


Jefferson County  
Board of Commissioners  
Agenda Request

**To:** Board of Commissioners  
Philip Morley, County Administrator

**From:** Monte Reinders, P.E., Public Works Director/County Engineer 

**Agenda Date:** July 7, 2014

**Subject:** Execution of Special Warranty Deed request from Chimacum School District No. 49.

---

**Statement of Issue:**

The Chimacum School District No. 49 (CSD) is seeking to remedy a real property title deficiency regarding the conveyance of real property from Jefferson County in accordance with the contract land sale and exchange pursuant to the Real Estate Contract recorded under AFN 207840 dated August 12, 1970, copy attached. The Board is requested to 1) execute the attached Special Warranty Deed to clear title of the property subject to the 1970 sale and exchange in favor of the CSD except for a small piece to be retained by the County for the Safe Routes to School improvements; and 2) accept a Quit Claim Deed from the Chimacum School District for that same small piece for the Safe Routes to School improvements, further clarifying the CSD's release of all claims to that property for the Safe Routes to School improvements.

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

The Deed from the County to the CSD has never been recorded or located through exhaustive title research and investigation of Board and Chimacum School District records. Both the County and CSD have long treated the school property as owned by the CSD as evidenced by a Quit Claim Deed from the CSD to the County for right-of-way purposes recorded in 1976, under auditor file no. 234095, and the Assessor's office has listed the CSD as owner of the subject parcels since 1971.

This deficiency was uncovered in conjunction with the Safe Routes to School project, whereby the Department of Public Works was seeking to acquire property rights from the CSD for intersection/pedestrian improvements, of which the CSD is fully supportive. Therefore, the County is requested to convey title to the CSD by way of the Special Warranty Deed document, which excludes the area needed for the project, in order to clear the title deficiency on the CSD parcels. As additional protection the CSD has agreed to convey their interest by Quit Claim Deed to the County in the land required for the project.

**Fiscal Impact/Cost Benefit Analysis:**

The CSD has provided all legal descriptions, title research, site maps and survey data as necessary to craft the Special Warranty Deed document. The CSD has also agreed to pay the County for expenses incurred with the execution and recording of the subject Deed.

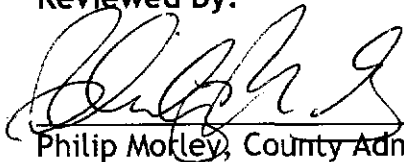
**Department Contact:**

Will Butterfield, 385-9350

**Recommendation:**

The Department of Public Works has reviewed title information and legal descriptions and recommends the Board of County Commissioners 1) pass a motion approving the attached Special Warranty Deed resolving the title deficiency in support of the CSD's long recognized ownership excepting a small piece to be retained by the County for the Safe Routes to School improvements; AND 2) the Board is requested to pass a motion to accept the QCD from the CSD for the land needed for the Safe Routes to School intersection improvement project. The Board will be provided a copy of the fully recorded documents once filed with the Jefferson County Auditor.

**Reviewed By:**

  
Philip Morley, County Administrator

6/27/14  
Date

After Filing Return To:  
Rich Stewart  
Superintendent  
Chimacum School District  
P.O. Box 278  
Chimacum, WA 98325-0278

Type of Document: Special Warranty Deed  
Grantor: Jefferson County, a Washington municipal corporation  
Grantee: Chimacum School District No. 49,  
a Washington municipal corporation  
Abbreviated Legal Description: PTN of Govt Lot 5, S14,TWN29N, R1W, WM  
Complete Legal Description: Exhibit A, Pages 3-4  
Assessor Tax Parcel Numbers: 901142016 and 901142026

### **SPECIAL WARRANTY DEED**

The Grantor, JEFFERSON COUNTY, a Washington municipal corporation, for and in consideration of fulfillment of that certain Real Estate Contract recorded under Jefferson County Recording No. 207840 in hand paid, bargains, sells and conveys to CHIMACUM SCHOOL DISTRICT NO. 49, a Washington municipal corporation, the Grantee, the real estate described on Exhibit A attached hereto and incorporated herein by this reference, situated in the County of Jefferson, State of Washington.

Grantor, for itself and for its successors in interest, does by these presents expressly limit the covenants of the deed to those herein expressed, and excludes all covenants arising or to arise by statutory or other implication, and does hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through or under Grantor and not otherwise, Grantor will forever warrant and defend the said described real estate. Without limiting the foregoing, this conveyance is subject to those certain easements, covenants, and restrictions of record.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

COUNTY OF JEFFERSON  
BOARD OF COMMISSIONERS

\_\_\_\_\_  
John Austin, Chair

\_\_\_\_\_  
Phil Johnson, Member

\_\_\_\_\_  
David W. Sullivan, Member

Approved to form only:

*David W. Alvarez*

\_\_\_\_\_  
David W. Alvarez  
Deputy Prosecuting Attorney

Date: 6-30-2014

On this \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me personally appeared Phil Johnson to me known to be Jefferson County District No. 1 Commissioner, David Sullivan to know to be Jefferson County District No. 2 Commissioner and John Austin to me know to be Jefferson County District No. 3 Commissioner, and they executed the within and foregoing instrument, and acknowledged that the instrument was signed as their free and voluntary act for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument.

\_\_\_\_\_  
Notary signature

\_\_\_\_\_  
Notary Print Name

Residing at: \_\_\_\_\_

My Commission expires: \_\_\_\_\_

**EXHIBIT A  
TO SPECIAL WARRANTY DEED**

**LEGAL DESCRIPTION**

**PARCEL A**

**PORTION OF PARCEL 901142016 (TAX ACCT NO. 21)**

THAT PORTION OF GOVERNMENT LOT 5, SECTION 14, TOWNSHIP 29 NORTH, RANGE 1 WEST, W.M. DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 14 IN TOWNSHIP 29 NORTH, RANGE 1 WEST, W.M. IN JEFFERSON COUNTY, WASHINGTON, AND RUNNING THENCE EAST ON THE NORTH SECTION LINE OF SAID SECTION 14, A DISTANCE OF 199.4 FEET TO THE CENTER OF THE CHIMACUM-WOODMAN COUNTY ROAD;

THENCE RUNNING ALONG SAID ROAD SOUTH 40° 15' EAST A DISTANCE OF 361.8 FEET;

THENCE WEST 431 FEET, TO THE WEST BOUNDARY LINE OF SAID SECTION 14;

THENCE NORTH ON SAID BOUNDARY LINE A DISTANCE OF 276.4 FEET TO THE SECTION CORNER AND PLACE OF BEGINNING;

EXCEPTING THEREFROM WEST VALLEY ROAD AND RHODY DRIVE.

ALSO EXCEPTING THEREFROM THE FOLLOWING:

BEGINNING AT A POINT ON THE SOUTH LINE OF TAX NO. 21 (BEING A LINE RUNNING EAST FROM A POINT 276.4 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 14), 120 FEET WEST OF THE RIGHT-OF-WAY OF THE TOWNSEND-CHIMACUM ROAD, THENCE NORTH 75 FEET;

THENCE EAST TO THE RIGHT-OF-WAY LINE OF SAID ROAD;

THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE TO A POINT DUE EAST OF THE POINT OF BEGINNING;

THENCE WEST TO THE POINT OF BEGINNING.

ALL SITUATE IN THE COUNTY OF JEFFERSON, STATE OF WASHINGTON.

**PARCEL B**

**PORTION OF PARCEL 901142016 (TAX ACCT. NO. 25):**

THAT PORTION OF GOVERNMENT LOT 5, SECTION 14, TOWNSHIP 29 NORTH, RANGE 1 WEST, W.M. DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SECTION LINE 199.4 FEET EAST OF THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 29 NORTH, RANGE 1 WEST, W.M.;  
THENCE EAST ON SECTION LINE 242 FEET TO THE CENTER OF THE PORT TOWNSEND CHIMACUM COUNTY ROAD;  
THENCE ALONG SAID ROAD SOUTH 9° 15' EAST 358 FEET TO THE JUNCTION WITH THE CHIMACUM-WOODMAN ROAD;  
THENCE ALONG SAID ROAD NORTH 40° 15' WEST 463 FEET TO THE PLACE OF BEGINNING;

EXCEPTING THEREFROM WEST VALLEY ROAD AND RHODY DRIVE.

ALSO EXCEPTING THEREFROM THE FOLLOWING:

BEGINNING AT A POINT ON THE SOUTH LINE OF TAX NO. 21 (BEING A LINE RUNNING EAST FROM A POINT 276.4 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 14), 120 FEET WEST OF THE RIGHT-OF-WAY OF THE TOWNSEND-CHIMACUM ROAD, THENCE NORTH 75 FEET;  
THENCE EAST TO THE RIGHT-OF-WAY LINE OF SAID ROAD;  
THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE TO A POINT DUE EAST OF THE POINT OF BEGINNING;  
THENCE WEST TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THE FOLLOWING:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 14 THENCE SOUTH 87°40'55" EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, BEING THE CENTERLINE OF WEST VALLEY ROAD, A DISTANCE OF 432.28 FEET TO THE INTERSECTION OF WEST VALLEY ROAD AND SR-19, HEREINAFTER REFERRED TO AS A-LINE, AT A POINT ON SAID A-LINE AT STATION 367+03.10 AS DEPICTED ON HIGHWAY ENGINEERS PLAN JEFFERSON COUNTY ROAD CHIMICUM ROAD, PROJECT No. 4510 BECOMING SR 19 PER 1991 LEGISLATIVE ACT ADOPTED JANUARY 13, 1995, ON FILE WITH JEFFERSON COUNTY ENGINEER'S OFFICE;  
THENCE SOUTH 06°13'09" EAST, ALONG SAID A-LINE, A DISTANCE OF 25.83 FEET TO CENTERLINE STATION 366+77.27;  
THENCE SOUTH 83°46'51" WEST A DISTANCE OF 30.00 FEET TO A POINT 30.00 FEET LEFT FROM A-LINE STATION 366+77.27 AND THE TRUE POINT OF BEGINNING;  
THENCE NORTH 87°40'55" WEST, ALONG THE SOUTH RIGHT OF WAY OF SAID WEST VALLEY ROAD, A DISTANCE OF 18.20 FEET TO A POINT 48.00 FEET LEFT FROM A-LINE STATION 366+79.97;  
THENCE SOUTH 06°13'09" EAST A DISTANCE OF 207.97 FEET TO A POINT 48.00 FEET LEFT FROM A-LINE STATION 364+72.15;

THENCE NORTH 83°46'51" EAST A DISTANCE OF 18.00 FEET TO A POINT 30.00 FEET LEFT FROM A-LINE STATION 364+72.09 BEING A POINT ON THE WESTERLY RIGHT OF WAY OF SR-19;

THENCE NORTHERLY ALONG AN OFFSET SPIRAL CURVE, BEING 30 FEET WESTERLY OF AND PARALLEL WITH SAID A-LINE, THE CHORD OF WHICH BEARS NORTH 06°13'09" WEST A DISTANCE OF 19.11 FEET TO A POINT 30.00 FEET LEFT FROM A-LINE STATION 364+91.11;

THENCE NORTH 06°13'09" WEST A DISTANCE OF 186.15 FEET TO A POINT 30.00 FEET LEFT FROM A-LINE STATION 366+77.27 AND THE TRUE POINT OF BEGINNING.

ALL SITUATE IN THE COUNTY OF JEFFERSON, STATE OF WASHINGTON.

**PARCEL C**

**PARCEL 901142026 (TAX ACCT. NO. 37):**

THAT PORTION OF GOVERNMENT LOT 5, SECTION 14, TOWNSHIP 29 NORTH, RANGE 1 WEST, W.M. DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF TAX NO. 21 (BEING A LINE RUNNING EAST FROM A POINT 276.4 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 14), 120 FEET WEST OF THE RIGHT-OF-WAY OF THE TOWNSEND-CHIMACUM ROAD, THENCE NORTH 75 FEET;

THENCE EAST TO THE RIGHT-OF-WAY LINE OF SAID ROAD;

THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE TO A POINT DUE EAST OF THE POINT OF BEGINNING;

THENCE WEST TO THE POINT OF BEGINNING.

EXCEPTING ANY PORTION LYING WITHIN RHODY DRIVE.

ALSO EXCEPTING THEREFROM THE FOLLOWING:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 14 THENCE SOUTH 87°40'55" EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, BEING THE CENTERLINE OF WEST VALLEY ROAD, A DISTANCE OF 432.28 FEET TO THE INTERSECTION OF WEST VALLEY ROAD AND SR-19, HEREINAFTER REFERRED TO AS A-LINE, AT A POINT ON SAID A-LINE AT STATION 367+03.10 AS DEPICTED ON HIGHWAY ENGINEERS PLAN JEFFERSON COUNTY ROAD CHIMICUM ROAD, PROJECT No. 4510 BECOMING SR 19 PER 1991 LEGISLATIVE ACT ADOPTED JANUARY 13, 1995, ON FILE WITH JEFFERSON COUNTY ENGINEER'S OFFICE;

THENCE SOUTH 06°13'09" EAST, ALONG SAID A-LINE, A DISTANCE OF 25.83 FEET TO CENTERLINE STATION 366+77.27;

THENCE SOUTH 83°46'51" WEST A DISTANCE OF 30.00 FEET TO A POINT 30.00 FEET LEFT FROM A-LINE STATION 366+77.27 AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 87°40'55" WEST, ALONG THE SOUTH RIGHT OF WAY OF SAID WEST VALLEY ROAD, A DISTANCE OF 18.20 FEET TO A POINT 48.00 FEET LEFT FROM A-LINE STATION 366+79.97;  
THENCE SOUTH 06°13'09" EAST A DISTANCE OF 207.97 FEET TO A POINT 48.00 FEET LEFT FROM A-LINE STATION 364+72.15;  
THENCE NORTH 83°46'51" EAST A DISTANCE OF 18.00 FEET TO A POINT 30.00 FEET LEFT FROM A-LINE STATION 364+72.09 BEING A POINT ON THE WESTERLY RIGHT OF WAY OF SR-19;  
THENCE NORTHERLY ALONG AN OFFSET SPIRAL CURVE, BEING 30 FEET WESTERLY OF AND PARALLEL WITH SAID A-LINE, THE CHORD OF WHICH BEARS NORTH 06°13'09" WEST A DISTANCE OF 19.11 FEET TO A POINT 30.00 FEET LEFT FROM A-LINE STATION 364+91.11;  
THENCE NORTH 06°13'09" WEST A DISTANCE OF 186.15 FEET TO A POINT 30.00 FEET LEFT FROM A-LINE STATION 366+77.27 AND THE TRUE POINT OF BEGINNING.

ALL SITUATE IN THE COUNTY OF JEFFERSON, STATE OF WASHINGTON.



After Filing Return To:  
Jefferson County  
Board of County Commissioners  
P.O. Box 1220  
Port Townsend, WA 98368

Type of Document: Quit Claim Deed  
Grantor: Chimaicum School District No. 49,  
a Washington municipal corporation  
Grantee: Jefferson County, a Washington municipal corporation  
Abbreviated Legal Description: PTN of Govt Lot 5, S14,TWN29N, R1W, WM  
Complete Legal Description: Exhibit A, Page 3  
Assessor Tax Parcel Numbers: PTN 901142016 and 901142026

### QUIT CLAIM DEED

The Grantor, CHIMACUM SCHOOL DISTRICT, a Washington municipal corporation, conveys and quit claims to JEFFERSON COUNTY, a Washington municipal corporation, the Grantee, in order to clear title, the real estate described on Exhibit A attached hereto and incorporated herein by this reference, situated in the County of Jefferson, State of Washington.

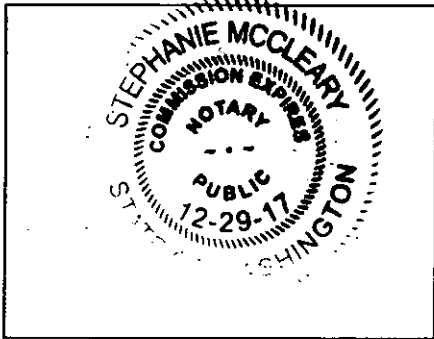
Dated this 12 day of June, 2014.

CHIMACUM SCHOOL DISTRICT NO. 49,  
a Washington municipal corporation

By:   
Rich Stewart  
Superintendent

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF JEFFERSON )

On this day personally appeared before me Rich Stewart to me known to be the Superintendent of Chimacum School District No. 49, the Washington municipal corporation described in and that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said municipal corporation.



DATED: 6/12/14

Stephanie McCleary  
Print Name Stephanie McCleary  
Notary Public in and for the state of Washington,  
residing at Port Hadlock WA  
My commission expires 12/29/17

Accepted By:  
COUNTY OF JEFFERSON

\_\_\_\_\_  
John Austin  
Chair, County Commissioners  
Date: \_\_\_\_\_

Approved to form only:

David W. Alvarez  
David W. Alvarez  
Deputy Prosecuting Attorney  
Date: JUNE 30, 2014

**EXHIBIT A  
TO QUIT CLAIM DEED**

**LEGAL DESCRIPTION**

A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 29 NORTH, RANGE 1 WEST, W.M. JEFFERSON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 14 THENCE SOUTH  $87^{\circ}40'55''$  EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, BEING THE CENTERLINE OF WEST VALLEY ROAD, A DISTANCE OF 432.28 FEET TO THE INTERSECTION OF WEST VALLEY ROAD AND SR-19, HEREINAFTER REFERRED TO AS A-LINE, AT A POINT ON SAID A-LINE AT STATION 367+03.10 AS DEPICTED ON HIGHWAY ENGINEERS PLAN JEFFERSON COUNTY ROAD CHIMICUM ROAD, PROJECT No. 4510 BECOMING SR 19 PER 1991 LEGISLATIVE ACT ADOPTED JANUARY 13, 1995, ON FILE WITH JEFFERSON COUNTY ENGINEER'S OFFICE;

THENCE SOUTH  $06^{\circ}13'09''$  EAST, ALONG SAID A-LINE, A DISTANCE OF 25.83 FEET TO CENTERLINE STATION 366+77.27;

THENCE SOUTH  $83^{\circ}46'51''$  WEST A DISTANCE OF 30.00 FEET TO A POINT 30.00 FEET LEFT FROM A-LINE STATION 366+77.27 AND THE TRUE POINT OF BEGINNING;

THENCE NORTH  $87^{\circ}40'55''$  WEST, ALONG THE SOUTH RIGHT OF WAY OF SAID WEST VALLEY ROAD, A DISTANCE OF 18.20 FEET TO A POINT 48.00 FEET LEFT FROM A-LINE STATION 366+79.97;

THENCE SOUTH  $06^{\circ}13'09''$  EAST A DISTANCE OF 207.97 FEET TO A POINT 48.00 FEET LEFT FROM A-LINE STATION 364+72.15;

THENCE NORTH  $83^{\circ}46'51''$  EAST A DISTANCE OF 18.00 FEET TO A POINT 30.00 FEET LEFT FROM A-LINE STATION 364+72.09 BEING A POINT ON THE WESTERLY RIGHT OF WAY OF SR-19;

THENCE NORTHERLY ALONG AN OFFSET SPIRAL CURVE, BEING 30 FEET WESTERLY OF AND PARALLEL WITH SAID A-LINE, THE CHORD OF WHICH BEARS NORTH  $06^{\circ}13'09''$  WEST A DISTANCE OF 19.11 FEET TO A POINT 30.00 FEET LEFT FROM A-LINE STATION 364+91.11;

THENCE NORTH  $06^{\circ}13'09''$  WEST A DISTANCE OF 186.15 FEET TO A POINT 30.00 FEET LEFT FROM A-LINE STATION 366+77.27 AND THE TRUE POINT OF BEGINNING.