

## ENGINEER'S REPORT

PETITION REQUEST # 20 111677 RWE

FOR THE VACATION AND ABANDONEMENT OF PORTIONS OF  
AN OPENED COUNTY ROAD RIGHTS-OF-WAY IDENTIFIED AS  
***Richmond Road and 208<sup>th</sup> Street SE***

### INTRODUCTION

Chapter 36.87 Revised Code of Washington (RCW) gives county legislative authorities broad authority to vacate and abandon land that was acquired for county road purposes. Chapter 13.100 Snohomish County Code (SCC) provides that Snohomish County (the County) also has the authority to vacate and abandon public road right-of-way (ROW) independent of the statutory vacation provisions of Chapter 36.87 RCW. The County's legislative authority's use of this broad authority must be made under the advice and supervision of the County Engineer.

SCC 13.100.010 provides that the road or ROW vacation and abandonment procedures may be initiated either in response to Council request or when the County Engineer determines that the criteria for the road or ROW vacation and abandonment exists. Vacation and abandonment procedures may also be initiated independently by the Engineer on his/her own initiative or in response to a frontage owner's petition. This proposed vacation is in response to a frontage owner's petition.

### FACTS/BACKGROUND

1. Richmond Road and 208<sup>th</sup> St SE (formerly known as East Filbert Road) were dedicated by the Plat of Alderwood Manor No. 5 on October 1, 1918, and recorded on November 26, 1918 under Auditor's File Number 247322, and are located in the SE  $\frac{1}{4}$  of Section 24, Township 27 North, Range 4 East, W.M., and SW  $\frac{1}{4}$  of Section 19, Township 27 North, Range 5 East, W.M. (See Exhibit 1)
2. On July 30, 1980, in accordance with General Maintenance Agreement (GM) 984, dated July 20, 1979, the Washington State Department of Transportation (WSDOT) conveyed and quitclaimed, to the county all its right, title and interest, in and to the described real property situated in Snohomish County as stated on the Quitclaim Deed recorded under Auditor's File Number 8007300168. (See Exhibit 2)

3. On April 30, 1992, a portion of 208<sup>th</sup> St SE, west of its intersection with Royal Anne Road was annexed to the City of Bothell under Ordinance No. 1462 and recorded under Auditor's File Number 9204300872.
4. On September 29, 2019, Prospect Development LLC, submitted an application to Planning and Development Services (PDS), requesting approval of a Single-Family Dwelling Unit (SFDU) named Camberfield. (See Exhibit 3)
5. The proposed Camberfield development contains six parcels, located at 20715 Richmond Road in Bothell. The 48 lot SFDU is to be built on Lots 6 through 9, Block 19, Plat of Alderwood Manor No. 5. (See Exhibit 4)
6. Prospect Development LLC proposes a road connection between existing Richmond Road and 208<sup>th</sup> Street SE between the Camberfield SFDU and I-405. Vacation of two portions of County right-of-way is required on the northwest and southwest corners of the proposed development where the new Richmond Road alignment intersects with existing Richmond Road and 208<sup>th</sup> Street SE. (See Exhibit 5)
7. The proposed development is served by 208<sup>th</sup> Street SE, which is in the jurisdiction of the City of Bothell. The applicant is showing frontage improvements along 208<sup>th</sup> Street SE. An additional 10 feet of right-of-way is to be deeded to the City of Bothell. (See Exhibit 6)
8. On August 10, 2020, Prospect Development LLC submitted an application to Department of Public Works (DPW) for the vacation and abandonment of a portion of Richmond Road and a portion of 208<sup>th</sup> St SE.
9. On February 19, 2021, Prospect Development LLC conveyed the proposed development to Pacific Ridge - DRH LLC, a Delaware Limited Liability Company via Bargain and Sale Deed recorded under Auditor's File Number 202102190908. With the transfer of Camberfield SFDU, Pacific Ridge-DRHLLC became the vacation and abandonment petitioner. (See Exhibit 7)
10. On October 20, 2021, Pacific Ridge-DRH LLC, submitted a minor revision to the approved administrative site plan dated May 4, 2021, to add additional unit to the site, and increase the dwelling units from a total of 48 to a total of 49 units. This additional unit is located on the northwest corner of the site and along the edge of a line-of-sight easement.

## **FINDINGS**

1. Richmond Road and 208<sup>th</sup> St SE are opened, maintained, constructed, and paved road as shown on aerial photographs taken from 1955 and current. (See Exhibit 8)
2. The portions of the County roads petitioned to be vacated do not abut a body of salt or fresh water as per SCC 13.100.090.

3. Inquiries to the local utilities revealed existing utilities are located within the rights-of-way proposed for vacation and abandonment. PUD currently has an overhead line and possibly two poles within the area. (See Exhibit 9) RCW 36.87.140 and SCC 13.100.100 allow the County to retain an easement in respect to the vacated portions of the rights-of-way for construction, repair, and maintenance of utilities and services.
4. The portion of Richmond Road and 208<sup>th</sup> St SE petitioned to be vacated are Classified as Class C roads and under SCC 13.100.010 (7)(d). Class C roads and rights-of-way are those in which the county has an easement interest and public expenditures were made.
5. DPW determined the fair market value of that portion of Richmond Road and 208<sup>th</sup> St SE petitioned to be vacated at **\$57,619.62**, per SCC 13.100.085(1). Unless waived, the Petitioner is required to pay fifty percent per SCC13.100.080(2)(b) which equals **\$28,809.81**.
6. Under SCC 13.100.080(3), The County Engineer may recommend, and the Council shall have the authority, to waive some or all of the compensation required under sub sections (1) and (2) of this section. (See Exhibit 10)

## RECOMMENDATIONS

1. The public will be benefited if those portions of Richmond Road and 208<sup>th</sup> Street SE petitioned to be vacated and abandoned are in fact vacated and abandoned. First, the taxable value of Petitioner's property will increase with the addition of the vacated rights-of-way. Second, Petitioner, as part of the Camberfield SFDU development and in exchange for the petitioned rights-of-way vacation, will construct a new portion Richmond Road, a County road, along the western boundary of the development that will allow better vehicular circulation in and around the development. Those portions of Richmond Road and 208<sup>th</sup> Street SE petitioned to be vacated should be vacated.
2. It is not advisable to preserve all or a portion of those portions of Richmond Road or 208<sup>th</sup> Street SE proposed to be vacated for the County transportation system of the future as they are no longer needed given that Petitioner will construct a new portion of Richmond Road connecting to 208<sup>th</sup> Street SE at the southwest corner of the Camberfield SFDU.
3. The County Engineer recommends that the Council waive the compensation for the proposed rights-of-way vacation as allowed under SCC 13.100.080(3)(d) because a new County road of equal or greater utility to public transportation purposes is provided by the Petitioner to replace the utility of the vacated portions of the County rights-of-way.
4. DPW recommends that Vacation Petition Request # 20-111677 RWE for the vacation and abandonment of portions of Richmond Road and 208<sup>th</sup> Street SE described on Exhibits A and B and depicted on Exhibits A1 and B1, to the accompanying Ordinance, is in the best interest of the general public and should be granted based on the following conditions.

## CONDITIONS

1. The vacation of the rights-of-way shall not be effective until the new Richmond Road extension identified as "Road A" in the May 4, 2021, administrative site plan approval for the Camberfield SFDU ((File Number 19 113061 SPA) is constructed and accepted by the County and established as a County road.
2. An easement for utilities shall be granted by Pacific Ridge - DRH LLC and benefiting Snohomish County over the vacated portions of Richmond Road and 208<sup>th</sup> St SE for the construction, repair and maintenance of public utilities and services as per RCW 36.87.140 and SCC 13.100.100. Such easement shall be recorded with the Snohomish County Auditor.
3. All associated costs incurred by the County in processing the petition to vacate and the value of the portions of the rights-of-way (unless waived) shall be paid by Pacific Ridge, DRH LLC, as per SCC 13.100.070 and SCC 13.100.080. These expenses and the balance owing are estimated as follows:

Estimated Public Work Charges	\$ 4,200.00
Estimated Advertising Costs	\$ 300.00
Total	\$ 4,500.00

Application Credit	<500.00>
Estimated Balance	\$ 4,000.00

4. Failure to make payments required under SCC 13.100.070 and SCC 13.100.080 within one year of the date the Ordinance is approved by the Council means the Ordinance should not be recorded and the portions of Richmond Road and 208<sup>th</sup> Street SE petitioned to be vacated shall not be considered vacated as per SCC 13.100.080(4).

Approved by:



Douglas W. McCormick P.E.  
Deputy Director/County Engineer

2/7/2022  
Date

Prepared by:



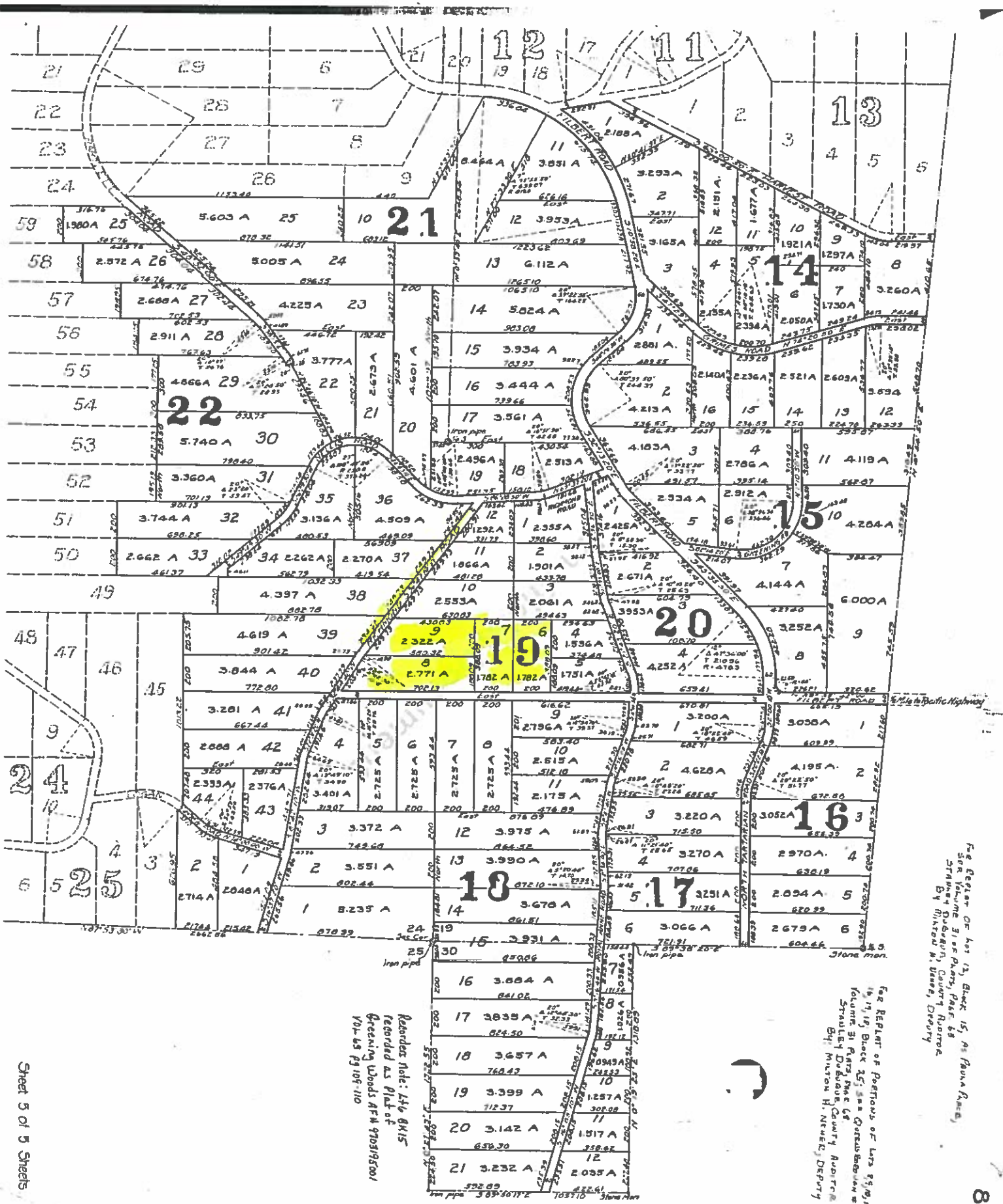
Maria Acuario  
ROW Investigator III

2/4/2022  
Date

# EXHIBITS



# Exhibit 1 Page 2



Recorded as Plat of  
Greening Woods A.P.M. 9703195001  
Vol. 65 Pg. 105-110

See Report of Partitions of Lrs. 85, 86, 12,  
16, 17, 18, Block 15, 1st Quad, Subdiv. 1, 2,  
Volume 31, Page 88  
Stratley Dubois, County Auditor  
By: Milton H. Nenele, Deputy

See Report of Partitions of Lrs. 85, 86, 12,  
16, 17, 18, Block 15, 1st Quad, Subdiv. 1, 2,  
Volume 31, Page 88  
Stratley Dubois, County Auditor  
By: Milton H. Nenele, Deputy

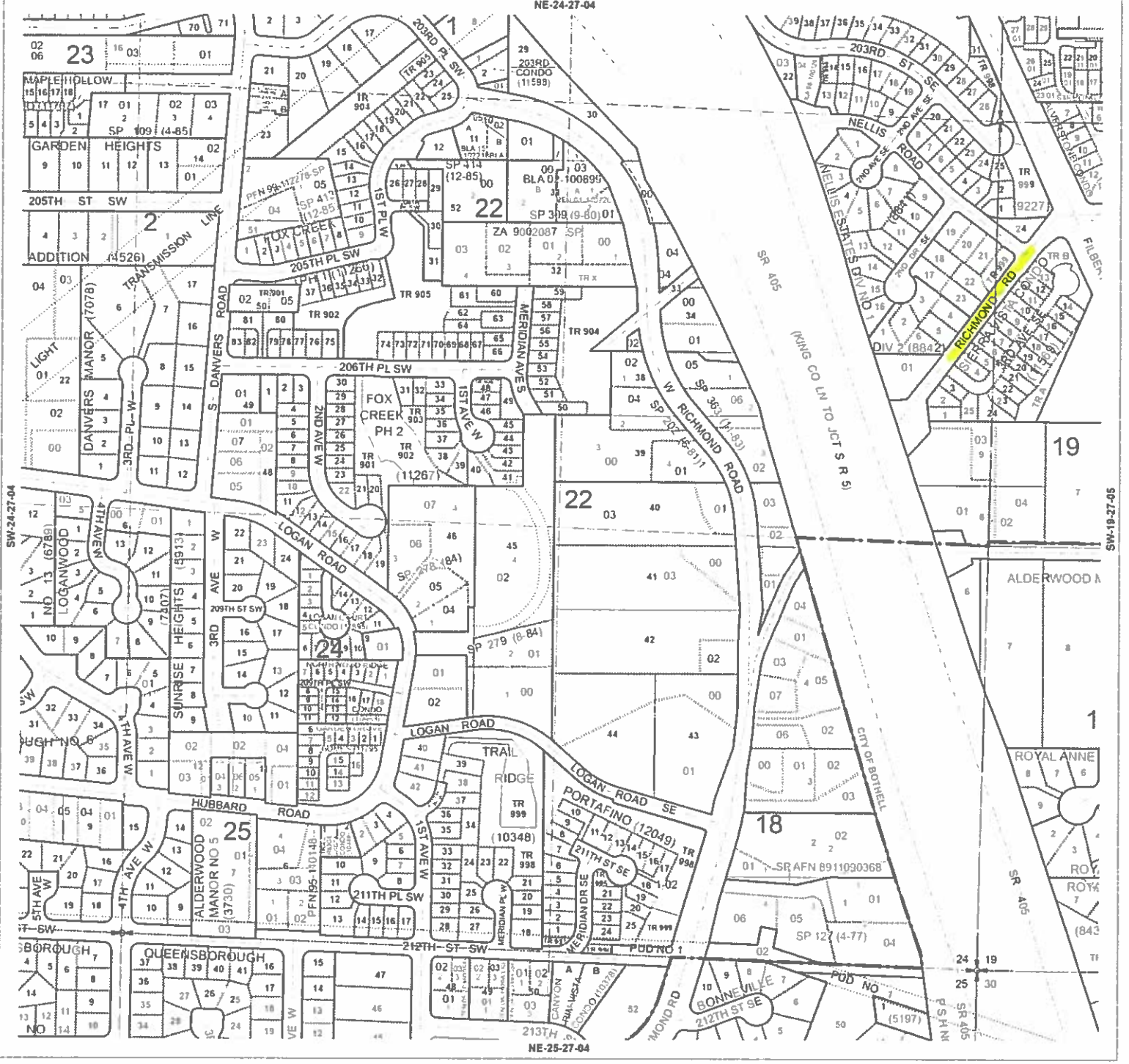
# Exhibit 1 Page 3

QUARTER	SECTION	TOWNSHIP N W B L	RANGE E W M
<b>SE</b>	<b>24</b>	<b>27</b>	<b>4</b>

Centerline --- Lot --- Block --- Section --- City Limits ---  
 Gov Lot --- Subdiv --- ROW --- Quarter --- Tax Act ---  
 Major Water --- Other Lot --- Vac ROW --- 16th --- Easement ---  
 Minor Water --- Other Subdiv --- Vac Lot ---

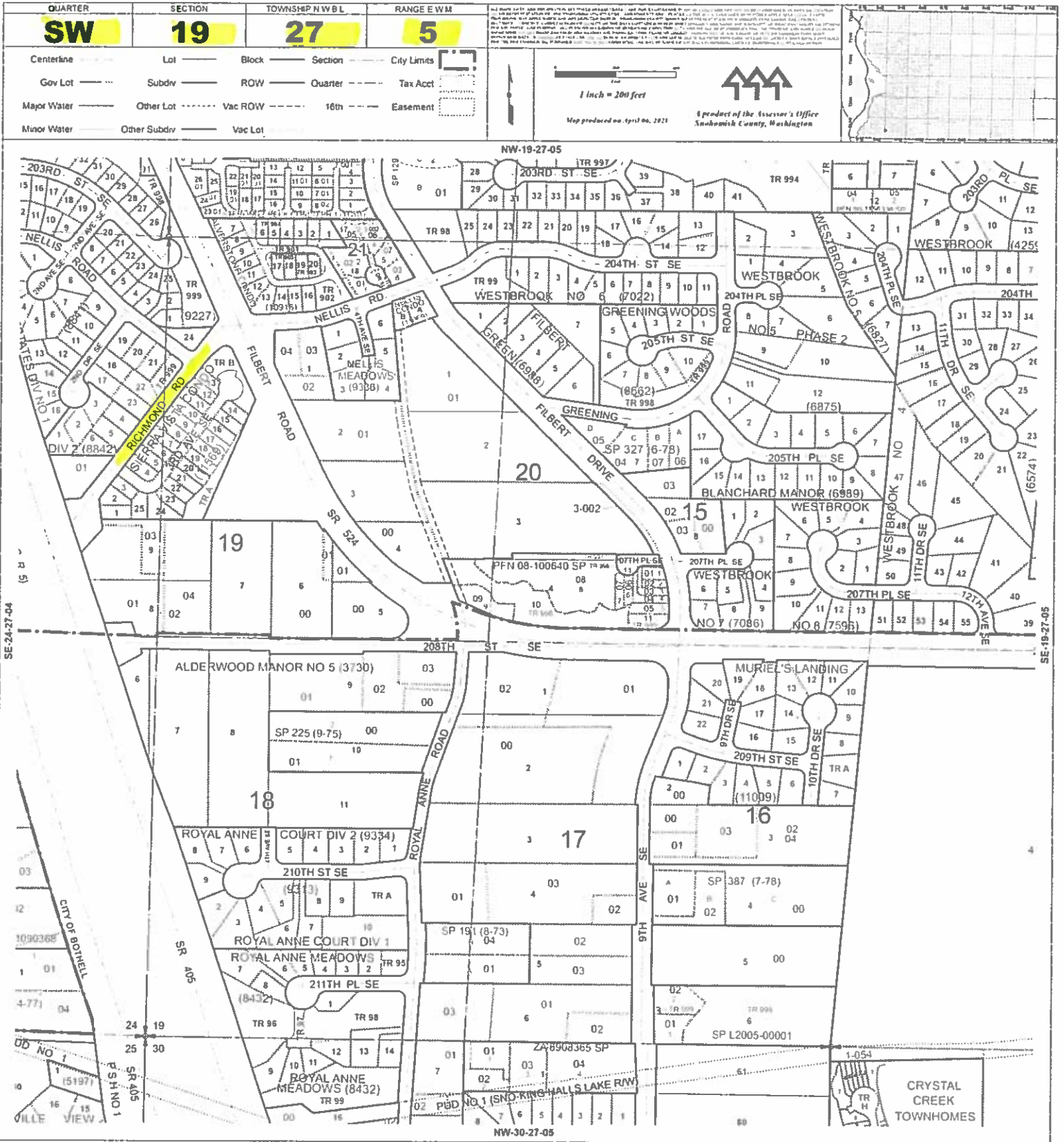
1 inch = 200 feet

Product of the Assessor's Office  
 Snohomish County, Washington





# Exhibit 1 Page 4



THIS AGREEMENT, is made and entered into this 20<sup>th</sup> day of July, 1979, between the STATE OF WASHINGTON, Department of Transportation, acting by and through the Secretary of the Department of Transportation, hereinafter called the "State", and Snohomish County, Washington, acting by and through its authorized agent, hereinafter called the "County";

WHEREAS, the State has constructed a portion of SR 405, King County Line to SR 5 on a limited access highway through the County; and

WHEREAS, in connection with the construction of the aforementioned section of highway, the State has constructed certain County roads, frontage roads, cul-de-sacs, and/or other pertinent features; and

WHEREAS, the said rearranged County roads, frontage roads, cul-de-sacs and other features have been constructed in the locations shown on Sheet 3 of 4 Sheets of Right-of-Way plan entitled "SR 405, County Road Connection, NE 195th St. to NE 240th St.", and Sheets 5 through 12 of 25 Sheets of Right-of-Way plan entitled "SR 405, King County Line to SR 5" and referenced hereto as Exhibit "A"; and

WHEREAS, it is necessary to describe the division of responsibility of the State and the County in the ownership, maintenance and reconstruction of these roadways and other features and provide for the transfer of rights accordingly:

NOW, THEREFORE, pursuant to the "Policy and Design Standards for Rearranged County Roads, Frontage Roads, Intersections, Ramps and Crossings" approved by the Washington State Highway Commission by

**Exhibit 2 Page 1**

"Certification and Relinquishment of Highways and Local Roads and Streets to Counties and Cities", it is mutually agreed that:

I

The State will notify the County in writing that it will transfer jurisdiction of these features. The County agrees to accept said rearranged County roads, frontage roads, cul-de-sacs and other features, including rights-of-way and other property rights, and to relieve the State from all responsibility in the operation, maintenance and reconstruction of these features, in accordance with this agreement.

II

Within six months following the notice to transfer jurisdiction, the State will furnish the County a recorded conveyance for those rights-of-way shown in red color on the plans marked Exhibit "A", Sheets 1 through 9 of 9 Sheets, attached hereto and by this reference made a part of this agreement.

III

The County agrees to perform all maintenance, repair, or reconstruction of the frontage roads, rearranged County roads, cul-de-sacs, access roads and surplus State Highways, including rights-of-way, as shown on the plans marked Exhibit "A", Sheets 1 through 9 of 9 Sheets, attached hereto and by this reference made a part of this agreement. Exhibit "A" is illustrated as follows: Red indicates new construction or improvements to be turned back to the County; and yellow indicates areas to be maintained by the County, including snow and ice removal (with reconstruction County responsibility).

The County agrees to indemnify and hold harmless the State from all costs, claims, demands, and liabilities including attorney fees arising from or in any manner caused or occasioned in whole or in

part by the performance of the terms of this agreement on the part of the County or the failure of the County to perform any of the obligations undertaken pursuant to this agreement. Nothing herein shall be deemed to require the County to hold the State harmless from costs, claims, demands or liabilities caused or resulting from the sole negligence of the State.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

SNOHOMISH COUNTY

Attest:

*[Signature]* JUL 2 1979  
CHAIRMAN, Board of County Commissioners

*Catherine V...*  
Approved as to form: *[Signature]*

STATE OF WASHINGTON  
DEPARTMENT OF TRANSPORTATION

May 8, 19 79

By: *R. D. Andreas*  
State Design Engineer

By: *Spencer W. Daniels*  
Assistant Attorney General

Approved as to form:  
*[Signature]*  
Deputy Prosecuting Attorney

8007300168

IN THE MATTER OF SR 405 (PSH No. 1), N.E. 140th St. to Jct. SR 5, County  
Road Connection, N.E. 195th St. to N.E. 240th St., and SR 405 (PSH No.  
1), King Co. Line to Jct. SR 5 (Turnbacks).

Agreement GM 984

KNOW ALL MEN BY THESE PRESENTS, that the STATE OF WASHINGTON, for  
and in accordance with that Agreement of the parties entitled GM 984,  
dated the 20th day of July 1979, heruby conveys and quitclaims unto  
SNOHOMISH COUNTY, a political subdivision of the State of Washington,  
all its right, title and interest, in and to the following described  
real property situated in Snohomish County, State of Washington:

NO SALES TAX  
REQUIRED

JUL 30 1980

Those portions of the south half of the southwest quarter of  
Section 33, Township 27 North, Range 5 East, W.M., lying within  
the 39th Ave. S.W. widening right of way of State Highway Route  
No. 405, as shown hatched on Exhibit "A", being sheet 3 of that  
certain plan entitled "SR 405, N.E. 140th St. to Jct. SR 5,  
County Road Connection, N.E. 195th St. to N.E. 240th St.," at-  
tached hereto and by this reference made a part hereof, and those  
portions of the northwest quarter of Section 32, said Township  
and Range, the northeast quarter of the northeast quarter of  
Section 31, said Township and Range, the southeast quarter of the  
southeast quarter of the southwest quarter of the southwest quarter,  
the southeast quarter of the northwest quarter and Government Lot  
1, Section 30, said Township and Range, the northeast quarter of  
the northeast quarter of Section 25, Township 27 North, Range 4  
East, W.M., the southeast quarter, the west half of the northeast  
quarter and the northwest quarter of Section 24, said Township  
and Range, the south half of the southwest quarter of Section 13,  
said Township and Range, and of the north half of the southeast  
quarter and the southwest quarter of the northeast quarter of  
Section 14, said Township and Range, lying within the HJ Line  
right of way of State Highway Route No. 405, the HJ2 Line right  
of way of said Highway, the relocated 19th Ave./228th St. S.E.  
intersection right of way of said Highway, the TR Line Over-  
crossing rights of way of said Highway, the Royal Anne Rd. Cul-  
de-Sac right of way of said Highway, the RN Line right of way of  
said Highway, the Occidental Rd., Richmond Rd. and Nellis Rd.  
Cul-de-Sacs rights of way of said Highway, the Danvers Rd. ter-  
mination right of way of said Highway, the DB Line right of way  
of said Highway, the DM Line Overcrossing rights of way of said  
Highway, the DB Line right of way of said Highway, the BL Line  
right of way of said Highway, the Bing Rd. and Kentish Rd. Cul-  
de-Sacs rights of way of said Highway, the PB Line Overcrossing  
rights of way of said Highway, the FL Line right of way of said  
Highway, the FM Line of said Highway and the Magnolia Rd. Cul-  
de-Sac right of way of said Highway, all as shown hatched on Exhibit  
"A", being sheets 5, 6, 7, 8, 9, 10, 11 and 12 of that certain  
plan entitled "SR 405, King Co. Line to Jct. SR 5," attached  
hereto and by this reference made a part hereof.

The grantees herein, its successors or assigns, is subject to  
and/or will maintain the control of ingress and egress to, from  
and between the lands herein conveyed and the lands adjacent  
thereto, as indicated by the prohibition of access symbol ap-  
pearing on said Exhibit "A".

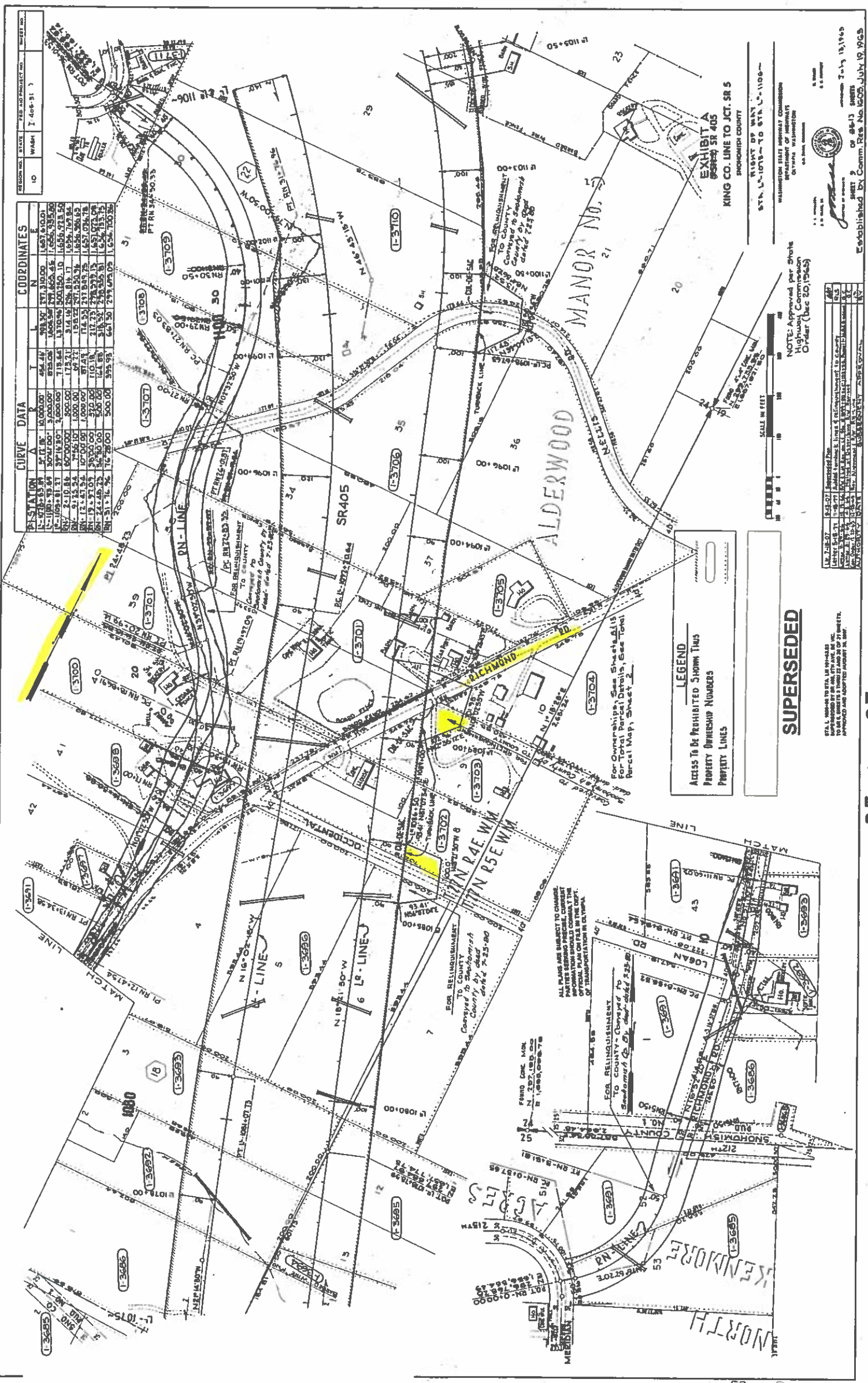
13, 14, 24, 25 - 27-4 & 30, 31, 32, 33 - 27-5  
(Original Filed at 13-27-4)  
1676/2639  
(Ref: 24-27-4; 1727/324)

Exhibit 2 Page 4

8007300168

VOL 1676

PAGE 26



CURVE DATA		COORDINATES	
STATION	Δ	P	N
1+000.00	10.0000	484.41	777.3100
1+005.00	10.0000	504.00	777.3100
1+010.00	10.0000	523.59	777.3100
1+015.00	10.0000	543.18	777.3100
1+020.00	10.0000	562.77	777.3100
1+025.00	10.0000	582.36	777.3100
1+030.00	10.0000	601.95	777.3100
1+035.00	10.0000	621.54	777.3100
1+040.00	10.0000	641.13	777.3100
1+045.00	10.0000	660.72	777.3100
1+050.00	10.0000	680.31	777.3100
1+055.00	10.0000	700.00	777.3100
1+060.00	10.0000	719.59	777.3100
1+065.00	10.0000	739.18	777.3100
1+070.00	10.0000	758.77	777.3100
1+075.00	10.0000	778.36	777.3100
1+080.00	10.0000	797.95	777.3100
1+085.00	10.0000	817.54	777.3100
1+090.00	10.0000	837.13	777.3100
1+095.00	10.0000	856.72	777.3100
1+100.00	10.0000	876.31	777.3100

**LEGEND**  
 ACCESS TO BE PROHIBITED SHOWING THIS  
 PROPERTY OWNERSHIP NUMBERS  
 PROPERTY LINES

**SUPERSEDED**

STILL NUMBERED BY THE ORIGINAL  
 SURVEYOR AND NOT RECORDED BY THE  
 COUNTY CLERK.

NOTE: Approved per State  
 Highway Commission  
 Order (Dec 20, 1965)

DATE	DESCRIPTION
12-20-65	APPROVED BY STATE HIGHWAY COMMISSION
12-20-65	APPROVED BY COUNTY CLERK
12-20-65	APPROVED BY SURVEYOR
12-20-65	APPROVED BY ENGINEER

Established by Comm. Res. No. 1905, July 19, 1965  
 SHEET 5 OF 8-13 SHEETS  
 EXHIBIT A  
 KING CO. LINE TO JCT. SR 5  
 SNOHOMISH COUNTY



# NOTICE

## NOTICE OF APPLICATION

**File Name:** Camberfield SFDU

**File Number:** 19 113061 SPA

**Project Description:** Administrative Site Plan for 45 SFDU

**Location:** 20715 Richmond Road, Bothell

**Tax Account Number:** 003730-019-004-01, 003730-019-006-00, 003730-019-006-01, 003730-019-007-00, 003730-019-008-01, 003730-019-008-02, 003730-019-008-04 and 003730-019-009-03

**Applicant:** Prospect Development LLC

**Date of application/Completeness Date:** September 3, 2019

**Approvals required:** Administrative Site Plan approval, environmental review (SEPA) and associated construction permits.

**Concurrency:** This project will be evaluated to determine if there is enough capacity on county roads to accommodate the project's traffic impacts, and a concurrency determination will be made. Notice of the concurrency determination will be provided in the notice of project decision. The notice of decision will be provided to all parties of record for the project.

**Comment Period:** Submit written comments on or before: **October 21, 2019**

**Project Manager:** Haleh Ghazanfarpour, 425.262.2938

**Project Manager E-mail:** Haleh.Ghazanfarpour@snoco.org

**Date of Notice:** September 29, 2019

### HOW TO USE THIS BULLETIN

#### To learn more about a project:

- Call the planner assigned to the project.
- Review project file at Snohomish County Planning and Development Services (PDS) 2nd Floor Customer Service Center County Administration Building East
- Permit Center and Record Center Hours are
  - 8:00 AM to 4:00 PM - Monday, Tuesday, Wednesday, Friday
  - 10:00 AM to 4:00 PM - Thursday
  - Please call ahead to be certain the project file is available.

#### To comment on a project:

- Submit written comments to PDS at the address below or email the project manager listed above. All comments received prior to issuance of a department decision or recommendation will be reviewed. To ensure that comments are addressed in the decision or recommendation, they should be received by PDS before the end of the published comment period
- Comments on a project scheduled for a hearing before the hearing examiner, may be made by submitting them to PDS prior to the open record hearing.
- PDS only publishes the decisions that are required by Snohomish County Code. Persons will receive notice of all decisions that they have submitted written comment on, regardless of whether or not they are published.
- You may become a party of record for a project by: 1. submitting original written comments and request to become a party of record to the county prior to the hearing, 2. testifying at the hearing or 3. entering your name on a sign-up register at the hearing. NOTE: only parties of record may subsequently appeal the hearing examiner's decision or provide written or oral arguments to the county council if such an appeal is filed.

#### To appeal a decision:

- There is no appeal opportunity for this application at this point in the process. Additional notice will be provided of any future appeal opportunities.

#### HOW TO REACH US:

The Customer Service Center for the Snohomish County Planning and Development Services is located on the 2nd floor of the Robert J. Drewel Building, 3000 Rockefeller Avenue, M/S 604, Everett, WA 98201  
425-388-3311 TTY.

More information can be reviewed online at [snohomishcountywa.gov/PDSPostcard](http://snohomishcountywa.gov/PDSPostcard)

**ADA NOTICE:** Accommodations for persons with disabilities will be provided upon request. Please make arrangements as soon as possible but no later than 48 hours before the hearing by contacting the Hearing Examiner's office at 425-388-3538, or Department of Planning and Development Services at 425-388-7119.

#### VERIFICATION OF NOTICE POSTING

A COPY OF THIS NOTICE SHALL BE RETURNED TO THE DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES WITHIN 14 DAYS OF APPLICATION

I hereby verify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, I posted the above property in at least two (2) conspicuous places on the subject property in accordance with Snohomish County regulations. Said signs are posted at the following locations:

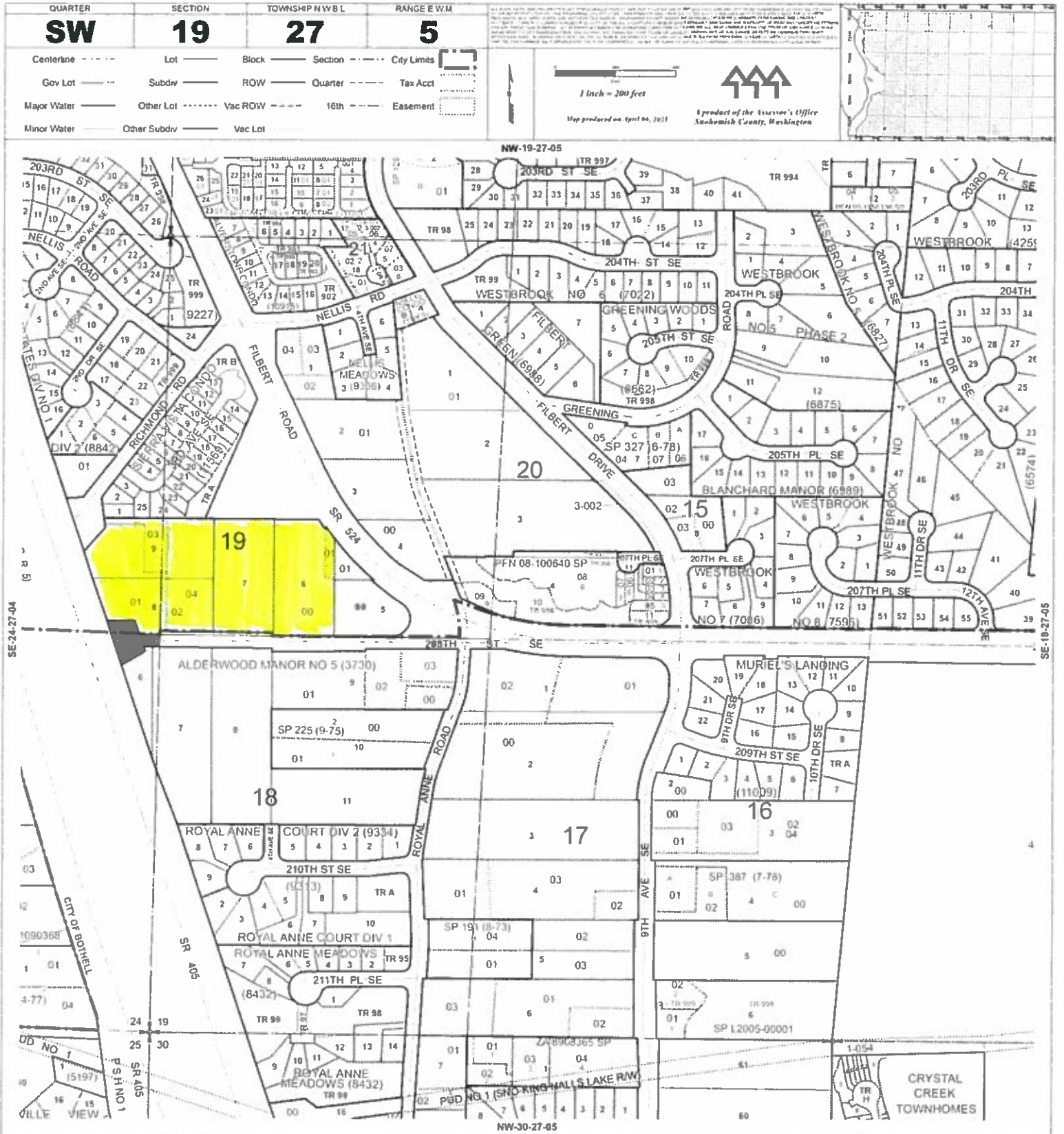
\_\_\_\_\_ and \_\_\_\_\_

Signed: \_\_\_\_\_

## Exhibit 3

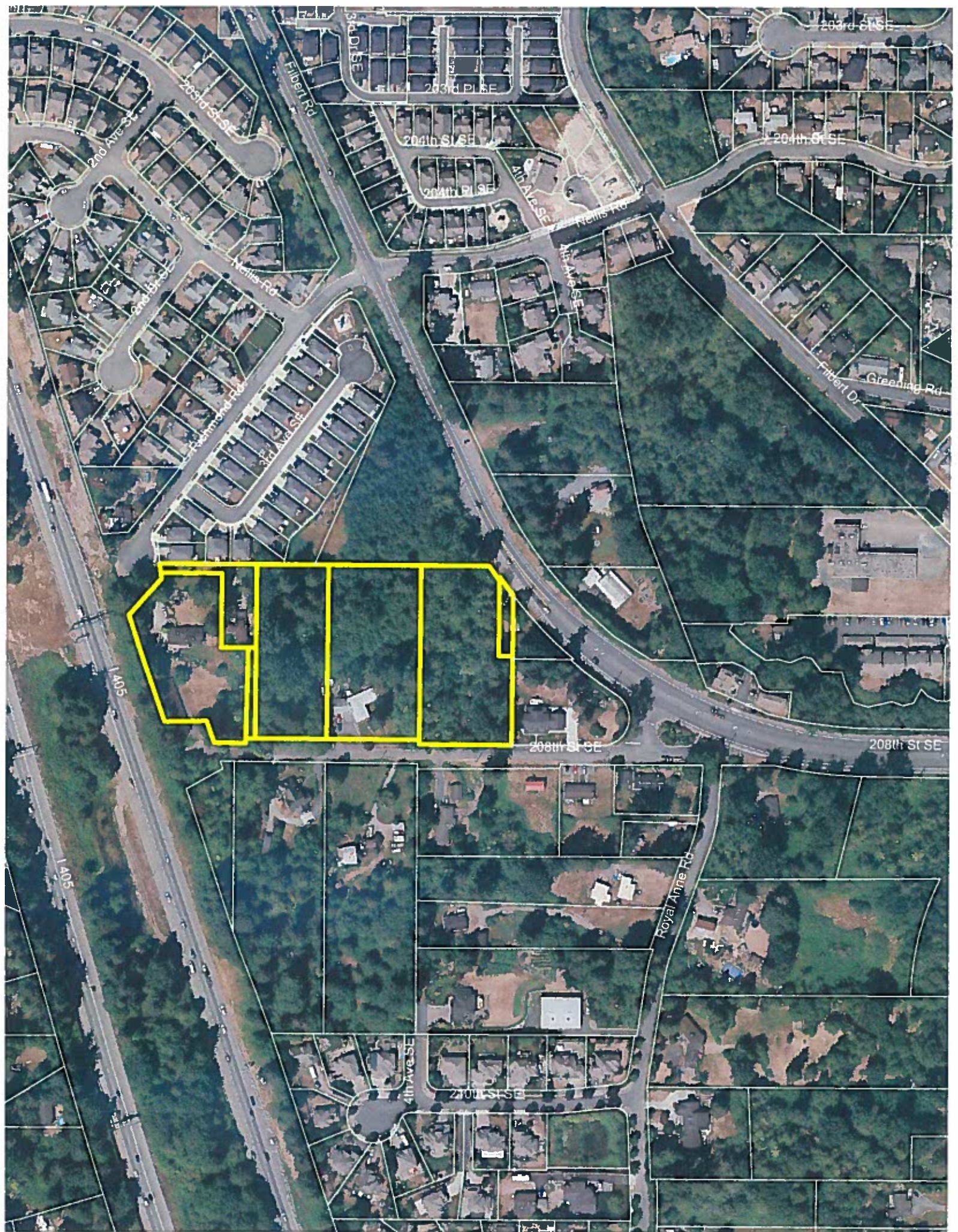
**RETURN TO:** Snohomish County Planning & Development Services  
ATTN: Legal Notice Center  
3000 Rockefeller Avenue, M/S 604  
Everett, WA 98201

19 113061 SPA



**Exhibit 4 Page 1**





**Exhibit 4 Page 2**







**202102190908**  
**DEEDS (EXCEPT QCBS)**  
 Rec: \$106.50  
 2/19/2021 3:43 PM 1 of 4  
 SNOHOMISH COUNTY, WA  
 Electronically Recorded

When recorded return to:  
 Pacific Ridge-DRH LLC, a Delaware Limited  
 Liability Company  
 17921 Bothell Everett Highway, Suite 100  
 Bothell, WA 98012

Thank you for your payment  
 E157015 \$166,430.00  
 BRUCE E 02/19/2021

Filed for record at the request of:

 **CHICAGO TITLE**  
COMPANY FOR WASHINGTON  
 3002 Colby Ave., Suite 200  
 Everett, WA 98201

Easrow No.: 500095247

**INSURED BY  
 CHICAGO TITLE**

**BARGAIN AND SALE DEED**

**THE GRANTOR(S)**

Prospect Development LLC, a Washington limited liability company  
 for and in consideration of Ten And No/100 Dollars (\$10.00), and other valuable consideration in hand  
 paid, bargains, sells, and conveys to  
 Pacific Ridge-DRH LLC, a Delaware Limited Liability Company

the following described estate, situated in the County of Snohomish, State of Washington:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**  
 Abbreviated Legal: (Required if full legal not inserted above.)

Lot D BLA #202007085002 and being a Ptn. Lots 6 and 7, Block 19, AWM #5 and  
 Lots 8 and 9, Block 19, AWM #5 *ptr w/ 8 & 9*

Tax Parcel Number(s): 003730-019-008-01, 003730-019-008-02, 003730-019-008-04,  
 003730-019-007-00, 003730-019-006-00, 003730-019-009-03  
 \*(IOP) \*(IOP)

Dated: February 18, 2021

Prospect Development LLC, a Washington limited liability company

By: McGowan Holding Group, Inc. a Washington Corporation  
 as its Manager/Member

BT   
 Ryan C. McGowan  
 President

**Exhibit 7 Page 1**

BARGAIN AND SALE DEED  
(continued)

State of WA  
County of Pierce

I certify that I know or have satisfactory evidence that Ryan C McGowan

is/are the person(s) who appeared before me, and said person acknowledged that (he/she/they) signed this instrument, on oath stated that (he/she/they) was authorized to execute the instrument and acknowledged it as the President of McGowan Holdings to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 2-17-21

Sheila M Hartman  
Name: Sheila M Hartman  
Notary Public in and for the State of WA  
Residing at: Puyallup  
My appointment expires: 10/31/2023



**EXHIBIT "A"**  
Legal Description

For APN/Parcel ID(s): 003730-019-008-01, 003730-019-008-02, 003730-019-008-04,  
003730-019-007-00, 003730-019-006-00 and 003730-019-009-03

**PARCEL A:**

THAT PORTION OF LOTS 8 AND 9, BLOCK 19, ALDERWOOD MANOR NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 79 THROUGH 83, INCLUSIVE, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 9,  
THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 155.00 FEET;  
THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOTS 8 AND 9, A DISTANCE OF 180.00 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED;  
THENCE CONTINUING SOUTH A DISTANCE OF 208.09 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID LOT 8;  
THENCE WEST ALONG SAID SOUTH LINE A DISTANCE OF 85.88 FEET TO AN INTERSECTION WITH THE EASTERLY MARGIN OF THE CUL-DE-SAC AT THE TERMINUS OF 208TH STREET;  
THENCE NORTH 18 ° 38'26" WEST A DISTANCE OF 48.80 FEET;  
THENCE SOUTH 88 ° 55'01" WEST A DISTANCE OF 93.41 FEET TO AN INTERSECTION WITH THE EASTERLY MARGIN OF INTERSTATE HIGHWAY 405;  
THENCE NORTH 18 ° 36'26" WEST ALONG THE EASTERLY MARGIN OF INTERSTATE HIGHWAY 405, A DISTANCE OF 250.00 FEET TO AN INTERSECTION WITH THE EASTERLY MARGIN OF THE CUL-DE-SAC AT THE TERMINUS OF RICHMOND ROAD;  
THENCE NORTH 42 ° 20'16" EAST ALONG THE EASTERLY MARGIN OF SAID CUL-DE-SAC A DISTANCE OF 102.96 FEET;  
THENCE NORTH 7 ° 17'51" WEST A DISTANCE OF 13.94 FEET TO AN INTERSECTION WITH A LINE DRAWN PARALLEL WITH AND LYING 20.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 9;  
THENCE EAST ALONG SAID PARALLEL A DISTANCE OF 131.92 FEET TO AN INTERSECTION WITH A LINE DRAWN PARALLEL WITH AND LYING 230.00 FEET WEST OF THE EAST LINE OF SAID LOTS 8 AND 9;  
THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID LOTS 8 AND 9 A DISTANCE OF 180.00 FEET;  
THENCE EAST A DISTANCE OF 75.00 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THE SOUTHERLY MOST 10.00 FEET THEREOF FOR ROAD.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

**PARCEL B:**

THE EAST 155 FEET OF LOTS 8 AND 9, BLOCK 19, ALDERWOOD MANOR NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 79 THROUGH 83, INCLUSIVE, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THE SOUTH 10.00 FEET THEREOF CONVEYED TO SNOHOMISH COUNTY BY DEED RECORDED UNDER AUDITOR'S FILE NO. 2213804, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

**PARCEL C:**

NEW PARCEL D, BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FKILE NO 202007080812 AND AS DELINEATED ON THAT SURVEY RECORDED UNDER AUDITOR FILE NO. 202007085002 RECORDS OF SNOHOMISH COUNTY BEING A PORTTION OF TRACTS 6 AND 7, BLOCK 19, ALDERWOOD MANOR NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 79 THROUGH 83, INCLUSIVE, RECORDS OF SNOHOMISH COUNTY, WASHINGTON,

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

**EXHIBIT "A"**  
Legal Description  
(continued)

**PARCEL D:**

ALL THAT PORTION OF LOT 9, BLOCK 19, ALDERWOOD MANOR NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 79 TO 83, INCLUSIVE, RECORDS OF THE AUDITOR OF THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 9,  
THENCE DUE WEST ALONG THE NORTH LINE OF SAID LOT 9 FOR 155.0 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE DUE SOUTH FOR 180.00 FEET;  
THENCE DUE WEST FOR 75.00 FEET;  
THENCE DUE NORTH FOR 180.00 FEET;  
THENCE DUE WEST FOR 130 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF A CUL-DE-SAC AT THE END OF RICHMOND ROAD;  
THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE TO THE NORTH LINE OF SAID LOT 9;  
THENCE DUE EAST TO THE TRUE POINT OF BEGINNING.

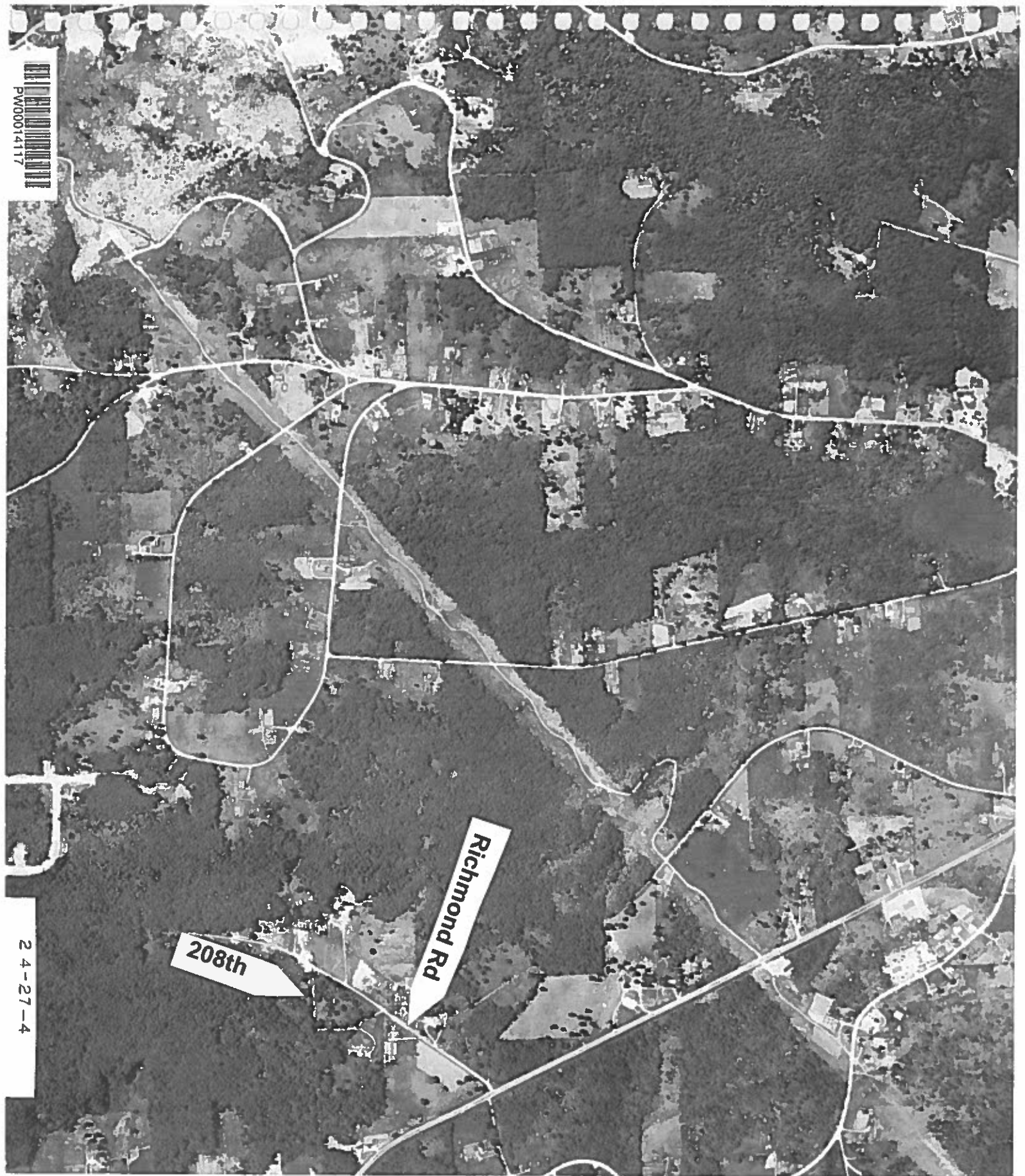
SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

**S 19 T 27 R 5  
1955**

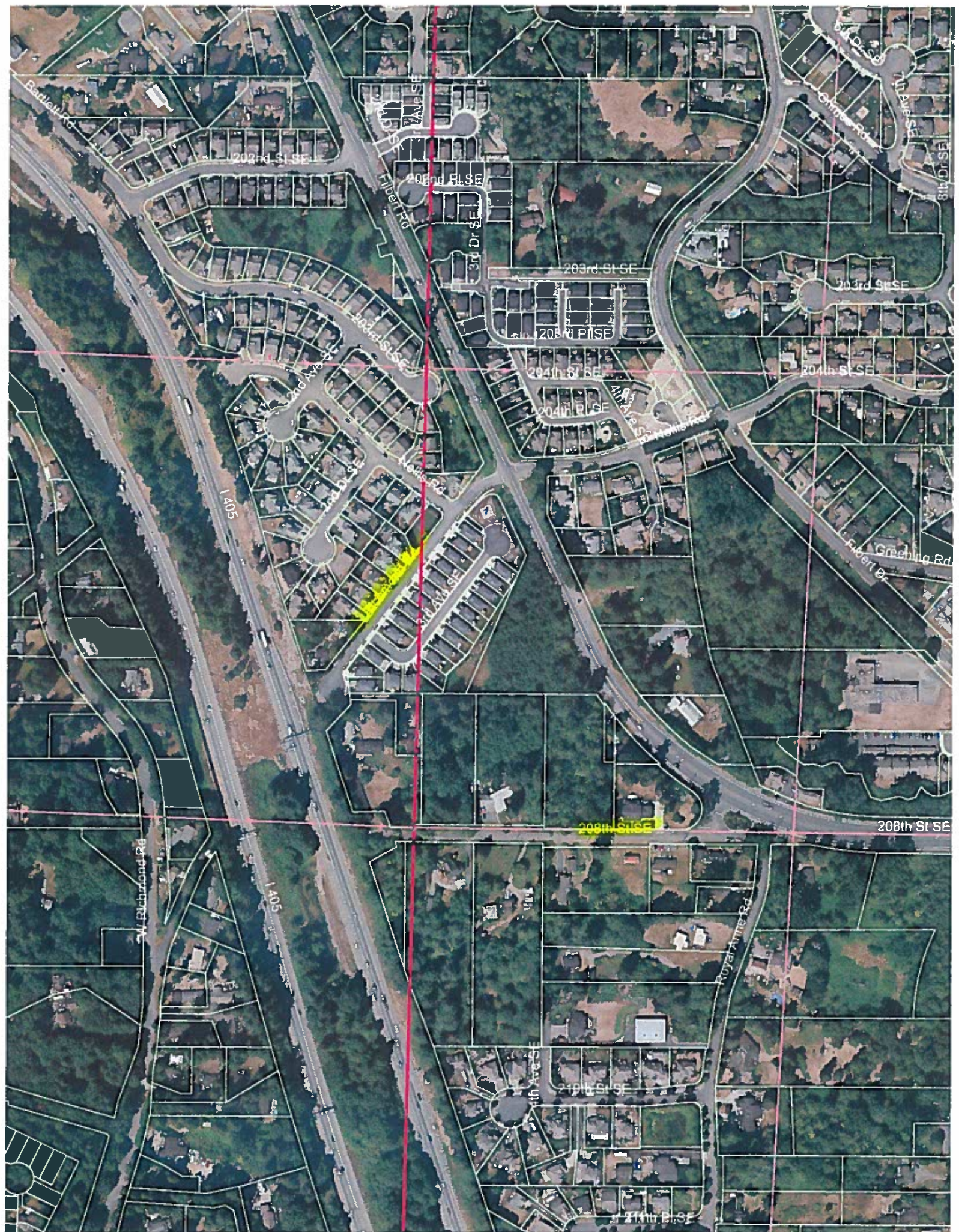




**S 24 T 27 R 4  
1955**



**Exhibit 8 Page 2**



**Exhibit 8 Page 3**

**Palma-De Guzman, Maria**

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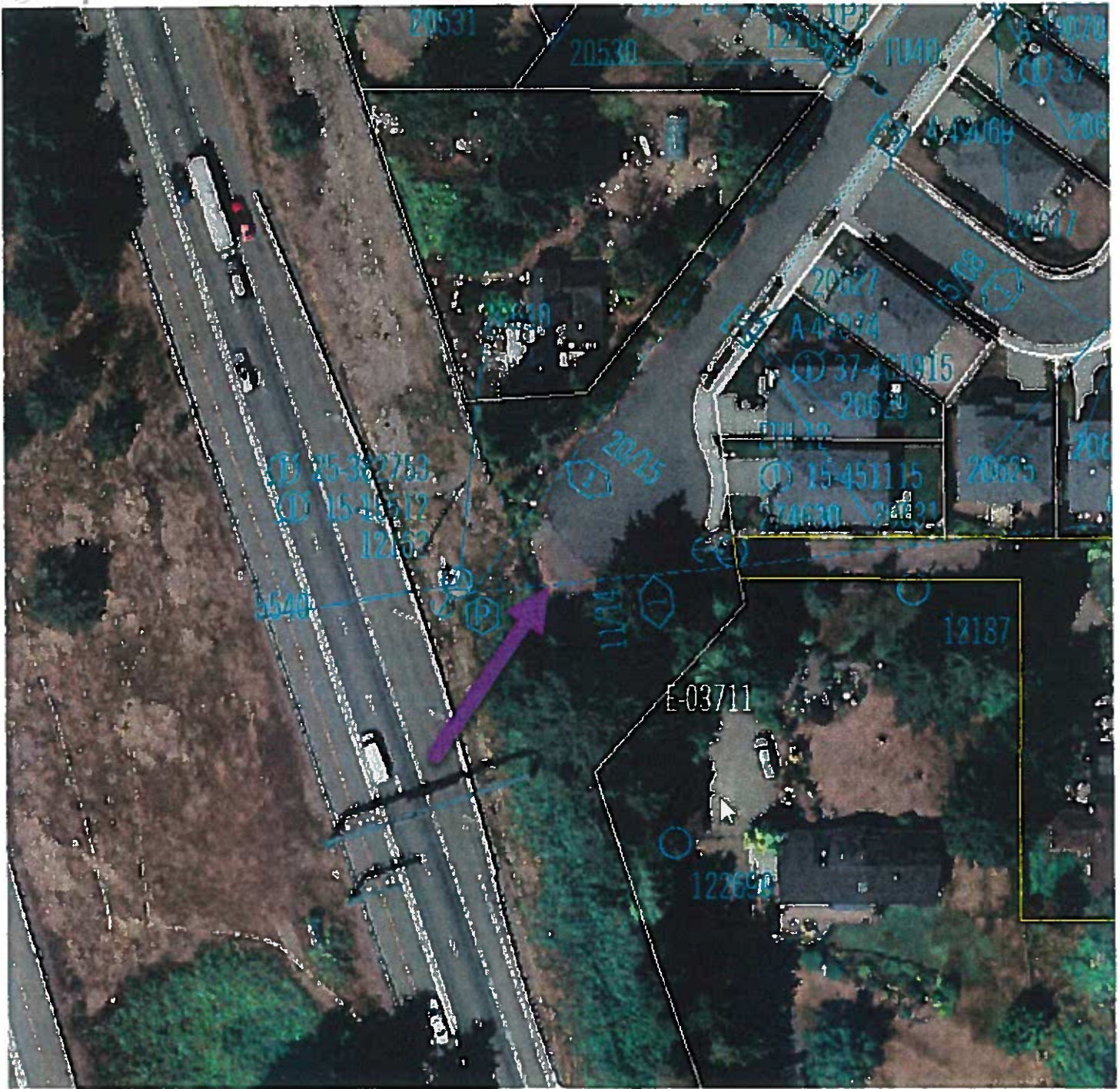
**From:** Rosson, Georgine <GMRosson@SNOPUD.com>  
**Sent:** Wednesday, July 28, 2021 7:34 AM  
**To:** Palma-De Guzman, Maria  
**Cc:** Weaver, Steve  
**Subject:** RE: Request for Comments - Richmond Road ROW Vacation

**CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.**

Good Morning Maria,

Thank you for giving the PUD an opportunity to comment on this proposed ROW vacation. The PUD does have facilities within the proposed ROW vacation area. Please see the map below, I have tried to highlight our facilities with the purple arrow. We currently have an overhead line and possibly two poles within this area. It is possible these facilities will be removed/replaced with the development of the plat, but at this point we do not know that, so therefore, we ask that an easement be reserved on behalf of the PUD. Thank you.

**Exhibit 9 Page 1**



*Georgine Rosson*

PUD Real Estate Services  
P. O. Box 1107  
Everett, WA 98206-1107

## Exhibit 9 Page 2

From: Palma-De Guzman, Maria <Maria.Palma-DeGuzman@snoco.org>  
Sent: Tuesday, July 27, 2021 9:05 AM

**13.100.080 Compensation to county as condition to vacation.**

(1) The council in its ordinance of vacation or motion of vacation under SCC [13.100.110\(1\)](#) shall require persons benefiting from the vacation of county roads to pay the county for the value of the property vacated as established under subsection [\(2\)](#) of this section and SCC [13.100.085](#) within one year of the date the ordinance or motion is adopted by council. Timely payment of that compensation shall be one of the conditions precedent to the actual vacation of the county road right-of-way, unless the council waives some or all of the compensation requirement under subsection [\(3\)](#) of this section.

(2) Compensation, except when waived pursuant to subsection [\(3\)](#) of this section, shall be required according to the following schedule:

- (a) *Class A.* One hundred percent of the appraised value as determined under SCC [13.100.085](#);
- (b) *Class B and C.* Fifty percent of the appraised value as determined under SCC [13.100.085](#); or
- (c) *Class D.* Zero percent of the appraised value as determined under SCC [13.100.085](#).

(3) The engineer may recommend, and the council shall have the authority, to waive some or all of the compensation required under subsections [\(1\)](#) and [\(2\)](#) of this section in the following circumstances:

- (a) The vacation request is independently initiated by the engineer or in response to a council request;
- (b) The petitioners are the original grantors of the county road and/or right-of-way and no public expenditures were made;
- (c) Environmental or topographical conditions exist that make the opening and/or improvement of the county road and/or right-of-way impractical; or
- (d) A new county road and/or right-of-way of equal or greater utility to public transportation purposes is provided to replace the road and/or right-of-way subject to vacation.

(4) Failure to make payment of the compensation required under this section within one year of the date the ordinance or motion is adopted by council means the ordinance or motion shall not be recorded and the road and/or right-of-way shall not be considered vacated. (Added by Ord. 85-051 § 3, July 3, 1985; Amended by Ord. 13-051, July 31, 2013, Eff date Aug. 12, 2013).

## Exhibit 10