

1 After Recording Return To:
2 Clerk of the Council
3 Snohomish County Council
4 3000 Rockefeller Avenue – M/S 609
5 Everett, WA 98201
6

7 *In the matter of: 90th Ave NW Right-of-Way Vacation*
8

9 SNOHOMISH COUNTY COUNCIL
10 Snohomish County, Washington
11

12 ORDINANCE NO. 25-049
13

14 AN ORDINANCE VACATING 90th AVE NW,
15 A SNOHOMISH COUNTY ROAD RIGHT-OF-WAY
16

17 WHEREAS, under chapter 36.87 Revised Code of Washington (RCW) and
18 chapter 13.100 Snohomish County Code (SCC) 13.100, Snohomish County (the
19 “County”) has the authority to vacate and abandon County rights-of-way determined
20 to be useless; and
21

22 WHEREAS, on June 14, 2022, the Stillaguamish Tribe of Indians (the
23 “Petitioner”) met with County staff to discuss Boe Road design questions in
24 conjunction with the ZIS A BA Phase II Estuary Restoration Project; and
25

26 WHEREAS, during this meeting, the need to vacate an unopened County
27 road right-of-way known as 90th Ave NW was identified; and
28

29 WHEREAS, on February 15, 2023, the Petitioner submitted a petition
30 pursuant to RCW 36.87.020 and SCC 13.100.030, to vacate and abandon 90th Ave
31 NW, an unopened County road ROW; and
32

33 WHEREAS, on July 30, 2025, the Snohomish County Engineer (the “County
34 Engineer”), pursuant to RCW 36.87.040 and SCC 13.100.040, prepared a report
35 examining the unopened County road right-of-way proposed to be vacated and
36 abandoned; and
37

38 WHEREAS, the unopened County road right-of-way to be vacated is
39 classified as a Class B road under SCC 13.100.040(7), for which compensation to
40 the County is authorized according to the schedule in SCC 13.100.080(2)(b) in an
41 amount equal to fifty percent of the appraised value of the ROW to be vacated; and
42

43 WHEREAS, the Department of Public Works (DPW) has determined the fair
44 market value of the unopened County road ROW proposed to be vacated is
45 \$11,724.00, resulting in a compensation amount of \$5,862.00; and
46
47

ORDINANCE NO. 25-049
AN ORDINANCE VACATING 90th AVE NW,
A SNOHOMISH COUNTY ROAD RIGHT-OF-WAY

1 WHEREAS, the County Engineer has determined that all criteria to vacate
2 and abandon 90th Ave NW exist and recommends that said County road ROW be
3 vacated and abandoned; and
4

5 WHEREAS, on this 24th day of September 2025, pursuant to RCW
6 36.87.060 and SCC 13.100.060, the Snohomish County Council (the "County
7 Council") held a public hearing to consider the County Engineer's Report and to
8 receive public testimony.
9

10 NOW, THEREFORE, BE IT ORDAINED:
11

12 **Section 1.** The County Council adopts and incorporates the foregoing recitals
13 as findings as if set forth fully herein.
14

15 **Section 2.** The unopened County road right-of-way described in Exhibit A
16 and depicted in Exhibit B, both attached to this ordinance and incorporated herein by
17 reference, is useless for County road purposes and the public will benefit from its
18 vacation.
19

20 **Section 3.** The unopened County road right-of-way described and depicted
21 in the attached exhibits is vacated upon satisfaction of the terms and conditions
22 contained in this ordinance.
23

24 **Section 4.** Under chapter 36.87 RCW and chapter 13.100 SCC the vacation
25 of the unopened County road right-of-way granted herein shall not take effect unless
26 within one year of the date the County Council passes this ordinance, the Petitioner
27 has paid all itemized costs and expenses of the proceedings enumerated by the
28 County DPW under SCC 13.100.070 and identified in the County Engineer's report.
29

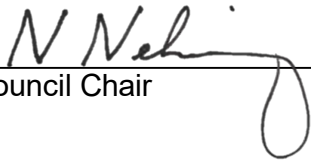
30 **Section 5.** Under chapter 36.87 RCW and chapter 13.100 SCC the vacation
31 of the unopened County road right-of-way granted herein shall not take effect unless
32 within one year of the date this ordinance is passed by the County Council, the
33 Petitioner has paid the County for the value of the County road right-of-way vacated
34 according to the schedule set forth in SCC 13.100.180. The unopened County road
35 right-of-way is classified as Class B under SCC 13.100.040(7), and the Petitioner is
36 required to compensate the County \$5,862.00 which is 50% of the appraised value
37 of the County road right-of-way subject to vacation.
38

39 **Section 6.** Upon the Clerk of the County Council receiving confirmation from
40 DPW that the Petitioner has made timely and full payment as required by this
41 ordinance, chapter 36.87 RCW, and chapter 13.100 SCC, this ordinance shall be
42 recorded with the Snohomish County Auditor and become effective. In the event the
43 Petitioner fails to make the required payments within one year of the date this
44 ordinance is passed by County Council, this ordinance shall automatically become
45 void and have no further force or effect.
46
47

ORDINANCE NO. 25-049
AN ORDINANCE VACATING 90th AVE NW,
A SNOHOMISH COUNTY ROAD RIGHT-OF-WAY

1 Passed this 24th day of September 2025.
2
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4 SNOHOMISH COUNTY COUNCIL
5 Snohomish County, Washington
6

7
8 
9 Council Chair
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11 ATTEST:
12

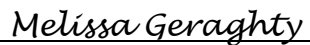
13 
14
15 Assistant Clerk of the Council
16

17 Date: September 30, 2025

18 (X) APPROVED
19 () EMERGENCY
20 () VETOED
21
22
23


County Executive
24

25 ATTEST:
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29

30 APPROVED AS TO FORM:

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32
33 Deputy Prosecuting Attorney
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41

EXHIBIT A
LEGAL DESCRIPTION OF RIGHT OF WAY TO BE VACATED

A STRIP OF LAND 30.00 FEET IN WIDTH BEING IN SECTION 6, TOWNSHIP 31 NORTH, RANGE 4 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 6;
THENCE NORTH 88°07'15" WEST 1976.00 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6;
THENCE SOUTH 01°22'45" WEST 10.00 FEET TO THE SOUTH RIGHT OF WAY MARGIN OF BOE ROAD AND THE **POINT OF BEGINNING**;
THENCE CONTINUE SOUTH 01°22'45" WEST 1316.0 FEET TO THE **TERMINUS** OF SAID CENTERLINE.

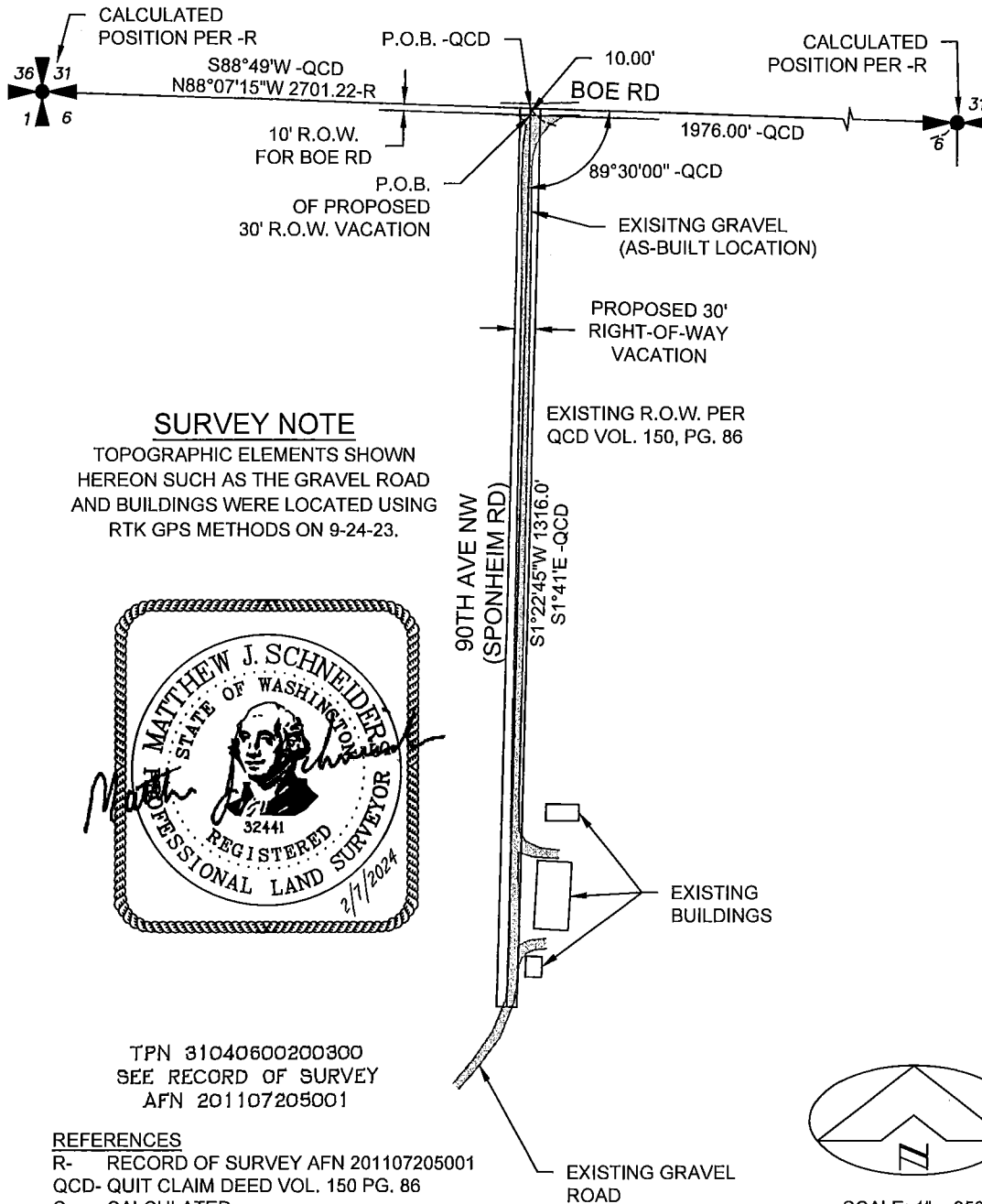
ALSO KNOWN AS SPONHEIM ROAD (90TH AVE NW) AS DESCRIBED IN A QUIT CLAIM DEED RECORDED UNDER VOLUME 150, PAGE 86, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

CONTAINING 39,479 SF (0.91 AC), MORE OR LESS

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.



EXHIBIT "B" RIGHT-OF-WAY VACATION



SURVEY NOTE

TOPOGRAPHIC ELEMENTS SHOWN
HEREON SUCH AS THE GRAVEL ROAD
AND BUILDINGS WERE LOCATED USING
RTK GPS METHODS ON 9-24-23.



TPN 31040600200300
SEE RECORD OF SURVEY
AFN 201107205001

REFERENCES

R- RECORD OF SURVEY AFN 201107205001
QCD- QUIT CLAIM DEED VOL. 150 PG. 86
C- CALCULATED



SCALE: 1" = 250'



2822 COLBY AVE. (360) 794-7811
SUITE 300 (425) 252-1884
EVERETT, WA 98201 FAX: (360) 805-9732

SITE ADDRESS

NW 1/4, NW 1/4, SECTION 6,
TOWNSHIP 31 N, RANGE 4 E

PARCEL NUMBERS

31040600200300
31040600200301

02/07/2024

CBS

23-279