

Windsong Acres, Phase I & II
11416 NE 177th Circle
Battle Ground, WA 98604

April 13, 2015

Clark County Board of County Councilors
Attn: Councilors Madore, Mielke & Stewart
1300 Franklin Street
Vancouver, WA 98660

RE: Removal of Urban Holding on land within the Battle Ground UGA

Dear Councilors:

This is a formal request for the removal of certain properties from the Battle Ground UGA.

Accompanying this letter are several items:

- 1) A petition signed by 100% of the 15 property owners comprising the subdivision generally known as Windsong Acres (WSA), Phase I & II. (Our neighborhood is south of 179th/ SW 40th and west of 120th Avenue just outside the southern city limits of Battle Ground)
- 2) Appendix "A" which is a map showing the fifteen lots along with their Assessor Tax Code numbers
- 3) Appendix "B" the recorded map of the subdivision showing each lot including designated wetlands

These parcels vary in size from one to five acres, of which only the front four are connected to the STEP sewer system. The remaining eleven (11) properties are all on self-contained septic systems. Many of those parcels also contain wetlands. 177th Circle is a private road and WSA maintains its own detention pond. None of the properties are consistent with city models for development. Because of the property shapes and wetlands (especially on the northern side) there is little to no chance that they will ever be further subdivided. As such they will never meet the density associated with an urban area.

Near the conclusion of the last Comprehensive Plan update, our neighborhood was added to the Battle Ground UGA at the last moment for two (2) reasons:

- 1) As a land bridge to Agricultural acreage to the south. The farmer's lands (to the south) were later removed by the governing body in Olympia but our parcels remained in an Urban Holding designation. Our efforts to correct that oversight were rebuffed by the City of Battle Ground, citing no actual methodology for removal of such lands from a city's UGA.



2) Originally Battle Ground had requested the addition of land on the northern edge of the City which was contested by an environmental group. WSA was added, in spite of our objections, in an apparent effort to satisfy the City's desire for more land.

We have only recently learned that there is a procedure for removal from a UGA, an example being the Fisher's Swale area of Vancouver (currently being cited on Page 3 of your Environmental Impact Statement Alternative Open House materials). Councilor Madore, during a discussion at the Hockinson High School GMA public meeting, said that Urban Holding was never meant to be a long-term designation keeping properties in such limbo.

At multiple meetings the Battle Ground City Council has publicly stated that they have no desire nor intent to annex properties whose owners do not want to join the City. WSA has made our desire NOT to become part of Battle Ground known in testimony and writing. In the 8+ years since the last GMA update the City has made no efforts to annex WSA. (They have publicly acknowledged their awareness of our desire not to be annexed) We take that to mean that they are honoring their public statements about unwanted annexation. Our concern is that at some point, despite that, the City will be required to annex its Urban Holding land, including WSA, in order to be granted additional expansion lands in the future.

It is further noteworthy that in the current GMA revision the City of Battle Ground has made no effort to move south. Indeed, they have requested land to the West (toward the Dollars Corners area).

Given these facts, and since this is the third petition we have submitted (the last being in November 2009) we believe a sound case for removing WSA from the Battle Ground UGA has been made. Windsong Acres property owners have consistently stated their desire to remain outside of Battle Ground and/or its influence.

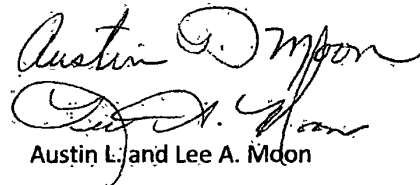
While this current Comprehensive Plan Review is open, we ask that you include the withdrawal of our neighborhood in its entirety as an opportunity to correct an action taken in 2007 by now removing our neighborhood from the Battle Ground UGA. It's the right thing to do.

We are available to discuss the matter and would appreciate guidance as to any steps (beyond this letter and provided materials) we need to take to have WSA removed from the Battle Ground UGA.

Sincerely,



Richard Rylander



Austin L. and Lee A. Moon

on the behalf of the property owners of Windsong Acres I and II

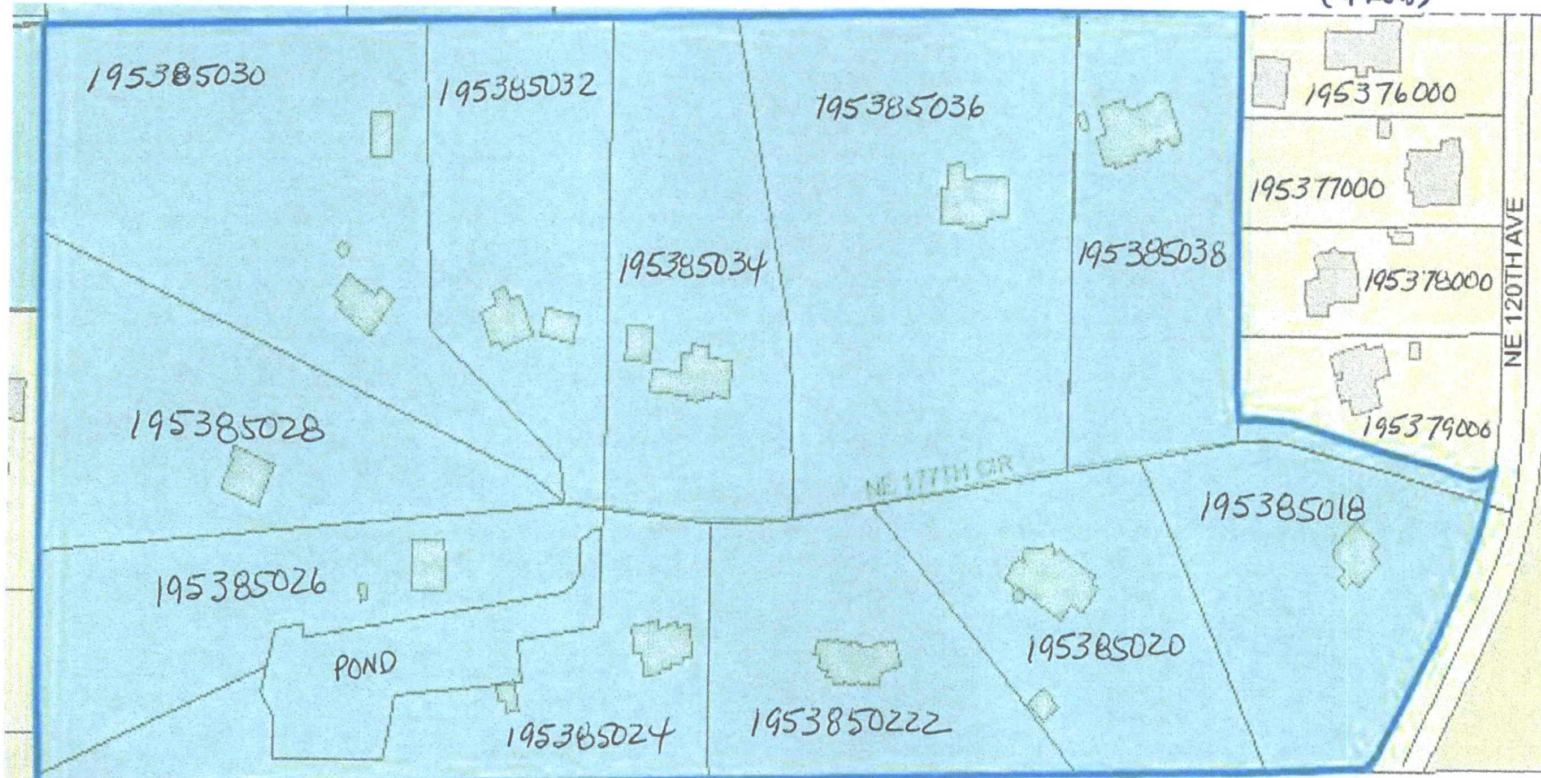
We, the undersigned, are the property owners of the tax lot(s) as noted. We are residents of Windsong Acres I and II located near Battle Ground, Washington. During the 2007 GMA process we were added to the Battle Ground UGA over our strong objections. Battle Ground has never requested our annexation. Indeed, the Battle Ground City Council has, at multiple public meetings, stated that they will never seek to annex properties whose owners do not want to be part of the City. Rather, Battle Ground had requested land on the north end of the City which was denied at the 11th hour and the County Commissioners in place at the time added us in as an attempt to satisfy the City.

Given that Windsong Acres I and II (comprising 15 lots from 1 to 5 acres in size) has not been annexed by the City, and given that residents of Windsong Acres I and II have no interest in being annexed by the City (as evidenced by the signatures below as well as prior petitions submitted to the County), and given that eight (8) years will have passed with the implementation of the 2016 GMA, and given that the City of Battle Ground has made no request for expanding the southern UGA boundaries (indeed they are now pushing West to Dollars Corners) and since "Urban Holding" was never intended to be a long term designation that leaves those involved in timeless limbo, we, the undersigned, request we be removed from the Battle Ground UGA as part of the current GMA update now in process.

Tax Lot Number	Owner of Record	Signature	Date
195376-000	SCHROEDER	Robert P. Schroeder	4/10/2015
195377-000	NITA	Al Nita	4/10/2015
195378-000	KOVALENKO	A. Kovalenko	4/10/2015
195379-000	MOON	Quintin Y. Moon	4/10/2015
195385-022	FORD	Bruce Ford	4/10/2015
195385-036	FRESCH	William Fresch	4-10-2015
195385-034	MARINENKO	Sherie Marinenko	4-10-2015
195385-028	OREFICE	Rod Orefice	4-11-2015
195385-026	BARNES	John Barnes	4-11-15
195385-030	RYLANDER	R.W. Rylander	4-11-15
195385-018	OVANBO	Leopoldo Ovanbo	4-11-15
195385-032	BLAKE	Georgina Blake	4/11/15
195385-038	ZOMIR	M. Zomir	4/11/15
195385-024	VOLOVIK	Pavel Volovik	4.13.15
195385-020	KOVALENKO	W. Kovalenko	4/13/15

WINDSONG Acres II
(11 Lots)

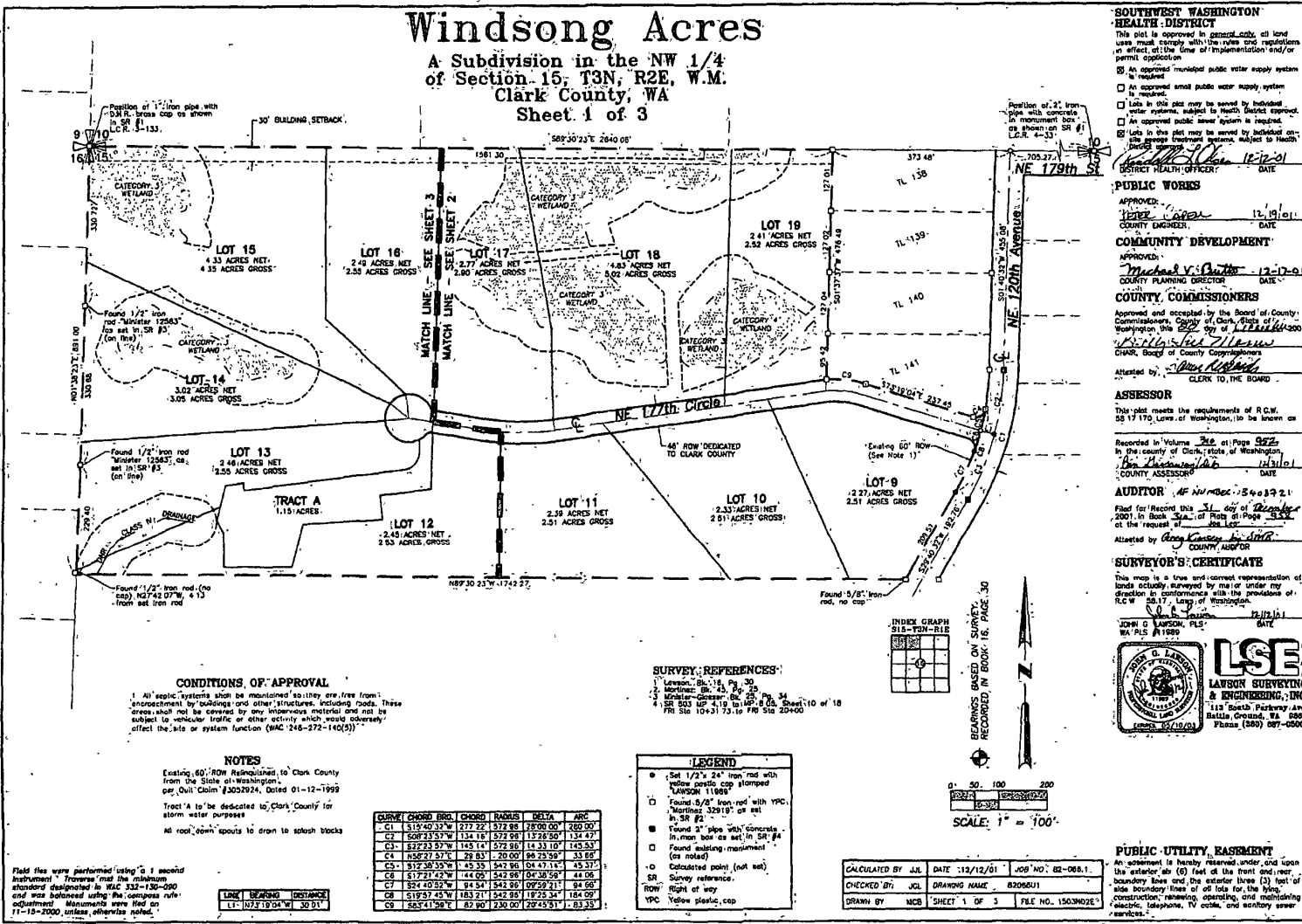
WINDSONG Acres I
(4 Lots)



Appendix A

Windsong Acres

A Subdivision in the NW 1/4
of Section 15, T3N, R2E, W.M.
Clark County, WA
Sheet 1 of 3



SOUTHWEST WASHINGTON HEALTH DISTRICT
This plat is approved in general only, all land uses must comply with the rules and regulations in effect at the time of implementation and/or permit application.
 An approved municipal public water supply system is required.
 An approved small public water supply system is required.
 Lots in this plat may be served by individual water systems, subject to Health District approval.
 An approved public sewer system is required.
 Lots in this plat may be served by individual on-site septic treatment systems, subject to Health District approval.

APPROVED: *[Signature]* 12/12/01
DISTRICT HEALTH OFFICER DATE

PUBLIC WORKS
APPROVED: *[Signature]* 12/19/01
COUNTY ENGINEER DATE

COMMUNITY DEVELOPMENT
APPROVED: *[Signature]* 12/17/01
COUNTY PLANNING DIRECTOR DATE

COUNTY COMMISSIONERS
Approved and accepted by the Board of County Commissioners, County of Clark, State of Washington, this 12th day of December 2001.
Attest: *[Signature]*
CLERK TO THE BOARD

ASSESSOR
This plat meets the requirements of RCW 59.17.070, Laws of Washington, to be known as:
Recorded in Volume 366 at Page 952
in the County of Clark, State of Washington,
this 12th day of December 2001.
Attest: *[Signature]*
COUNTY ASSESSOR DATE

AUDITOR *[Signature]* 12/12/01
Filed for Record this 31st day of December 2001, in Book 334 of Plats of Page 333 at the request of *[Signature]*
COUNTY AUDITOR

SURVEYOR'S CERTIFICATE
This map is a true and correct representation of lands actually surveyed by me or under my direction in conformance with the provisions of RCW 59.17, Laws of Washington.
Attest: *[Signature]* 12/12/01
JOHN G. LAWSON, PLS. WA PLS #11980 DATE



CONDITIONS OF APPROVAL
1. All septic systems shall be maintained so they are free from encroachment by buildings and other structures, including sheds. These areas shall not be covered by any insidious material and not be subject to vehicular traffic or other activity which would adversely affect the site or system function (BAC 246-272-140(3)).

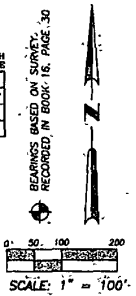
NOTES
Existing 60' ROW Right-of-Way to Clark County from the State of Washington per Civil Claim #3032924, Dated 01-12-1999.
Tract A is to be dedicated to Clark County for storm water purposes.
All road, down spouts to drain to splash blocks.

CURVE	CHORD BEG.	CHORD END	RADIUS	DELTA	ARC
C1	519.4032	272.22	572.88	28.00	280.00
C2	508.2357	134.16	572.88	13.26	134.47
C3	522.2357	145.14	572.88	14.33	145.53
C4	158.2731	79.83	20.00	90.53	33.86
C5	517.5855	45.35	542.86	14.47	45.37
C6	517.7342	44.09	542.86	14.38	44.06
C7	524.4255	84.34	542.86	19.29	84.60
C8	519.5745	183.21	542.86	19.25	184.09
C9	585.4126	87.90	230.00	20.45	83.35

SURVEY REFERENCES
1. Lawson, Bk. 18, Pg. 30
2. Martinez, Bk. 43, Pg. 25
3. Minister-Cramer, Bk. 28, Pg. 34
4. SR 503 HP 4.19 to SR 8 & 10, Sheet 10 of 18
FR Sta 10+31.73 to FR Sta 20+00

LEGEND
● Set 1/2" x 24" iron rod with yellow plastic cap stamped 'LAWSON 11980'
□ Found 5/8" iron rod with YPC, 'Martinez 32919' as set in SR #2
■ Found 2" pipe with concrete in man box as set in SR #4
□ Found existing monument (as noted)
○ Calculated point (not set)
SR Survey reference
ROW Right of way
YPC Yellow plastic cap

CALCULATED BY JLL **DATE** 12/12/01 **JOB NO.** 02-008-1
CHECKED BY JCL **DRAWING NAME** 830801
DRAWN BY MCB **SHEET 1 OF 3** **FILE NO.** 1503M02E



Field was performed using a 1 second instrument. Traverses met the minimum standard designated in BAC 333-130-090 and were balanced using the compass rule adjustment. Monuments were tied on 11-18-2000, unless otherwise noted.

LINK	BEARING	DISTANCE
L1	N73°19'04" W	30.01'

APPENDIX B

YELLOW
URBAN LOW DENSITY
RESIDENCIAL

RESIDENTIAL
1-1-2
MICRO-UNIT
EDU-1-1-1

