

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 22-495

AUTHORIZING THE SURPLUS AND TRANSFER OF REAL PROPERTY
A PORTION OF CICERO POND CONSERVATION – PARCEL NO. 32061200301200

WHEREAS, on June 14, 1995, the Snohomish County Council approved Motion 95-215 authorizing acquisition of approximately 90 acres of real property for Cicero Pond Conservation; and

WHEREAS, on August 16, 1995, a Declaration of Protective Covenants, Conditions and Restrictions For Cicero Pond Conservation was recorded and limited any improvements to the subject property to those which are passive in nature; and

WHEREAS, Assessor's Parcel No. 32061200301200 (the "Parcel") contains 5.4 acres and is a portion of the Cicero Pond Conservation acquisition; and

WHEREAS, the Parcel has experienced substantial accretion by the flow of the Stillaguamish River such that most of the Parcel presently lies within the riverbed and is under the jurisdiction of the State of Washington; and

WHEREAS, Snohomish County and the Stillaguamish Tribe of Indians have been codefendants in a lawsuit, case no. 22-2-06240-31 Superior Court of the State of Washington, which has been dismissed without prejudice on November 9, 2022; and

WHEREAS, the Stillaguamish Tribe agrees to acquire the Parcel and to continue to defend the Parcel and to bear the costs associated with ownership of the Parcel; and

WHEREAS, a Quitclaim Deed will be used to transfer title; and

WHEREAS, Amendment No. 1 to Declaration of Protective Covenants will be executed and recorded; and

WHEREAS, the Director of the Department of Conservation and Natural Resources (DCNR) has determined that the Parcel is surplus to the needs of DCNR; and

WHEREAS, the Director of the Department of Conservation and Natural Resources (DCNR) and the Property Officer recommend the surplus and transfer of Assessor's Parcel No. 32061200301200;

NOW, THEREFORE, ON MOTION, the Snohomish County Council hereby approves of the surplus declaration of Assessor's Tax Parcel No. 32061200301200, finds it is in the public interest to transfer said parcel to the Stillaguamish Tribe of Indians, authorizes the Property Officer of the Department of Facilities and Fleet to execute, on behalf of the County, a Quitclaim Deed, Amendment No. 1 to the Declaration of Protective Covenants, Conditions and Restrictions For Cicero Pond Conservation, and take all steps that are necessary to consummate the transfer on behalf of Snohomish County.


PASSED this 14th day of December, 2022.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

ATTEST:



Asst. Clerk of the Council