



SNOHOMISH COUNTY
Public Works

C O N D E M N A T I O N M E M O R A N D U M

TO: **DEBBIE ECO**, Clerk of the Council

ELECTRONIC COPIES TO: **DEBBIE ECO**, Clerk of the Council; **ELENA LAO**, Assistant to the Clerk of the Council; **GEOFFREY THOMAS**, Chief of Staff; **KELLY SNYDER**, Public Works Director; **DOUGLAS W. MCCORMICK**, Public Works Engineering Services County Engineer; **JANICE FAHNING**, Public Works Engineering Services Director; **JASON CUMMINGS**, Chief Civil Deputy Prosecuting Attorney; and **MICHELE PESCADOR**, Public Works Right-of- Way Supervisor

FROM: **JOSEPH P. BENNETT**, Special Deputy Prosecuting Attorney

VIA: *MP* **MICHELE PESCADOR**, Public Works Right-of- Way Supervisor

DATE: **NOVEMBER 22, 2022**

CONFIRMATION OF EMAIL: **SENT ON** 11/22/22

RE: **REQUEST FOR AUTHORIZATION TO PROCEED WITH CONDEMNATION**

We are requesting that the Snohomish County Council authorize the attached motion to proceed with condemnation for the following property:

Project Title: Larch Way/Logan Rd & Locust Way Intersection Improvements
Project Number: RC1591 / UPI#16-0037
Parcel Number: 009

Owner Names: David White, as a separate estate
Site Address: 20903 Locust Way, Lynnwood, WA 98036
Mailing Address: Same

Tax Parcel Number: 005584-000-006-00

Please notify Michele Pescador, Public Works Right-of-Way Supervisor, at Michele.Pescador@snoco.org when the Council staff has scheduled an Executive Session for this item.

**SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON**

MOTION NO. 22-___

**AUTHORIZING THE PROSECUTING ATTORNEY TO
COMMENCE CONDEMNATION PROCEEDINGS**

Larch Way/Logan Rd & Locust Way Intersection Improvements

RC1591 / UPI#16-0037

PARCEL 009

WHEREAS, it is a necessary and proper governmental purpose for Snohomish County to make certain road improvements to an existing County Road, namely, Larch Way/Logan Rd & Locust Way Intersection Improvements and;

WHEREAS, the County Council previously approved the right-of-way plan and funding plan for Larch Way/Logan Rd & Locust Way Intersection Improvements 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 "G" 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, 2/04/2020 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 "G" are necessary for County purposes for certain road improvements to Larch Way/Logan Rd & Locust Way Intersection Improvements 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.

DATED this _____ day of _____, 20____.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Chairperson

ATTEST:

Clerk of Council

Attachments:

- Exhibit "A" - Parties of Interest
- Exhibit "B" - Vicinity Map
- Exhibit "C" - Site Plan
- Exhibit "D" - Legal Description for Fee Acquisition
- Exhibit "E" - Parcel Map for Fee Acquisition
- Exhibit "F" - Legal Description for Temporary Easement
- Exhibit "G" - Parcel Map for Temporary Easement

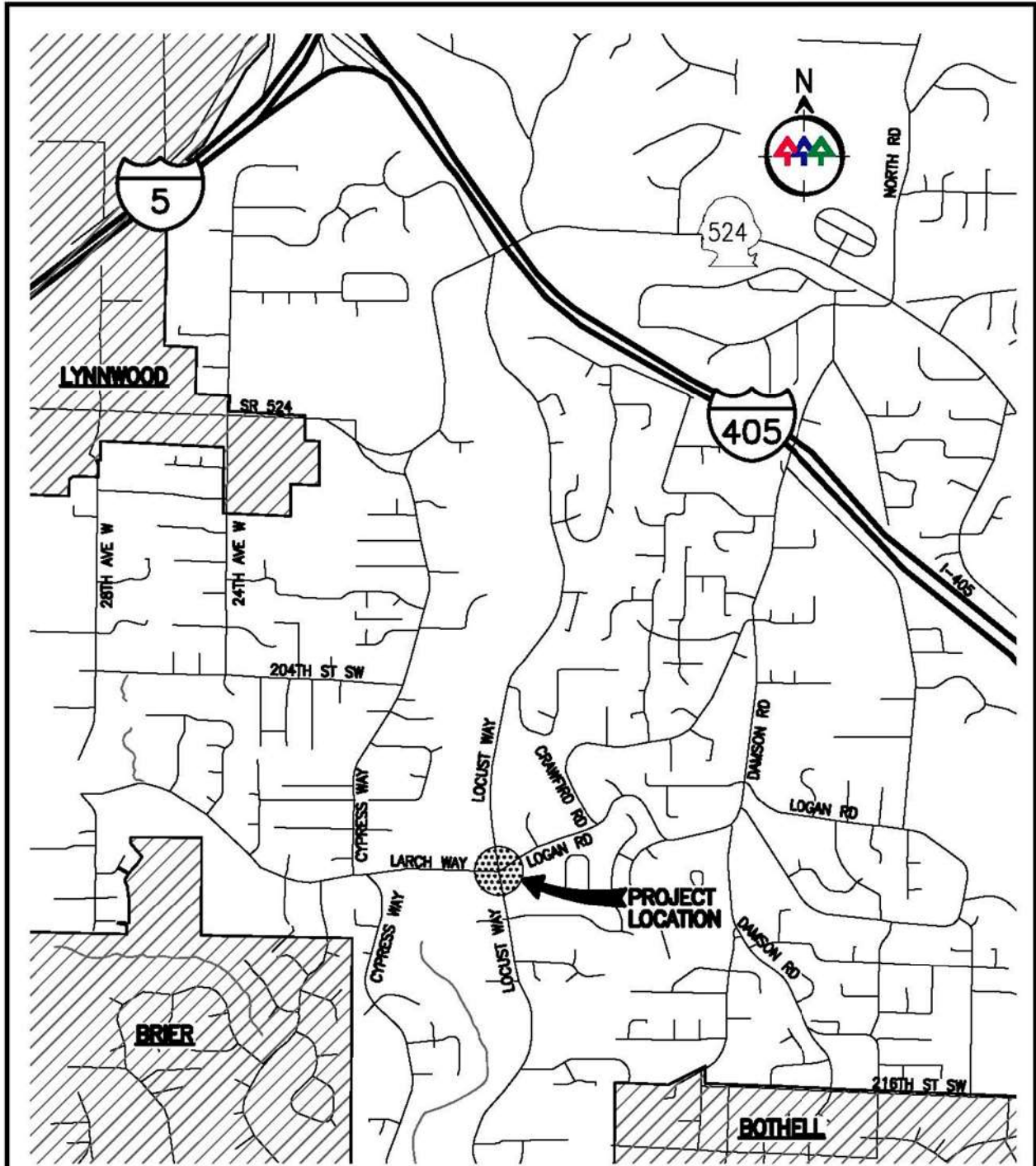
EXHIBIT "A"
Parties of Interest

Legal Representative: John Paul Turner, Rodgers Deutsch & Turner
Address: Three Lake Bellevue Drive, Suite 100, Bellevue, WA 98005

Vestee: David White, as a separate estate
Mailing Address: 20903 Locust Way, Lynnwood, WA 98036
Site Address: 20903 Locust Way, Lynnwood, WA 98036

Beneficiary: Mortgage Electronic Registration System, Inc., acting solely as nominee for WMS Series LLC, a Delaware Series Limited Liability Company

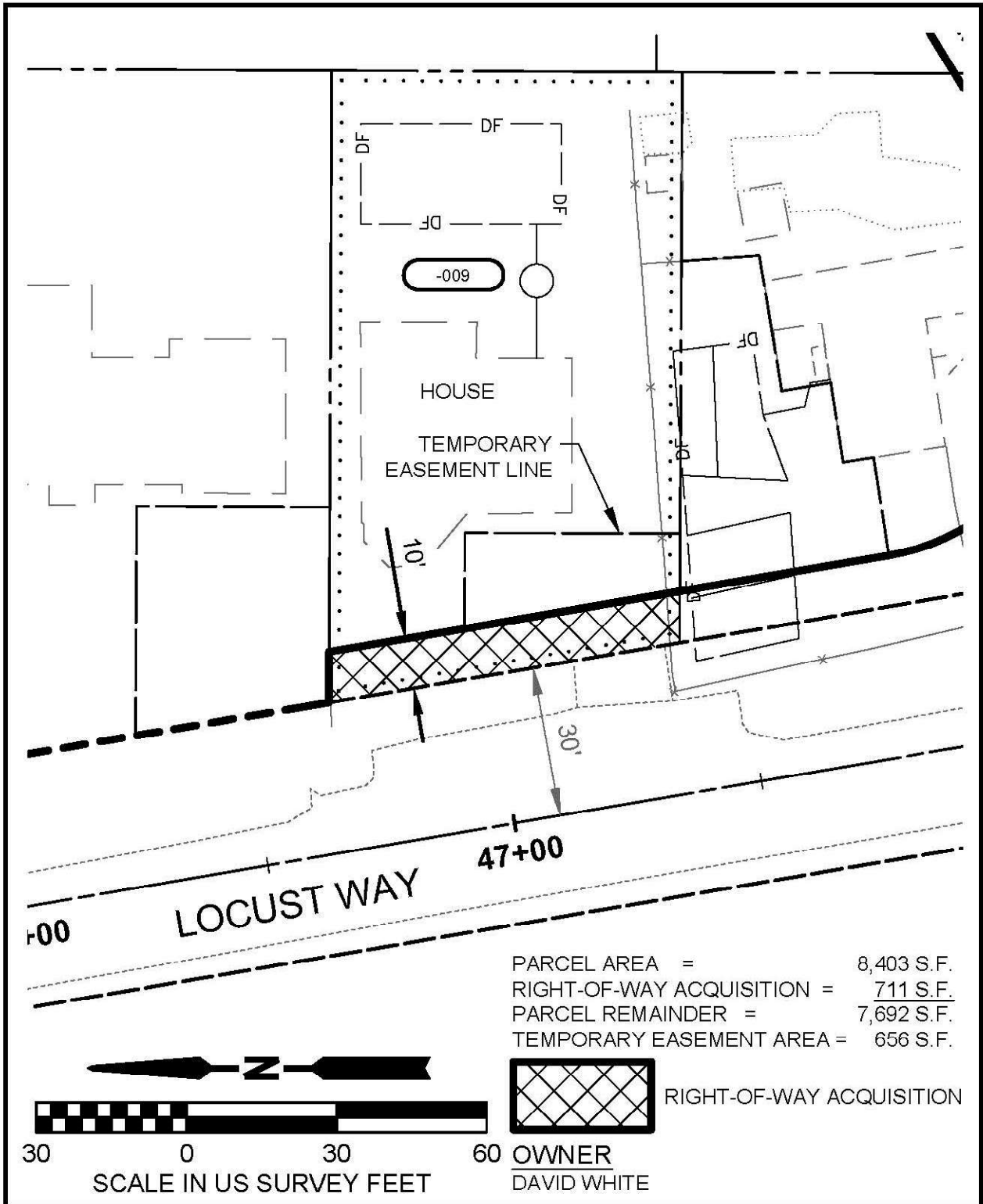
EXHIBIT "B"
Vicinity Map



VICINITY MAP
N.T.S.

LARCH WAY/LOGAN RD & LOCUST WAY
INTERSECTION IMPROVEMENTS

EXHIBIT "C"
Site Plan



LARCH WAY/LOGAN RD & LOCUST WAY
INTERSECTION IMPROVEMENTS

EXHIBIT "D"
Legal Description for Fee Acquisition

Larch Way/Logan Rd & Locust Way Intersection Improvements
Survey 4658, RC 1591, UPI 16-0037
(White) -009
April 18, 2022

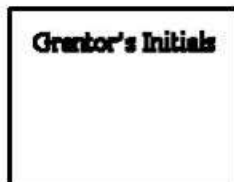
EXHIBIT 'A'

Right-of-way (see Exhibit 'B'):

All that real property in the southeast quarter of section 23, township 27 north, range 4 east, Willamette Meridian, in the County of Snohomish, State of Washington, being a portion of that parcel conveyed by deed at Auditor's File No. 201702160146, records of said county, described as follows:

That portion of said parcel lying westerly of a line parallel with and 40.00 feet easterly of the monumented right-of-way alignment of Locust Way.

Containing an area of 711 square feet, more or less.



4/18/22

EXHIBIT "E"
Parcel Map for Fee Acquisition

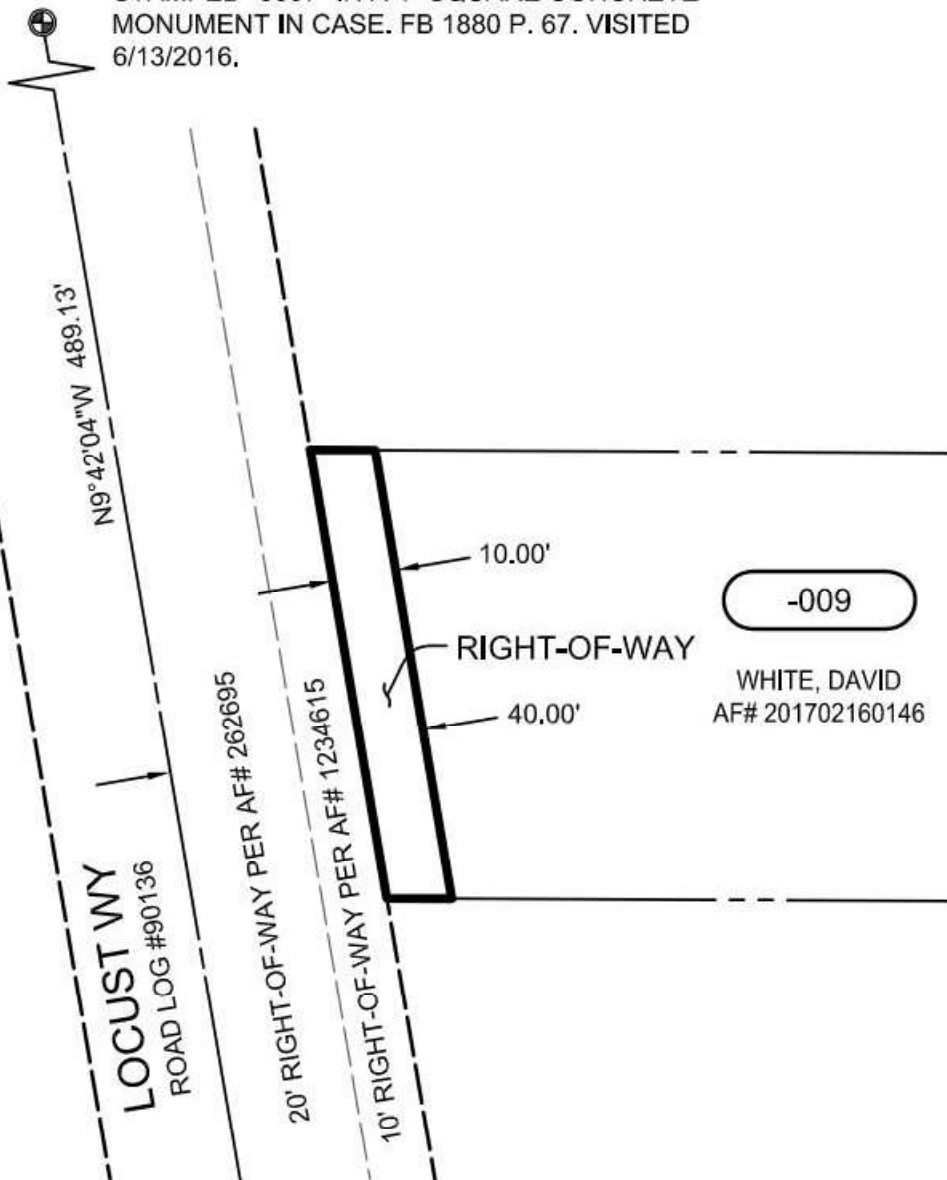
EXHIBIT 'B'

LARCH WAY/LOGAN RD & LOCUST WAY INTX. IMPR.
SN 4658 (-009 WHITE)



SECTION 23, T. 27 N, R. 4 E., W.M.

FOUND 1-3/4" BRASS DISK WITH PUNCH MARK
STAMPED "9597" IN A 4" SQUARE CONCRETE
MONUMENT IN CASE. FB 1880 P. 67. VISITED
6/13/2016.



-009

WHITE, DAVID
AF# 201702160146

FOUND 1-3/4" BRASS DISK WITH PUNCH MARK
STAMPED "9597" IN A 4" SQUARE CONCRETE
MONUMENT IN CASE. FB 1880 P. 63. VISITED
6/09/2016.



Grantor's Initials



4/18/22

EXHIBIT "F"
Legal Description for Temporary Easement

Larch Way/Logan Rd & Locust Way Intersection Improvements
Survey 4658, RC 1591, UPI 16-0037
(White) -009
April 18, 2022

EXHIBIT 'A'

Temporary Construction Easement (see Exhibit 'B'):

All that real property in the southeast quarter of section 23, township 27 north, range 4 east, Willamette Meridian, in the County of Snohomish, State of Washington, being a portion of that parcel conveyed by deed at Auditor's File No. 201702160146, records of said county, described as follows:

That portion of said parcel lying southerly and westerly of the following described line:

COMMENCING at a 1-3/4-inch brass disk with punch mark stamped "9597" marking the intersection of Larch Way, Locust Way, and Logan Road.

Thence from said **POINT OF COMMENCEMENT** along the right-of-way alignment of Locust Way North 9°42'04" West a distance of 213.77 feet.

Thence leaving said right-of-way alignment, South 89°43'33" East a distance of 40.61 feet to the **POINT OF BEGINNING** of the herein described line.

Thence continuing on said bearing a distance of 19.04 feet.

Thence southerly a distance of 42.97 feet, more or less, to a point on the south line of said parcel, said point lying 21.63 feet easterly, as measured along said south line, of the easterly margin of Locust Way, and the **TERMINUS** of the herein described line.

EXCEPT the right-of-way to be conveyed to Snohomish County by rate separate instrument.

Containing an area of 656 square feet, more or less.

Grantor's Initials



4/18/22

EXHIBIT "G"
Parcel Map for Temporary Easement

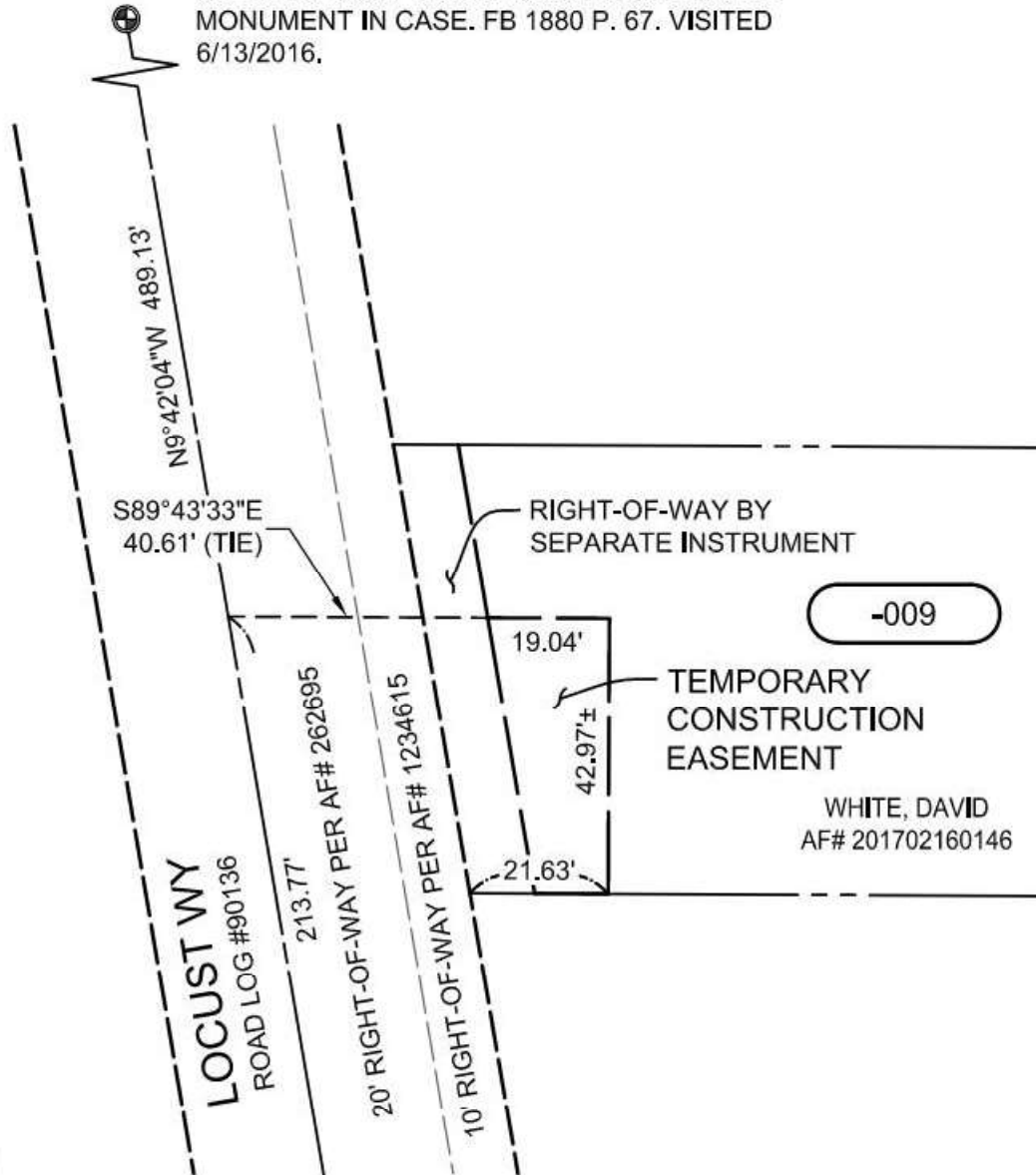
EXHIBIT 'B'

LARCH WAY/LOGAN RD & LOCUST WAY INTX. IMPR.
SN 4658 (-009 WHITE)



SECTION 23, T. 27 N, R. 4 E., W.M.

FOUND 1-3/4" BRASS DISK WITH PUNCH MARK
STAMPED "9597" IN A 4" SQUARE CONCRETE
MONUMENT IN CASE. FB 1880 P. 67. VISITED
6/13/2016.



-009

TEMPORARY
CONSTRUCTION
EASEMENT

WHITE, DAVID
AF# 201702160146



FOUND 1-3/4" BRASS DISK WITH PUNCH MARK
STAMPED "9597" IN A 4" SQUARE CONCRETE
MONUMENT IN CASE. FB 1880 P. 63. VISITED
6/09/2016.

Grantor's Initials



4/18/22

Signature: *Michele Pescador*

Email: michele.pescador@co.snohomish.wa.us






009 White_CONDEMNATION MEMORANDUM to Council 22 11 22

Final Audit Report

2022-11-23

Created:	2022-11-23
By:	Jamie Booth (jamie.booth@co.snohomish.wa.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAA4dqoaZzzyDWy9bV8U90WSa1xPpEc7N1Q

"009 White_CONDEMNATION MEMORANDUM to Council 22 11 22" History

-  Document created by Jamie Booth (jamie.booth@co.snohomish.wa.us)
2022-11-23 - 0:03:19 AM GMT
-  Document emailed to Michele Pescador (michele.pescador@co.snohomish.wa.us) for signature
2022-11-23 - 0:04:02 AM GMT
-  Email viewed by Michele Pescador (michele.pescador@co.snohomish.wa.us)
2022-11-23 - 0:05:12 AM GMT
-  Document e-signed by Michele Pescador (michele.pescador@co.snohomish.wa.us)
Signature Date: 2022-11-23 - 0:05:24 AM GMT - Time Source: server
-  Agreement completed.
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