

ORDINANCE NO. 2480

AN ORDINANCE providing for the vacation of a portion of NE Birch Street.

WHEREAS, by Resolution No. 1093 adopted January 22, 2007, the City Council initiated proceedings to vacate a portion of NE Birch Street.

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 NE Birch Street 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 NE Birch Street 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 \$950.40, 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 20<sup>th</sup> day of February, 2007.

SIGNED: \_\_\_\_\_

Mayor

ATTEST: \_\_\_\_\_

Clark

clerk

APPROVED as to form: \_\_\_\_\_

City Attorney

**LEGAL DESCRIPTION**  
**PORTION OF BIRCH STREET TO BE VACATED**  
**CITY OF CAMAS**

That portion of Birch Street, formerly known as Clara Street, according to the Plat of the Townsite of LaCamas (now Camas) as recorded in Book B of Plats at Page 25, records of the Clark County Auditor, lying in the Northwest quarter of Section 11, Township 1 North, Range 3 East of the Willamette Meridian, City of Camas, Clark County, Washington, described as follows:

Commencing at the Southwest corner of Lot 1 of Block 38 of said Plat of the Townsite of LaCamas said corner also being the Southwest corner of the "Camvest Development, LLC" parcel as described under Auditor's File No. 3764203, also records of the Clark County Auditor; thence North, along the West line of said Lot 1 and the West line of said "Camvest Development, LLC" parcel, 13.50 feet to the **Point of Beginning**; thence West, 4.00 feet; thence North, 40.00 feet; thence East, 4.00 feet to said West lines; thence South, along said West lines, 40.00 feet to the **Point of Beginning**.

Containing 160 square feet.

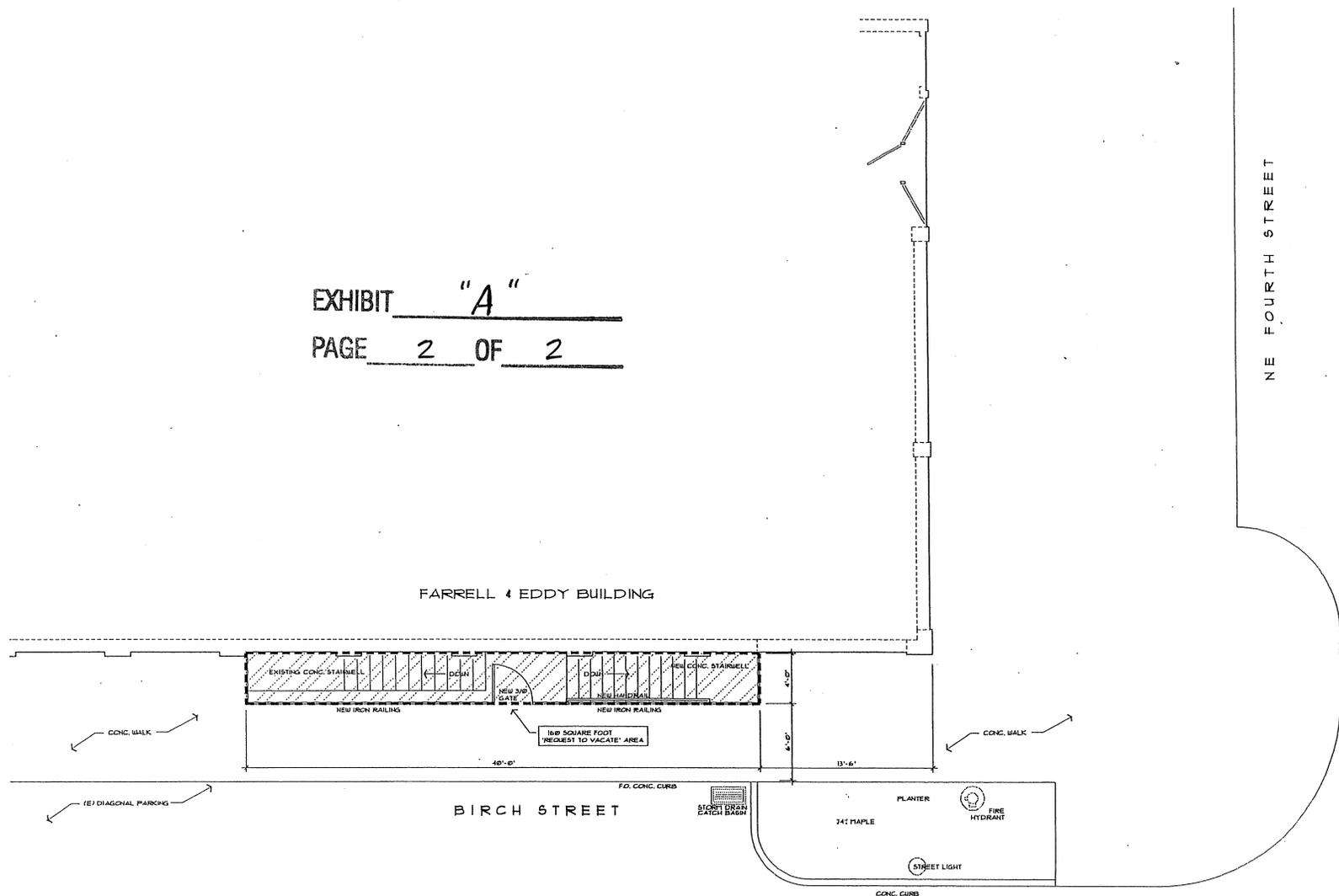
Subject to easements and restrictions of record.

EXHIBIT     "A"    

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EXHIBIT     "A"      
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VACATION SITE PLAN

**NE Birch Street  
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 |
|------------------------------|--------------|-----------|----------------------|---------|-----------|-----------|
| 078890-000                   | 315 4th      | 5,000     | \$55,000.00          | \$11.00 | \$5.50    |           |
| 079020-000                   | 415 Birch    | 5,000     | \$66,000.00          | \$13.20 | \$6.60    |           |
| 078014-000                   | 304 4th      | 9,000     | \$99,000.00          | \$11.00 | \$5.50    |           |
| 077920-000                   | 236 4th      | 5,000     | \$55,000.00          | \$11.00 | \$5.50    |           |
| 078956-000                   | 450 Birch    | 5,000     | \$66,000.00          | \$13.20 | \$6.60    |           |
|                              |              |           | <b>Average Value</b> | \$11.88 | \$5.94    |           |
| <b>Vacation Request Area</b> |              | 160       |                      |         |           | \$950.40  |

EXHIBIT     A      
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# 4301612 ORD

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



**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. # 0  
By Doug Lasher Deputy  
Clark County Treasurer

Please print neatly or type information

**Document Title(s)**

Ordinance No. 2480

**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)

Camvest Development LLC Additional grantees on page \_\_\_\_\_

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

NW 1/4 of Section 11, Township 1N, Range 3E of Willamette Meridian  
Additional legal is on page 3

**Assessor's Property Tax Parcel/Account Number**

078890-000 079020-000 078014-000  
Additional parcel #'s on page 5

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 2480, vacating a portion of NE Birch Street.

**RECOMMENDATION FOR ACTION:**

- Adopt the ordinance.

**JUSTIFICATION FOR DEPARTMENTAL RECOMMENDATION:**

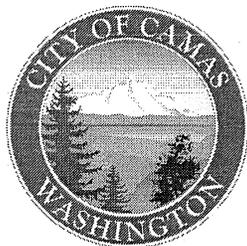
- The applicant proposes this vacation request in order to provide adequate commercial access to the basement of the Farrell and Eddy Building, 305 NE 4<sup>th</sup> Avenue. The City Attorney maintains that the City has less liability with a stairwell that is not within the City right-of-way.
- Although a portion of this right-of-way is currently being used for public sidewalk, staff believes that the remaining sidewalk width of six feet is ample for public access at this location.
- This street vacation will not constitute a need for the City to re-purchase the property at a later date.

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

### NE BIRCH STREET RIGHT-OF-WAY VACATION

FILE NO. VAC 06-08

STAFF REPORT DATE: FEBRUARY 13, 2007

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**PROPOSAL:** Vacation of a 4' wide by 40' long portion of NE Birch Street

**TO:** Paul Dennis, Mayor  
City Council

**FROM:** STAFF

**HEARING DATE:** February 20, 2007

**LOCATION:** NE Birch Street adjacent the Farrell and Eddy Building, 305 NE 4<sup>th</sup> Avenue, CAMAS, WASHINGTON

Camas Lot 1 Block 8; Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 11, Township 1 North, Range 3 East of the Willamette Meridian (WM). Clark County Assessor parcel number 078870-000

**OWNERS:** Lon Combs  
Camvest Development, LLC  
17308 NE Edmonds Road  
Vancouver, WA 98682

**DATES:** **Vacation Request Submitted by Owner:** 12/08/06  
**Administration, Finance, Fire, Operations, & Police Notified:** 12/11/06  
**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:** The applicant proposes this vacation request in order to provide adequate commercial access to the basement of the Farrell and Eddy Building. The City Attorney maintains that the City has less liability with a stairwell that is not within the City right-of-way.

Although a portion of this right-of-way is currently being used for public sidewalk, staff believes that the remaining sidewalk width of six feet is ample for public access at this location.

This street vacation will not constitute a need for the City to re-purchase the property at a later date.

The cost for this right-of-way was determined by averaging the assessed values of properties on NE 4<sup>th</sup> Avenue, NE 5<sup>th</sup> Avenue, and NE Birch Street near to the applicant's property. Payment to the City of one-half the assessed value is in accordance with RCW 39.79.030.

As of February 12<sup>th</sup>, no public comments had been received.

**RECOMMENDATION:** Staff recommends adoption of this ordinance.

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February 12, 2007  
Source: Clark County GIS**

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|                              |              |            | <b>Average Value</b> | <b>\$11.88</b> | <b>\$5.94</b> |                 |
| <b>Vacation Request Area</b> |              | <b>160</b> |                      |                |               | <b>\$950.40</b> |

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