

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

MOTION NO. 21-379

AUTHORIZING THE PROSECUTING ATTORNEY TO  
COMMENCE CONDEMNATION PROCEEDINGS ON THE  
43<sup>RD</sup> AVE SE (SR524 TO SUNSET RD AT 180<sup>TH</sup> STREET SE) PROJECT

WHEREAS, it is a necessary and proper governmental purpose for Snohomish County to make certain road improvements to an existing County road, namely, 43rd Ave SE (SR 524 – Sunset Rd at 180th St SE) and;

WHEREAS, the County Council previously approved the right-of-way plan and funding plan for 43rd Ave SE (SR 524 – Sunset Rd at 180th St SE) 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 “E” attached hereto and made a part hereof; and

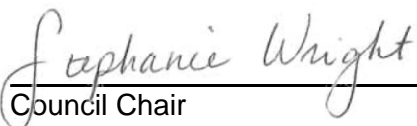
WHEREAS, the property to be acquired is in accordance with the Council approved Right-of-Way Plan dated, 10/25/2019, on file with the Snohomish County Department of Public Works and consistent with the project prospectus as approved by the Washington State Department of Transportation; and

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 “E” are necessary for County purposes for certain road improvements to 43rd Ave SE (SR 524 – Sunset Rd at 180th St SE) 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

PASSED this 3<sup>rd</sup> day of November, 2021.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

  
\_\_\_\_\_  
Council Chair

ATTEST:

  
\_\_\_\_\_  
Asst. Clerk of the Council

**EXHIBIT "A"**  
**Parties of Interest:**

**Legal Representative:** None

**Vestee:** Miles D. Savage Jr. & Lindsay Savage

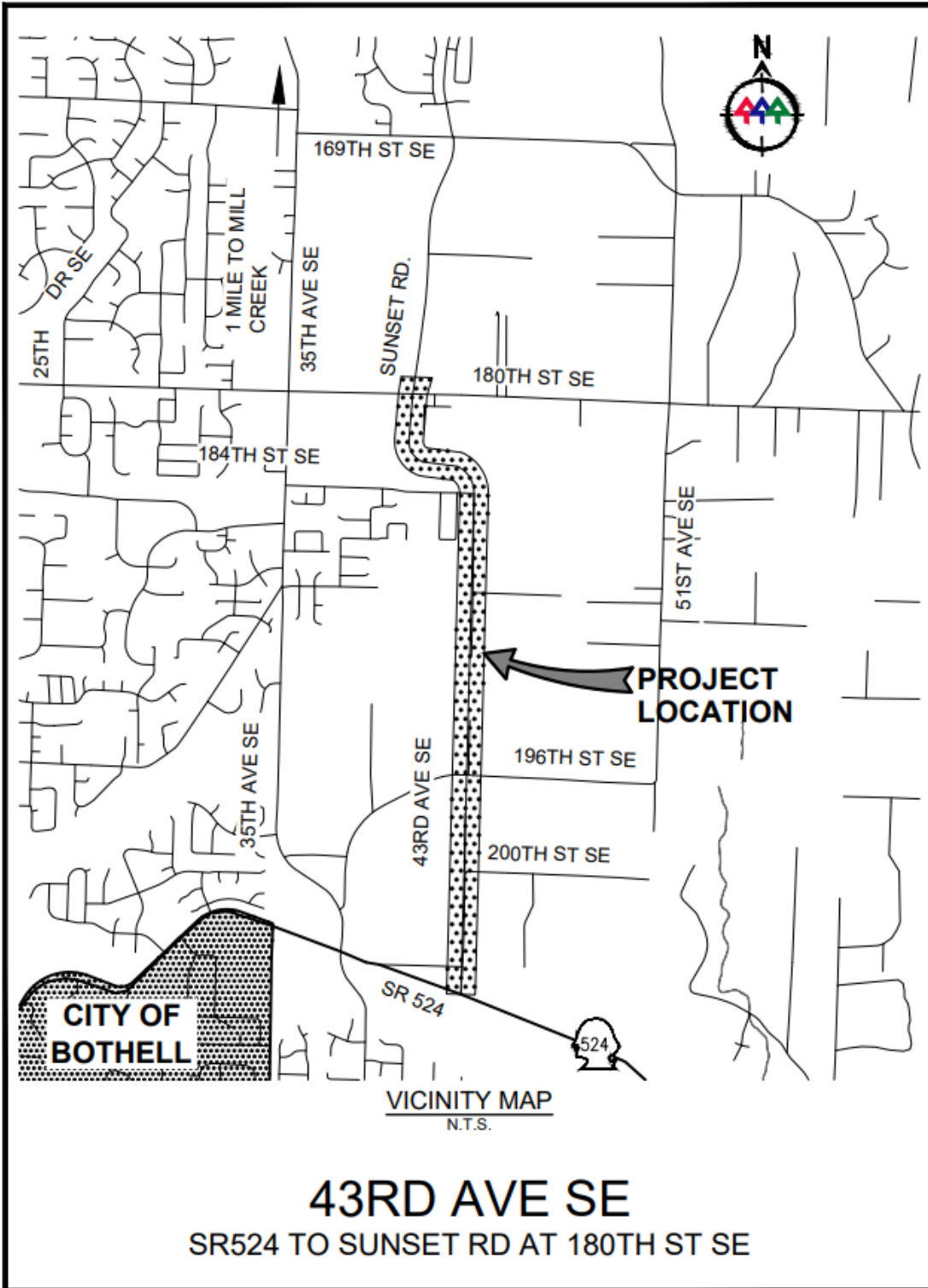
**Mailing Address:** Miles Savage: 3019 168<sup>th</sup> Ave NE, Bellevue, WA 98008  
Lindsay Savage: 261 SE Craig RD #11, Shelton, WA 98584

**Site Address:** 17927 Sunset Road, Bothell, WA 98012

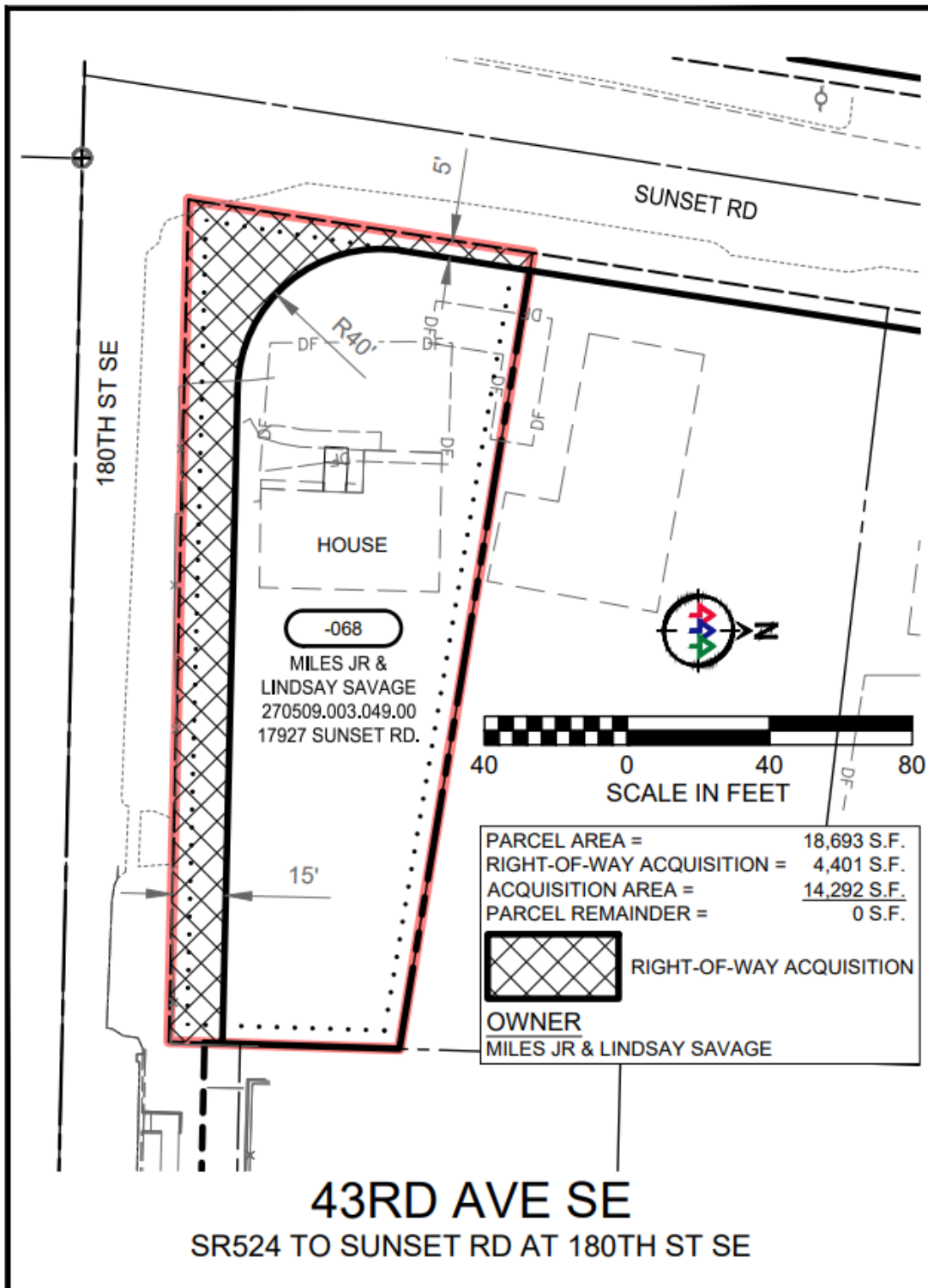
**Other Parties of Interest:**

1. Beneficiary: Mortgage Electronic Registration System, Inc., acting solely as nominee for Sydion Financial, LLC / Wells Fargo, and as assigned
2. Internal Revenue Service
3. Washington State Department of Revenue
4. ABP II / Williams, Kastner & Gibbs, PLLC
5. State of Washington

**EXHIBIT "B"**  
**Vicinity Map**



**EXHIBIT "C"**  
**Site Plan**



**EXHIBIT “D”**  
**Legal Description for Fee Acquisition**

43<sup>RD</sup> Avenue SE (SR 524 to Sunset Road at 180th Street SE)  
Survey 4659, RC 1592, UPI 16-0040  
(Savage) -068  
June 10, 2021

**EXHIBIT ‘A’**

**Acquisition** (see Exhibit ‘B’):

All that real property in the southwest quarter of section 9, township 27 north, range 5 east, Willamette Meridian, in the County of Snohomish, State of Washington, more particularly described as follows:

That parcel conveyed by deed recorded at Auditor’s File No. 201007150484, records of said county.

**Designated Right of Way** (see Exhibit ‘B’):

That portion of the above described parcel designated as public right-of-way lies southerly and westerly of the following described line:

**BEGINNING** at a point on the easterly line of said parcel, said point lying 45.00 feet northerly, measured at right angles, of the line common to said section 9 and section 16, said township, range, and meridian, said section line being the right-of-way alignment of 180<sup>th</sup> St SE.

Thence, parallel with said section line and right-of-way alignment, North 88°40’04” West a distance of 183.64 feet, more or less, to the beginning of a tangent curve to the right.

Thence, along said curve, having a radius of 40.00 feet, to a point of tangency lying 35.00 feet easterly, measured at right angles, of the right-of-way alignment of Sunset Road.

Thence, parallel with said right-of-way alignment, North 8°48’02” East a distance of 36.30 feet, more or less, to the northerly line of said parcel and the **TERMINUS** of the herein described line.

Containing an area of 18,693 square feet, more or less, in aggregate.

6/10/21



**EXHIBIT "E"**  
**Parcel Map for Fee Acquisition**

