

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 25-266

AUTHORIZING THE COUNTY EXECUTIVE TO SIGN A
STATUTORY WARRANTY DEED TO THE CITY OF MILL CREEK

WHEREAS, in December 2005, the City of Mill Creek and Snohomish County executed an Interlocal Agreement concerning the disposition of 35th Avenue SE and Wetland Mitigation Tracts within the annexation of land known as the "Northeast Area"; and

WHEREAS, the purpose of the Interlocal Agreement was to supplement the "Interlocal Agreement Between the City of Mill Creek and Snohomish County Concerning the Annexation of Land Known as the Northeast/Area A Annexation," dated October 25, 2005, by specifying certain responsibilities pertaining to maintenance of 35th Avenue SE and two wetland/stream mitigation tracts located within the Northeast Area; and

WHEREAS, the Department of the Army Permit 1997-4-01982 and the Department of Ecology Order #02SEANR-3940 (collectively, environmental permits) for the County's 35th Avenue SE improvement project required wetland restoration and stream bank enhancements on tracts inside and outside of the Northeast Area for mitigation of project impacts occurring from 120th Place SE to Seattle Hill Road; and

WHEREAS, the environmental permits identify three mitigation sites: the "Buffalo Farm," "Penny Creek" and the "Tanaka Trust." The "Tanaka Trust" site is located outside the Northeast Area in the northeast quadrant of the 35th Avenue SE/132nd Street SE intersection and is not subject to the provisions of the 2005 Interlocal Agreement; and

WHEREAS, two sites are located inside the Northeast Area: the "Buffalo Farm" in the southeast quadrant of the intersection of 35th Avenue SE and 132nd Street SE and "Penny Creek" on the east side of 35th Avenue SE, slightly more than one-half mile south of 132nd Street SE; and

WHEREAS, the County retained responsibility for plant establishment at the Buffalo Farm and Penny Creek mitigation sites through the plant establishment period required by the 35th Avenue SE road improvement construction contract and the environmental permits; and

WHEREAS, the County shall retain ownership of the "Buffalo Farm" mitigation tract until such time that the monitoring term set forth in the environmental permits concluded in 2016; and

WHEREAS, upon the expiration of the mitigation monitoring term, the County shall transfer ownership of the Buffalo Farm tract to the City via a statutory warranty deed; and

WHEREAS, the County has met its responsibility for plant establishment and completed mitigation monitoring at the Buffalo Farm mitigation site;

NOW, THEREFORE, ON MOTION, the Snohomish County Council hereby approves and authorizes the County Executive to sign the Statutory Warranty Deed to the City of Mill Creek.

PASSED this _____ day of _____, 2025.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Council Chair

ATTEST:

Deputy Clerk of Council