



SNOHOMISH COUNTY
Public Works

C O N D E M N A T I O N M E M O R A N D U M

TO: **DEBBIE ECO**, Clerk of the Council

ELECTRONIC COPIES TO: **DEBBIE ECO**, Clerk of the Council; **ELENA LAO**, Assistant to the Clerk of the Council; **GEOFFREY THOMAS**, Chief of Staff; **KELLY SNYDER**, Public Works Director; **DOUGLAS W. MCCORMICK**, Public Works Engineering Services County Engineer; **JANICE FAHNING**, Public Works Engineering Services Director; **JASON CUMMINGS**, Chief Civil Deputy Prosecuting Attorney; and **MICHELE PESCADOR**, Public Works Right-of- Way Supervisor

FROM: **JOSEPH P. BENNETT**, Special Deputy Prosecuting Attorney

VIA: *MP* **MICHELE PESCADOR**, Public Works Right-of- Way Supervisor

DATE: **NOVEMBER 22, 2022**

CONFIRMATION OF EMAIL: **SENT ON** 11/22/22

RE: **REQUEST FOR AUTHORIZATION TO PROCEED WITH CONDEMNATION**

We are requesting that the Snohomish County Council authorize the attached motion to proceed with condemnation for the following property:

Project Title: Larch Way/Logan Rd & Locust Way Intersection Improvements
Project Number: RC1591 / UPI#16-0037
Parcel Number: 006

Owner Names: Phillip D. Wiggins and Tarha C. Wiggins
Site Address: 1515 Logan Road, Lynnwood, WA 98036-8640
Mailing Address: Same

Tax Parcel Number: 005584-000-007-00

Please notify Michele Pescador, Public Works Right-of-Way Supervisor, at Michele.Pescador@snoco.org when the Council staff has scheduled an Executive Session for this item.

**SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON**

MOTION NO. 22-___

**AUTHORIZING THE PROSECUTING ATTORNEY TO
COMMENCE CONDEMNATION PROCEEDINGS**

Larch Way/Logan Rd & Locust Way Intersection Improvements

RC1591 / UPI#16-0037

PARCEL 006

WHEREAS, it is a necessary and proper governmental purpose for Snohomish County to make certain road improvements to an existing County road, namely, Larch Way/Logan Rd & Locust Way Intersection Improvements and;

WHEREAS, the County Council previously approved the right-of-way plan and funding plan for Larch Way/Logan Rd & Locust Way Intersection Improvements and;

WHEREAS, the legal description of the parcel of real property to be acquired and a description of all persons having an interest of record so far as is known to the council or appearing of record, are shown on Exhibits "A" through "H" attached hereto and made a part hereof; and

WHEREAS, the property to be acquired is in accordance with the Council approved Right-of-Way Plan dated, 2/04/2020 on file with the Snohomish County Department of Public Works and consistent with the project prospectus as approved by the Washington State Department of Transportation; and

WHEREAS, the owners and/or all persons having an interest in said real properties are unable to agree upon compensation to be paid by Snohomish County for such properties;

NOW, THEREFORE, ON MOTION:

The County Council finds and determines that the acquisition of the real property described in Exhibits "D" through "H" are necessary for County purposes for certain road improvements to Larch Way/Logan Rd & Locust Way Intersection Improvements and the Prosecuting Attorney of Snohomish County is hereby authorized and directed to commence condemnation proceedings and make all litigation decisions, including settlement, for said real properties.

DATED this _____ day of _____, 20____.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Chairperson

ATTEST:

Clerk of Council

Attachments:

- Exhibit "A" - Parties of Interest
- Exhibit "B" - Vicinity Map
- Exhibit "C" - Site Plan
- Exhibit "D" - Legal Description for Fee Acquisition
- Exhibit "E" - Parcel Map for Fee Acquisition
- Exhibit "F" - Legal Description for Temporary Easement
- Exhibit "G" - Parcel Map for Temporary Easement
- Exhibit "H" - Parcel Map for Temporary Easement page 2

EXHIBIT "A"
Parties of Interest

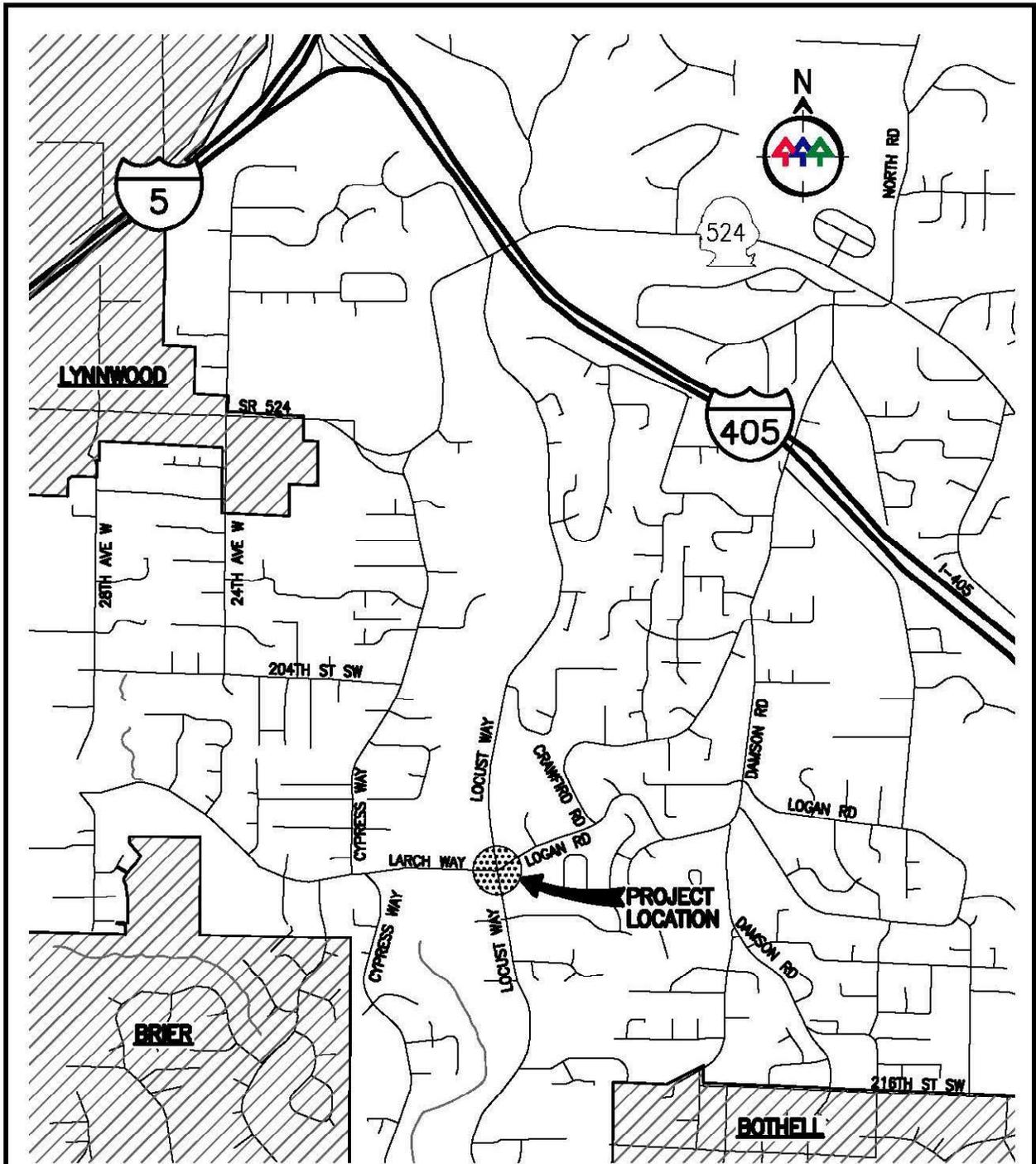
Legal Representative: John Paul Turner, Rodgers Deutsch & Turner
Address: Three Lake Bellevue Drive, Suite 100, Bellevue, WA 98005

Vestee: Phillip D. Wiggins and Tarha C. Wiggins, husband and wife
Mailing Address: 1515 Logan Road, Lynnwood, WA 98036-8640
Site Address: 1515 Logan Road, Lynnwood, WA 98036-8640

Beneficiary: School Employees Credit Union of Washington

Beneficiary: Mortgage Electronic Registration System, Inc., acting solely as nominee for NFM, Inc. dba NFM Lending

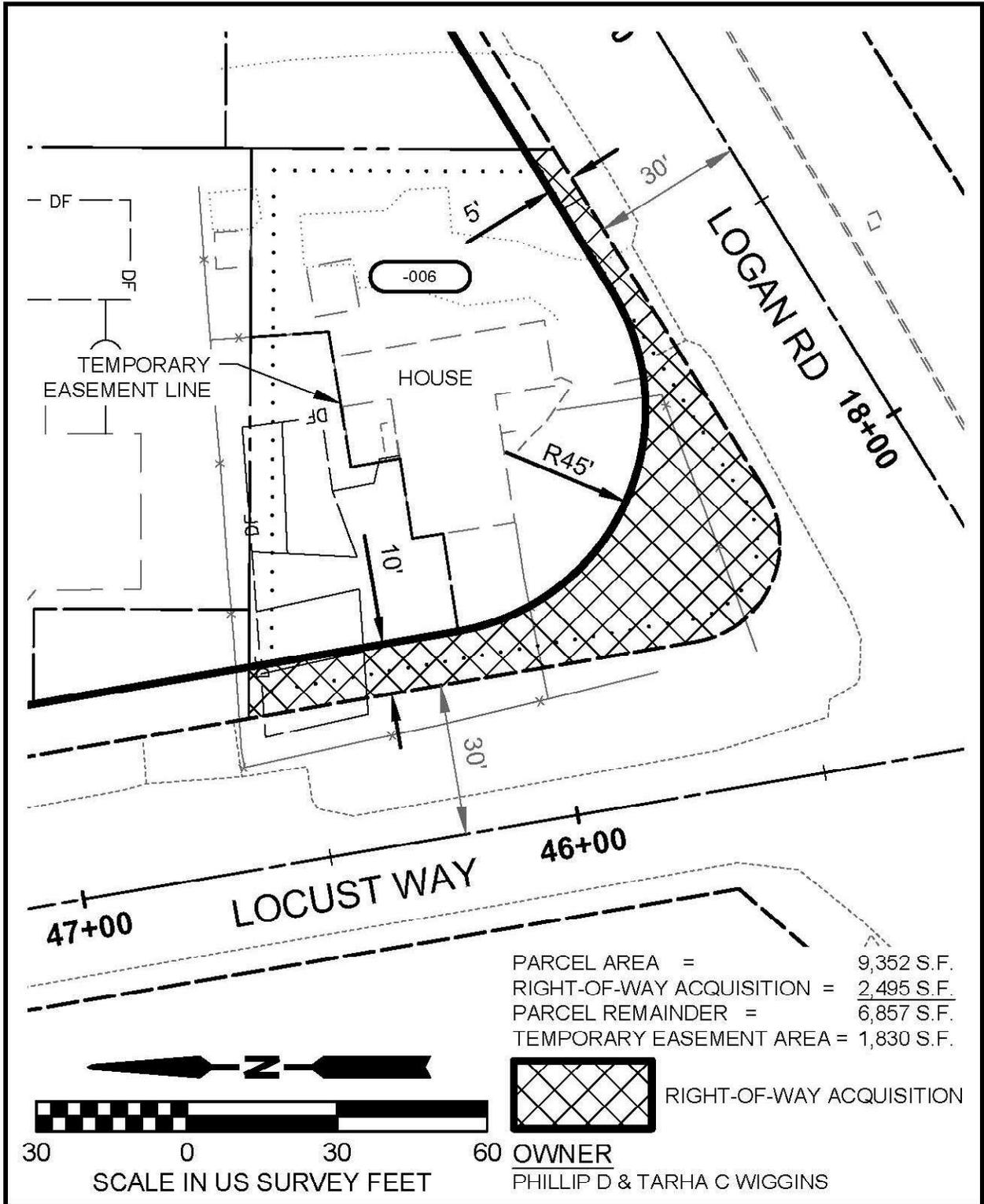
EXHIBIT "B"
Vicinity Map



VICINITY MAP
N.T.S.

LARCH WAY/LOGAN RD & LOCUST WAY
INTERSECTION IMPROVEMENTS

EXHIBIT "C"
Site Plan



LARCH WAY/LOGAN RD & LOCUST WAY
INTERSECTION IMPROVEMENTS

EXHIBIT "D"
Legal Description for Fee Acquisition

Larch Way/Logan Rd & Locust Way Intersection Improvements
Survey 4658, RC 1591, UPI 16-0037
(Wiggins) -006
May 11, 2022

EXHIBIT 'A'

Right-of-way (see Exhibit 'B'):

All that real property in the southeast quarter of section 23, township 27 north, range 4 east, Willamette Meridian, in the County of Snohomish, State of Washington, being a portion of that parcel conveyed by deed at Auditor's File No. 200908060423, records of said county, described as follows:

That portion of said parcel lying southeasterly, southwesterly, and westerly of the following described line:

BEGINNING at a point on the easterly line of said parcel, said point lying 35.00 feet northwesterly, measured at right angles, of the monumented right-of-way alignment of Logan Road.

Thence parallel with said right-of-way alignment southwesterly to the beginning of a tangent curve to the right.

Thence along said curve to the right, having a radius of 45.00 feet, to the point of tangency with a line parallel with, and 40.00 feet easterly, of the monumented right-of-way alignment of Locust Way.

Thence parallel with said right-of-way alignment, northerly to the northerly line of said parcel and the **TERMINUS** of the herein described line.

Containing an area of 2,495 square feet, more or less.

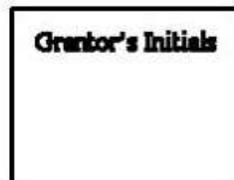


EXHIBIT "E"
Parcel Map for Fee Acquisition

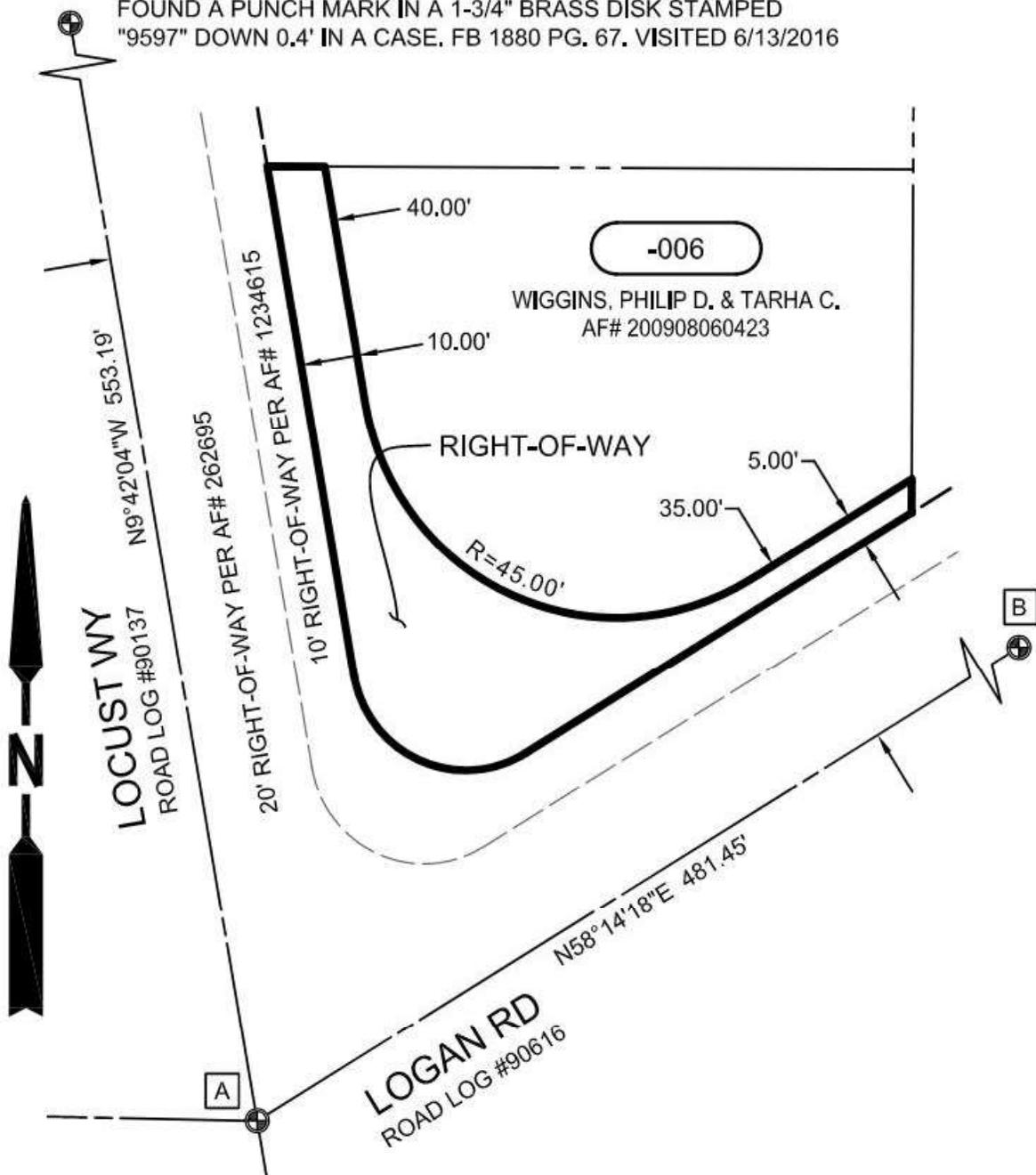
EXHIBIT 'B'

LARCH WAY/LOGAN RD & LOCUST WAY INTX. IMPR.
SN 4658 (-006 WIGGINS)



SECTION 23, T. 27 N, R. 4 E., W.M.

FOUND A PUNCH MARK IN A 1-3/4" BRASS DISK STAMPED "9597" DOWN 0.4' IN A CASE. FB 1880 PG. 67. VISITED 6/13/2016



- A** FOUND 1-3/4" BRASS DISK WITH PUNCH MARK STAMPED "9597" IN A 4" SQUARE CONCRETE MONUMENT IN CASE. FB 1880 P. 63. VISITED 6/09/2016.
- B** FOUND A PUNCH MARK IN A 3" BRASS DISK, NO STAMP, IN A CONCRETE MASS WITH BROKEN EDGES. FB 1978 P. 66. VISITED 06/03/2019

Grantor's Initials



EXHIBIT "F"
Legal Description for Temporary Easement

Larch Way/Logan Rd & Locust Way Intersection Improvements
Survey 4658, RC 1591, UPI 16-0037
(Wiggins, Philip & Tarha) -006
July 5, 2022

EXHIBIT 'A'

Temporary Construction Easement (see Exhibit 'B'):

All that real property in the southeast quarter of section 23, township 27 north, range 4 east, Willamette Meridian, in the County of Snohomish, State of Washington, being a portion of that parcel conveyed by deed at Auditor's File No. 200908060423, records of said county, described as follows:

That portion of said parcel lying northerly of the following described line:

COMMENCING at a point on the monumented right-of-way alignment of Locust Way lying 120.77 feet northerly from a 1-3/4" brass disk with punch mark stamped "9597" in a 4-inch square concrete monument in case marking the intersection of Locust Way with Logan Road and Larch Way.

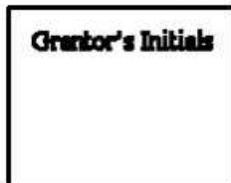
Thence from said **POINT OF COMMENCEMENT** perpendicular to said right-of-way alignment easterly a distance of 40.00 feet to the **BEGINNING** of the herein described line.

Thence the following 6 courses:

- 1) North 81°12'43" East a distance of 19.83 feet.
- 2) North 8°47'17" West a distance of 6.19 feet.
- 3) North 81°11'18" East a distance of 16.11 feet.
- 4) North 9°39'40" West a distance of 9.91 feet.
- 5) North 80°33'04" East a distance of 27.37 feet.
- 6) North 4°00'44" West a distance of 15.59 feet, more or less, to the northerly line of said parcel and the **TERMINUS** of the herein described line.

EXCEPT that right-of-way to be conveyed to Snohomish County by separate instrument.

Containing an area of 1,830 square feet, more or less.



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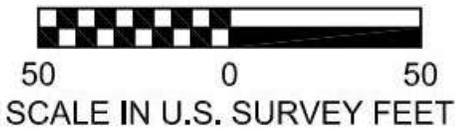
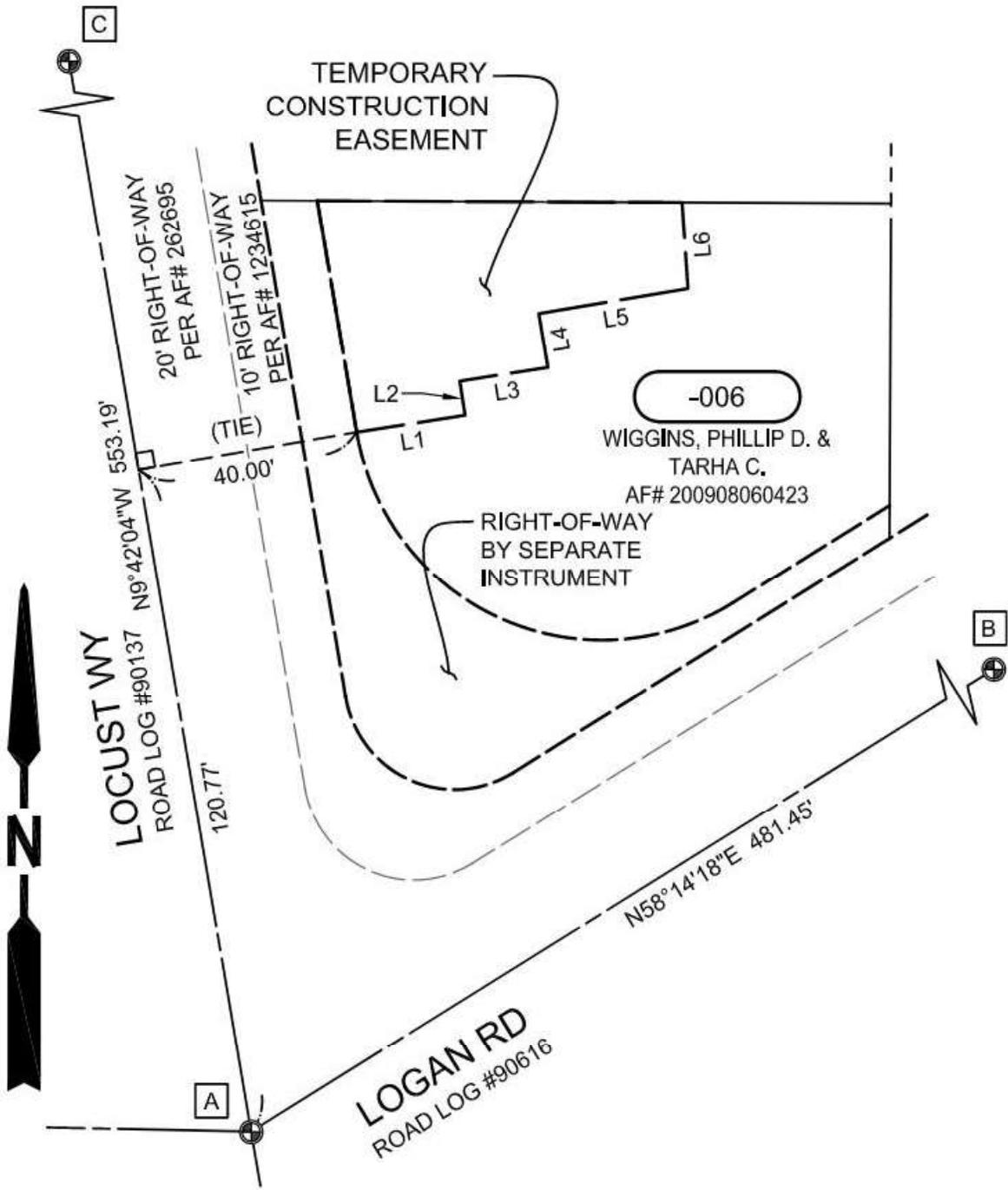
EXHIBIT "G"
Parcel Map for Temporary Easement

EXHIBIT 'B-1'

LARCH WAY/LOGAN RD & LOCUST WAY INTX. IMPR.
SN 4658 (-006 WIGGINS)



SECTION 23, T. 27 N, R. 4 E., W.M.



Grantor's Initials



7/5/22

EXHIBIT "H"
Parcel Map for Temporary Easement

EXHIBIT 'B-2'

LARCH WAY/LOGAN RD & LOCUST WAY INTX. IMPR.
SN 4658 (-006 WIGGINS)



SECTION 23, T. 27 N, R. 4 E., W.M.

- A** FOUND 1-3/4" BRASS DISK WITH PUNCH MARK STAMPED "9597" IN A 4" SQUARE CONCRETE MONUMENT IN CASE. FB 1880 P. 63. VISITED 6/09/2016.

- B** FOUND A PUNCH MARK IN A 3" BRASS DISK, NO STAMP, IN A CONCRETE MASS WITH BROKEN EDGES. FB 1978 P. 66. VISITED 06/03/2019.

- C** FOUND A PUNCH MARK IN A 1-3/4" BRASS DISK STAMPED "9597" DOWN 0.4' IN A CASE. FB 1880 PG. 67. VISITED 6/13/2016.

LINE TABLE		
NO.	BEARING	DIST.
L1	N81°12'43"E	19.83'
L2	N8°47'17"W	6.19'
L3	N81°11'18"E	16.11'
L4	N9°39'40"W	9.91'
L5	N80°33'04"E	27.37'
L6	N4°00'44"W	15.59' ±

Grantor's Initials



7/5/22

Signature: *Michele Pescador*

Email: michele.pescador@co.snohomish.wa.us

006 Wiggins_CONDEMNATION MEMORANDUM to Council 22 11 22

Final Audit Report

2022-11-22

Created:	2022-11-22
By:	Jamie Booth (jamie.booth@co.snohomish.wa.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAYUXvWkoZ7PyF9FdXyg7SlpTlqS_bFi

"006 Wiggins_CONDEMNATION MEMORANDUM to Council 22 11 22" History

-  Document created by Jamie Booth (jamie.booth@co.snohomish.wa.us)
2022-11-22 - 11:53:55 PM GMT
-  Document emailed to Michele Pescador (michele.pescador@co.snohomish.wa.us) for signature
2022-11-22 - 11:56:39 PM GMT
-  Email viewed by Michele Pescador (michele.pescador@co.snohomish.wa.us)
2022-11-22 - 11:57:19 PM GMT
-  Document e-signed by Michele Pescador (michele.pescador@co.snohomish.wa.us)
Signature Date: 2022-11-22 - 11:57:47 PM GMT - Time Source: server
-  Agreement completed.
2022-11-22 - 11:57:47 PM GMT