



1 After Recording Return To:  
2 Clerk of the Council  
3 Snohomish County Council  
4 3000 Rockefeller Avenue – M/S 609  
5 Everett, WA 98201  
6

7 *In the matter of Richmond Road Road Establishment*  
8

9 SNOHOMISH COUNTY COUNCIL  
10 Snohomish County, Washington  
11

12 ORDINANCE NO. 22-010  
13

14 AN ORDINANCE APPROVING AND ACCEPTING A STATUTORY WARRANTY  
15 DEED AND ESTABLISHING RICHMOND ROAD AS A NEW COUNTY ROAD  
16

17 WHEREAS, under chapter 36.75 RCW and chapter 36.81 RCW, Snohomish  
18 County (the “County”) has the authority to acquire County right-of-way and to  
19 establish roads for public purposes by purchase, gift, or condemnation; and  
20

21 WHEREAS, under SCC 13.90.010, road establishment procedures may be  
22 initiated at the request of the Snohomish County Council (“County Council”),  
23 independently by Snohomish County Engineer (“County Engineer”) when he or she  
24 determines that the criteria for road establishment exists, or in response to a  
25 freeholders’ petition; and  
26

27 WHEREAS, on September 29, 2019, Prospect Development LLC, submitted  
28 a development application to the Snohomish County Department of Planning and  
29 Development Services (PDS) known as the Camberfield SFDU; and  
30

31 WHEREAS, as a condition of development approval, the County Engineer is  
32 requiring the developer to construct and establish a new portion of Richmond Road  
33 as new public road; and  
34

35 WHEREAS, on August 10, 2020, Prospect Development LLC, under SCC  
36 13.90 010, petitioned the Snohomish County Department of Public Works (DPW)  
37 for the establishment of Richmond Road as depicted on the Camberfield SFDU  
38 administrative site plan; and  
39

40 WHEREAS, on February 19, 2021, Prospect Development LLC, conveyed  
41 property known as the Camberfield SFDU to Pacific Ridge - DRH, LLC (“Pacific  
42 Ridge”) via bargain and sale deed recorded under Snohomish County Auditor’s File  
43 Number 202102190908; and  
44

1           WHEREAS, with the transfer of the Camberfield SFDU, Pacific Ridge  
2 became the road establishment petitioner; and

3  
4           WHEREAS, on \_\_\_\_\_, the County Engineer, pursuant to RCW  
5 36.81.050 and SCC 13.90.040, prepared a report determining that the  
6 establishment of Richmond Road is necessary and practicable and will benefit the  
7 public; and

8  
9           WHEREAS, a properly executed Statutory Warranty Deed has been  
10 provided conveying sufficient ROW to ensure that County road standards can be  
11 met; and

12  
13           WHEREAS, a properly filed record of survey depicting the right-of-way limits  
14 and road alignment has been recorded under Snohomish County Auditor's File  
15 Number 202201075001; and

16  
17           WHEREAS, the County Engineer has determined that the road construction  
18 plans depicting all required improvements to occur within the new right-of-way  
19 comply with the County's Engineering Design and Development Standards  
20 (EDDS); and

21  
22           WHEREAS, under SCC 13.90.020, a properly executed project guarantee  
23 improvement bond to ensure proper performance of road improvements  
24 constructed in conjunction with the establishment process was obtained and  
25 submitted to PDS; and

26  
27           WHEREAS, the County Council has considered the County Engineer's  
28 Report recommending that the Statutory Warranty Deed be accepted, and the  
29 establishment of Richmond Road be granted; and

30  
31           WHEREAS, there will be no public expenditures for the construction of  
32 Richmond Road; and

33  
34           WHEREAS, the County Council declares its intention for establishing the  
35 County road as described herein;

36  
37           NOW, THEREFORE, BE IT ORDAINED:

38  
39           **Section 1.** The foregoing recitals are incorporated herein as findings as  
40 though fully set forth.

41  
42           **Section 2.** The County Council finds that Pacific Ridge is the fee owner and  
43 intends to deed the real property described in Section 3 for the use of the public as  
44 a County Road in perpetuity. The County Council further finds that a properly

1 executed statutory warranty deed has been submitted to accomplish the same, a  
2 copy of which is attached hereto with exhibits and incorporated by reference.

3  
4 **Section 3.** The following legally described property is hereby established  
5 as County road right-of-way subject to the full County authority and discretion and  
6 the conditions in Subsection 7:

7  
8 All that portion as shown on Record of Survey Auditor’s File Number  
9 202201075001 identified as area for road establishment.

10  
11 **Section 4.** Construction of Richmond Road to the County’s EDDS shall be  
12 by Pacific Ridge at its own expense. As required by title 13 SCC, a two-year  
13 maintenance security shall be provided by Pacific Ridge upon acceptance of the  
14 construction of Richmond Road by the County.

15  
16 **Section 5.** The County Council finds the road right-of-way is a public  
17 necessity, is practicable, and that the public will be benefitted by the establishment  
18 of Richmond Road.

19  
20 **Section 6.** The Snohomish County Executive is authorized to accept the  
21 properly executed Statutory Warranty Deed on the County’s behalf for Richmond  
22 Road established by this ordinance.

23  
24 **Section 7.** Establishment of the County right-of-way described in Section 3  
25 is not effective until: (1) DPW files a certification with the Clerk of the County  
26 Council stating all administrative and advertising costs required under SCC  
27 13.90.070 have been paid; (2) PDS and DPW have inspected and accepted final  
28 construction of Richmond Road; (3) a two-year maintenance security has been  
29 submitted by the Pacific Ridge and accepted by the County; and (4) the Statutory  
30 Warranty Deed has been recorded.

31  
32  
33 PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

34  
35 SNOHOMISH COUNTY COUNCIL  
36 Snohomish County, Washington

37  
38  
39 \_\_\_\_\_  
40 Council Chair

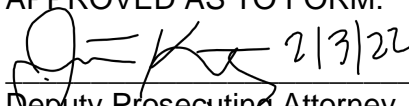
41 ATTEST:  
42  
43 \_\_\_\_\_  
44 Asst. Clerk of the Council

- 1 ( ) APPROVED
- 2
- 3 ( ) EMERGENCY
- 4
- 5 ( ) VETOED
- 6

7 Date: \_\_\_\_\_

8  
9  
10 \_\_\_\_\_  
11 County Executive

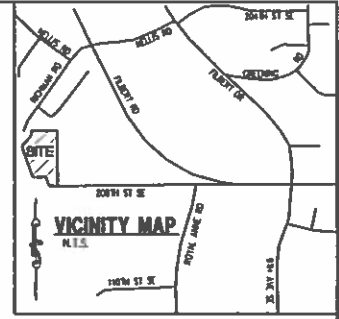
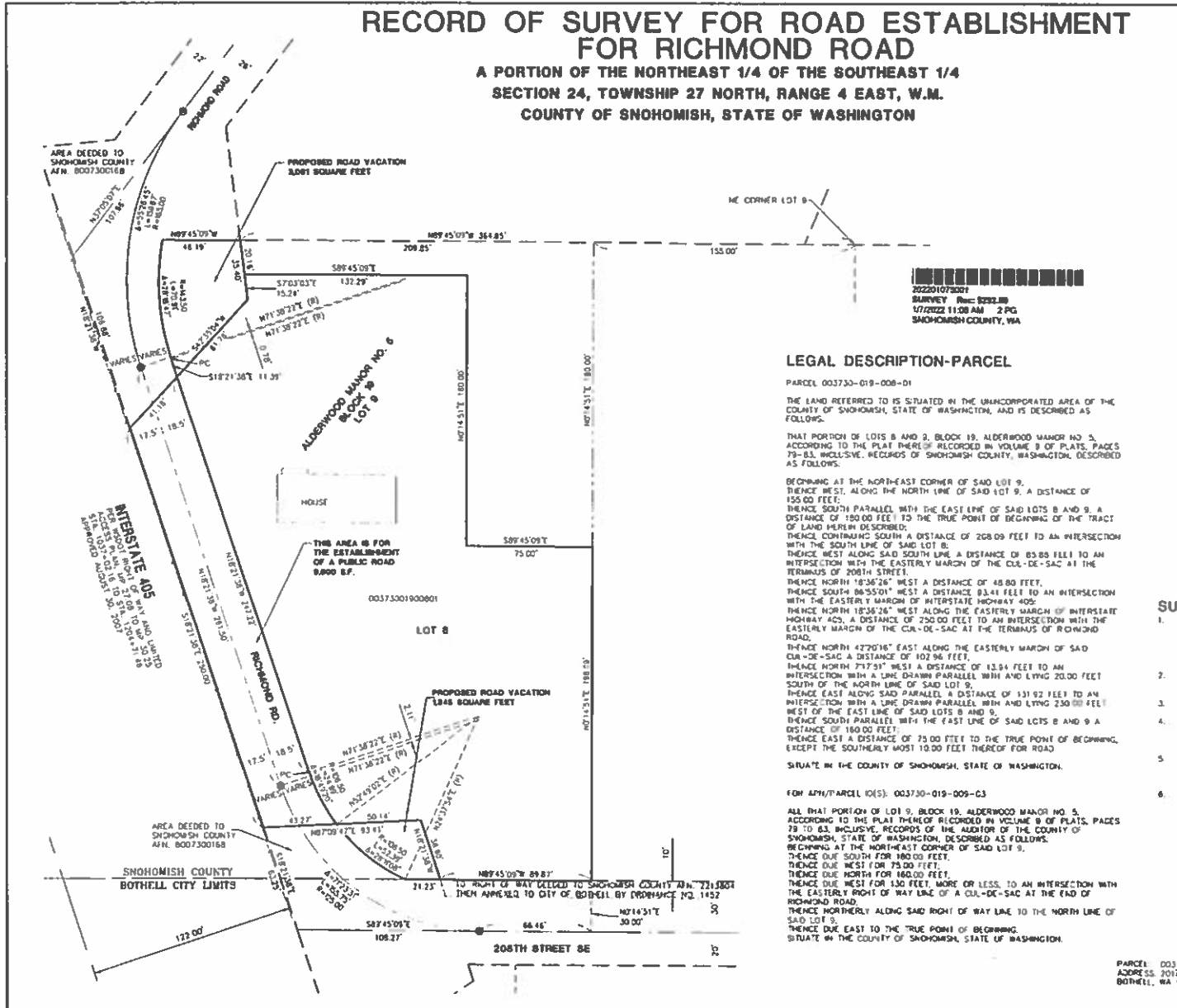
12 ATTEST:  
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18 APPROVED AS TO FORM:  
19  2/3/22  
20 \_\_\_\_\_  
21 Deputy Prosecuting Attorney

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# RECORD OF SURVEY FOR ROAD ESTABLISHMENT FOR RICHMOND ROAD

A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4  
 SECTION 24, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M.  
 COUNTY OF SNOHOMISH, STATE OF WASHINGTON



202201075001  
 SURVEY No: 2022.00  
 1/7/2022 11:00 AM 2 PG  
 SNOHOMISH COUNTY, WA

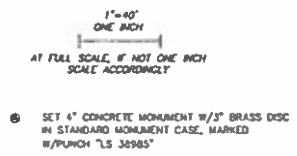
### LEGAL DESCRIPTION-PARCEL

PARCEL 003730-019-008-01  
 THE LAND REFERRED TO IS SITUATED IN THE UNINCORPORATED AREA OF THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOTS 8 AND 9, BLOCK 19, ALDERWOOD MANOR NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 79-83, INCLUSIVE, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

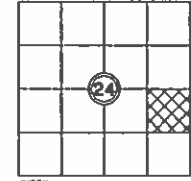
BEGINNING AT THE NORTH-EAST CORNER OF SAID LOT 9,  
 THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 155.00 FEET;  
 THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOTS 8 AND 9, A DISTANCE OF 150.00 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED;  
 THENCE CONTINUING SOUTH A DISTANCE OF 208.09 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID LOT 8;  
 THENCE WEST ALONG SAID SOUTH LINE A DISTANCE OF 85.89 FEET TO AN INTERSECTION WITH THE EASTERLY MARCH OF THE CUL-DE-SAC AT THE TERMINUS OF 208TH STREET;  
 THENCE NORTH 18°36'26" WEST A DISTANCE OF 48.80 FEET;  
 THENCE SOUTH 06°55'01" WEST A DISTANCE OF 03.41 FEET TO AN INTERSECTION WITH THE EASTERLY MARCH OF INTERSTATE HIGHWAY 405;  
 THENCE NORTH 18°36'26" WEST ALONG THE EASTERLY MARCH OF INTERSTATE HIGHWAY 405, A DISTANCE OF 290.00 FEET TO AN INTERSECTION WITH THE EASTERLY MARCH OF THE CUL-DE-SAC AT THE TERMINUS OF RICHMOND ROAD;  
 THENCE NORTH 42°20'16" EAST ALONG THE EASTERLY MARCH OF SAID CUL-DE-SAC A DISTANCE OF 102.96 FEET;  
 THENCE NORTH 71°7'31" WEST A DISTANCE OF 13.94 FEET TO AN INTERSECTION WITH A LINE DRAWN PARALLEL WITH AND LYING 20.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 9;  
 THENCE EAST ALONG SAID PARALLEL A DISTANCE OF 131.92 FEET TO AN INTERSECTION WITH A LINE DRAWN PARALLEL WITH AND LYING 230.00 FEET WEST OF THE EAST LINE OF SAID LOTS 8 AND 9;  
 THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOTS 8 AND 9 A DISTANCE OF 160.00 FEET;  
 THENCE EAST A DISTANCE OF 75.00 FEET TO THE TRUE POINT OF BEGINNING, EXCEPT THE SOUTHERLY MOST 10.00 FEET THEREOF FOR ROAD  
 SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

FOR 1/4TH OF PARCEL 10(S): 003730-019-009-03  
 ALL THAT PORTION OF LOT 9, BLOCK 19, ALDERWOOD MANOR NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 79 TO 83, INCLUSIVE, RECORDS OF THE AUDITOR OF THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 9,  
 THENCE ONE SOUTH FOR 100.00 FEET;  
 THENCE ONE WEST FOR 75.00 FEET;  
 THENCE ONE NORTH FOR 160.00 FEET;  
 THENCE ONE WEST FOR 130 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF A CUL-DE-SAC AT THE END OF RICHMOND ROAD;  
 THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE TO THE NORTH LINE OF SAID LOT 9;  
 THENCE ONE EAST TO THE TRUE POINT OF BEGINNING,  
 SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.



### SURVEYOR'S NOTES

1. BASIS OF BEARINGS: NAD 83-2011 (EPOCH 2010.00), WASHINGTON NORTH ZONE. HELD AN INVERSE BEARING OF N 37°25'07"E FOR A DISTANCE OF 388.78 FEET BETWEEN THE TWO PLAT MONUMENTS ON RICHMOND ROAD AS SHOWN.
2. EQUIPMENT USED: GEOMAX ZOOM 90 TOTAL STATION AND CARLSON 818+ (GPS)
3. DATE OF THIS SURVEY WAS APRIL 2020
4. THIS SURVEY COMPLIES WITH ALL STANDARDS AND GUIDELINES OF THE "SURVEY RECORING ACT", CHAPTER 58.09 RCW AND 532-30 WAC.
5. ALL MEASURING INSTRUMENTS UTILIZED DURING THE COURSE OF THIS SURVEY ARE MAINTAINED IN CONFORMANCE WITH MANUFACTURERS SPECIFICATIONS.
6. ALL MONUMENTS REID JANUARY, 2019 UNLESS OTHERWISE NOTED.



PARCEL: 00373001900801  
 ADDRESS: 20175 RICHMOND ROAD  
 BOTHELL, WA 98012

INDEX:  
 NE 1/4 OF THE SE 1/4,  
 SEC 24, TWP 27 N., R 4 E., W.M.

PFN 19-113081

<b>RECORD OF SURVEY FOR:</b> PACIFIC RIDGE HOMES 17912 BOTHELL EVERETT HWY., SUITE 100 BOTHELL, WA 98012	
DATE: 1/6/2022	JOB NO: 18159
DRAWN BY: CEP	CHECKED BY: MJC
DRAWING NAME: 18159-SV-C30-ESTABLISH	

**SURVEYOR'S CERTIFICATE**  
 THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORING ACT AT THE REQUEST OF THE CHARLES E. PODZALINE IN JULY 2020.  
 C.E.S. NW INC. 1/6/2022  
 CHARLES E. PODZALINE, PLS  
 CERTIFICATE NO. 50936

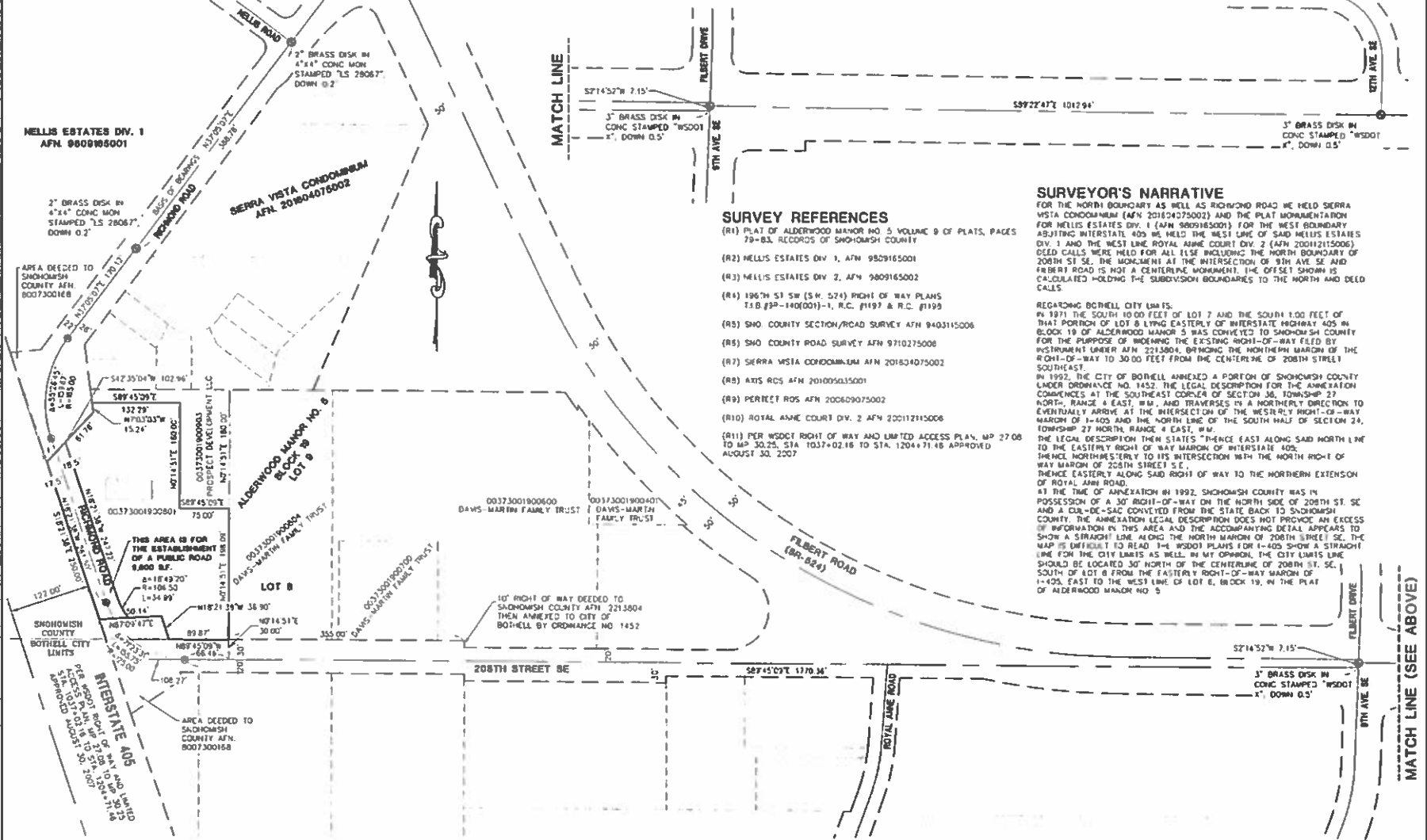


**AUDITOR'S CERTIFICATE**  
 FILED FOR RECORD AT THE REQUEST OF CHARLES E PODZALINE THIS  
 7th DAY OF January 2022, AT 08 HOURS  
 PAST 11 A.M. AND RECORDED IN VOLUME 2022 OF SURVEYS,  
 PAGE 2 AUDITOR'S FILE NO. 202201075001  
 RECORDS OF SNOHOMISH COUNTY, WASHINGTON.  
 Corthell DEPUTY COUNTY AUDITOR  
 Diana Mix COUNTY AUDITOR

**C.E.S. NW INC.**  
 CIVIL ENGINEERING & SURVEYING  
 429 29th STREET, SUITE 0  
 PUYALLUP, WA 98372  
 Phone: (253) 848-4282  
 ceeservice@cesnwinc.com  
**JOB# 18159 SHEET 1 OF 2**

# RECORD OF SURVEY FOR ROAD ESTABLISHMENT FOR RICHMOND ROAD

A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4  
 SECTION 24, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M.  
 COUNTY OF SNOHOMISH, STATE OF WASHINGTON



**SURVEYOR'S NARRATIVE**

FOR THE NORTH BOUNDARY AS WELL AS RICHMOND ROAD WE HELD SIERRA VISTA CONDOMINIUM (AFN 201604075002) AND THE PLAT MONUMENTATION FOR HELLER ESTATES DIV. 1 (AFN 9809165001) FOR THE WEST BOUNDARY ADJOINING INTERSTATE 405 WE HELD THE WEST LINE OF SAAD HELLER ESTATES DIV. 1 AND THE WEST LINE ROYAL ANNE COURT DIV. 2 (AFN 2001215006) DEED CALLS WERE HELD FOR ALL ELSE INCLUDING THE NORTH BOUNDARY OF 208TH ST SE. THE MONUMENT AT THE INTERSECTION OF 9TH AVE SE AND FILBERT ROAD IS NOT A CENTERLINE MONUMENT. THE OFFSET SHOWN IS CALCULATED HOLDING THE SUBDIVISION BOUNDARIES TO THE NORTH AND DEED CALLS.

REGARDING BOTHELL CITY LIMITS: IN 1971 THE SOUTH 100 FEET OF LOT 7 AND THE SOUTH 100 FEET OF THAT PORTION OF LOT 8 LYING EASTERLY OF INTERSTATE HIGHWAY 405 IN BLOCK 19 OF ALDERWOOD MANOR 5 WAS CONVEYED TO SNOHOMISH COUNTY FOR THE PURPOSE OF WIDENING THE EXISTING RIGHT-OF-WAY FIELD BY INSTRUMENT NUMBER AFN 2213004, OPENING THE NORTHERN MARION OF THE RIGHT-OF-WAY TO 30.00 FEET FROM THE CENTERLINE OF 208TH STREET SOUTHEAST. IN 1992, THE CITY OF BOTHELL ANNEXED A PORTION OF SNOHOMISH COUNTY UNDER ORDINANCE NO. 1452. THE LEGAL DESCRIPTION FOR THE ANNEXATION COMMENCES AT THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M., AND TRAVERSES IN A NORTHERLY DIRECTION TO EVENTUALLY ARRIVE AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY MARION OF 1-405 AND THE NORTH LINE OF THE SOUTH HALF OF SECTION 24, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M. THE LEGAL DESCRIPTION THEN STATES "THENCE EAST ALONG SAID NORTH LINE TO THE EASTERLY RIGHT OF WAY MARION OF INTERSTATE 405; THENCE NORTHWESTERLY TO ITS INTERSECTION WITH THE NORTH RIGHT OF WAY MARION OF 208TH STREET S.E.; THENCE EASTERLY ALONG SAID RIGHT OF WAY TO THE NORTHERN EXTENSION OF ROYAL ANNE ROAD. AT THE TIME OF ANNEXATION IN 1992, SNOHOMISH COUNTY WAS IN POSSESSION OF A 30' RIGHT-OF-WAY ON THE NORTH SIDE OF 208TH ST. SE AND A CAL-DE-SAC CONVEYED FROM THE STATE BACK TO SNOHOMISH COUNTY. THE ANNEXATION LEGAL DESCRIPTION DOES NOT PROVIDE AN EXCESS OF INFORMATION IN THIS AREA AND THE ACCOMPANYING DETAIL APPEARS TO SHOW A STRAIGHT LINE ALONG THE NORTH MARION OF 208TH STREET SE. THE MAP IS DIFFICULT TO READ THE WSDOT PLANS FOR 1-405 SHOW A STRAIGHT LINE FOR THE CITY LIMITS AS WELL. IN MY OPINION, THE CITY LIMITS LINE SHOULD BE LOCATED 50' NORTH OF THE CENTERLINE OF 208TH ST. SE. SOUTH OF LOT 8 FROM THE EASTERLY RIGHT-OF-WAY MARION OF 1-405, EAST TO THE WEST LINE OF LOT 6, IN BLOCK 19, IN THE PLAT OF ALDERWOOD MANOR NO. 5.

**SURVEY REFERENCES**

- (R1) PLAT OF ALDERWOOD MANOR NO. 5 VOLUME 9 OF PLATS, PAGES 79-83, RECORDS OF SNOHOMISH COUNTY
- (R2) HELLER ESTATES DIV. 1, AFN 9809165001
- (R3) HELLER ESTATES DIV. 2, AFN 9809165002
- (R4) 1967M ST SW (S.W. 524) RIGHT OF WAY PLANS T.B.#39-140(001)-1, R.C. #1197 & R.C. #1199
- (R5) SHO COUNTY SECTION/ROAD SURVEY AFN 9403115006
- (R6) SHO COUNTY ROAD SURVEY AFN 9710275000
- (R7) SIERRA VISTA CONDOMINIUM AFN 201604075002
- (R8) ARTS RDS AFN 201005015001
- (R9) PERFECT ROS AFN 200609075002
- (R10) ROYAL ANNE COURT DIV. 2 AFN 2001215006
- (R11) PER WSDOT RIGHT OF WAY AND LIMITED ACCESS PLAN, MP 27 08 TO MP 30.25, STA 1037+02.16 TO STA. 1204+71.48 APPROVED AUGUST 30, 2007

PFN 19-113061



**C.E.S. NW INC.**  
 CIVIL ENGINEERING & SURVEYING  
 479 7TH STREET, SUITE D  
 PULLMAN, WA 99137  
 PH: (509) 848-4282  
 ces@cesnw.com

1"=100'  
 ONE INCH  
 AT FULL SCALE, IF NOT ONE INCH  
 SCALE ACCORDINGLY

DATE: 1/6/2022	JOB NO: 18159
DRAWN BY: CEP	CHECKED BY: MJC
	DRAWING NAME: 18159-SV-C30-ESTABLISH



**Snohomish County Council**

**Committee:** Public Works and Infrastructure  
**ECAF:** 2022-0184  
**Proposal:** Ord. 22-010

**Analyst:** Deb Evison Bell

**Date:** March 1, 2022

**Consideration:**

The proposal is to approve and accept a Statutory Warranty Deed and establish Richmond Road as a new County Road.

**Background:**

Originally known as East Filbert Rd, the area was dedicated by the Plat of Alderwood Manor No. 5, in 1918 and recorded in the Auditor’s File Number 247322. On July 30, 1980, the Washington State Department of Transportation conveyed via quick claim deed to Snohomish County the described real property recorded under Auditor’s File Number 8007300168, the construction of State Route 405 bisected the older road, essentially creating two dead-end segments of Richmond Road and 208<sup>th</sup> St SE.

On August 10, 2020, the petitioners Prospect Development LLC (transferred to Pacific Ridge-DRH LLC with acquisition February 19, 2021), submitted an application, per SCC 13.90.010, to vacate and abandon that portion of opened, maintained, constructed and paved county road and road right-of-way (ROW) of Richmond Road and 208<sup>th</sup> Street Southeast with Ordinance 22-010.

The proposed dedicated right of way is part of the development application, which requires the developer to establish and construct a new public road portion of Richmond Road, that would connect the two bisected roads, per SCC 13.90.020<sup>1</sup> and 30.66B<sup>2</sup>). The proposed dedication is located in the SE<sup>1</sup>/<sub>4</sub> of Section 24, Township 27 North, Range 4 East, W.M., and the SW<sup>1</sup>/<sub>4</sub> of Section 19, Township 27 North, Range 5 East W.M.

**Current Proposal:**

The County Engineer, per RCW 36.81, has determined that it is in the best interest of the general public and recommends the dedication of the subject ROW. Approval by ordinance is sought from council to authorize the ROW dedication. In accordance with RCW 36.75 and SCC 13.90, the county engineer prepared a report examining the petitioned ROW that includes the following findings:

1. The new proposed public road identified as “Road A” in the May 4, 2021, approval administrative site plan is designated as Richmond Road and will connect to 208<sup>th</sup> Street SE.
2. The new road is classified as a non-arterial residential road. The right-of-way being provided has sufficient width wo contain the required road and

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<sup>1</sup> [ch. 13.90 Establishment | Snohomish County Code](#)

<sup>2</sup> [ch. 30.66B Concurrency and Road Impact Mitigation | Snohomish County Code](#)



improvements and will comply with all the applicable code and Engineering Design and Development Standards (EDDS) requirements.

3. The new public road, Richmond Road, will start at the south right-of-way boundary of the existing Richmond Road and run for a length of 282 feet and end at the north right-of-way boundary of 208<sup>th</sup> Street SE. The right-of-way is 36 feet wide.
4. A record of survey depicting the ROW limits and alignment of the roads has been recorded under Auditor's File Number (AFN)202201075001.
5. Establishment of a new road is necessary, practicable, and will benefit the public because operation of the arterial road system is improved by dispensing local traffic onto multiple roads and access points; response time for emergency services is reduced; and used of transit systems, pedestrian facilities, and bicycle facilities are promoted.
6. Establishment of a new road is also consistent with the requirements set forth in chapter 30.24 SCC, "General Development Standards-Access and Road Network", and EDDS chapter 3-01(7), "Road Circulation", including the requirement that a public road connection shall be constructed to any public road stubs on any adjacent parcel when the engineer determines the connect is necessary, practicable, and feasible.
7. No public expenditures will be required for the construction of a new road. All construction costs will be paid in full by the applicant.
8. Plans for the consideration of the road to the County standards have been approved by DPW and PDS. The County has accepted a performance security bond for the construction and completion of all right-of-way improvements for the road. Upon completion of construction of the road by the developer, approval of as-built drawings and acceptance of the road by the County (including PDS), a two-year maintenance security bond shall be posted by developer (see Exhibit 10).
9. DPW has reviewed and approved the Statutory Warranty Deed (SWD) and recommends the deed be accepted by the County.
10. The public administrative costs estimated to be incurred by the County in examining, investigating, and processing the establishment application are as follows:

Estimated Public Work Changes	\$4,500.00
Estimated Advertising Costs	\$300.00
Estimated Recording Fee	<u>\$215.00</u>
Total Estimated Fees	\$5,015.00

Application Fee Credit	<\$500.00>
Total Estimated Administrative Costs	\$4,515.00

**CONDITIONS**

1. All outstanding administrative costs are to be paid by the developer to the County Road Fund pursuant to SCC 13.90.070.
2. The line-of-sight easement adjoining the west side of the proposed Unit 49 shall be clear of any obstruction that would hinder the clear sight triangle for the off-site parcel to the north and the line-of-sight easement south of Unit 43 shall be clear of any obstruction, per EDDS 3-08. A plan and profile shall be submitted to verify that Unit 49 was construction outside of the clear sight triangle and line-of-sight easement as shown on Exhibit 6.
3. DPW and PDS, after inspection of the finished construction, will determine if all County road standards have been met.

*Duration:* Under Chapter 36.75 RCW and Chapter 13.90 SCC, dedication of county ROW shall not take effect unless the Petitioner pays the itemized costs and expenses of the proceedings identified and meets the conditions in the engineer's report.

*Fiscal Implications:* All associated costs incurred by the County in processing the petition to dedicate and construction of the proposed road shall be paid by Pacific Ridge-DRH LLC, as per SCC 13.90 and SCC 36.81. The expenses and the balance owing have an estimated balance of \$4,515.00

**2022 Budget:** NA

**Future Budget Impacts:** NA

**Handling:** Expedite

**Approved-as-to-form:** YES

**Risk Management:** APPROVE.

**Executive Recommendation:** APPROVE.

**Attachments:** See ECAF packet/Engineers Report.

**Amendments:** NONE.

**Request:** The requested action is for council to move this to GLS on March 2nd to set a time/date for a Public Hearing (March 23, 2022, at 10:30 am is suggested).



# Snohomish County Council

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 2

## Legislation Text

FILE ORD 22-010

File #: 2022-0184, Version: 1

### Executive/Council Action Form (ECAF)

**ITEM TITLE:**

Ordinance 22-010, approving and accepting a Statutory Warranty Deed and establishing Richmond Road as a new county road

**DEPARTMENT:** Public Works

**ORIGINATOR:** Maria Acuario

**EXECUTIVE RECOMMENDATION:** Approve - Ken Klein

**PURPOSE:** Council approval of an Ordinance to grant establishment of a new county road right-of-way

**BACKGROUND:** • On August 10, 2020, Prospect Development LLC submitted application to the Department of Public Works to establish a new county road right-of-way identified as Richmond Road. . • On February 19, 2021, Prospect Development LLC conveyed the proposed development to Pacific Ridge - DRH LLC, via Bargain and Sale Deed. With the transfer of the Camberfield SFDU, Pacific Ridge became the petitioner. • The proposed road establishment is in Council District # 4. • See Engineer’s Report for additional facts, background, and conditions.

**FISCAL IMPLICATIONS:**

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
<b>TOTAL</b>			

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
<b>TOTAL</b>			

**DEPARTMENT FISCAL IMPACT NOTES:** No fiscal impacts

**CONTRACT INFORMATION:**

ORIGINAL	CONTRACT#	AMOUNT
AMENDMENT	CONTRACT#	AMOUNT

**Contract Period**

ORIGINAL	START	END
AMENDMENT	START	END

**OTHER DEPARTMENTAL REVIEW/COMMENTS:** Approved as to form by DPA Justin Kasting 2/3/22.  
Reviewed/approved by Finance.

ECAF NO.:  
ECAF RECEIVED:

**ORDINANCE  
INTRODUCTION SLIP**

**SNOHOMISH COUNTY COUNCIL**

**EXHIBIT # 3**

TO: Clerk of the Council

**FILE ORD 22-010**

TITLE OF PROPOSED ORDINANCE:

~~~~~  
  
\_\_\_\_\_  
Councilmember Date

Clerk's Action: Proposed Ordinance No. \_\_\_\_\_

Assigned to: \_\_\_\_\_ Date: \_\_\_\_\_

~~~~~  
**STANDING COMMITTEE RECOMMENDATION FORM**

On \_\_\_\_\_, the Committee considered the item and by \_\_\_\_ Consensus /  
\_\_\_\_ Yeas and \_\_\_\_ Nays, made the following recommendation:

\_\_\_\_ Move to Council to schedule public hearing \_\_\_\_\_

**Public Hearing Date 3/23/2022 at 10:30 a.m.**

\_\_\_\_ Move to Council as amended to schedule public hearing

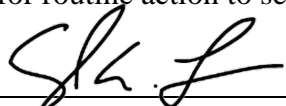
\_\_\_\_ Move to Council with no recommendation

**This item \_\_\_\_ should/ \_\_\_\_ should not be placed on the Consent Agenda.**

(Consent agenda may be used for routine items that do not require public hearing and do not need discussion at General Legislative Session)

**This item \_\_\_\_ should/ \_\_\_\_ should not be placed on the Administrative Matters Agenda**

(Administrative Matters agenda may be used for routine action to set time and date for public hearings)

  
\_\_\_\_\_  
Committee Chair



## ENGINEER'S REPORT

PERMIT REQUEST # 20 111680 RWE

FOR THE ESTABLISHMENT OF A NEW COUNTY ROAD RIGHT-OF-WAY  
IDENTIFIED AS  
***Richmond Road***

**INTRODUCTION**

Chapter 36.75 Revised Code of Washington (RCW) gives county legislative authorities broad authority to acquire land for county road purposes by purchase, gift, or condemnation. Chapter 13.90 Snohomish County Code (SCC) contains the County's regulations that implement the provisions of Chapter 36.81 RCW. The County's legislative authority's use of this broad authority must be made under the advice and supervision of the County Engineer.

SCC 13.90.010 provides that when the County Engineer determines that the criteria for road establishment have been met, road establishment may be initiated independently by the County Engineer. The County also has the authority under chapter 30.66B SCC to condition land development approvals upon adequate access to a public road, which often requires dedication of public road right-of-way (ROW). The process required for establishment of County roads is found in SCC 13.90.020.

**FACTS/BACKGROUND**

1. On September 29, 2019, Prospect Development LLC submitted an application to Planning and Development Services (PDS), requesting approval of a Single-Family Detached Unit (SFDU) named Camberfield SFDU (County File Number 19 113061 SPA). (See Exhibit 1)
2. The proposed Camberfield development contains six parcels and is located in the SW1/4 of Section 19 Township 27 North Range 5 East and SE1/4 of Section 24 Township 27 North Range 4 East. (See Exhibit 2)
3. The proposed 48-unit SFDU is to be built on Lots 6 through 9, Block 19, Plat of Alderwood Manor 5. (See Exhibit 3)
4. As part of the Camberfield SFDU portions of existing County rights-of-way for Richmond Road and 208<sup>th</sup> Street SE are proposed to be vacated. As a condition of approval of the development, the Department of Public Works (DPW) and PDS are requiring Prospect Development LLC to establish a new portion of Richmond Road as a County road. This new portion of County road is identified as "Road A" in the May 4, 2021, administrative site plan approval for the Camberfield SFDU (County File Number 19 113061 SPA).

5. The proposed development is served by 208<sup>th</sup> Street SE which is in the jurisdiction of the City of Bothell. The applicant is showing frontage improvements along 208<sup>th</sup> Street SE. An additional 10 feet of ROW is to be deeded to the City of Bothell. (See Exhibit 4)
6. Prospect Development LLC proposed a road connection between existing Richmond Road and 208<sup>th</sup> Street SE between the Camberfield SFDU and I-405. (See Exhibit 5)
7. Line-of-sight easements for stopping sight distance and intersection sight distance are required where the new road extends from the south right of way line of Richmond Road and at the intersection of Richmond Road and 208<sup>th</sup> Street SE, due to the horizontal curvature. (See Exhibit 6)
8. On August 10, 2020, road establishment and rights-of-way vacation requests were received by the Department of Public Works (DPW).
9. On February 19, 2021, Prospect Development LLC conveyed the proposed development to Pacific Ridge - DRH LLC, a Delaware Limited Liability Company, via bargain and sale deed. With the transfer of the Camberfield SFDU, Pacific Ridge - DRH LLC became the road establishment applicant. (See Exhibit 7)
10. On May 4, 2021, PDS approved the administrative site plan and on May 5, 2021, the administrative decision was issued.
11. On May 25, 2021, the construction plans for the development, including roads, were approved.
12. On October 20, 2021, Pacific Ridge - DRH LLC, submitted a minor revision to the approved administrative site plan dated May 4, 2021, to add one additional unit to the site, and increase the dwelling units from a total of 48 to a total of 49 units. This additional unit is located on the northwest corner of the site and along the edge of a line-of-sight easement. (See Exhibit 8)

## **FINDINGS**

1. The new proposed public road identified as "Road A" in the May 4, 2021 approved administrative site plan is designated as Richmond Road and will connect to 208<sup>th</sup> Street SE.
2. The new road is classified as a non-arterial residential road. The right-of-way being provided has sufficient width to contain the required road and improvements and will comply with all applicable code and Engineering Design and Development Standards (EDDS) requirements.
3. The new public road, Richmond Road, will start at the south right-of-way boundary of the existing Richmond Road and run for a length of 282 feet and end at the north right-of-way boundary of 208<sup>th</sup> Street SE. The right-of-way is 36 feet wide.

4. A record of survey depicting the ROW limits and alignment of the roads has been recorded under Auditor's File Number (AFN) 202201075001. (See Exhibit 9)
5. Establishment of a new road is necessary, practicable, and will benefit the public because operation of the arterial road system is improved by dispensing local traffic onto multiple roads and access points; response time for emergency services is reduced; and use of transit systems, pedestrian facilities, and bicycle facilities are promoted.
6. Establishment of a new road is also consistent with the requirements set forth in chapter 30.24 SCC, "General Development Standards - Access and Road Network", and EDDS chapter 3-01 (7), "Road Circulation", including the requirement that a public road connection shall be constructed to any public road stubs on any adjacent parcel when the engineer determines the connection is necessary, practicable, and feasible.
7. No public expenditures will be required for the construction of a new road. All construction costs will be paid in full by the applicant.
8. Plans for the construction of the road to County standards have been approved by DPW and PDS. The County has accepted a performance security bond for the construction and completion of all right-of-way improvements for the road. Upon completion of construction of the road by the developer, approval of as-built drawings and acceptance of the road by the County (including PDS), a two-year maintenance security bond shall be posted by the developer. (See Exhibit 10)
9. DPW has reviewed and approved the Statutory Warranty Deed (SWD) and recommends the deed be accepted by the County.
10. The public administrative costs estimated to be incurred by the County in examining, investigating, and processing the establishment application are as follows:

Estimated Public Work Charges	\$4,500.00
Estimated Advertising Costs	\$ 300.00
Estimated Recording Fee	<u>\$ 215.00</u>
Total Estimated Fees	\$5,015.00
Application Fee Credit	<\$ 500.00>
Total Estimated Administrative Costs	\$ 4,515.00



## RECOMMENDATION


Based on the foregoing Findings, Permit Request # 20 111680 RWE, establishment of the public road for Richmond Road is necessary, practicable, and in the best interest of the general public. The County Engineer recommends that the County Council accept the Statutory Warranty Deed conveying the right-of-way for the road and that it be recorded upon the terms and conditions of the ordinance.

The County Engineer also recommends the establishment be granted based on the following conditions.

## CONDITIONS

1. All outstanding administrative costs are paid by the developer to the County Road Fund pursuant to SCC13.90.070.
2. The line-of-sight easement adjoining the west side of the proposed Unit 49 shall be clear of any obstruction that would hinder the clear sight triangle for the off-site parcel to the north and the line-of-sight easement south of Unit 43 shall also be clear of any obstruction, per EDDS 3-08. A plan and profile shall be submitted to verify that unit 49 was constructed outside of the clear sight triangle and line-of-sight easement as shown on Exhibit 6.
3. DPW and PDS, after inspection of the finished construction, determines that all County road standards have been met.

Approved by:

  
\_\_\_\_\_  
Douglas W. McCormick P. E.  
Deputy Director/County Engineer

2/7/2022  
Date

Prepared by:

*Maria Acuario*  
\_\_\_\_\_  
Maria Acuario  
ROW Investigator III

2/4/2022  
Date



# NOTICE

## NOTICE OF APPLICATION

File Name: Camberfield SFDU

File Number: 19 113061 SPA

Project Description: Administrative Site Plan for 45 SFDU

Location: 20715 Richmond Road, Bothell

Tax Account Number: 003730-019-004-01, 003730-019-006-00, 003730-019-006-01, 003730-019-007-00, 003730-019-008-01, 003730-019-008-02, 003730-019-008-04 and 003730-019-009-03

Applicant: Prospect Development LLC

Date of application/Completeness Date: September 3, 2019

Approvals required: Administrative Site Plan approval, environmental review (SEPA) and associated construction permits.

Concurrency: This project will be evaluated to determine if there is enough capacity on county roads to accommodate the project's traffic impacts, and a concurrency determination will be made. Notice of the concurrency determination will be provided in the notice of project decision. The notice of decision will be provided to all parties of record for the project.

Comment Period: Submit written comments on or before: **October 21, 2019**

Project Manager: Haleh Ghazanfarpour, 425.262.2938

Project Manager E-mail: Haleh.Ghazanfarpour@snoco.org

**Date of Notice: September 29, 2019**

### HOW TO USE THIS BULLETIN

#### To learn more about a project:

- Call the planner assigned to the project.
- Review project file at Snohomish County Planning and Development Services (PDS) 2nd Floor Customer Service Center County Administration Building East
- Permit Center and Record Center Hours are
  - 8:00 AM to 4:00 PM - Monday, Tuesday, Wednesday, Friday
  - 10:00 AM to 4:00 PM - Thursday
  - Please call ahead to be certain the project file is available.

#### To comment on a project:

- Submit written comments to PDS at the address below or email the project manager listed above. All comments received prior to issuance of a department decision or recommendation will be reviewed. To ensure that comments are addressed in the decision or recommendation, they should be received by PDS before the end of the published comment period
- Comments on a project scheduled for a hearing before the hearing examiner, may be made by submitting them to PDS prior to the open record hearing.
- PDS only publishes the decisions that are required by Snohomish County Code. Persons will receive notice of all decisions that they have submitted written comment on, regardless of whether or not they are published.
- You may become a party of record for a project by: 1. submitting original written comments and request to become a party of record to the county prior to the hearing, 2. testifying at the hearing or 3. entering your name on a sign-up register at the hearing. NOTE: only parties of record may subsequently appeal the hearing examiner's decision or provide written or oral arguments to the county council if such an appeal is filed.

#### To appeal a decision:

- ◻ There is no appeal opportunity for this application at this point in the process. Additional notice will be provided of any future appeal opportunities.

#### HOW TO REACH US:

The Customer Service Center for the Snohomish County Planning and Development Services is located on the 2nd floor of the Robert J. Drewel Building, 3000 Rockefeller Avenue, M/S 604, Everett, WA 98201  
425-388-3311 TTY.

More information can be reviewed online at [snohomishcountywa.gov/PDSPostcard](http://snohomishcountywa.gov/PDSPostcard)

**ADA NOTICE:** Accommodations for persons with disabilities will be provided upon request. Please make arrangements as soon as possible but no later than 48 hours before the hearing by contacting the Hearing Examiner's office at 425-388-3538, or Department of Planning and Development Services at 425-388-7119.

#### VERIFICATION OF NOTICE POSTING

A COPY OF THIS NOTICE SHALL BE RETURNED TO THE DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES WITHIN 14 DAYS OF APPLICATION

I hereby verify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, I posted the above property in at least two (2) conspicuous places on the subject property in accordance with Snohomish County regulations. Said signs are posted at the following locations:

\_\_\_\_\_ and \_\_\_\_\_

Signed: \_\_\_\_\_

RETURN TO: Snohomish County Planning & Development Services  
ATTN: Legal Notice Center  
3000 Rockefeller Avenue, M/S 604

19 113061 SPA

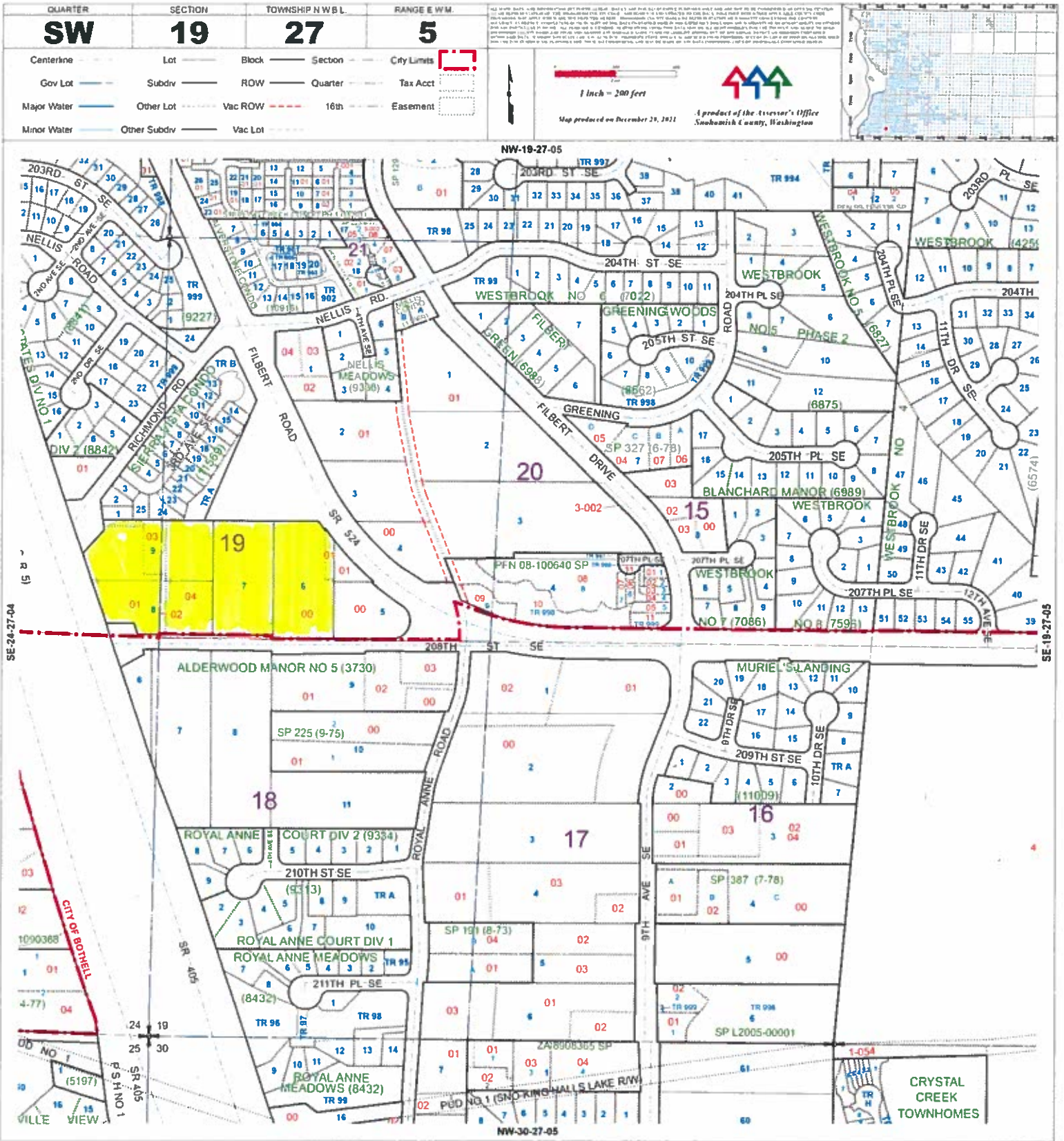


Exhibit 2 Page 1



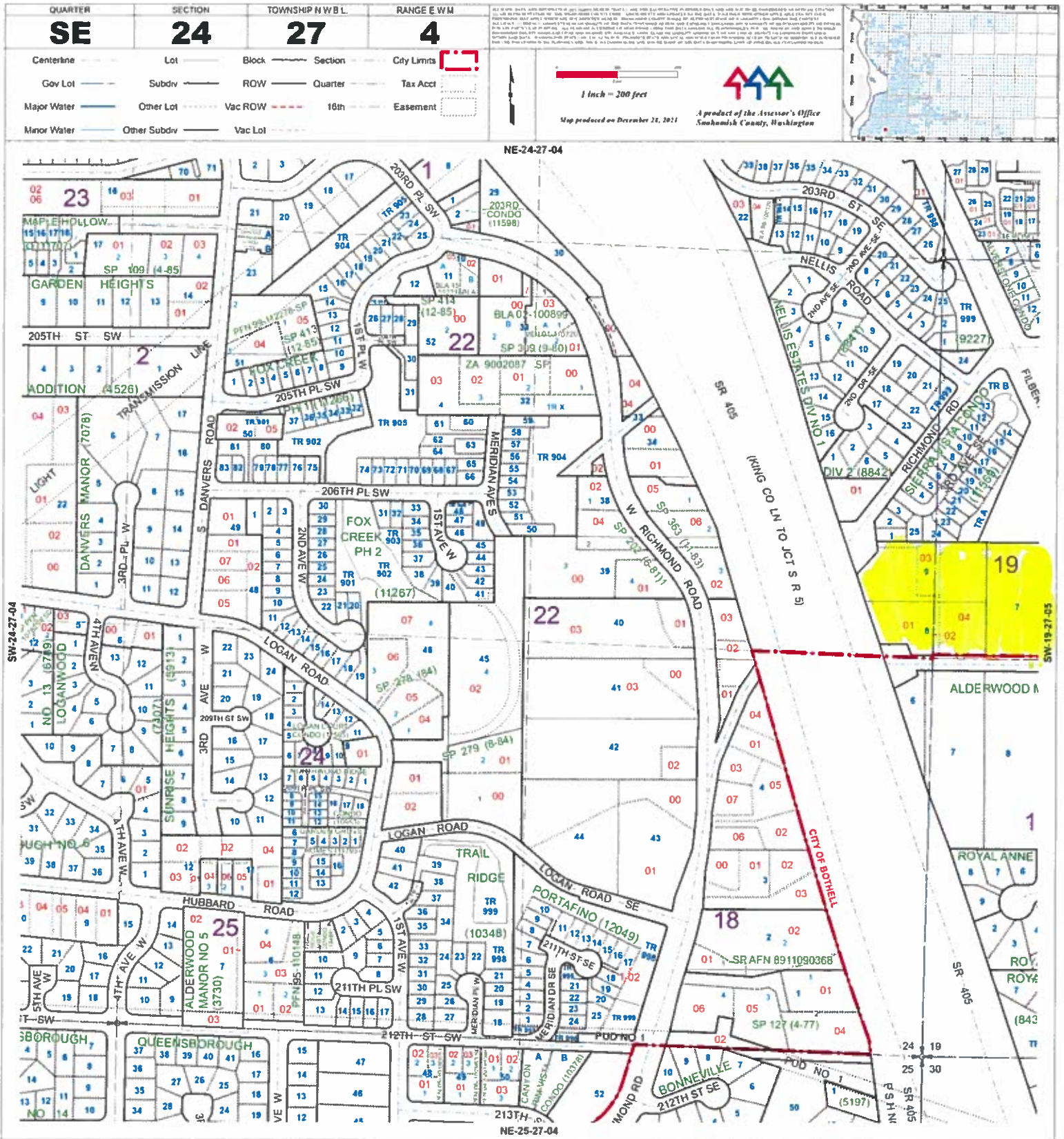
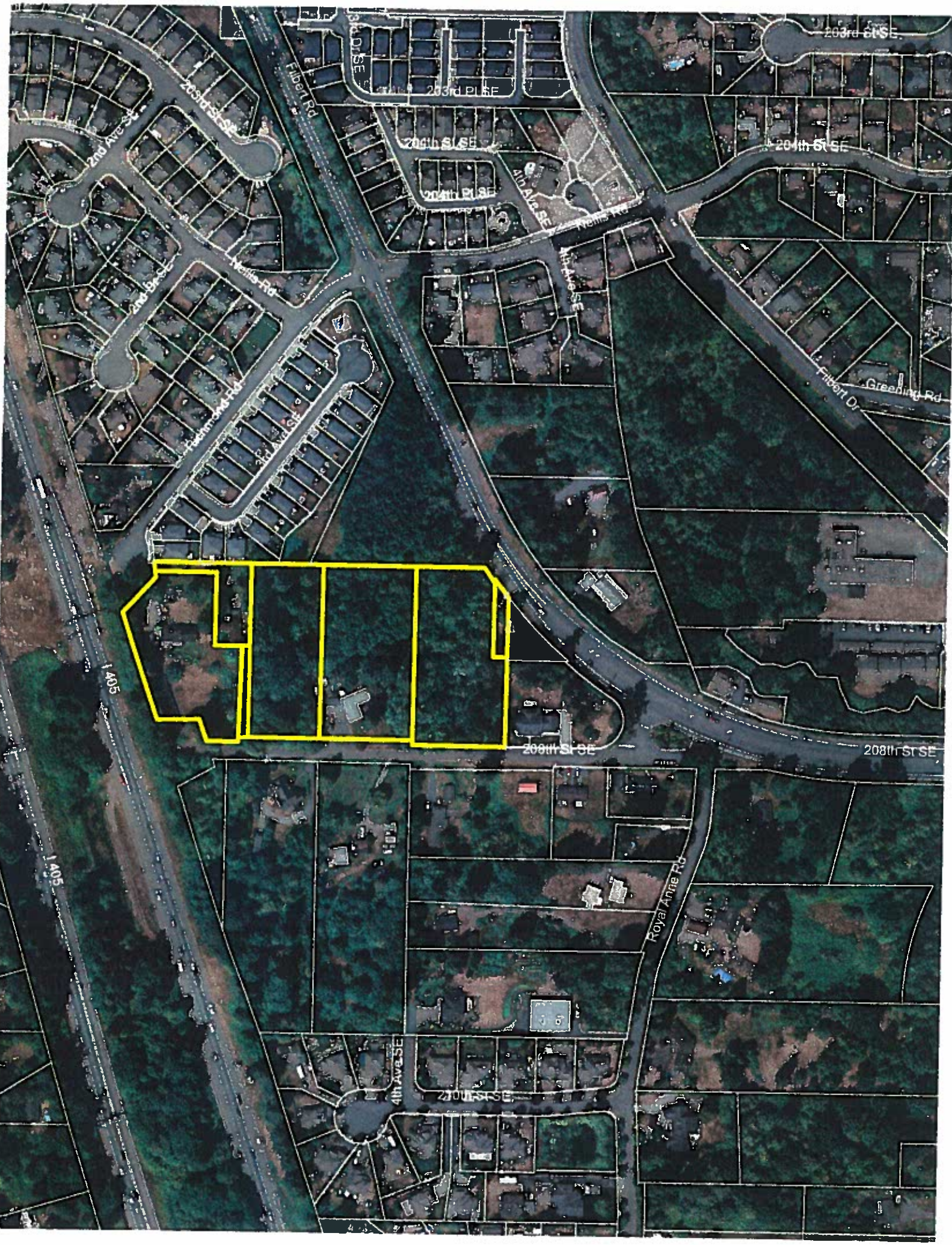


Exhibit 2 Page 2





**Exhibit 2 Page 3**













**C.E.S. NW INC.**

**CIVIL ENGINEERING & SURVEYING**

429 - 29TH ST. NE, SUITE D  
PUYALLUP, WA 98372

PH: (253) 848-4282  
ccservices@cesnwinc.com

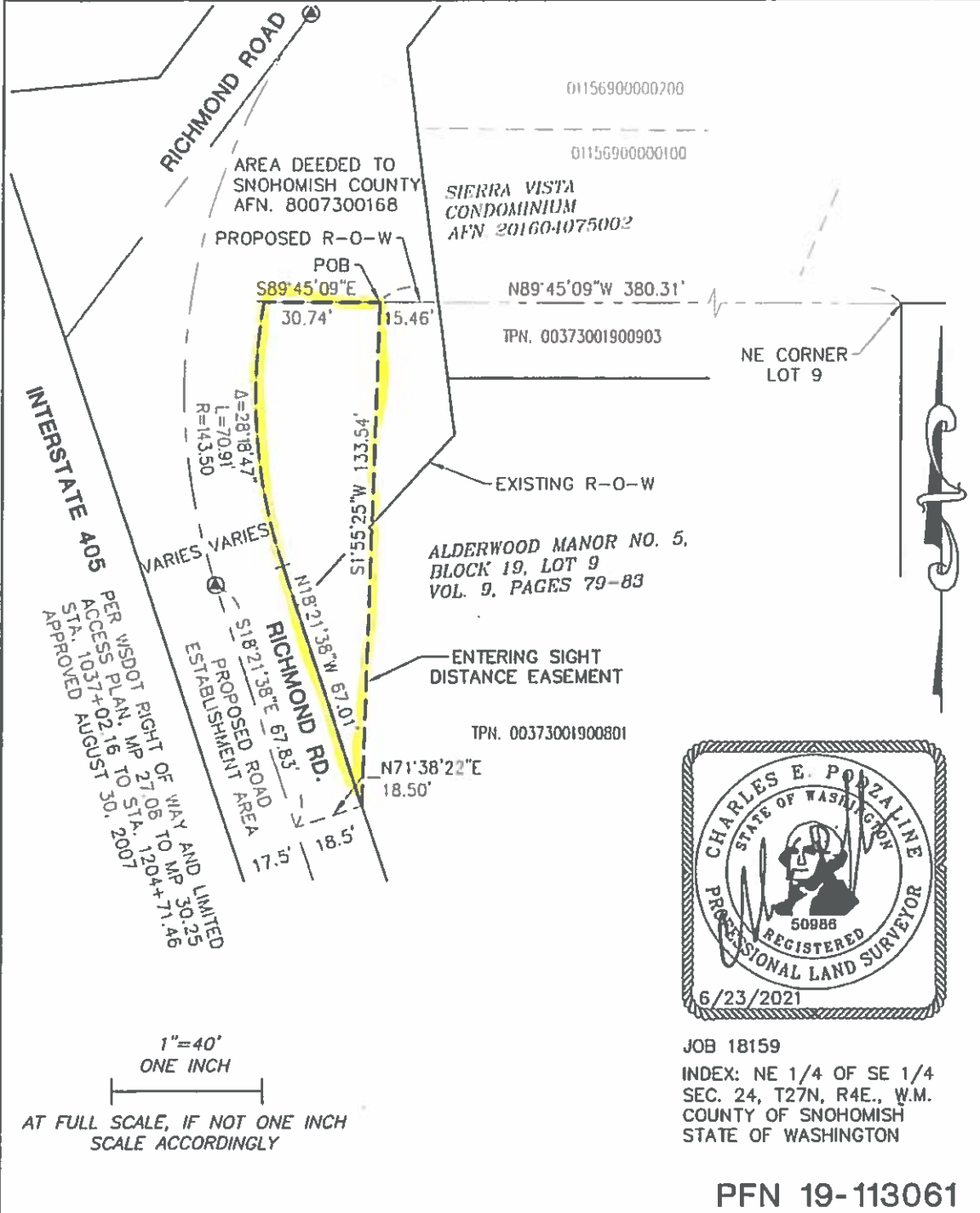
**CAMBERFIELD**

SIGHT DISTANCE EASEMENT

EXHIBIT

**B**

6/23/2021



INTERSTATE 405  
 PER WISDOT RIGHT OF WAY AND LIMITED  
 ACCESS PLAN, MP 27.08 TO MP 30.25  
 STA. 1037+02.16 TO STA. 1204+71.46  
 APPROVED AUGUST 30, 2007

1"=40'  
 ONE INCH  
 AT FULL SCALE, IF NOT ONE INCH  
 SCALE ACCORDINGLY



JOB 18159  
 INDEX: NE 1/4 OF SE 1/4  
 SEC. 24, T27N, R4E., W.M.  
 COUNTY OF SNOHOMISH  
 STATE OF WASHINGTON

PFN 19-113061

**C.E.S. NW INC.**

**CIVIL ENGINEERING & SURVEYING**

429 - 29TH ST. NE, SUITE D  
PUYALLUP, WA 98372

PH: (253) 848-4282  
ccservice@cesnwinc.com

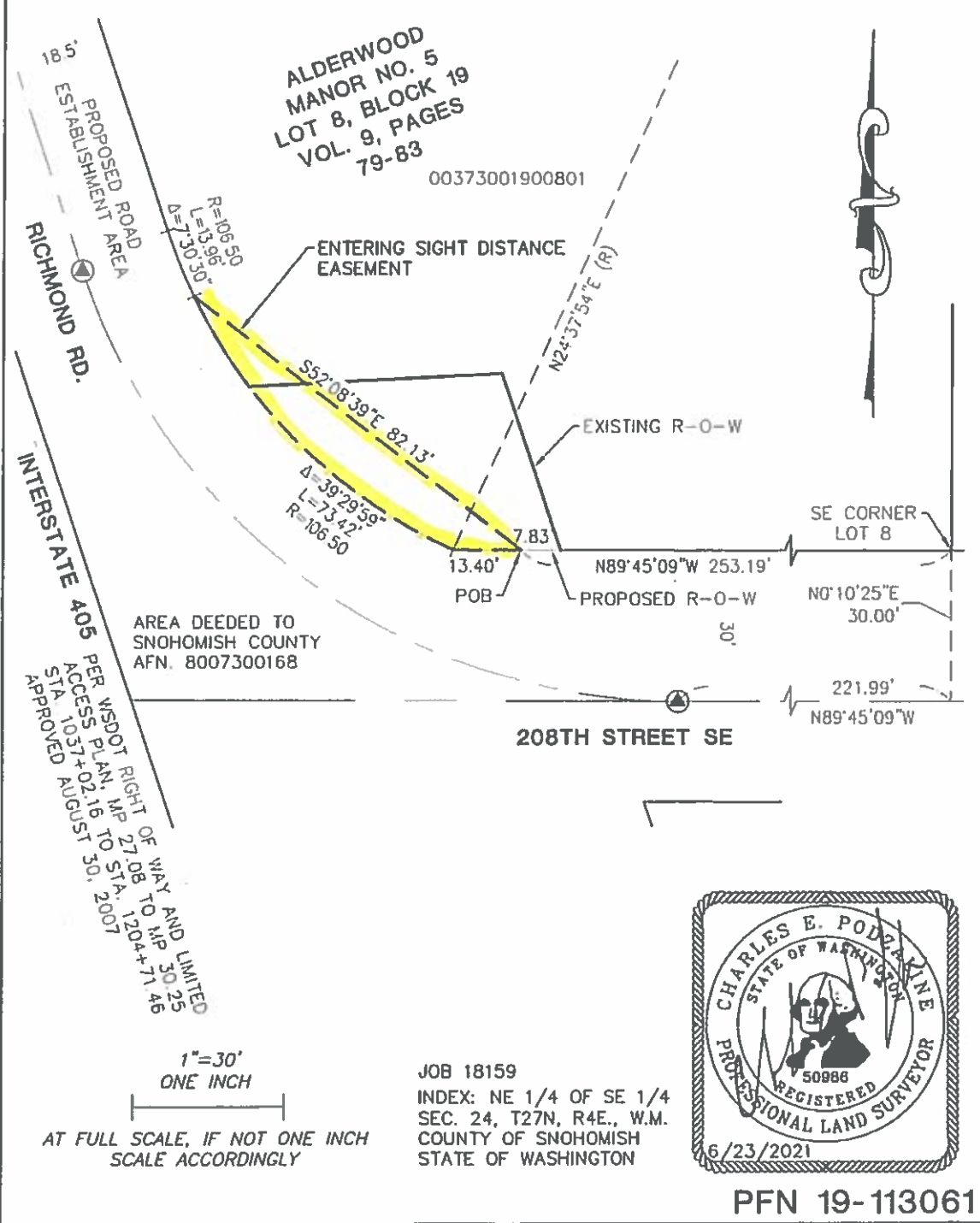
**CAMBERFIELD**

SIGHT DISTANCE EASEMENT

EXHIBIT

**B**

6/23/2021





202102190908  
 DEEDS (EXCEPT QCDN)  
 Rec: \$106.50  
 2/19/2021 3:43 PM 1 of 4  
 SNOHOMISH COUNTY, WA  
 Electronically Recorded

When recorded return to:  
 Pacific Ridge-DRH LLC, a Delaware Limited  
 Liability Company  
 17921 Bothell Everett Highway, Suite 100  
 Bothell, WA 98012

Thank you for your payment.  
 E157015 \$166,430.00  
 BRUCE E 02/19/2021

Filed for record at the request of:

 **CHICAGO TITLE**  
MEMBER OF THE CIGNA GROUP  
 3002 Colby Ave., Suite 200  
 Everett, WA 98201

Escrow No. 500095247

**INSURED BY  
 CHICAGO TITLE**

**BARGAIN AND SALE DEED**

**THE GRANTOR(S)**

Prospect Development LLC, a Washington limited liability company  
 for and in consideration of Ten And No/100 Dollars (\$10.00), and other valuable consideration in hand  
 paid, bargains, sells, and conveys to  
 Pacific Ridge-DRH LLC, a Delaware Limited Liability Company

the following described estate, situated in the County of Snohomish, State of Washington.

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

Abbreviated Legal (Required if full legal not inserted above)

Lot D BLA #202007085002 and being a Ptn. Lots 6 and 7, Block 19, AWM #5 and  
 Lots 8 and 9, Block 19, AWM #5 *ptr to 8 & 9*

Tax Parcel Number(s): 003730-019-008-01, 003730-019-008-02, 003730-019-008-04,  
 003730-019-007-00, 003730-019-006-00, 003730-019-009-03  
 \*(IOP) \*(IOP)

Dated: February 16, 2021

Prospect Development LLC, a Washington limited liability company

By McGowan Holding Group, Inc. a Washington Corporation  
 as its Manager/Member

BT   
 Ryan C. McGowan  
 President

**Exhibit 7 Page 1**

BARGAIN AND SALE DEED  
(continued)

State of WA  
Pierce County of Pierce

I certify that I know or have satisfactory evidence that Ryan C McGowan

is/are the person(s) who appeared before me, and said person acknowledged that (he/she/they) signed this instrument, on oath stated that (he/she/they) was authorized to execute the instrument and acknowledged it as the President of McGowan Holdings to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated 2 17 21

Sheila M Hartman  
Name Sheila M Hartman  
Notary Public in and for the State of WA  
Residing at: Everett  
My appointment expires: 10/31/2023



**EXHIBIT "A"**  
Legal Description

For APN/Parcel ID(s): 003730-019-008-01, 003730-019-008-02, 003730-019-008-04,  
003730-019-007-00, 003730-019-008-00 and 003730-019-009-03

**PARCEL A:**

THAT PORTION OF LOTS 8 AND 9, BLOCK 19, ALDERWOOD MANOR NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 79 THROUGH 83, INCLUSIVE, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 9,  
THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 155.00 FEET;  
THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOTS 8 AND 9, A DISTANCE OF 180.00 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED;  
THENCE CONTINUING SOUTH A DISTANCE OF 208.09 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID LOT 8;  
THENCE WEST ALONG SAID SOUTH LINE A DISTANCE OF 85.88 FEET TO AN INTERSECTION WITH THE EASTERLY MARGIN OF THE CUL-DE-SAC AT THE TERMINUS OF 208TH STREET;  
THENCE NORTH  $18^{\circ} 36'26''$  WEST A DISTANCE OF 48.80 FEET;  
THENCE SOUTH  $88^{\circ} 65'01''$  WEST A DISTANCE OF 93.41 FEET TO AN INTERSECTION WITH THE EASTERLY MARGIN OF INTERSTATE HIGHWAY 405;  
THENCE NORTH  $18^{\circ} 36'26''$  WEST ALONG THE EASTERLY MARGIN OF INTERSTATE HIGHWAY 405, A DISTANCE OF 250.00 FEET TO AN INTERSECTION WITH THE EASTERLY MARGIN OF THE CUL-DE-SAC AT THE TERMINUS OF RICHMOND ROAD;  
THENCE NORTH  $42^{\circ} 20'18''$  EAST ALONG THE EASTERLY MARGIN OF SAID CUL-DE-SAC A DISTANCE OF 102.98 FEET;  
THENCE NORTH  $7^{\circ} 17'51''$  WEST A DISTANCE OF 13.94 FEET TO AN INTERSECTION WITH A LINE DRAWN PARALLEL WITH AND LYING 20.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 9;  
THENCE EAST ALONG SAID PARALLEL A DISTANCE OF 131.92 FEET TO AN INTERSECTION WITH A LINE DRAWN PARALLEL WITH AND LYING 230.00 FEET WEST OF THE EAST LINE OF SAID LOTS 8 AND 9;  
THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOTS 8 AND 9 A DISTANCE OF 180.00 FEET;  
THENCE EAST A DISTANCE OF 75.00 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THE SOUTHERLY MOST 10.00 FEET THEREOF FOR ROAD.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

**PARCEL B:**

THE EAST 185 FEET OF LOTS 8 AND 9, BLOCK 19, ALDERWOOD MANOR NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 79 THROUGH 83, INCLUSIVE, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THE SOUTH 10.00 FEET THEREOF CONVEYED TO SNOHOMISH COUNTY BY DEED RECORDED UNDER AUDITOR'S FILE NO. 2213804, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

**PARCEL C:**

NEW PARCEL D, BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FKILE NO 202007080812 AND AS DELINEATED ON THAT SURVEY RECORDED UNDER AUDITOR FILE NO. 202007085002 RECORDS OF SNOHOMISH COUNTY BEING A PORTTION OF TRACTS 6 AND 7, BLOCK 19, ALDERWOOD MANOR NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 79 THROUGH 83, INCLUSIVE, RECORDS OF SNOHOMISH COUNTY, WASHINGTON,

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

**EXHIBIT "A"**  
**Legal Description**  
**(continued)**

**PARCEL D:**

ALL THAT PORTION OF LOT 9, BLOCK 19, ALDERWOOD MANOR NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 79 TO 83, INCLUSIVE, RECORDS OF THE AUDITOR OF THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 9,  
THENCE DUE WEST ALONG THE NORTH LINE OF SAID LOT 9 FOR 155.0 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE DUE SOUTH FOR 180.00 FEET;  
THENCE DUE WEST FOR 75.00 FEET;  
THENCE DUE NORTH FOR 180.00 FEET;  
THENCE DUE WEST FOR 130 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF A CUL-DE-SAC AT THE END OF RICHMOND ROAD;  
THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE TO THE NORTH LINE OF SAID LOT 9;  
THENCE DUE EAST TO THE TRUE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.











RSN 803320 | 20-117824  
20-350

TITLE 13 SCC RIGHT-OF-WAY  
PERFORMANCE SECURITY - BOND

Title 13 Right of Way  
Performance Bond

STATE OF WASHINGTON )  
                                  : ss.  
COUNTY OF SNOHOMISH )

BOND NO. 30115384

We, Pacific Ridge - DRH, LLC as Principal  
(the Principal), and The Continental Insurance Company as Surety (the Surety), a  
corporation organized under the laws of the State of PA and duly authorized to  
transact Surety business in the State of Washington, are held and firmly bound unto Snohomish County (the  
County), a political subdivision of the State of Washington, in the amount of \$20,400.00, for the  
payment of which sum we bind ourselves, and each of our executors, administrators, successors and assigns,  
jointly and severally.

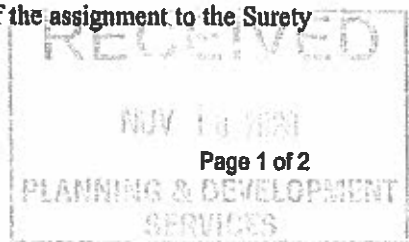
Now, therefore, the conditions of these obligations are such, that if the Principal shall construct and  
complete all right of way improvements for the project of Gamberfield SFDU  
project file number 20 110523 LDA required under Titles 13 and 30 Snohomish County Code (SCC) and  
permitted under Title 13 SCC, then this obligation shall be void; otherwise the obligations set forth herein shall  
remain in full force and effect until final inspection and construction acceptance by the County of all  
improvements.

We further agree that if, during the period this performance security is in effect, either the Director of  
Snohomish County Planning and Development Services (the Director) or the County Engineer determines the  
Principal has failed to properly install the improvements, the Director or County Engineer shall notify the Principal  
and Surety in accordance with SCC 13.10.116. The notice shall describe the work or improvements that must be  
done to prevent the forfeiture of the security device, provide a date certain by which the required work or  
improvements must be completed to the Director or County Engineers satisfaction, and state that if the work or  
improvements are not completed within the time specified, the County may proceed with forfeiture of the security  
device and use the funds to complete the required work or improvements. The Surety, in accordance with SCC  
13.10.116(3), has the option to either pay up to the full security amount to the County upon demand or complete  
the work according to the County's terms and conditions. The amount demanded by the Director or their designee  
will be a good faith estimate of the actual cost of the work or improvements to be completed.

We further agree that if it is necessary for the County to take any legal action against any signatory to this  
agreement to assure the proper completion of this project, the County shall be entitled to its reasonable costs and  
attorney's fees.

We further agree that in the event the real property upon which the work secured by this security device is  
annexed into an incorporated municipality, the County, pursuant to SCC 30.84.020(2)(b), shall have the right, at its  
option and in its sole discretion, to assign the County's interest in this security device to the annexing municipality  
without the necessity of obtaining a re-issuance of the security device. Should the County assign its interest in this  
security device to a municipality, the County shall promptly deliver written notice of the assignment to the Surety  
and the Principal.

Exhibit 10 Page 1



**Title 13 Right of Way Performance Bond**

Project Name: Camberfield SFDU

Project File Number: 20 110523 LDA

We further agree that the Principal and the Surety shall promptly notify Snohomish County Planning and Development Services of any change of address. Change of addresses notices shall be in writing and shall be mailed to Snohomish County Planning and Development Services, 3000 Rockefeller Ave., M/S 604, Everett, WA 98201. The County will mail only to the last known address of Principal and Surety.

Signed this 17th day of November, 2020.

Pacific Ridge - DRH, LLC  
Principal

17921 Bothell Everett Highway  
Address

Bothell, WA 98012  
City, State, Zip

Phone Number: 425-939-1158

By: *Barbara Rodgers*  
Signature of Principal

BARBARA RODGERS  
Please Print Name & Title  
V.P. LAND

The Continental Insurance Company  
Name of Surety

801 Warrenville Road  
Address

Lisle, IL 60532  
City, State, Zip

Phone Number: 630-719-3000

By: *James I. Moore*  
Signature of Surety Official

James I. Moore, Attorney-in-Fact  
Please Print Name & Title



Accepted by Snohomish County: \_\_\_\_\_ Date: 11-18-2020

*Ken W. Dow*

ST

**Exhibit 10 Page 2**

**POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT**

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**James I. Moore , Individually**

of Downers Grove, IL its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

**- In Unlimited Amounts -**

Surety Bond No.: 30115384  
Principal: Pacific Ridge - DRH, LLC  
Obligee: Snohomish County Planning and Development Services

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 27th day of February, 2018.



The Continental Insurance Company

*Paul T. Bruflat*  
Paul T. Bruflat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 27th day of February, 2018, before me personally came Paul T. Bruflat to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.



My Commission Expires June 23, 2021

*J. Mohr*  
J. Mohr Notary Public

**CERTIFICATE**

I, D. Johnson, Assistant Secretary of The Continental Insurance Company, a Pennsylvania insurance company, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance company printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance company this 17th day of November, 2020.



The Continental Insurance Company

*D. Johnson*  
D. Johnson Assistant Secretary

Form F6850-4/2012

Go to [www.cnasurety.com](http://www.cnasurety.com) > Owner / Obligee Ser

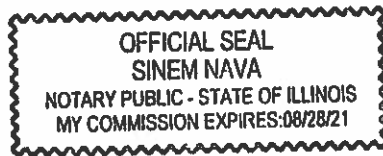
:lty.

State of Illinois        }  
                                  } ss.  
County of DuPage        }

On November 17, 2020, before me, Sinem Nava, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared James I. Moore known to me to be Attorney-in-Fact of The Continental Insurance Company the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument in behalf of the said corporation, and he duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires August 28, 2021



*Sinem Nava*  
Sinem Nava, Notary Public

Commission No. 859777

**Exhibit 10 Page 4**

After recording return document to:  
Snohomish County Public Works  
TES - M/S 607  
3000 Rockefeller Ave  
Everett WA 98201-4046

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 5

FILE ORD 22-010

## STATUTORY WARRANTY DEED

*In the matter of re: Richmond Road Road Establishment*

Reference Number: PFN 19 113061 SPA

Grantor: Pacific Ridge – DRH LL, a Delaware limited liability company

Grantee: Snohomish County, a political subdivision of the State of Washington

Abbreviated Legal Description: Portion of Lots 8 and 9, Block 19, Alderwood Manor No.5, according to the plat thereof recorded in Volume 9 of Plats, Pages 79 through 83, inclusive, records of Snohomish County, Washington

Add'l on Page \_\_\_\_\_

Assessor's Tax Parcel ID Number(s): Ptn of 0373001900801

The Grantor, Pacific Ridge – DRH LLC, a Delaware limited liability company, for and in consideration of the mutual benefits to be derived, does hereby convey and warrant to the **Snohomish County, a political subdivision of the State of Washington**, Grantee, fee simple title, in and to the following described real estate and any after acquired interest therein, situated in Snohomish County, in the State of Washington:

*All that portion as shown on Record of Survey under  
Auditor File Number 202201075001 identified as area for road establishment*

It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon Snohomish County, a political subdivision of the State of Washington unless and until accepted and approved in writing by the Snohomish County Director of Public Works or County Engineer.

The covenants shall run with the land and bond the Grantor and Grantor's heirs.

Dated this 10<sup>th</sup> day of February 2022.

GRANTOR:

Pacific Ridge – DRH LLC, a Delaware limited liability company

By:SHLR of Washington, Inc a Washington Corporation, Member

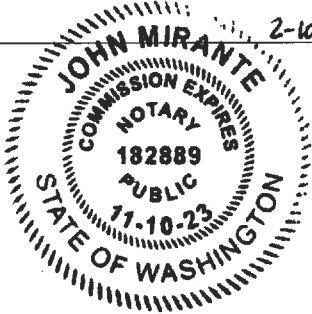
Cindy Jackson, Assistant Secretary  
Print Name and Title

  
Signature and Title

STATE OF WASHINGTON )  
 : §  
COUNTY OF SNOHOMISH )

I certify that I know or have satisfactory evidence that Cindy Jackson  
is the person who appeared before me and said person acknowledged that he/she signed this instrument  
and acknowledges, on oath that he/she was authorized to execute the instrument and acknowledged it as  
the Assistant Secretary  
of Pacific Ridge - DRH LLC  
to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED 2-10-22 Notary Signature [Signature]  
Print name JOHN MIRANTE  
Notary Public in and for the State of Washington,  
Residing at EVERETT  
My commission expires 11-10-23



STATE OF WASHINGTON )  
 : §  
COUNTY OF SNOHOMISH )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
is the person who appeared before me and said person acknowledged that he/she signed this instrument  
and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in  
the instrument.

DATED \_\_\_\_\_ Notary Signature \_\_\_\_\_  
Print name \_\_\_\_\_  
Notary Public in and for the State of Washington,  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

STATUTORY WARRANTY DEED  
  
TO  
THE COUNTY OF SNOHOMISH COUNTY  
  
Dated  
  
\_\_\_\_\_ 20\_\_\_\_  
  
FILE FOR RECORD AT REQUEST OF  
Department of Public Works  
  
SNOHOMISH COUNTY PUBLIC WORKS  
TRANSPORTATION & ENVIRONMENTAL  
SERVICES  
  
\_\_\_\_\_  
DOUGLAS W. McCORMICK, P.E.  
SNOHOMISH COUNTY ENGINEER  
  
Real Property Administrator  
Checked by  
  
\_\_\_\_\_