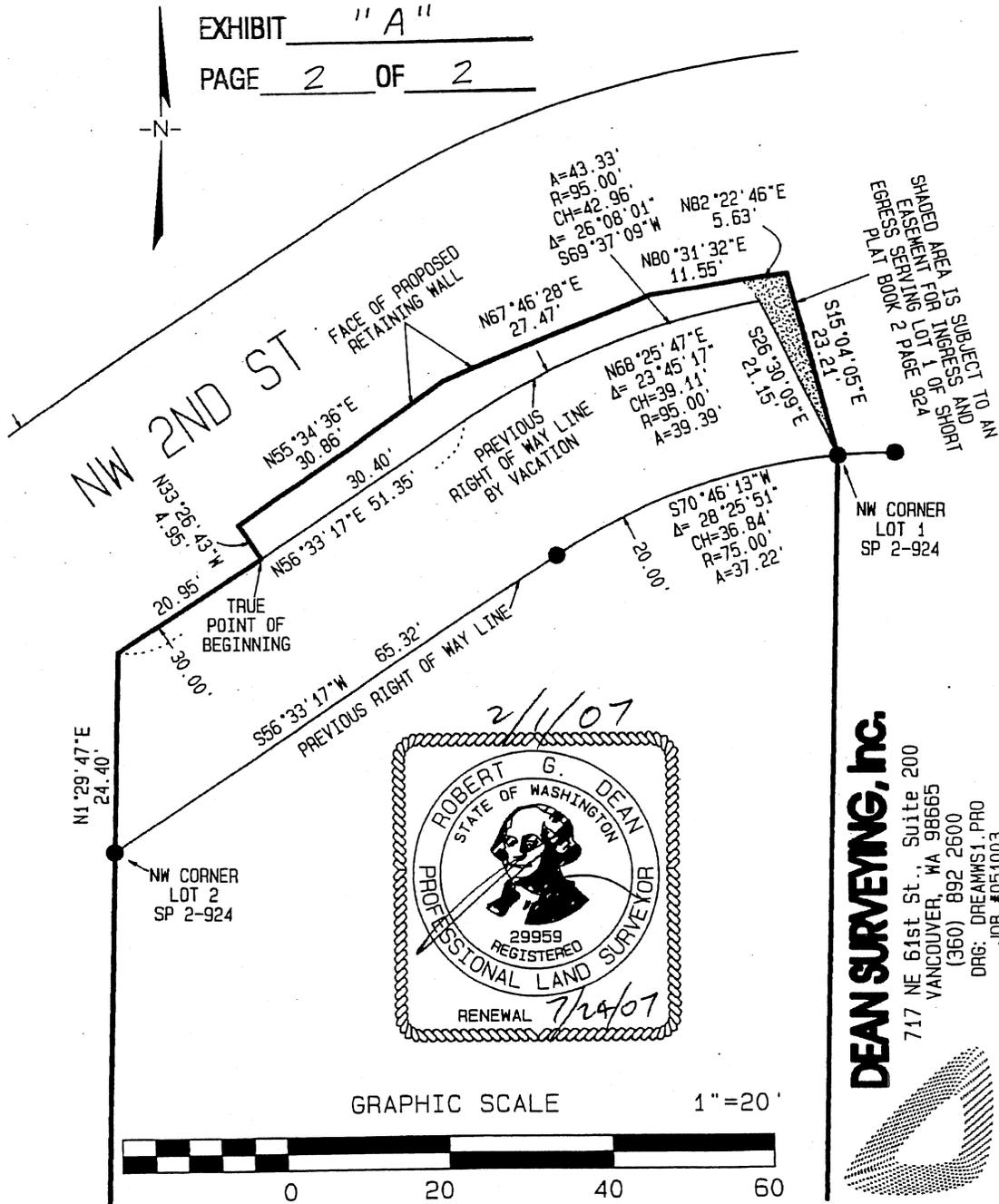


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 NW 1/4 SEC. 32, T4N, R1E, W.M.
 CITY OF CAMAS, CLARK COUNTY, WASHINGTON.
 DATE OF SURVEY: FEBRUARY 2007

EXHIBIT " A "
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DEAN SURVEYING, Inc.
 717 NE 61st St., Suite 200
 VANCOUVER, WA 98665
 (360) 892 2600
 DRG: DREAMB21.PRO
 JOB #051003