

ENGINEER'S REPORT

SNOHOMISH COUNTY APPROVAL AND ACCEPTANCE OF A STATUTORY WARRANTY DEED FOR **HILLIS ROAD**

INTRODUCTION

Pursuant to RCW 36.75.020 Revised Code of Washington (RCW), 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) on 15703 Grant Creek Road, Arlington. Chapter 36.55 RCW and Snohomish County Charter Section 2.10 authorize the County to approve and accept a 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).

FACTS/BACKGROUND/FINDINGS

1. Hillis Road formerly known as Grant Creek Road, also known as Road #164, is located on the SE $\frac{1}{4}$ of Section 10 Township 32 North Range 6 East, W. M. (See Exhibit 1, Assessor's Map)
2. On October 5, 1893, Frank M. Pickering et al, petitioned the county to establish a public county road and highway, 45 feet in width. (See Exhibit 2, Petition)
3. On March 29, 1894, the Superior Court of the State of Washington for Snohomish County granted an order of establishment for Road #164 as a 45-foot-wide county road. (See Exhibit 3, Order of Establishment)
4. On April 20, 2020, the owner, submitted a request to PDS, seeking Lot Status Determination for his property located at 15703 Grant Creek Road, Arlington, Washington, identified as tax parcel 3201000401000. (See Exhibit 4, Application)
5. PDS uses specific criteria and documentation to identify if property constitutes a legal lot, which consist of three criteria in effect at the time of creation or currently in effect. Criterion 1 was used to determine the lot status. (See Exhibit 5, PDS Bulletin # 24 page 2)
 - Criterion 1 - Time, Lot size and Documentation
 - Criterion 2 - Zoning Regulations

- Criterion 3 – Access Requirements

6. The Department of Public Works (DPW) uses Policy Rule 3510. This rule outlines the requirement to be met in obtaining Lot Status properties separated by a public ROW. The acquisition of a public ROW, by the County, which bisects a parcel of property, is not a subdivision of the property under the County or State subdivision law. (See Exhibit 6, Rule 3510 Rule Summary 1)
7. On October 7, 2021, PDS made the determination based on Assessor’s documents showing tax parcel 32061000401000 existed as a lot, as early as 1949. (See Exhibit 7, Lot Status Determination)
8. County records shows no evidence of recorded deed on Hillis Road bisecting the owner’s property. However, 1974 Road Log Inventory records shows that the county has maintained approximately 45-foot-wide section of Hillis Road.
9. Hillis Road is classified as a non-arterial sub collector road and require a total of 60-foot-wide ROW.
10. On October 7, 2021, a PDS Transportation Development Reviewer, as a condition of approval, issued a final comment, requiring the owner to deed Hillis Road to the county bisecting tax parcel 32061000401000.
11. DPW determines that Hillis Road bisecting tax parcel 3206100401000 shall be deeded to Snohomish County via Council action.
12. A record of survey depicting the ROW limits and alignment of the road has been recorded under Auditor’s File Number (AFN) 202212285002. (See Exhibit 8, Recorded Record of Survey)
13. On February 7, 2023, Mark Belles, submitted a Statutory Warranty Deed to Snohomish County.
14. The developer shall be responsible for recording fees which is listed as follows

(SWD and Motion)	\$609.00
Total Estimated Fee	\$609.00

RECOMMENDATION

Based on the foregoing Findings, the approval and acceptance of a Statutory Warranty Deed to deed 60 feet of ROW on Hillis Road is necessary, practicable, and in the best interest of the public. The County Engineer recommends that the Council approve the acceptance of a road identified as Hillis Road bisecting tax parcel number 32061000401000.

The County Engineer also recommends that the County Council accept the Statutory Warranty Deed conveying ROW on Hillis Road and that it be recorded upon the terms and conditions of the Motion.

Approved by:

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

Date

Prepared by:

Maria Acuario
ROW Investigator III

Date