



Snohomish County Council

Committee: Public Infrastructure and Conservation

Analyst: Deb Evison Bell

ECAF: 2023-0371

Proposal: Motion 23-149

Date: May 2, 2023

Consideration:

The proposed motion would approve and accept the acquisition of approximately 18,843 square feet of real property identified as Hillis Road, that bisects tax parcel 320610000401000, at no cost to the County, and authorizes the Public Works Director or County Engineer to approve and sign all documents necessary to effectuate the acquisition and transfer of the Real Property from the Owner to Snohomish County as is generally shown in the Record of Survey, under SCC 13.70.010(2).

Background:

RCW Chapter 36.55 and Snohomish County Charter Section 2.10 authorize the County to approve and accept real property for use of County public rights-of way (ROW). Snohomish County's approval and acceptance of ROW is contained in Chapter 13.10.040(5). Under RCW 36.75.020, Section 2.140 Snohomish County Charter, Title 13, and Title 30 of the Snohomish County Code (SCC), Mark Belles, (the owner) has applied to Snohomish County Planning and Development and Services (PDS) for Lot Status Determination to develop a 45,000 square foot Green House and Single-Family Residence (SFR) at 15703 Grant Creek Road, Arlington.

According to County records, on October 5, 1893, Frank Pickering, et al, petitioned the county to establish a public county road and highway, 45 feet in width and on March 29, 1894, the Superior Court of the State of Washington for Snohomish County granted the order to establish Road #164, as that 45-foot-wide county road.

Road #164 is also known as Hillis Road and was formerly known as Grant Creek Road. The unopened right of way is in the SE $\frac{1}{4}$ of Section 10, Township 32 North, Range 6 East.

On April 20, 2020, Mark Belles applied for a Lot Status Determination. Mark Belles owns tax parcel 32061000401000 and is proposing to build a 45,000 square foot Green House and Single-Family Residence. The subject property is bisected by Hillis Road, and under Planning and Development Services Rule 3510, certain criteria and documentation are necessary to identify if a parcel is a legal lot. As a condition of approval, Mark Belles is required to deed the existing portion of Hillis Road to the county, creating a 60 foot right of way for Hillis Road with the determination of two legal lots being effective.

Current Proposal:

Scope: The County Engineer has prepared a report determining that the approval and acceptance of a Statutory Warranty Deed to deed 60 feet of right of way for Hillis Road is necessary, practicable, and in the best interest of the public. The County Engineer recommend that the Council approve the acceptance for road identification as Hillis Road bisects tax parcel number 320610000401000. The County Engineer also recommends that the County Council accept the Statutory Warranty Deed conveying the right of way

on Hillis Road and that it be recorded upon the terms and conditions of the proposed motion.

Duration: Under current code, dedication of county ROW shall not take effect unless the developer pays the itemized costs and expenses of the proceedings identified and meets the conditions in the engineer's report.

Fiscal Implications: The recording fees associated with the Lot Status Determination shall be the responsibility of the developer; Total Estimated Fee \$609.00.

2023 Budget: NA

Future Budget Impacts: NA

Handling: Normal

Approved-as-to-form: No

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 May 10, 2023, for Council to consider the motion.