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CITY OF LA CENTER
SIMPLIFILE LC E-RECORDING

RETURN ADDRESS

City of La Center
305 NW Pacific Highway
La Center, WA 98629

Please print neatly or type information
Document Title(s)

Vacating Right of Way _____

Reference Number(s) of related documents:

City of La Center Ordinance 2017-011 _____
Additional Reference #'s on page _____

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

City of La Center _____
Additional grantors on page _____

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

Minit Management LLC _____
Additional grantees on page _____

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

#17 #55 SEC 4 T4N R1EWM 3.49A M/L _____
Additional legal is on page _____

Assessor's Property Tax Parcel/Account Number

N/A - Existing Right of Way _____
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



**CITY OF LA CENTER
ORDINANCE NO. 2017-11**

An Ordinance vacating two sections of surplus right-of-way in former NW Paradise Park Road and NW LaCenter Road - approximately 20,882 square feet and 31,782 square feet, respectively, and awarding title of the vacation areas to the abutting property owner.

WHEREAS, Minit Management LLC is the record title owner of certain commercially zoned real property situated adjacent to sections of formerly used right-of-way for NW Paradise Park Road and NW LaCenter Road on the east side of Interstate 5 at LaCenter's junction;

WHEREAS, the Cowlitz Indian Tribe recently completed construction of a large Tribal Casino on the Reservation on the west side of Interstate 5, which included the reconfiguration of the east side of LaCenter's Interstate 5 junction so as to render significant segments of NW Paradise Park Road and NW LaCenter Road no longer usable or needed for public street purposes; and

WHEREAS, the City and Minit Management LLC entered into a development agreement on March 23, 2016 (the "2016 Development Agreement") in which the Parties agreed to the exchange of certain access rights, rights-of-way and property frontage dedications relating to Minit Management LLC's property abutting the then-active rights-of-way for NW Paradise Park Road and NW LaCenter Road; and

WHEREAS, as part of its commitments under the 2016 Development Agreement, Minit Management LLC dedicated certain portions of its frontage onto NW Paradise Park Road to the City and surrendered its access rights onto NW LaCenter Road in reliance upon the City's agreement in the 2016 Development Agreement to approve certain right-of-way vacation requests;

WHEREAS, Minit Management LLC requested that the City vacate these segments of NW Paradise Park Road and NW LaCenter Road that are no longer needed for public access purposes, which are illustrated on the surveyed drawings attached as Exhibits A and B and incorporated by this reference, and which the City agreed to vacate in the 2016 Development Agreement; and

WHEREAS, in particular, Minit Management LLC requests the vacation of two segments of NW Paradise Park Road and NW LaCenter Road - approximately 20,882 square feet of and 31,782 square feet, respectively illustrated in Exhibits A and B, respectively, (the "Vacation Area"), which collectively total approximately 52,664 square feet (approximately 1.21 acres) of undeveloped and unneeded right-of-way adjacent to property owned by Minit Management LLC; and

WHEREAS, on August 9, 2017, the City Council considered Minit Management LLC's vacation petition, and by the adoption of Resolution 17-423 set a time and place for a public hearing to consider and decide the vacation request; and

WHEREAS, pursuant to RCW 35.79.030 the City Council held a duly noticed public hearing at its regular meeting on September 13, 2017 to consider Minit Management LLC's petition to vacate the following undeveloped right-of-way segments:

- Approximately 20,882 square feet of NW Paradise Park Road, described in Exhibit A, and
- Approximately 31,782 square feet of NW Paradise Park Road and LaCenter Road, described in Exhibit B; and

WHEREAS, as good and sufficient consideration for this vacation under RCW 35.79.030, Minit Management LLC has surrendered to the City certain access rights onto NW LaCenter Road and dedicated to the City certain frontage along NW Paradise Park Road; and

WHEREAS, the City also desires to retain a 30-foot wide easement in its former right-of-way of NW Paradise Park Road and NW LaCenter Road proposed to be vacated ("Utility Easement"), which is described in Exhibit C.

NOW THEREFORE, the La Center City Council ordains as follows:

Section 1 – Incorporation of Recitals: The foregoing recitals are hereby incorporated herein by reference and made a part hereof.

Section 2 – Vacation and Reservation of Easement (NW Paradise Park Road): The undeveloped portion of NW Paradise Park Road right-of-way adjacent to real property owned by Minit Management LLC, described and illustrated in Exhibit A and attached hereto and incorporated herein by this reference is hereby declared to be surplus to the needs of the City and vacated pursuant to RCW chapter 35.79. Title shall vest in the name of Minit Management LLC. Pursuant to RCW 35.79.030, the City shall retain a 30-foot wide easement (approximately 21,298 square feet in area) on, over, through and under the portion of NW Paradise Park Road to be vacated, which shall be used for utility purposes and is illustrated and described in Exhibit C, attached hereto and incorporated herein by this reference ("Utility Easement"). Expressly retained in the Utility Easement is the right of the City to install, maintain, repair and replace all manner of utility lines and pipes, and access by public works employees for those purposes. Minit Management LLC shall not place any permanent structures or improvements within the Utility Easement, and the City shall have the express authority to remove any structures, plantings or improvements from the Utility Easement to effectuate the Utility Easement's purposes stated herein.

Section 3 – Vacation (NW Paradise Park Road and NW LaCenter Road): The undeveloped portion of NW Paradise Park Road and NW LaCenter Road right-of-way adjacent to real property owned by Minit Management LLC, described and illustrated in Exhibit B and attached hereto and incorporated herein by this reference is hereby declared to be surplus to the needs of the City and vacated pursuant to RCW chapter 35.79. Title shall vest in the name of Minit Management LLC.

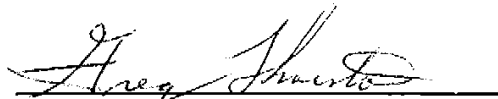
Section 4 – Consideration. The City hereby acknowledges receipt and sufficiency of consideration received from Minit Management LLC for this vacation request in the form

of its surrender to the City certain access rights onto NW LaCenter Road and its dedication to the City certain frontage along NW Paradise Park Road.

Section 5 – Recordation. This vacation and quit-claim transfer of title to the Vacation Area to Minit Management LLC shall become effective upon recordation of this Ordinance in the real property deed records of Clark County, Washington. The rights, responsibilities, burdens and benefits, as stated herein and accruing to Minit Management LLC and the City, shall run with title to the land and inure to the benefit of the respective parties, their heirs, successors and assigns.

IT IS SO ORDAINED and passed this 13th day of September 2017, by a majority of the La Center City Council. This Ordinance shall become effective 10 days hence and upon recordation as provided herein.

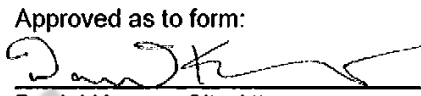
AYES: 4
NAYS: 0
ABSTAIN: 1
ABSENT: 0



Greg Thornton, Mayor
City of La Center

Attest:


Suzanne Levis, City Clerk

Approved as to form:


Daniel Kearns, City Attorney

Exhibit A



LAND SURVEYORS
ENGINEERS
(360) 695-1385
222 E. Evergreen Blvd.
Vancouver, WA
98660

LEGAL DESCRIPTION FOR RIGHT-OF-WAY VACATION
PORTION OF NW PARADISE PARK ROAD

January 6, 2016

A parcel of land, lying in a portion of the Southwest quarter of the Southwest quarter of Section 4, Township 4 North, Range 1 East of the Willamette Meridian, Clark County, Washington, being a portion of NW Paradise Road (FR9 Line) as conveyed to Clark County, Washington recorded under Auditor's File No. 8312070093, recorded December 7, 1983, records of said county and annexed to the City of La Center under Ordinance No. 2011-103, described as follows:

COMMENCING at the Southwest corner of the Southwest quarter of said Section 4;

THENCE South 88° 30' 19" East, along the South line of said Southwest quarter, a distance of 504.97 feet to a point on the East line of NW Paradise Park Road, Relinquished to Clark County as shown on Washington State Highway Commission Department of Highways, right of way plan "Ridgefield Jct. to Woodland", sheet 5 of 12, dated August 10, 1965;

THENCE continuing South 88° 30' 19" East, along said South line of said Southwest quarter, a distance of 300.00 feet to the Southeast corner of that parcel of property conveyed to Interchange Development Group, LLC, recorded under Auditor's File No. 5234564 D, records of the Clark County Auditor;

THENCE North 01° 29' 41" East, along the East line of said Interchange Development Group, LLC parcel, and the Northerly projection thereof, a distance of 375.00 feet;

THENCE North 88° 30' 19" West, a distance of 100.00 feet to a point on the East line of that parcel of property conveyed to Minit Management, L.L.C., recorded under Auditor's File No. 4239509 D, records of said county;

THENCE North 01° 29' 41" East, along said East line, a distance of 400.00 feet to the Northeast corner thereof;

THENCE North 88° 30' 19" West, along the North line of said Minit Management, L.L.C. parcel, a distance of 520.69 feet to a point on the East line of said NW Paradise Park Road;

THENCE South 28° 43' 59" East, along said East line, a distance of 90.57 feet to the TRUE POINT OF BEGINNING, said point being on a non-tangent 270.00 foot radius curve to the left;

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JMB

Page 1 of 2

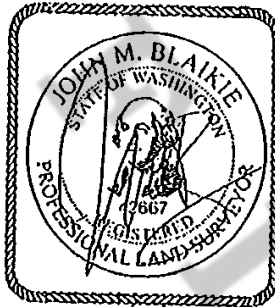
THENCE leaving said East line, and along said 270.00 foot radius curve to the left (the long chord of which bears South 60° 44' 46" West, a distance of 89.65 feet), an arc distance of 90.07 feet to a point on the West line of said NW Paradise Park Road;

THENCE South 28° 43' 59" East, along said West line, a distance of 229.80 feet;

THENCE leaving said West line, North 61° 16' 01" East, a distance of 89.65 feet to a point on the East line of said NW Paradise Park Road, said point bears South 28° 43' 59" East, from the TRUE POINT OF BEGINNING;

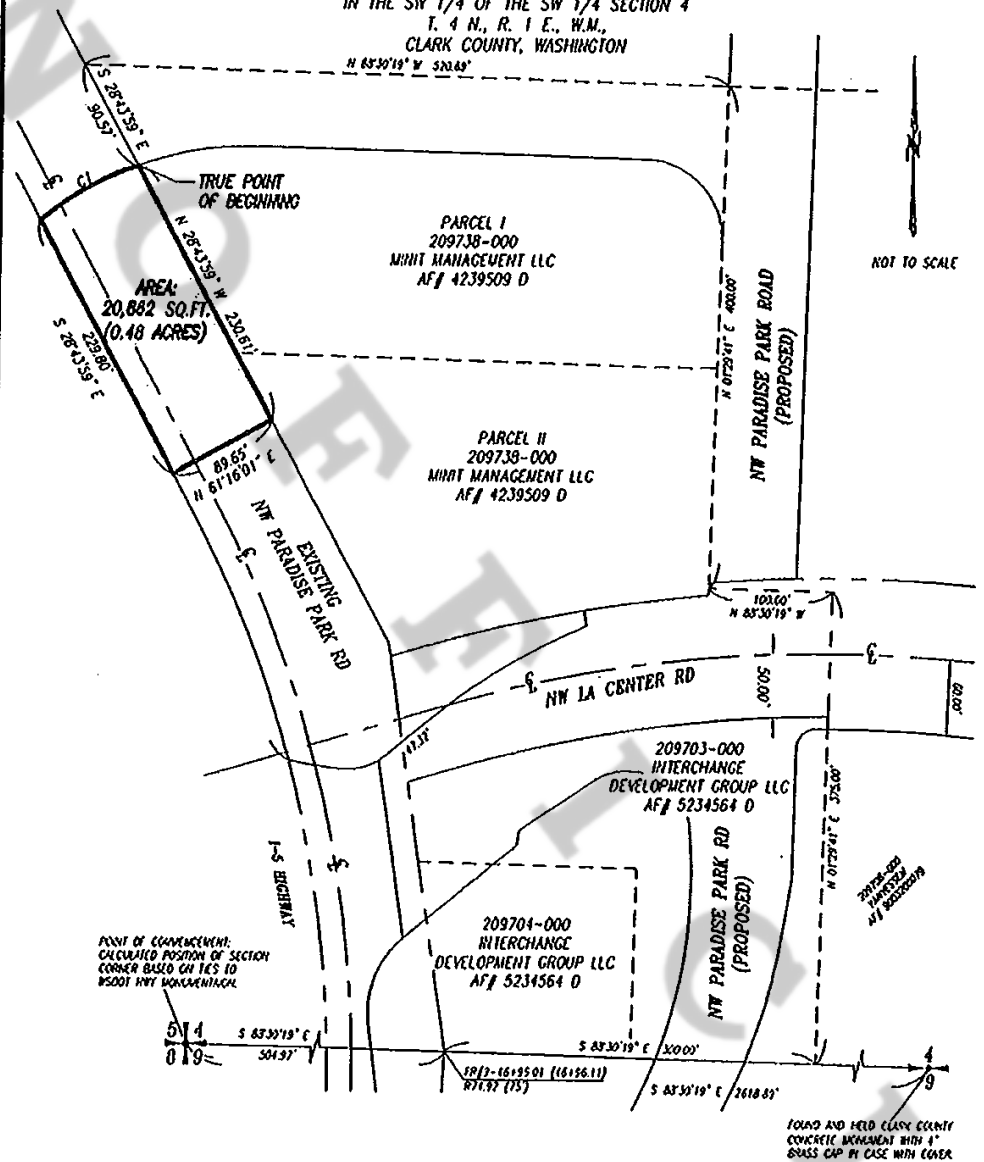
THENCE North 28° 43' 59" West, along said East line, a distance of 230.61 feet to the TRUE POINT OF BEGINNING.

Containing 20,862 square feet or 0.48 acres, more or less.



SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR
RIGHT-OF-WAY VACATION

PORTION OF NW PARADISE PARK ROAD
IN THE SW 1/4 OF THE SW 1/4 SECTION 4
T. 4 N., R. 1 E., W.M.,
CLARK COUNTY, WASHINGTON



CHISE	BEHA ANGLE	RADIUS	ARC LENGTH	CURV BEARING	CHORD LENGTH
C1	180619°	250.00'	92.07'	S 67°11'45" W	87.63'

OLSON LAND SURVEYORS
ENGINEERS
ENGINEERING INC., 212 E. EVERGREEN BLVD. VANCOUVER, WA 98660
P: 360-535-7200 F: 360-535-7201
www.olsonland.com olson@olsonland.com

Exhibit B



LAND SURVEYORS
ENGINEERS
(360) 695-1385
222 E. Evergreen Blvd.
Vancouver, WA
98660

LEGAL DESCRIPTION FOR SURPLUS RIGHT-OF-WAY
PORTION OF NW PARADISE PARK ROAD AND NW LA CENTER ROAD

January 6, 2016

A parcel of land, lying in a portion of the Southwest quarter of the Southwest quarter of Section 4, Township 4 North, Range 1 East of the Willamette Meridian, Clark County, Washington, being a portion of NW Paradise Road (FR9 Line) as conveyed to Clark County, Washington recorded under Auditor's File No. 8312070093, recorded December 7, 1983, records of said county and NW La Center Road as conveyed to Clark County, Washington under Auditor's File No. G-699748 and annexed to the City of La Center under Ordinance No. 2011-103, described as follows:

COMMENCING at the Southwest corner of the Southwest quarter of said Section 4;

THENCE South 88° 30' 19" East, along the South line of said Southwest quarter, a distance of 504.97 feet to a point on the East line of NW Paradise Park Road, Relinquished to Clark County as shown on Washington State Highway Commission Department of Highways, right of way plan "Ridgefield Jct. to Woodland", sheet 5 of 12, dated August 10, 1965;

THENCE continuing South 88° 30' 19" East, along said South line of said Southwest quarter, a distance of 300.00 feet to the Southeast corner of that parcel of property conveyed to Interchange Development Group, LLC, recorded under Auditor's File No. 5234564 D, records of the Clark County Auditor;

THENCE North 01° 29' 41" East, along the East line of said Interchange Development Group, LLC parcel, and the Northerly projection thereof, a distance of 375.00 feet;

THENCE North 88° 30' 19" West, a distance of 100.00 feet to a point on the East line of that parcel of property conveyed to Minit Management, L.L.C., recorded under Auditor's File No. 4239509 D, records of said county;

THENCE North 01° 29' 41" East, along said East line, a distance of 400.00 feet to the Northeast corner thereof;

THENCE North 88° 30' 19" West, along the North line of said Minit Management, L.L.C. parcel, a distance of 520.69 feet to a point on the East line of said NW Paradise Park Road;

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Page 1 of 3



LAND SURVEYORS
ENGINEERS

(360) 695-1385
222 E. Evergreen Blvd.
Vancouver, WA
98660

THENCE South 28° 43' 59" East, along said East line, a distance of 90.57 feet to a point on a non-tangent 270.00 foot radius curve to the left;

THENCE along said 270.00 foot radius curve to the left (the long chord of which bears South 60° 44' 46" West, a distance of 89.65 feet), an arc distance of 90.07 feet to a point on the West line of said NW Paradise Park Road;

THENCE South 28° 43' 59" East, along said West line, a distance of 229.80 feet to the TRUE POINT OF BEGINNING;

THENCE leaving said West line, North 61° 16' 01" East, a distance of 89.65 feet to a point on the East line of said NW Paradise Park Road;

THENCE South 28° 43' 59" East, along said East line, a distance of 202.00 feet to an angle point;

THENCE South 08° 33' 57" East, along said East line, a distance of 10.59 feet to a point on the North right of way line of said NW La Center Road, said point being 50.00 feet from, when measured perpendicular to, the centerline of said Road;

THENCE North 73° 34' 24" East, along said North line, a distance of 19.37 feet to a point on a 1195.92 foot radius curve to the right;

THENCE along said 1195.92 foot radius curve to the right (the long chord of which bears North 76° 56' 39" East, a distance of 140.64 feet), an arc distance of 140.72 feet;

THENCE leaving said North line, South 10° 17' 50" East, a distance of 12.44 feet to a point on a non-tangent 502.00 foot radius curve to the left;

THENCE along said 502.00 foot radius curve to the left (the long chord of which bears South 59° 11' 32" West, a distance of 144.86 feet), an arc distance of 145.36 feet;

THENCE South 50° 53' 48" West, a distance of 47.32 feet to a point on a 49.00 foot radius curve to the right;

THENCE along said 49.00 foot radius curve to the right (the long chord of which bears South 74° 28' 24" West, a distance of 39.20 feet), an arc distance of 40.33 feet;

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Page 2 of 3

THENCE North 81° 56' 59" West, a distance of 27.58 feet to a point on a 69.00 foot radius curve to the right;

THENCE along said 69.00 foot radius curve to the right (the long chord of which bears North 76° 25' 55" West, a distance of 13.27 feet), an arc distance of 13.29 feet to a point on the West line of said NW Paradise Park Road, said point being on a non-tangent 934.93 foot radius curve to the left;

THENCE along said West line, and along said 934.93 foot radius curve to the left (the long chord of which bears North 22° 05' 44" West, a distance of 216.13 feet), an arc distance of 216.62 feet to a point which bears South 28° 43' 59" East, from the TRUE POINT OF BEGINNING;

THENCE North 28° 43' 59" West, along said West line, a distance of 30.55 feet to the TRUE POINT OF BEGINNING.

Containing 31,782 square feet or 0.73 acres, more or less.



**SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR
SURPLUS RIGHT-OF-WAY**

PORTION OF NW PARADISE PARK ROAD AND NW LA CENTER ROAD
IN THE SW 1/4 OF THE SW 1/4 SECTION 4
T. 4 N., R. 1 E., W.M.,
CLARK COUNTY, WASHINGTON

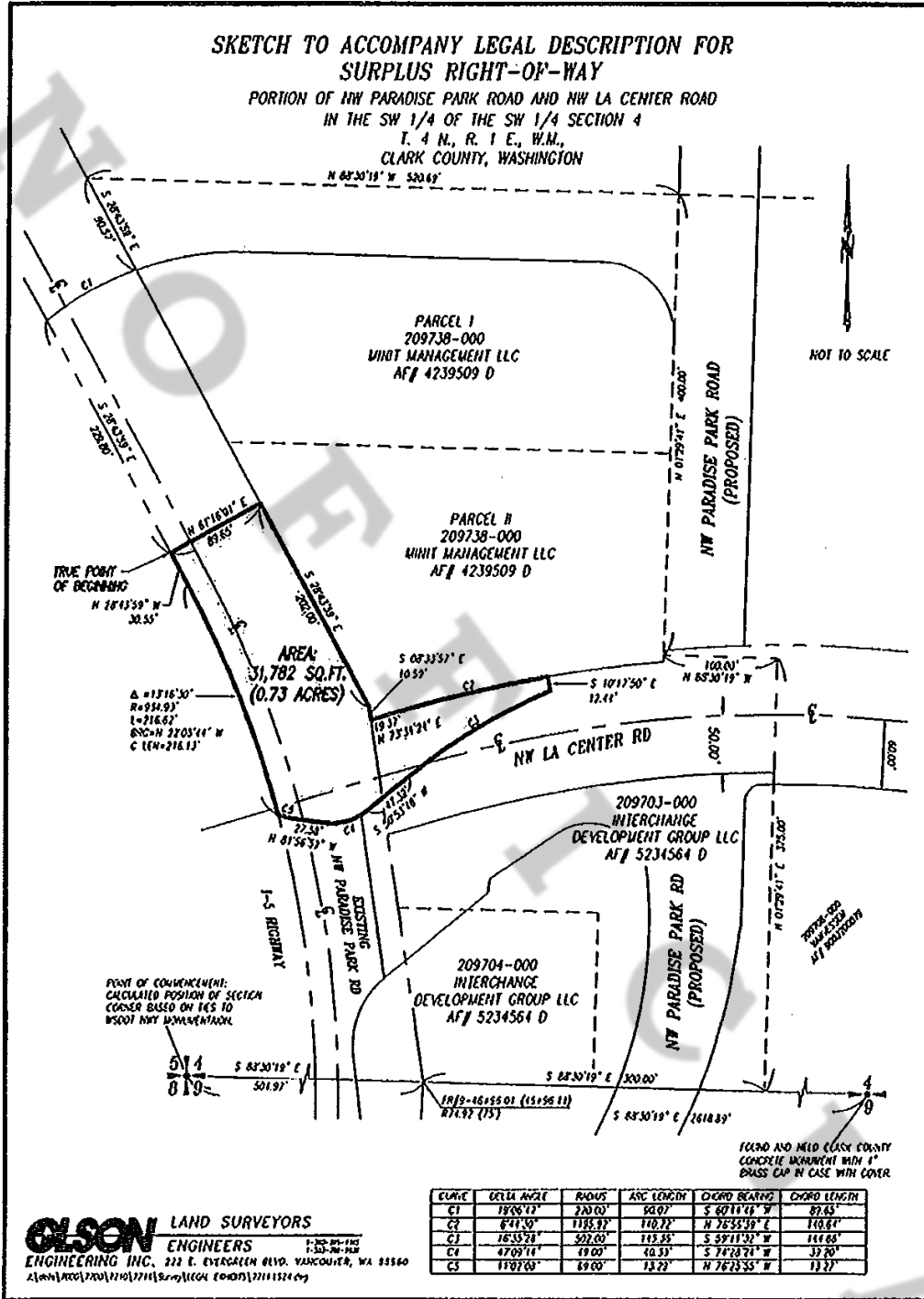


Exhibit C



LAND SURVEYORS
ENGINEERS

(360) 695-1385
222 E. Evergreen Blvd.
Vancouver, WA
98660

LEGAL DESCRIPTION FOR THE CITY OF LA CENTER
UTILITY BASEMENT
PORTION OF NW PARADISE PARK ROAD AND NW LA CENTER ROAD

September 7, 2017

A parcel of land, lying in a portion of the Southwest quarter of the Southwest quarter of Section 4, Township 4 North, Range 1 East of the Willamette Meridian, Clark County, Washington, being a portion of NW Paradise Road (FR9 Line) as conveyed to Clark County, Washington recorded under Auditor's File No. 8312070093, records of said county and NW La Center Road as conveyed to Clark County, Washington recorded under Auditor's File No. G-699748 and annexed to the City of La Center under Ordinance No. 2011-103, described as follows:

COMMENCING at the Southwest corner of the Southwest quarter of said Section 4;

THENCE South 88° 30' 19" East, along the South line of said Southwest quarter, a distance of 504.97 feet to a point on the East line of NW Paradise Road (FR9 Line) as conveyed to Clark County, Washington recorded under Auditor's File No. 8312070093;

THENCE continuing South 88° 30' 19" East, along said South line of said Southwest quarter, a distance of 300.00 feet to the Southeast corner of that parcel of property conveyed to Interchange Development Group, LLC, recorded under Auditor's File No. 5234564 D, records of the Clark County Auditor;

THENCE North 01° 29' 41" East, along the East line of said Interchange Development Group, LLC parcel, and the Northerly projection thereof, a distance of 375.00 feet;

THENCE North 88° 30' 19" West, a distance of 100.00 feet to a point on the East line of that parcel of property conveyed to Minit Management, L.L.C., recorded under Auditor's File No. 4239509 D, records of said county;

THENCE North 01° 29' 41" East, along said East line, a distance of 400.00 feet to the Northeast corner thereof;

THENCE North 88° 30' 19" West, along the North line of said Minit Management, L.L.C. parcel, a distance of 520.69 feet to a point on the East line of said NW Paradise Park Road;

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Page 1 of 3

THENCE South 28° 43' 59" East, along said East line, a distance of 90.57 feet to a point on the South right of way line of re-aligned NW Paradise Park Road as dedicated to the City of La Center, recorded under Auditor's File No. 5300299 DED, records of said county, said point also being on a non-tangent 270.00 foot radius curve to the left;

THENCE along said 270.00 foot radius curve to the left (the long chord of which bears South 63° 57' 14" West, a distance of 59.72 feet), an arc distance of 59.84 feet to a point 30.00 feet Easterly of, when measured perpendicular to the West line of said NW Paradise Park Road recorded under Auditor's File No. 8312070093 and the TRUE POINT OF BEGINNING;

THENCE continuing along said 270.00 foot radius curve to the left (the long chord of which bears South 54° 23' 49" West, a distance of 30.22 feet), an arc distance of 30.23 feet to a point on the West line of said NW Paradise Park Road recorded under Auditor's File No. 8312070093;

THENCE South 28° 43' 59" East, along said West line, a distance of 260.34 feet to a point on a 934.93 foot radius curve to the right;

THENCE continuing along said West line and along said 934.93 foot radius curve to the right (the long chord of which bears South 22° 05' 44" East, a distance of 216.13 feet), an arc distance of 216.62 feet to a point on a non-tangent 69.00 foot radius curve to the left;

THENCE leaving said West line and along said 69.00 foot radius curve (the long chord of which bears South 76° 25' 55" East, a distance of 13.27 feet), an arc distance of 13.29 feet;

THENCE South 81° 56' 59" East, a distance of 27.58 feet to a point on a 49.00 foot radius curve to the left;

THENCE along said 49.00 foot radius curve to the left (the long chord of which bears North 74° 28' 24" East, a distance of 39.20 feet), an arc distance of 40.33 feet;

THENCE North 50° 53' 48" East, a distance of 47.32 feet to a point on a 502.00 foot radius curve to the right;

THENCE along said 502.00 foot radius curve to the right (the long chord of which bears North 59° 11' 32" East, a distance of 144.86 feet), an arc distance of 145.36 feet;

THENCE North 10° 17' 50" West, a distance of 12.44 feet to a point on the North right of way line of said NW La Center Road, said point being 50.00 feet Northerly of, when measured

perpendicular to, the centerline of said Road, said point also being on a non-tangent 1195.92 foot radius curve to the left;

THENCE along said North right of way line, and along said 1195.92 foot radius curve to the left (the long chord of which bears South 78° 37' 21" West, a distance of 70.65 feet), an arc distance of 70.66 feet, to a point on a non-tangent 532.00 foot radius curve to the left;

THENCE leaving said North right of way line, and along said 532.00 foot radius curve to the left (the long chord of which bears South 55° 35' 30" West, a distance of 87.09 feet), an arc distance of 87.19 feet;

THENCE South 50° 53' 48" West, a distance of 47.32 feet to a point on a 19.00 foot radius curve to the right;

THENCE along said 19.00 foot radius curve to the right (the long chord of which bears South 74° 28' 24" West, a distance of 15.20 feet), an arc distance of 15.64 feet;

THENCE North 81° 56' 59" West, a distance of 20.76 feet to a point 30.00 feet Easterly of, when measured perpendicular to, the West line of said NW Paradise Park Road recorded under Auditor's File No. 8312070093, said point also being on a non-tangent 964.93 foot radius curve to the left;

THENCE parallel with, and 30.00 feet Easterly of said West line, and along said 964.93 foot radius curve to the left (the long chord of which bears North 22° 38' 25" West, a distance of 204.83 feet), an arc distance of 205.22 feet to a point which bears South 28° 43' 59" East from the TRUE POINT OF BEGINNING;

THENCE North 28° 43' 59" West, parallel with and 30.00 feet Easterly of said West line, a distance of 263.96 feet to the TRUE POINT OF BEGINNING.

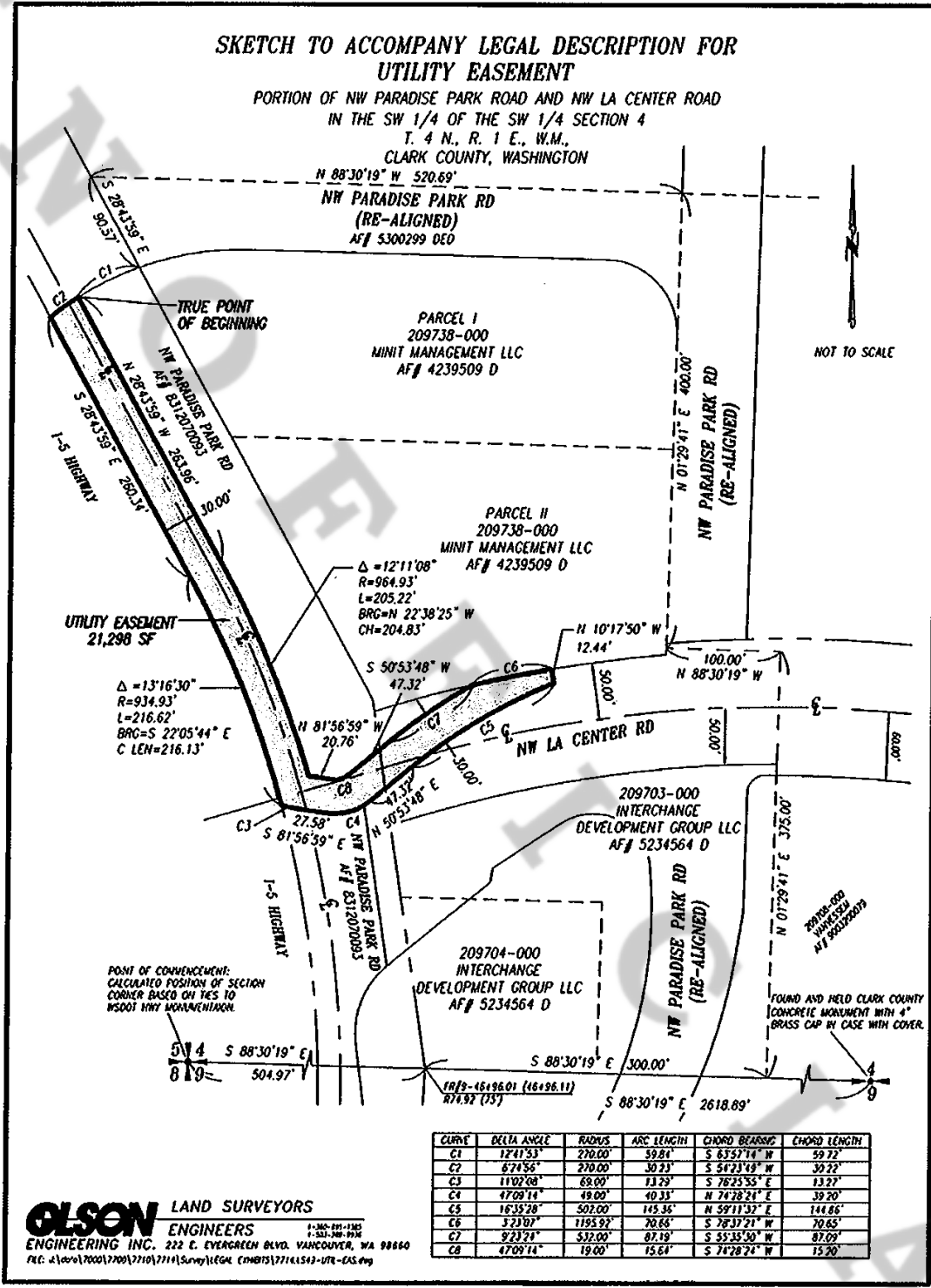
Containing 21,298 square feet or 0.49 acres, more or less.



**SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR
UTILITY EASEMENT**

PORTION OF NW PARADISE PARK ROAD AND NW LA CENTER ROAD
IN THE SW 1/4 OF THE SW 1/4 SECTION 4

T. 4 N., R. 1 E., W.M.,
CLARK COUNTY, WASHINGTON



TRUE POINT OF BEGINNING

PARCEL I
209738-000
MINIT MANAGEMENT LLC
AF# 4239509 D

PARCEL II
209738-000
MINIT MANAGEMENT LLC
AF# 4239509 D

209703-000
INTERCHANGE
DEVELOPMENT GROUP LLC
AF# 5234564 D

209704-000
INTERCHANGE
DEVELOPMENT GROUP LLC
AF# 5234564 D

UTILITY EASEMENT
21,298 SF

POINT OF COMMENCEMENT:
CALCULATED POSITION OF SECTION
CORNER BASED ON TIES TO
NSDOT TINY MONUMENTATION.

NOT TO SCALE

209703-000
INTERCHANGE
DEVELOPMENT GROUP LLC
AF# 5234564 D

FOUND AND HELD CLARK COUNTY
CONCRETE MONUMENT WITH 4"
BRASS CAP IN CASE WITH COVER.

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	12°41'53"	270.00'	59.84'	S 83°57'14" W	59.72'
C2	5°21'56"	270.00'	30.21'	S 84°23'48" W	30.22'
C3	11°02'08"	69.00'	13.29'	S 78°35'55" E	13.27'
C4	47°09'14"	49.00'	40.31'	N 74°38'24" E	39.20'
C5	16°35'28"	502.00'	145.36'	N 59°11'37" E	144.66'
C6	5°23'07"	1195.92'	70.65'	S 78°37'21" W	70.65'
C7	9°23'24"	532.00'	87.19'	S 55°35'50" W	87.09'
C8	47°09'14"	19.00'	15.64'	S 74°28'24" W	15.20'

OLSON LAND SURVEYORS
ENGINEERS
ENGINEERING INC. 222 E. EVERGREEN BLVD. VANCOUVER, WA 98660
P.L.C. #10001700017200172101721111Survey\LEGAL CMB15177161543-UTL-CAS.dwg
1-360-891-1362
1-360-891-9192