

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 23-179

APPROVAL OF TERMINATION OF EASEMENTS

WHEREAS, currently Snohomish County (the "County") owns or has flood easements, on approximately 450 acres of land within an area historically known as Drainage District 6 (the "District"), now referred to as the Chinook Marsh Restoration Project area; and

WHEREAS, multiple predecessors-in-interest to Snohomish County granted easements to Diking District 6 for various purposes; and

WHEREAS, the District was dissolved in 2002, at which time all District assets transferred to the County by operation of law pursuant to RCW 36.96.070; and

WHEREAS, the County now owns the dominant and servient estates of the land and title has merged in the County and the easement(s) have terminated; and

WHEREAS, recording of a Termination of Easement, substantially in the form of Exhibit A, will remove the references to easement grants to the District for the purpose of clearing title; and

NOW, THEREFORE, ON MOTION:

Section 1. The Snohomish County Council approves of the termination of easements on County owned land in the Chinook Marsh Restoration Project area where there exists a merger of title.

Section 2. The Snohomish County Council authorizes the Director of the Department of Facilities and Fleet, or his/her designee within the Property Management Division, to sign and record any and all termination of easements within the Chinook Marsh Restoration Project area on behalf of the County.


PASSED this 24th day of May, 2023.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

ATTEST:



Deputy Clerk of the Council

Exhibit A

Template

Termination of Easement

A grant of easement (the "Easement") executed on March 29, 1978, recording number, 7803290338, by the predecessor-in-interest to Grantor Snohomish County, did grant to Grantee Diking District No. 6 (the "District") an easement over, across, in and upon the following described real property:

Tax Parcel No. 28050300200600

All that portion of Government Lot 4, Section 3, Township 28 North, Range 5 East, W.M., described as follows:

Beginning at the Northeast corner of said section;
Thence South 0°30' West 1259.62 feet to the 1/16th Section corner;
Thence angle left 90°06' a distance of 551 feet to the East bank of Ebey Slough, begin the true place of beginning;
Thence on same course for 445.32 feet;
Thence angle left 112°10' for 157 feet;
Thence angle left 80°08' for 65 feet;
Thence angle right 80°08' for 60 feet;
Thence angle right 99°52' a distance of 65 feet;
Thence angle left 90°52' a distance of 218.93 feet;
Thence angle left 130°47'30" for 285 feet;
Thence angle right 18°12'30" for 213 feet to the true point of beginning.

Situate in the County of Snohomish, State of Washington.

There exists a basis for termination of this easement, to wit: Grantee the District, was dissolved in 2002, at which time all District assets transferred to Grantor the County by operation of law. RCW 36.96.070. The County now owns the dominant and servient estates of the land. Title has merged in the County and the easement has terminated.

Based on the foregoing, Snohomish County, a political subdivision of the State of Washington, both Grantor and Grantee, hereby releases, quitclaims and terminates all of its right, title and interest in and to the Easement listed above for the purpose of clearing title.

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Dated this ____ date of _____, 2023

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

BY: _____

STATE OF WASHINGTON)
) ss.
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 signed this
instrument, on oath stated that he was authorized to execute the instrument and
acknowledged it as the _____ of Snohomish County to be the free
and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

(Signature of Notary)

(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State
of Washington, residing at _____.

My appointment expires: _____.

Dated this ____ date of _____, 2023

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

BY: _____

STATE OF WASHINGTON)
) ss.
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 signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the _____ of Snohomish County to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

(Signature of Notary)

(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State
of Washington, residing at _____.

My appointment expires: _____.