

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

NOTICE OF ENACTMENT

NOTICE IS HEREBY GIVEN, that on May 19, 2021, the Snohomish County Council adopted Ordinance No. 21-022. A summary is as follows:

**Background:** Petitioners, Solstice Management, LLC and JERD Investments, LLC, submitted Vacation Petition Request # 18 121028 RWE to vacate a portion of dedicated County road right-of-way, 119th St SW located in the NE ¼ of the NE ¼ Section 27 Township 28 N Range 3 East, W.M. The County Engineer's Report recommends vacation provided Petitioners pay expenses and compensation as required by law.

ORDINANCE NO.21 -022

AN ORDINANCE VACATING A PORTION 119TH ST SW  
SNOHOMISH COUNTY ROAD RIGHT-OF-WAY

Section 1. The Council adopts and incorporates the foregoing recitals as findings as if set forth fully herein.

Section 2. The County Council finds that the county road right-of-way described in Exhibit A and depicted in Exhibit B, both attached and incorporated by reference into the Ordinance is useless for county road purposes and the public will be benefitted by their vacation.

Section 3. The county road right-of-way described and depicted in the attached exhibits are vacated upon satisfaction of the terms and condition contained in the ordinance.

Section 4. Under chapter 36.87 RCW and chapter 13.100 SCC, the vacation of the county road right-of-way granted herein shall not take effect unless within one year of the date this ordinance is passed by council, Solstice Management, LLC and JERD Investments, LLC, have paid for the itemized costs and expenses of the proceedings enumerated by the Department of Public Works under SCC 13.100.070.

Section 5. Under chapter 36.87 RCW and chapter 13.100 SCC, the vacation of the county road-right-of-way granted herein shall not take effect unless within one year of the date this ordinance is passed by the council, Solstice Management, LLC and JERD Investments, LLC, have paid the county for the value of the road-right-of way vacated according to the schedule set forth in SCC 13.100.080. Here, the road right-of-way is classified as Class C under SCC 13.100.040(7) and Solstice Management, LLC and JERD Investments, LLC must pay to the County 50% of the appraised value of the vacated road right-of-way.

Section 6. The county shall retain an easement rights in the vacated right-of-way for utilities and for the benefit of the county for the construction, repair and maintenance of public utilities and services within the right-of-way as provided in RCW 36.87.40 and SCC 13.100.100.

Section 7. The Petitioner, JERD Investments, LLC, shall grant and record an access easement to Lot 126 of the Plat of Paine Field No. 3 (PPF3) over the north 20 feet of the south half of the vacated ROW, and Lot 125 PPF3 over the north 20 feet of the south half of the vacated ROW adjacent to Lot 124 PPF3.

Section 8. Upon the county council clerk receiving confirmation from the Department of Public Works that Solstice Management, LLC and JERD Investments, LLC have made timely and full payment as required by chapter 36.87 RCW and chapter 13.100 SCC, this ordinance can become effective. In the event Solstice Management, LLC and JERD Investments, LLC fails to make payment of the compensation required within one year of the date this ordinance is passed by council, this ordinance shall automatically become void and have no further force or effect.

**Copies of the Ordinance:** To request copies of the ordinance, please call 425-388-3494, 1-800-562-4367 x3494, TDD 1-800-877-8339; or e-mail [Contact.Council@snoco.org](mailto:Contact.Council@snoco.org). The ordinance is also available on the County webpage at <https://snohomishcountywa.gov/2134/Council-Hearings-Calendar> or <https://snohomish.legistar.com>.

Dated this 27<sup>th</sup> day of May, 2021.



Asst. Clerk of the Council

Publish: June 2, 2021

SUBMIT AFFIDAVIT TO: Council

SUBMIT INVOICE TO: 143686-Dept. of Public Works (RR 6296)