



NOTICE OF DECISION

Trammel Crow (345 N Pekin) – Boundary Line Adjustment

Land Use Application No.:	WLD-2023-009
Decision Issue Date:	December 1, 2023
Applicant:	TRJ Planning Inc. Todd Johnson 1417 NW 102 nd Street Vancouver, WA 98685
Property Owners:	Ralph M/Shirley E Bozarth Trust 201 Hayes Road, Suite 3350 Woodland, WA 98674
Site Location:	345 N Pekin Parcels
Parcel:	507350103, and 507350104
Zoning Designation:	Light Industrial (I-1)
Date Application Received:	October 26, 2023

I. DESCRIPTION OF PROPOSAL

The applicant proposes to boundary line adjust parcels 507350104 (Lot 1) and 507350103 (Lot 2) to facilitate the separation of the old farm house at 345 N Pekin Street from the bulk of the property.

Adjusted Lot 1 will be 2,044,039 square feet (or approximately 46.9 acres) and Adjusted Lot 2 will be 83,498 square feet (or 1.92 acres). (*See Attached Map*).

II. REVIEW AUTHORITY

Per WMC 19.08.030, Boundary Line Adjustments shall be approved, approved with conditions, or denied by the Public Works Director. The criteria used are outlined in WMC 16.34.050. The decision is based on a determination that the proposed boundary line adjustment satisfies the requirements of this article; that the project will serve the public interest; that the proposal conforms to the City's comprehensive plan; and that the lots

created by the boundary line adjustment conform to the standards of the applicable zoning district.

III. FINDINGS

Approval Criteria | WMC 16.34.050

A. No new lots are created by the BLA proposal. **Finding 1:** No new lots are created by the BLA proposal. **Conclusion:** The proposal complies with this standard.

B. The adjusted lots meet current zoning requirements related to property size including but not limited to, minimum requirements for width, depth, and area. Whenever a lot involved in a proposed BLA does not meet minimum requirements for size prior to adjustment, the change may be approved so long as the change does not increase the existing nonconformity.

Finding 2: The subject parcels are zoned Light Industrial (I-1). The minimum lot size allowed is 10,000 sq. ft per WMC 17.44.050 and the minimum lot width is 65 feet. There is no minimum lot depth per WMC 17.44.060.

Finding 3: All proposed lots exceed the minimum lot size. All proposed lots will meet the minimum lot width standard following adjustment.

Conclusion: As proposed, the proposal can comply with zoning lot standards.

C. No lot shall be reconfigured or adjusted which would render access for vehicles, utilities, fire protection, or existing easements impractical to serve their purpose. Blanket utility easements existing along lot lines, that are specifically required as a condition of development approval, may be moved during a boundary line adjustment; provided, there is compliance with RCW 64.04.175 and the easement is not occupied by a utility. If the easement is occupied, this provision is inapplicable, and the provisions of RCW 64.04.175 shall apply.

Finding 4: Access to Lot 1 off of N Peking will not be modified and/or impacted by proposed boundary line adjustment because future development of Lot 1 will require frontage improvements to bring access to city code.

Finding 5: Lot 2 currently has access to N Peking via an undeveloped frontage. The proposed boundary line adjustment will not require frontage improvements to be built at this time, however, the applicant has committed to performing those improvements necessary to bring it up to city code when development occurs on Lot 1. Therefore, the BLA will not interfere or impact access for Lot 2 upon full build out. (See Condition #1)

Conclusion: The proposal complies with this standard.

D. A BLA proposal that is inconsistent with any restrictions or conditions of approval for a recorded plat or short plat shall not be approved.

Finding 6: The BLA will not affect any original restrictions or conditions of approval.

Conclusion: The proposal complies with this standard.

E. A BLA proposal between lots with different zoning designations shall not be approved.

Finding 7: All lots involved are zoned Light Industrial (I-1).

Conclusion: The proposal complies with this standard.

F. A BLA proposal that would reduce the overall area in a plat or short plat devoted to open space shall not be approved.

Finding 8: There are no areas dedicated to open space that will be affected by this BLA. The BLA will not reduce the overall area of the plat designated for open space.

Conclusion: The proposal complies with this standard.

G. A BLA proposal that would adjust a boundary line across a public roadway shall not be approved.

Finding 9: The proposed BLA will not adjust a boundary line across a public roadway.

Conclusion: The proposal complies with this standard.

IV. CONDITIONS OF APPROVAL

Based on the application materials provided, the findings of fact, and conclusions of law, the application is hereby APPROVED subject to the following conditions.

1. A note shall be added to the face of the plat that states “Lot 2 frontage improvements along North Pekin, may be deferred until development of Lot 1 occurs. Improvements to North Pekin along both frontages shall be constructed concurrently as approved for development of Lot 1.”
2. Applicant shall provide a final map completed and stamped by a licensed surveyor in the state of Washington. Final map must be drawn to scale and show all lot(s).

- a. Old property lines and dimensions shall be marked as dashed or broken lines;
 - b. New property lines and dimensions shall be marked as solid lines.
3. The case number, WLD-2023-009 shall be added to each page.
4. Add the legal descriptions on the face of the map and the language of any and all easements, covenants, deed restrictions, or other property use limitations together with the auditor's file number, volume, and page where such language is recorded.
5. Collect the required signatures on two 24" x 36" maps. Contact the City to arrange for signature. Additionally, provide an electronic copy.
6. After the City has signed the copies, record the map and any related documents with the County Auditor.
7. Submit one paper copy and an electronic copy of the recorded documents and map to the Community Development Department.
8. Record the BLA within three years from the date of this decision.

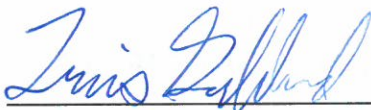
V. APPEALS

This administrative decision may be appealed to the City's Hearing Examiner no later than fourteen (14) days following the date of issuance. The appeal shall be made in writing and shall include a statement specifying the basis for such appeal per WMC 16.34.070 and shall include the appeal fee. Appeals can be submitted to the Community Development Department by **5:00 PM on December 15th, 2023**.

City of Woodland
 Community Development
 Department c/o Travis Goddard
 230 Davidson Ave., PO Box 9
 Woodland, WA 98674

Goddardt@ci.woodland.wa.us
 Phone: 360-225-7299
 Fax: 360-225-7336

Date: December 1, 2023

Signature: 
 Travis Goddard, CDD Director

CC: Applicant	Building Official
Owner	Fire Marshal
Mayor	City of Woodland Website
Engineer	Counter Copy
Planning Commission	Executive Team
City Administrator	File

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO ADJUST THE COMMON BOUNDARIES OF COWLITZ COUNTY PARCELS 507350104 AND 507350103 DESCRIBED UNDER SURVEY REFERENCE #1 TO CREATE A 250-FOOT BY 350-FOOT PARCEL AROUND THE PARMHOUSE AREA IN THE SOUTHEAST CORNER OF THE BOZARTH PROPERTY.

THE BOZARTH PROPERTY IS A PORTION OF THE MILLY BOZARTH DONATION LAND CLAIM #48. NOTICE #238, SURVEY REFERENCE #4, IT LAYS EASTERLY OF THE JAMIE CAPLES DONATION LAND CLAIM #45. NOTICE #230, SURVEY REFERENCE #4, IT LAYS WESTERLY OF THE SOLOMON STRONG DONATION LAND CLAIM #46. NOTICE #176, SURVEY REFERENCE #1.

FIRST, THE NAMES BOZARTH AND BOZARTH ARE FAMILY NAMES THAT BY OBSERVATION ARE USED INTERCHANGEABLY BY BOTH FAMILY MEMBERS AND DEED TRANSCRIBERS. OFTEN THROUGHOUT MANY DEEDS, THE LAST NAMES, BOZORTH AND BOZARTH, ARE BOTH USED. IN DEED AFN 297879, FOR EXAMPLE BOTH NAMES ARE USED. IN DEED AFN 297879, FOR EXAMPLE BOTH NAMES ARE SAID DEED. FOR THE PURPOSE OF REMOVING ANY DOUBT THAT THE PROPERTY DESCRIBED IN THE FOREGOING DEED IS THE SEPARATE PROPERTY OF MY HUSBAND SOURCE S BOZARTH, I HEREBY GRANT ALL OF MY INTEREST IN AND TO SAID PROPERTY TO MY HUSBAND SOURCE S BOZARTH TO... IN SAID DEED, SHE IS ALSO CALLED BOTH "FLORINDA BOZARTH" AND "FLORINDA H. BOZARTH".

EIGHT CORNERS WERE FOUND ALONG THE SOUTH LINE OF THE SOLOMON STRONG D.L.C. OF THE EIGHT, MOST FELL ON LINE. MONUMENT #141 WAS THE FURTHEST OFF-LINE AT 0.2' OFF-LINE. THE SOUTH LINE OF SAID D.L.C. WAS ESTABLISHED BY HOLDING THE LINE BETWEEN MONUMENTS #1738 AND #140.

THE WEST LINE OF THE STRONG D.L.C. WAS ESTABLISHED BY HOLDING MONUMENTS #1738 AND #140. MONUMENT #1738 WAS FOUND 0.13' OFF THIS LINE. THE EAST BOUNDARY OF THE STRONG D.L.C. WAS THEN INTERSECTED TO ESTABLISH THE SOUTHWEST CORNER OF THE STRONG D.L.C.

THREE CENTERLINE POINT OF INTERSECTION (P.I.) MONUMENTS BY COWLITZ COUNTY (SEE REFERENCE #18) WERE FOUND AND UTILIZED TO ESTABLISH THE RIGHT-OF-WAY BOUNDARIES FOR NORTH PEKIN ROAD.

ON OCTOBER 19, 1993, THE BOZARTHS DEEDED THE SOUTH 1/2 OF THE D.L.C. TO CC BOZARTH AND DEED VOLUME 31, PAGE 578-580. THEY MUST HAVE HAD THE INTENTION OF HALVING THE D.L.C. FOR QUITE A WHILE PREVIOUSLY WITHOUT RECORDING THE DEED. FOR ON FEBRUARY 16, 1887, WITH DEED VOLUME 10, PAGES 685-686, THEY CONVEYED TO MILLER BEGINNING AT THE NORTHWEST CORNER OF THE CC BOZARTH LAND CLAIM A PORTION ON THE WESTERN MARGIN OF THE D.L.C. YEARS LATER AFE (UNCERTAIN) WERE SAID TO BE BORN TO 1987 AND THE BOZARTHS 120 YEARS A BOUNDARY LINE AGREEMENT TO ESTABLISH THE LOCATION OF SAID 1/2 LINE WITH AFN 870803025. SURVEY REFERENCE #14 MONUMENTED THE AGREEMENT LINE.

FROM THIS EVIDENCE, ONE CAN OBSERVE THAT THE MILLER PARCEL PREDATES ANY 1/2 LINE AGREEMENT. THE 1/2 LINE AGREEMENT IS ATTACHED TO THE PRE-AGREEMENT 1/2 LINE AND THAT THE BOZARTHS DID NOT INTEND TO KEEP ANY LAND IN THE SPACE BETWEEN THE MILLER AND THE 1/2 LINE.

THE 1867 MILLER DEED, VOLUME 10, PAGES 685-686: THE SOLOMON STRONG D.L.C. WAS SURVEYED IN 1854. THE JAMIE CAPLES D.L.C. WAS ALSO SURVEYED IN 1854. THE 1/2 LINE AGREEMENT WAS FIRST SURVEYED IN 1860 AND THEN RE-SURVEYED IN 1888. THE MILLER DEED WAS RECORDED IN 1860. THE 1/2 LINE AGREEMENT WAS RECORDED EVERYTHING SOUTH OF THE SOLOMON D.L.C. NORTH OF THE 1/2 LINE OF THE BOZARTH D.L.C. AND WEST OF A POINT ON THE SOUTHERLY LINE OF THE SOLOMON D.L.C. LYING 13.88 CHAINS EASTERLY OF THE NORTHWEST MILLY BOZARTH D.L.C. CORNER. FOR THE BEARING OF NORTH-SOUTH ON THE MILLER DEED, LINED THE BEARING BETWEEN FOUND MONUMENTS #2509 AND #142 FOUND ON THE COMMON LINE OF THE CAPLES D.L.C. AND THE BOZARTH D.L.C. WHICH IS ALSO LISTED AS NORTH-SOUTH IN THE DESCRIPTIONS OF THE D.L.Cs.

IN THE 155 YEARS SINCE THE MILLER DEED, THE BOZARTHS HAVE FARMED THEIR LAND EAST OF THE LINE AND THE MILLER PROPERTY HAS BEEN BOUGHT AND SOLD NUMEROUS TIMES. HISTORIC AERIAL PHOTOS SHOW TIMBER, FLOODS, PONDS, FIELDS, FENCES, HOUSES, GARDENS, AND HEAVY EQUIPMENT ON THE MILLER PLOTS. OVER THE YEARS, BY OBSERVATION, THE OCCUPATION AND USE LINES BETWEEN THE PROPERTIES NO LONGER COINCIDE WITH THE TITLE LINES.

CURRENTLY BOUNDARY LINE AGREEMENTS HAVE BEEN PREPARED AND ARE UNDER NEGOTIATION ON THE WESTERN LINES OF THE BOZARTH PROPERTY FOR CLEARING UP TITLE AND OCCUPATION ISSUES.

NOTE:

WORK PERFORMED USING A 2 SECOND TOPCON GT-502 ROBOTIC TOTAL STATION, TOPCON HIPER-VR GPS-RTK EQUIPMENT. PRECISION EXCEEDS REQUIREMENTS OF W.A.C. 332-130-090

GIBBS & OLSON, INC., MAKES NO WARRANTIES AS TO MATTERS OF UNWRITTEN TITLE, SUCH AS ACCUESCENCE, ESTOPPEL, ADVERSE POSSESSION, ETC.

GIBBS & OLSON
 PO BOX 400, LONGVIEW, WA 98632
 360.455.0391 Tel
 www.gibbs-olson.com

Prepared by: PF Date: 09-14-2023
 Checked by: DB Date: 10-11-2023



SURVEYOR'S CERTIFICATE
 THIS MAP REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT. AT THE REQUEST OF
 TRAMMELL CROW IN SEPTEMBER, 2023
 DANIEL D. BERGMAN, PLS - CERTIFICATE NO. 49270
 PROJECT FILE NO. 07869259 FILEBOOK NO.19008

Survey for
TRAMMELL CROW PORTLAND DEVELOPMENT INC.
 IN
 PORTIONS OF THE MILLY BOZARTH DONATION LAND CLAIM No. 48
 IN SW1/4 SW1/4 S.13, SE1/4 SE1/4 S.14, NE1/4 NE1/4 S.23, AND NW1/4 NW1/4 S.24
 IN TOWNSHIP 5 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 CITY OF WOODLAND, COWLITZ COUNTY, WASHINGTON

AUDITOR'S CERTIFICATE
 FILED FOR THE RECORD THIS DAY OF 20 AT M. IN BOOK OF ON PAGE OF AT THE REQUEST OF GIBBS & OLSON, INC.
 AUDITOR
 DEPUTY AUDITOR

CITY OF WOODLAND BOUNDARY LINE ADJUSTMENT NUMBER: BLA-23-XXX

OWNERS OF RECORD

BOZORTH RALPH M / SHIRLEY E TRUST
 ADDRESS: 201 NW HAYES RD WOODLAND WA 98674
 SITUS: 345 N PEKIN RD, WOODLAND WA 98674

THE UNDERSIGNED OWNER(S) OF RECORD, HAVE MADE APPLICATION FOR AND REQUEST APPROVAL OF A CITY OF WOODLAND BOUNDARY LINE ADJUSTMENT PER CITY OF WOODLAND MUNICIPAL CODE CHAPTER 16.34

OWNER SIGNATURE _____ DATED _____

OWNER SIGNATURE _____ DATED _____

CITY OF WOODLAND APPROVALS

EXAMINED AND APPROVED THIS _____ DAY OF _____ 20____

DIRECTOR OF PUBLIC WORKS

LOT 1 ORIGINAL DESCRIPTION:

PARCEL II OF THAT CERTAIN PROPERTY DESCRIBED UNDER COWLITZ COUNTY AUDITORS FILE NUMBER (AFN) 970109024 AND FURTHER DESCRIBED AS FOLLOWS:

STARTING FROM THE NORTHWEST CORNER OF THE SQUIRE AND MILLY BOZORTH DONATION LAND CLAIM IN TOWNSHIP 5 NORTH, RANGE 1 WEST OF WILLAMETTE MERIDIAN, COWLITZ COUNTY, WASHINGTON; THENCE SOUTHEASTERLY ALONG THE NORTH BOUNDARY OF SAID DONATION LAND CLAIM A DISTANCE OF 902.88 FEET; THENCE SOUTH 1°39' WEST A DISTANCE OF 671.4 FEET TO THE POINT OF BEGINNING; THENCE EAST A DISTANCE OF 1981.9 FEET TO THE CENTER LINE OF THE COUNTY ROAD; THENCE SOUTH 13°16' EAST ALONG THE CENTER LINE OF THE COUNTY ROAD A DISTANCE OF 107.0 FEET; THENCE WEST A DISTANCE OF 1873.8 FEET; THENCE NORTH 1°39' EAST A DISTANCE OF 535.6 FEET; TO THE POINT OF BEGINNING.

EXCEPT ANY PORTION LYING WITHIN THE RIGHT-OF-WAY N. PEKIN ROAD.

LOT 1 ADJUSTED DESCRIPTION

LOT 1 OF CITY OF WOODLAND BOUNDARY LINE ADJUSTMENT NUMBER BLA-23-XXX, RECORDS OF COWLITZ COUNTY, WASHINGTON

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, CONDITIONS, RESTRICTIONS, AND RESERVATIONS, IF ANY AFFECTING TITLE WHICH MAY APPEAR IN THE PUBLIC RECORD INCLUDING THOSE SHOWN ON THE FACE OF ANY RECORDED PLAT OR SURVEY

LOT 2 ORIGINAL DESCRIPTION:

PARCEL II OF THAT CERTAIN PROPERTY DESCRIBED UNDER COWLITZ COUNTY AUDITORS FILE NUMBER (AFN) 970109024 AND FURTHER DESCRIBED AS FOLLOWS:

STARTING FROM THE NORTHWEST CORNER OF THE SQUIRE AND MILLY BOZORTH DONATION LAND CLAIM IN TOWNSHIP 5 NORTH, RANGE 1 WEST OF WILLAMETTE MERIDIAN, COWLITZ COUNTY, WASHINGTON; THENCE SOUTHEASTERLY ALONG THE NORTH BOUNDARY OF SAID DONATION LAND CLAIM A DISTANCE OF 902.88 FEET; THENCE SOUTH 1°39' WEST A DISTANCE OF 1206.4 FEET TO THE POINT OF BEGINNING; THENCE EAST A DISTANCE OF 1873.8 FEET TO THE CENTER LINE OF THE COUNTY ROAD; THENCE SOUTH 0°46' EAST ALONG THE CENTER LINE OF THE COUNTY ROAD A DISTANCE OF 535.6 FEET TO THE DIVIDING LINE BETWEEN THE SQUIRE AND MILLY BOZORTH DONATION LAND CLAIM; THENCE WEST ALONG SAID DIVIDING LINE A DISTANCE OF 1882.9 FEET; THENCE NORTH 1°39' EAST A DISTANCE OF 535.6 FEET TO THE POINT OF BEGINNING.

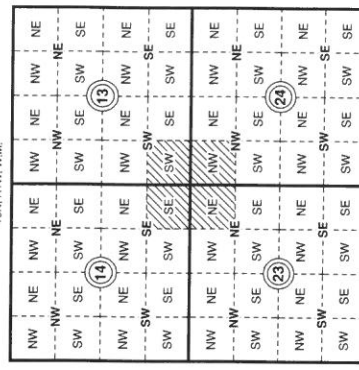
EXCEPT ANY PORTION LYING WITHIN THE RIGHT-OF-WAY N. PEKIN ROAD.

LOT 2 ADJUSTED DESCRIPTION

LOT 2 OF CITY OF WOODLAND BOUNDARY LINE ADJUSTMENT NUMBER BLA-23-XXX, RECORDS OF COWLITZ COUNTY, WASHINGTON

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, CONDITIONS, RESTRICTIONS, AND RESERVATIONS, IF ANY AFFECTING TITLE WHICH MAY APPEAR IN THE PUBLIC RECORD INCLUDING THOSE SHOWN ON THE FACE OF ANY RECORDED PLAT OR SURVEY

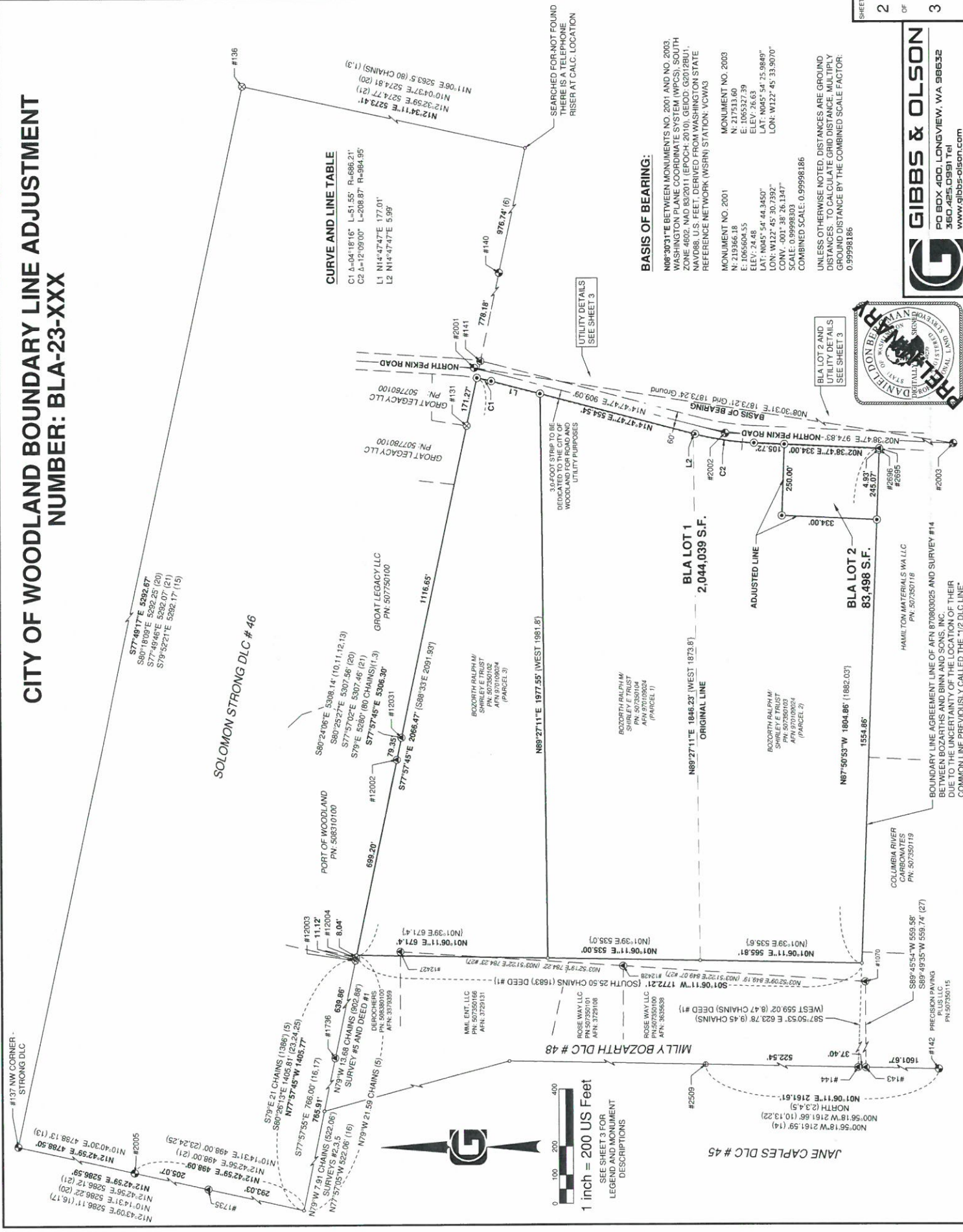
REVISION HISTORY	
BY:	DATE:
DB	10-02-23
DB	10-11-23



INDEX LOCATION

SW 1/4 SW 1/4 S13, SE 1/4 S14 S14,
 NE 1/4 NE 1/4 S23, NW 1/4 NW 1/4 S 24,
 TEN, R1W, W.M.

CITY OF WOODLAND BOUNDARY LINE ADJUSTMENT NUMBER: BLA-23-XXX



CURVE AND LINE TABLE

C1	L=51.55'	R=686.21'
C2	L=12.09'00"	L=208.87' R=884.95'
L1	N14°47'47"E	177.01'
L2	N14°47'47"E	5.98'

BASIS OF BEARING:
N08°30'31"E BETWEEN MONUMENTS NO. 2001 AND NO. 2003, WASHINGTON PLANE COORDINATE SYSTEM (WPCS), SOUTH ZONE 4602, NAD 83/2011 (EPOCH: 2010), GEOID: G2012801, NAVD88, U.S. FEET, DERIVED FROM WASHINGTON STATE REFERENCE NETWORK (WSRN) STATION: VOWA3

MONUMENT NO. 2003
N: 217513.60
E: 1065604.55
ELEV: 26.63
LAT: N045° 54' 44.3450"
LON: W122° 45' 30.7392"
CONV.: 001 38 26.1347"
SCALE: 0.99998303
COMBINED SCALE: 0.99998186

UNLESS OTHERWISE NOTED, DISTANCES ARE GROUND DISTANCES. TO CALCULATE GRID DISTANCE, MULTIPLY GROUND DISTANCE BY THE COMBINED SCALE FACTOR, 0.99998186



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