

Jefferson County
Board of Commissioners
Agenda Request

To: Board of Commissioners
Philip Morley, County Administrator

From: Frank Gifford, Public Works Director *MG (for)*

Agenda Date: January 7, 20113

Subject: A Communication System Easement request from CenturyTel of Washington, Inc., dba CenturyLink.

Statement of Issue:

The Facilities Department has request that Public Works coordinate the development of the Communication System Easement with the above referenced company. The Board is requested to execute the attached Communication System Easement from the County to CenturyTel of Washington, Inc., for a total of approximately 500 square feet, situated in the SW portion of the Clearwater Shop parcel, APN 412183008, located at 3000 Clearwater Road. Please refer to the attached Survey.

Analysis/Strategic Goals/Pro's & Con's:

The Communication System Easement is necessary to provide the protected area needed by CenturyLink to enhance the limited communication technology in the area. This effort is fully supported by the Information Services Manager & Sheriff's Department, which will potentially provide the Jefferson County Sheriff's Department with the additional bandwidth they need and provide Centurylink with a secure facility to keep data communications flowing.

Fiscal Impact/Cost Benefit Analysis:

CenturyLink has provided all plans and survey data as necessary to complete the Communication System Easement document attached hereto. CenturyLink has also agreed to pay the County for all administrative expenses (estimated to be less than \$1,000.00) incurred with the execution of the subject easement and (\$ 1,000.00) compensation for the perpetual easement.

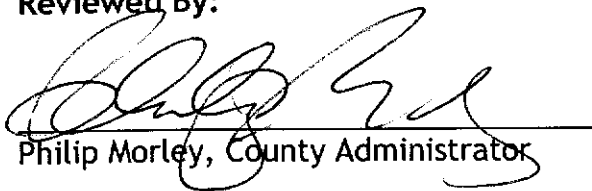
Department Contact:

Will Butterfield Right of Way Representative, 385-9350.

Recommendation:

The Department of Public Works recommends the Board of County Commissioners sign the Easement document provided by CenturyLink and return the original to the Jefferson County Department of Public Works for further processing. The Board will be provided a copy of the fully recorded document and recorded survey once filed with the Jefferson County Auditor.

Reviewed By:


Philip Morley, County Administrator

1/21/13
Date

Jack Ryan
c/o CenturyLink
6700 Via Austi Pkwy
MAILSTOP: NVLEVEL-3062
Las Vegas, NV 89119-3545

Document Title: GRANT OF COMMUNICATION SYSTEM EASEMENT
Grantor(s): Jefferson County
Grantee(s): CenturyTel of Washington, Inc., dba CenturyLink.
Legal Description: Ptn. Of the SW 1/4 of Sec 18,T24N, R12W, W.M.,
Additional Legal Description is on Exhibit A-1 of Document.
Assessor's Tax Parcel Number: 412183008

COMMUNICATION SYSTEM EASEMENT

This Communication System Easement and the rights contained in it are granted by Jefferson County, a municipal corporation ("Grantor"), whose address is 1820 Jefferson Street, P.O. Box 1220, Port Townsend, WA. 98368. For good and valuable consideration, the receipt and sufficiency of which are acknowledged by Grantor, Grantor, for itself, its successors and assigns, grants to *CenturyTel of Washington, Inc.*, d/b/a CenturyLink, its successors, assigns, lessees, licensees and agents ("Grantee"), subject to the terms stated in this Communication System Easement, a perpetual easement ("Easement") to install, construct, operate, maintain, expand, replace and remove a communication system that Grantee may, from time to time require, consisting of but not limited to underground cables, wires, conduits, manholes, drains, splicing boxes, surface location markers, equipment cabinets and associated wooden or concrete pads, aerial lines or cables, poles, and other facilities or structures as are reasonably necessary for Grantee to exercise the rights granted to it in this Communication System Easement (collectively, "Facilities"), upon, over, through, under and along a parcel of land described on Exhibit "A" and Exhibit "A-1" ("Easement Tracts"), said Easement Tract being a portion of the real property described on Exhibit "B" ("Property"), all exhibits being attached to and incorporated by reference into this Communication System Easement.

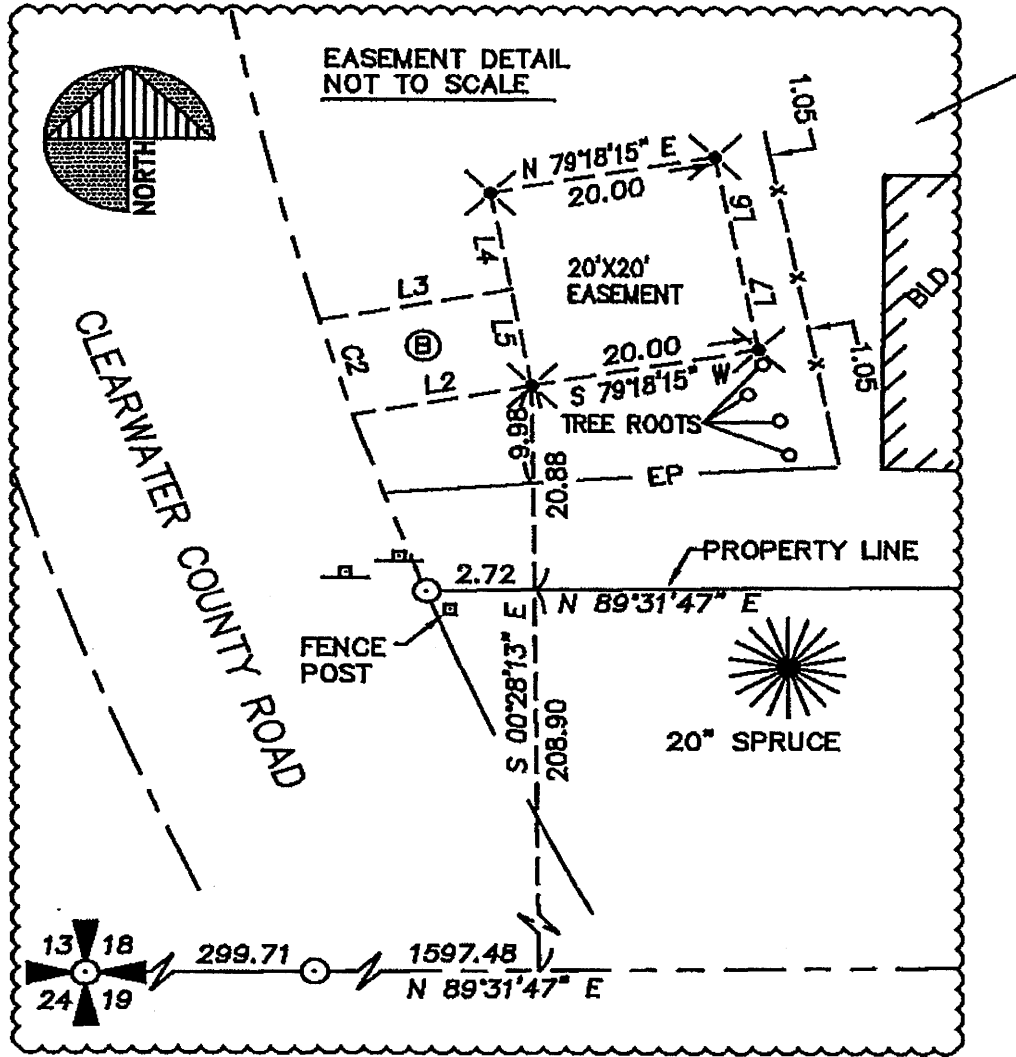
The grant of Easement also gives to Grantee the following rights: (a) the right of ingress and egress over and across the Easement Tract and Property and any real property owned or controlled by Grantor that is adjacent to the Easement Tract or Property for the purpose of Grantee exercising the rights granted to it in this Communication System Easement; (b) the right to clear and keep clear all trees, roots, brush and other obstructions from the surface and sub-surface of the Easement Tract that may interfere with Grantee exercising the rights granted to it in the Communication System Easement; (c) the right to permit the carry-in and attachment of the conduit, wires, cables or other such items of any other entity or person to the Facilities; and (d) at Grantee's expense, the right to bring to and to place at the Easement Tract electrical or other utility service for Grantee's use, and further required by the utility, Jefferson County will provide a key to the Grantee, upon execution of this document, for access to the fenced area, directly adjoining the easement area, for the temporary placement of a CenturyLink generator for use as backup power to the communication equipment placed on the herein granted easement(s).

Grantor will have the right to use and enjoy the Easement Tract so long as Grantor's use does not materially interfere with the rights granted to Grantee in this Communication System Easement. Grantor will not erect any structure or plant trees or other vegetation within the Easement Tract.

Grantor warrants that Grantor is the owner of the Easement Tract and Property and will defend title to the Easement Tract and Property against the claims of any and all persons, and that Grantor has full authority to grant this Communication System Easement according to its terms.
ARN 199370 / PRN 480398

EXHIBIT A TO COMMUNICATION SYSTEM EASEMENT

Depiction of Easements



- (A) 20'X20' UTILITY EASEMENT
- (B) 10.00' EASEMENT FOR INGRESS, EGRESS AND UTILITIES

EXHIBIT "A-1" TO COMMUNICATION SYSTEM EASEMENT

Description of Easement Tracts

Easement "A"

An easement for ingress, egress and utilities, over, under and across a portion of the Southeast Quarter of the Southwest Quarter of Section 18, Township 24 North, Range 12 West of the Willamette Meridian described as follows:

Beginning at the Southeast corner of said Southeast Quarter of the Southwest Quarter;
Thence South 89°31'47" West along the south line of said Southeast Quarter of the Southwest Quarter 477.97 feet;
Thence North 00°28'13" West 229.78 feet to the True Point of Beginning of said easement;
Thence North 79°18'15" East 20.00 feet;
Thence North 10°41'45" West 20.00 feet;
Thence South 79°18'15" West 20.00 feet;
Thence South 10°41'45" East 20.00 feet to the True Point of Beginning.

Easement "B"

Together with an easement 10.00 foot in width for ingress, egress and utilities, over, under and across a portion of the Southeast Quarter of the Southwest Quarter of Section 18, Township 24 North, Range 12 West of the Willamette Meridian described as follows:

Beginning at the Southeast corner of said Southeast Quarter of the Southwest Quarter;
Thence South 89°31'47" West along the south line of said Southeast Quarter of the Southwest Quarter 477.97 feet;
Thence North 00°28'13" West 229.78 feet to the True Point of Beginning of said easement;
Thence North 79°18'15" East 20.00 feet;
Thence North 10°41'45" West 20.00 feet;
Thence South 79°18'15" West 20.00 feet;
Thence South 10°41'45" East 10.00 feet;
Thence South 79°18'15" West 10.63 feet to the easterly right of way of Clearwater County Road;
Thence Southeasterly along said right of way 10±feet;
Thence North 79°18'15" East 9.56 feet to the True Point of Beginning.

EXHIBIT "B"

Jefferson County Property

BASIS OF BEARING

N 89°31'47" E, 2375.16 BETWEEN THE SOUTHWEST SECTION CORNER AND THE SOUTH QUARTER CORNER OF SECTION 13, TOWNSHIP 24, RANGE 12 WEST, W.M.

LEGAL DESCRIPTION

(JEFFERSON COUNTY PROPERTY)

**THOSE PORTIONS OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 LYING EAST OF THE COUNTY ROAD IN SECTION 18, TOWNSHIP 24 NORTH, RANGE 12 WEST, W.M., JEFFERSON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
TAX NO. 1, SECTION 18, TOWNSHIP 24 NORTH, RANGE 12 WEST, W.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT 30.0 FEET EAST OF COUNTY ROAD SURVEY LINE, SAID POINT BEING 266.5 FEET IN A NORTHWESTERLY DIRECTION FROM WHERE SAID SURVEY CROSSES SECTION LINE BETWEEN SECTIONS 18 AND 19 WHERE SAID COUNTY ROAD SURVEY ANGLES DUE NORTH;
THENCE EAST 175 FEET;
THENCE NORTH 249.2 FEET;
THENCE WEST 175 FEET TO WITHIN 30 FEET OF SAID COUNTY ROAD SURVEY LINE;
THENCE SOUTH 249.2 FEET PARALLELING SAID COUNTY ROAD SURVEY TO POINT OF BEGINNING. SAID LAND ALL BEING SITUATED IN SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 24 NORTH, RANGE 12 WEST, W.M.; ALSO BEGINNING AT POINT 30 FEET EAST OF COUNTY ROAD SURVEY LINE, SAID POINT BEING 266.5 FEET IN A NORTHWESTERLY DIRECTION FROM WHERE SAID SURVEY LINE CROSSES THE SECTION LINE BETWEEN SECTIONS 18 AND 19 WHERE SAID SURVEY LINE ANGLES DUE NORTH;
THENCE EAST 175.0 FEET TO A POST WHICH MARKS THE SOUTHEAST CORNER OF TAX NO. 1 AS SAID TAX NO. 1 IS DESCRIBED IN DEED RECORDED JULY 24, 1950 IN VOLUME 129 OF DEEDS, PAGES 252 AND 253, AND WHICH IS, ALSO, THE TRUE POINT OF BEGINNING OF THIS PROPERTY DESCRIPTION;
THENCE EAST 174.8 FEET TO CONCRETE POST;
THENCE NORTH 249.2 FEET TO A CONCRETE POST;
THENCE WEST 174.8 FEET TO THE NORTHEAST CORNER OF TAX NO. 1;
THENCE SOUTH 249.2 FEET TO THE POINT OF BEGINNING. ALL IN SECTION 18, TOWNSHIP 24 NORTH, RANGE 12 WEST, W.M. ALL SITUATE IN THE COUNTY OF JEFFERSON, STATE OF WASHINGTON.**

REFERENCE SURVEYS:

- 1) BOUNDARY LINE ADJUSTMENT SURVEY AS RECORDED UNDER AFN. 495004 IN VOLUME 28 OF SURVEYS, PAGE 48.**
- 2) RECORD OF SURVEY AS RECORDED IN VOLUME 19 OF SURVEYS, PAGE 161.**

**CENTURYTEL OF WASHINGTON INC.,
 dba CENTURYLINK**

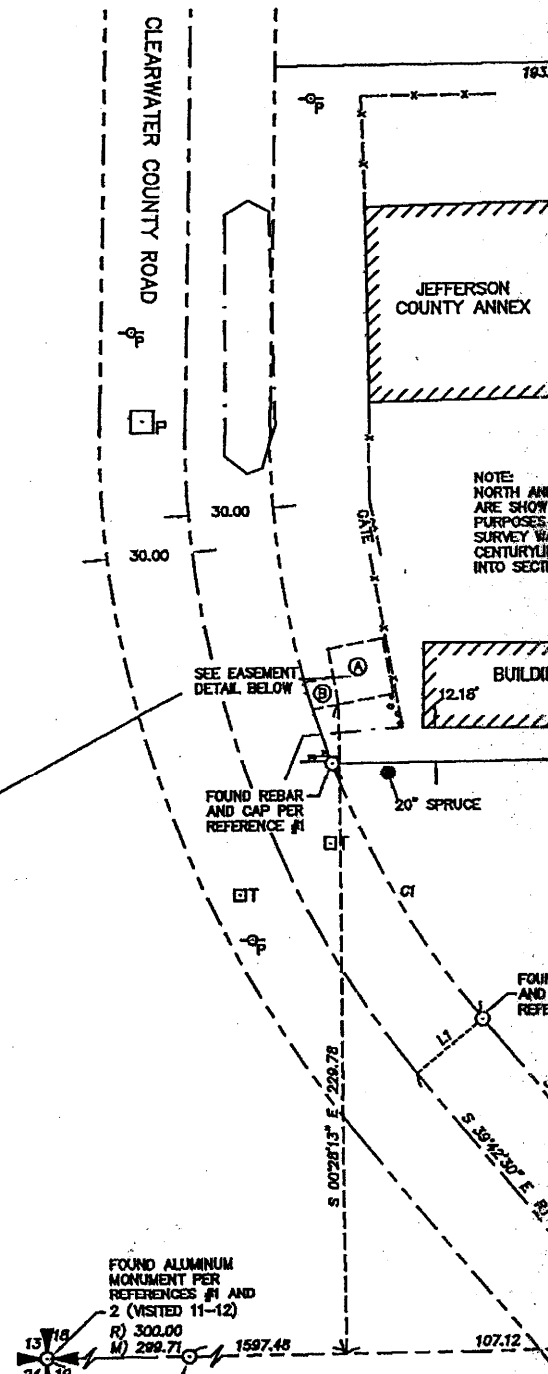
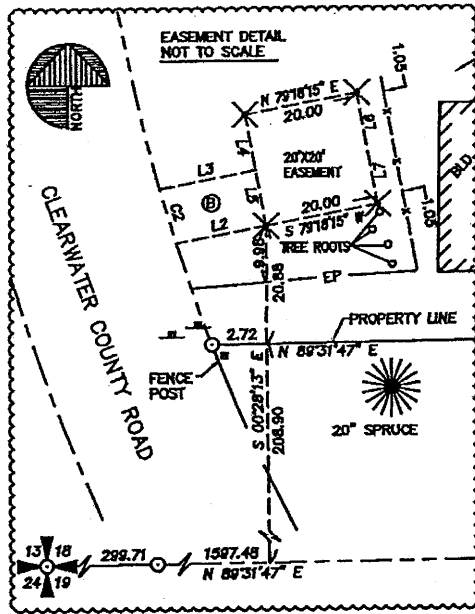
EASEMENT DESCRIPTIONS

EQUIPMENT EASEMENT "A"

AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES, OVER, UNDER AND ACROSS A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 24 NORTH, RANGE 12 WEST OF THE WILLAMETTE MERIDIAN DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 89°31'47" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER 477.97 FEET; THENCE NORTH 00°28'13" WEST 229.78 FEET TO THE TRUE POINT OF BEGINNING OF SAID EASEMENT; THENCE NORTH 79°18'15" EAST 20.00 FEET; THENCE NORTH 10°41'45" WEST 20.00 FEET; THENCE SOUTH 79°18'15" WEST 20.00 FEET; THENCE SOUTH 10°41'45" EAST 20.00 FEET TO THE TRUE POINT OF BEGINNING.

ACCESS EASEMENT "B"

TOGETHER WITH AN EASEMENT 10.00 FOOT IN WIDTH FOR INGRESS, EGRESS AND UTILITIES, OVER, UNDER AND ACROSS A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 24 NORTH, RANGE 12 WEST OF THE WILLAMETTE MERIDIAN DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 89°31'47" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER 477.97 FEET; THENCE NORTH 00°28'13" WEST 229.78 FEET TO THE TRUE POINT OF BEGINNING OF SAID EASEMENT; THENCE NORTH 10°41'45" WEST 10.00 FEET; THENCE SOUTH 79°18'15" WEST 10.83 FEET TO A CURVE TO THE LEFT WHICH RADIUS POINT BEARS NORTH 74°08'18" EAST; THENCE ALONG SAID CURVE 10.00 FEET; THENCE NORTH 79°18'15" EAST 9.56 FEET TO THE TRUE POINT OF BEGINNING.



- Ⓐ 20'x20' UTILITY EASEMENT
- Ⓑ 10.00' EASEMENT FOR INGRESS, EGRESS AND UTILITIES

FOUND ALUMINUM MONUMENT PER REFERENCES #1 AND 2 (VISITED 11-12)
 R) 300.00
 M) 299.71
 1597.48
 107.12

TOPO LEGEND

- EDGE PAVEMENT
- x-x- FENCE
- ⊙ POWER POLE
- POWER VAULT
- EIT TELEPHONE PEDESTAL
- SIGN
- ☼ CONIFER TREE AS NOTED

SITE ADDRESS:
 3000 CLEARWATER RD
 FORKS, WA 98331
 ARN: 199370
 SRN: 195375

EQUIPMENT:
 TOPCON HIPER PRO, GLOBAL POSITIONING SYSTEM
 AND NIKON DTM 820, 3 SECOND TOTAL STATION

PROCEDURE:
 REAL-TIME KINEMATICS G.P.S. PROCEDURES
 WITH DOUBLE OCCUPATION ON CONTROL
 POINTS AND CONVENTIONAL FIELD TRAVERSE

NOTE:
 THIS SURVEY MEETS OR EXCEEDS THE ACCURACY
 STANDARDS AS SET FORTH IN WAC 332-130-090