

SNOHOMISH COUNTY COUNCIL  
PUBLIC HEARING PACKET

**ORDINANCE 21-024**    **AN ORDINANCE ACCEPTING A STATUTORY  
WARRANTY DEED AND ESTABLISHING 21ST AVENUE  
WEST AS A NEW COUNTY ROAD**

ECAF:                                    2021-0201

Date/Time:                            Wednesday, May 19, 2021, at 10:30 a.m.

Staff Person:                         Jim Martin

DPA:                                     Matt Otten

**EXHIBIT LIST**

***Click on Exhibit # to view document.***

<b>Exhibit #</b>	<b>Date</b>	<b>Exhibit Description</b>
<b><a href="#">1</a></b>	4/22/21	Council Staff Report
<b><a href="#">2</a></b>	4/22/21	ECAF Received
<b><a href="#">3</a></b>	4/22/21	Ordinance Introduction Sheet Signed
<b><a href="#">4</a></b>	4/20/21	County Engineer's Report

After Recording Return To:  
Clerk of the Council  
Snohomish County Council  
3000 Rockefeller Avenue – M/S 609  
Everett, WA 98201

In the matter of: *21<sup>st</sup> Ave West Road Establishment*

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

ORDINANCE NO. 21 -024

AN ORDINANCE ACCEPTING A STATUTORY WARRANTY DEED AND  
ESTABLISHING 21ST AVENUE WEST AS A NEW COUNTY ROAD

WHEREAS, under Chapter 36.75 RCW and Chapter 36.81 RCW, Snohomish County (the “County”) has the authority to acquire County right-of-way (ROW) and to establish roads for public purposes by purchase, gift, or condemnation; and

WHEREAS, under SCC 13.90.010, road establishment procedures may be initiated at the request of the Snohomish County Council (the “County Council”) or, when the Snohomish County Engineer (the “County Engineer”) determines that the criteria for road establishment exists, the road establishment process may be initiated independently by the County Engineer or in response to a freeholders’ petition; and

WHEREAS, on May 24, 2018, RMH LLC (the “Petitioner”), submitted a development application to the Snohomish County Department of Planning and Development Services (PDS); and

WHEREAS, as a condition of development approval, the County Engineer is requiring the Petitioner to construct and establish 21<sup>st</sup> Avenue West as a new public road; and

WHEREAS, on May 8, 2019, the Petitioner submitted an application to the Snohomish County Department of Public Works (DPW) for the establishment of 21<sup>st</sup> Avenue West as a new County road under SCC 13.90.010; and

WHEREAS, on \_\_\_\_\_ under RCW 36.81.050 and SCC 13.90.040, the County Engineer prepared a report determining that the establishment of 21<sup>st</sup> Avenue West as a County road is necessary and practicable, and will benefit the public; and

WHEREAS, the Petitioner has provided a properly executed statutory warranty deed, and DPW has reviewed and determined that the deed conveys adequate ROW to ensure that the County road standards can be met; and

WHEREAS, a properly filed record of survey depicting the ROW limits and road alignment has been recorded under Snohomish County Auditor’s File Number 202104025002; and

ORDINANCE NO. 21 -024  
ESTABLISHING A NEW COUNTY ROAD 21<sup>st</sup> Ave West

WHEREAS, the County Engineer has determined that the road construction plans depicting all required improvements to occur within the new ROW comply with the County's Engineering Design and Development Standards (EDDS); and

WHEREAS, the Petitioner has provided a properly executed project guarantee improvement bond to ensure proper performance of road improvements constructed in conjunction with the establishment process under SCC 13.90.020; and

WHEREAS, the County Council has considered the County Engineer's Report along with all supporting exhibits, recommending that the statutory warranty deed be accepted and that 21<sup>st</sup> Avenue West be established as a County road; and

WHEREAS, there will be no public expenditures for the construction of 21<sup>st</sup> Avenue West; and

WHEREAS, the County Council declares its intention for establishing 21<sup>st</sup> Avenue West as a County road as described herein.

NOW, THEREFORE, BE IT ORDAINED:

**Section 1.** The foregoing recitals are incorporated herein as findings as though fully set forth.

**Section 2.** The County Council finds that the Petitioner is the fee owner and intends to deed the real property described in Section 3 for the use of the public in perpetuity. The County Council further finds that a properly executed statutory warranty deed has been submitted to accomplish the same, a copy of which is attached hereto with exhibits and incorporated by reference.

**Section 3.** The following legally described property is hereby established as County road ROW subject to the full County authority and discretion and the conditions in Section 7:

All that portion as shown on Record of Survey Auditor's File Number 202104025002, identified as area for road establishment.

**Section 4.** Construction of 21<sup>st</sup> Avenue West to the County's EDDS shall be by the Petitioner at their own expense. In accordance with Title 13 SCC, upon acceptance of the construction of 21<sup>st</sup> Avenue West by the County, a two-year maintenance security shall be provided by the Petitioner.

**Section 5.** The Council finds the road ROW is a public necessity, is practicable, and the public will be benefitted by the establishment of 21<sup>st</sup> Avenue West.

**Section 6.** The County Executive is authorized to accept the construction of 21<sup>st</sup> Avenue West and the properly executed Statutory Warranty Deed on the County's behalf.

ORDINANCE NO. 21 -024  
ESTABLISHING A NEW COUNTY ROAD 21<sup>st</sup> Ave West

**Section 7.** Establishment of the County ROW described in Section 3 is not effective until: (1) DPW files a certification with the Clerk of the Council stating that all administrative and advertising costs enumerated by the Department of Public Works pursuant to SCC 13.90.070 have been paid; (2) PDS and DPW have inspected and accepted final construction of 21<sup>st</sup> Avenue West; (3) a two-year maintenance security has been submitted by Petitioner and accepted by the County; and (4) the Statutory Warranty Deed has been recorded.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 21\_\_\_\_.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

\_\_\_\_\_  
Stephanie Wright, Council Chair

ATTEST:

\_\_\_\_\_  
Assistant Clerk of the Council

- ( ) APPROVED
- ( ) EMERGENCY
- ( ) VETOED

Date: \_\_\_\_\_

\_\_\_\_\_  
Dave Somers, County Executive

ATTEST:

\_\_\_\_\_  
Clerk of the Council

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Deputy Prosecuting Attorney

ORDINANCE NO. 21 -024  
ESTABLISHING A NEW COUNTY ROAD 21<sup>st</sup> Ave West

After recording return document to:  
Snohomish County Public Works  
TES - M/S 607  
3000 Rockefeller Ave  
Everett WA 98201-4046

## STATUTORY WARRANTY DEED

Reference Number: 18 117568 SPA

Grantor: RMH, LLC, a Washington Limited Liability Company

Grantee: Snohomish County, a political subdivision of the State of Washington

Abbreviated Legal Description: That portion of Lots 14 and 15, Block 6, Alderwood Manor No. 3, according to the plat thereof recorded in Volume 9 of Plats, Pages 74 through 76, inclusive, records of Snohomish County, Washington. A ptn of Dawson Place Master Condominium, according to the Declaration thereof recorded under Auditor's File No. 202102095001, records of Snohomish County, Washington.

Assessor's Tax Parcel ID Number(s): Ptn of 00555300401102

### *In the matter of a road establishment for: 21<sup>st</sup> Avenue West*

The Grantor, RMH, LLC, a Washington limited liability company, for and in consideration of the mutual benefits to be derived, does hereby convey and warrant to **Snohomish County, a political subdivision of the State of Washington**, Grantee, fee simple title, in and to the following described real estate and any after acquired interest therein, situated in Snohomish County, in the State of Washington:

*All that portion as shown on Record of Survey  
under Auditor's File Number 202104025002  
identified as area for road establishment*

It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon Snohomish County, a political subdivision of the State of Washington unless and until accepted and approved in writing by the Snohomish County Director of Public Works or County Engineer.

The covenants shall run with the land and bond the Grantor and Grantor's heirs, successors and assigns.

Dated this 8 day of APRIL 2021

RMH, LLC  
Grantor, Print

Ryan McGowan, Manager  
Print name and Title

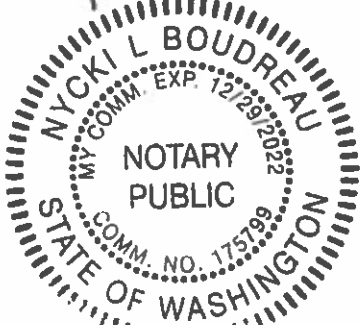
  
Signature and Title

STATE OF WASHINGTON )  
 : §  
COUNTY OF SNOHOMISH )

I certify that I know or have satisfactory evidence that Ryan McGowan  
is the person who appeared before me and said person acknowledged that he/she signed this instrument  
and acknowledges, on oath that he/she was authorized to execute the instrument and acknowledged it as  
the manager  
of RMH LLC  
to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED April 8th 2021

Notary Signature *Nycki Boudreau*  
Print name Nycki Boudreau  
Notary Public in and for the State of Washington,  
Residing at Bonney Lake  
My commission expires 12-29-2022



STATE OF WASHINGTON )  
 : §  
COUNTY OF SNOHOMISH )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
is the person who appeared before me and said person acknowledged that he/she signed this instrument  
and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in  
the instrument.

DATED \_\_\_\_\_

Notary Signature \_\_\_\_\_  
Print name \_\_\_\_\_  
Notary Public in and for the State of Washington,  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

STATUTORY WARRANTY DEED FROM	TO COUNTY OF SNOHOMISH COUNTY	Dated _____ 20____	FILE FOR RECORD AT REQUEST OF Department of Public Works  SNOHOMISH COUNTY PUBLIC WORKS TRANSPORTATION & ENVIRONMENTAL SERVICES	DOUGLAS W. McCORMICK, P.E. SNOHOMISH COUNTY ENGINEER  Real Property Administrator Check by _____
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RSN 829916/21-103994  
21-061

Titles 13 & 30 Drainage &  
Right of Way Maintenance  
Assignment of Funds

TITLES 30 & 13 SCC DRAINAGE AND RIGHT OF WAY  
MAINTENANCE SECURITY ASSIGNMENT OF FUNDS

STATE OF WASHINGTON ) 21st Ave W Road Establishment  
: ss.  
COUNTY OF SNOHOMISH )

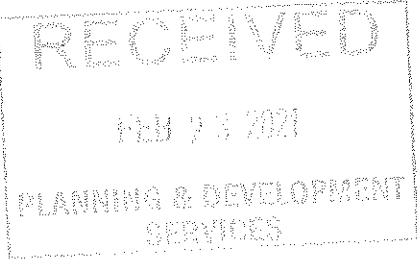
We hereby agree as Principal (the Principal) that the sum of \$ 23,290<sup>00</sup> will be held in savings account number 5191557910 in the name of RMU LLC for the benefit of Snohomish County to assure performance requirements hereunder.

Now, therefore, the conditions of this obligation are such, that the Principal warrants the drainage facilities, roads, streets, walkways and other public or private improvements within, or associated with, the project of DAWSON PLACE, project file number 18117618 have been constructed in compliance with all the requirements of Titles 30 and 13 SCC and shall be free from defects in performance, workmanship and materials for a period of two years from the date of acceptance of this maintenance security by the County and that during said maintenance period Principal shall make repairs, correct deficiencies and perform maintenance on the subject drainage facilities, roads, streets and other public or private improvements within, or associated with the project, then this obligation shall be void; otherwise it shall remain in full force and effect, PROVIDED that the duration of the obligation set forth herein may be extended by either the Director of Snohomish County Planning and Development Services (the Director) as provided by SCC 30.84.020 or the County Engineer as provided by SCC 13.10.114.

We further agree, that in the event the County performs emergency repairs, other than snow and ice control on roads and streets, to preserve and maintain public safety and welfare, the Principal, in accordance with either SCC 30.84.080 or 13. 10.122, will promptly reimburse the County for all emergency repairs performed by the County. Other additional necessary repairs shall be performed by the Principal on receipt of seven days written notice from the County directing the performance of such work. If the Principal fails to reimburse the County for the emergency repairs, the Financial Institution agrees to reimburse the County upon demand with funds from the savings account.

We further agree that if, during the period this maintenance security is in effect, the drainage facilities, roads, steets, walkways and other public or private improvemetns within, or associated with the project do not perform or function satisfactorily, the Director, in accordance with SCC 30.84.050, or County Engineer, in accordance with SCC 13.10.116, shall notify the Principal and Financial Institution. The notice shall describe the work or improvements that must be done to prevent the forfeiture of the security device, provide a date certain by which the required work or improvements must be completed to the Director or County Engineers satisfaction, and state that if the work or improvements are not completed within the time specified, the County may proceed with forfeiture of the security device and use the funds to complete the required work or improvements. The Financial Institution, in accordance with SCC 30.84.050(4) and 13.10.116(3) respectively, has the option to either pay up to the full security amount to the County upon demand or complete the work according to the County's terms and conditions. The amount demanded by the Director or County Engineer, or their designee, will be a good faith estimate of the actual cost of the work or improvements to be completed.

We further agree that if it is necessary for the County to take any legal action against any signatory to this agreement to assure the proper completion of this project, the County shall be entitled to its reasonable costs and attorney's fees.



Title 13 & 30 Drainage and Right of Way Maintenance Assignment of Funds

Project Name: OWSON A/CCL

Project File Number: 18 117568

We further agree that in the event the real property upon which the work secured by this security device is annexed into an incorporated municipality, the County, pursuant to SCC 30.84.020(2)(b) and 13.10.104(3)(b), shall have the right, at its option and in its sole discretion, to assign the County's interest in this security device to the annexing municipality without the necessity of obtaining a re-issuance of the security device. Should the County assign its interest in this security device to a municipality, the County shall promptly deliver written notice of the assignment to the Financial Institution and the Principal.

We further agree that the Principal and the Financial Institution shall promptly notify Snohomish County Planning and Development Services of any change of address. Change of addresses notices shall be in writing and shall be mailed to Snohomish County Planning and Development Services, 3000 Rockefeller Ave., M/S 604, Everett, WA 98201. The County will mail only to the last known address of Principal and Financial Institution.

Signed this 18<sup>th</sup> day of FEB., 2021.

PMH, LLC  
Principal  
2913 5<sup>th</sup> AVE NE #201  
Address  
Puyallup WA 98372  
City, State, Zip  
Phone Number: 253-444-5346

[Signature]  
Signature of Principal  
LLOYD BOADLER CFO  
Please Print Name & Title

1<sup>st</sup> SECURITY BANK  
Financial Institution  
307 W. S. PULASKI  
Address  
Puyallup WA 98372  
City, State, Zip  
Phone Number: 253 848 0618

[Signature]  
Signature of Bank Official  
DAVID ALEXANDER MANAGER  
Please Print Name & Title

Accepted by Snohomish County: [Signature] Date: 2-23-21

ST





## Snohomish County Council

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 1

FILE Ord. 21-024

**Committee:** Public Works  
**ECAF:** 2021-0201  
**Proposal:** Ord 21-024

**Analyst:** Jim Martin  
**Date:** April 22, 2021

### **Consideration:**

Ordinance accepting a statutory warranty deed and establishing 21<sup>st</sup> Avenue West as a new County Road.

### **Background**

On May 24, 2018, RMH LLC submitted a development application to the Snohomish County Department of Planning and Development Services. As a condition of development approval, the County Engineer required the Petitioner to construct and establish 21<sup>st</sup> Avenue West as a new public road. On May 8, 2019, the Petitioner submitted an application to the Snohomish County Department of Public Works for the establishment of 21<sup>st</sup> Avenue West as a new County Road, under SCC 13.90.010.

SCC 13.90.0101 provides that when the County Engineer determines that the criteria for road establishment have been met, road establishment may be initiated independently by the County Engineer. Pursuant to SCC 30.66B.0652, the county has the authority to condition land development approvals upon adequate access to the public road system that often requires dedication of public road ROW. SCC 13.90.0203 contains the process required for the establishment of county roads.

### **Current Proposal**

The County Engineer has prepared a report determining that the establishment of 21<sup>st</sup> Avenue West as a County Road is necessary and practicable, and will benefit the public. The County Engineer has also determined that the road construction plans depicting all required improvements to occur within the new ROW comply with the County's Engineering Design and Development Standards. Construction of 21<sup>st</sup> Avenue West to the County's EDDS shall be by the Petitioner at their own expense, and a two-year maintenance security shall be provided by the Petitioner upon acceptance of the construction of 21<sup>st</sup> Avenue West.

Approval of this Ordinance would authorize the County Executive to accept the construction of 21<sup>st</sup> Avenue West and the properly executed Statutory Warranty Deed on the County's behalf. Establishment of the County ROW is not effective until DPW files a certification with the Clerk of the Council stating that all administrative and advertising costs enumerated by the Department of Public Works have been paid; PDS and DPW have inspected and accepted final construction of 21<sup>st</sup> Avenue West; a two-year maintenance security has been submitted by the Petitioner and accepted by the County, and the Statutory Warranty Deed has been recorded.

*Duration:* N/A

*Fiscal Implications:* Estimated Administrative Costs are \$3,047.60, to be paid by the Petitioner, in accordance with SCC 13.90.070.

**2021 Budget:** Yes

**Future Budget Impacts:** None.

**Handling:** Expedite

**Approved-as-to-form:** Yes.

**Risk Management:** N/A.

**Executive Recommendation:** APPROVE.

**Attachments:** See ECAF packet.

**Amendments:** NONE.

**Request:** Move to Council to set time and date for a Public Hearing.



# Snohomish County Council

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 2

FILE Ord. 21-024

## Legislation Text

File #: 2021-0201, Version: 1

### Executive/Council Action Form (ECAF)

**ITEM TITLE:**

Ordinance 21-024, accepting a Statutory Warranty Deed and establishing 21st Avenue West as A New County Road

**DEPARTMENT:** Public Works

**ORIGINATOR:** Maria Acuario

**EXECUTIVE RECOMMENDATION:** Approve

**PURPOSE:** Council approval of an Ordinance to grant establishment of a new public road right-of-way.

**BACKGROUND:** RMH LLC, a Washington State Limited Liability Company, has applied to Snohomish County Planning and Development Services (PDS) for approval of a Single-Family Detached Unit (SFDU). As a condition of approval, the Department of Public Works (DPW) and PDS are requiring the applicant to construct and establish a new public road identified as 21<sup>st</sup> Avenue West. The proposed new road is approximately 280 feet in length and 51 feet in width. A record of survey depicting the correct right-of-way limits and alignment of the road is recorded under Auditor’s File Number (AFN) 202104025002. The new public road is in Council District # 3. See Engineer’s Report for additional Facts/Background and Conditions.

**FISCAL IMPLICATIONS:**

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
<b>TOTAL</b>			

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
<b>TOTAL</b>			

**DEPARTMENT FISCAL IMPACT NOTES:** No fiscal impact.

**CONTRACT INFORMATION:**

ORIGINAL	CONTRACT#	AMOUNT
AMENDMENT	CONTRACT#	AMOUNT

**Contract Period**

ORIGINAL	START	END
AMENDMENT	START	END

**OTHER DEPARTMENTAL REVIEW/COMMENTS:** Approved as to form by PA (Matthew Otten)  
Approved/Reviewed by Finance & Risk

ECAF NO.:  
ECAF RECEIVED:

**ORDINANCE  
INTRODUCTION SLIP**

**SNOHOMISH COUNTY COUNCIL**

**EXHIBIT #** 3

**FILE** Ord. 21-024

TO: Clerk of the Council

TITLE OF PROPOSED ORDINANCE:

~~~~~



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Councilmember Date

~~~~~

Clerk's Action: Proposed Ordinance No. \_\_\_\_\_

Assigned to: \_\_\_\_\_ Date: \_\_\_\_\_

~~~~~  
**STANDING COMMITTEE RECOMMENDATION FORM**

On \_\_\_\_\_, the Committee considered the item and by \_\_\_\_ Consensus /  
\_\_\_\_ Yeas and \_\_\_\_ Nays, made the following recommendation:

\_\_\_\_\_ Move to Council to schedule public hearing \_\_\_\_\_

**Public Hearing Date** \_\_\_\_\_ **at** \_\_\_\_\_

\_\_\_\_\_ Move to Council as amended to schedule public hearing

\_\_\_\_\_ Move to Council with no recommendation

**This item \_\_\_\_ should/ \_\_\_\_ should not be placed on the Consent Agenda.**

(Consent agenda may be used for routine items that do not require public hearing and do not need discussion at General Legislative Session)

**This item \_\_\_\_ should/ \_\_\_\_ should not be placed on the Administrative Matters Agenda**

(Administrative Matters agenda may be used for routine action to set time and date for public hearings)

\_\_\_\_\_  
Committee Chair



## ENGINEER'S REPORT

PERMIT REQUEST # 19-106957 RWE

FOR THE ESTABLISHMENT OF A NEW COUNTY ROAD RIGHT-OF WAY  
IDENTIFIED AS  
**21<sup>st</sup> Ave West**

### INTRODUCTION

Chapter 36.75 Revised Code of Washington (RCW) gives county legislative authorities broad authority to acquire land for county road purposes by purchase, gift or condemnation. Chapter 13.90 Snohomish County Code (SCC) contains the County's regulations that implement the provisions of Chapter 36.81 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 13.90.010 provides that when the County Engineer determines that the criteria for road establishment have been met, road establishment may be initiated independently by the County Engineer. The County also has the authority under chapter 30.66B SCC to condition land development approvals upon adequate access to a public road, which often requires a new public road and right-of-way (ROW). The process required for the establishment of County roads is found in SCC 13.90.020.

### FACTS/BACKGROUND

1. On May 24, 2018, RMH LLC. (the Applicant) applied to Planning and Development Services (PDS) for approval of a Single-Family Detached Unit (SFDU) named Dawson Place SFDU.
2. As a condition of development approval, the Department of Public Works (DPW) and PDS are requiring the developer to construct and establish a new public road identified as 21<sup>st</sup> Avenue West.
3. A road establishment request from RMH LLC. was received by DPW on May 8, 2019.
4. The proposed development is 2.66 acres in size, situated on the east side of Alder Way, approximately ¼ mile north of the intersection with Maple Road, and in the SE¼ of the SW¼ Section of Section 11, Township 27, N Range 4 W.M. (See Exhibit 1, Assessors Map and Aerial Map)

5. The new road will take access from Alder Way north of the current terminus of 177<sup>th</sup> Place Southwest as shown on the map of Dankenbring Addition. (See Exhibit 2, Plat Map and Aerial Map). The new road is roughly 280 feet in length and the ROW is 51 feet in width.
6. On September 4, 2019, the development was granted preliminary approval and on February 4, 2021, proposed construction plans were approved.

## **FINDINGS**

1. DPW and PDS, as a condition of development approval, required the Applicant to construct a new public road within the development.
2. The new road is classified as non-arterial, will have a ROW width sufficient to contain the required road improvements, and comply with the applicable code and Engineering Design and Development Standards (EDDS). (See Exhibit 3, Approved Plans)
3. A Record of Survey (ROS) depicting the ROW limits and alignment of the road is recorded under Auditor's File Number (AFN) 202104025002. (See Exhibit 4, ROS)
4. Establishment of a new road is necessary, practicable, and will benefit the public because operation of the arterial road system is improved by dispensing local traffic onto multiple roads and access points, response time for emergency services is reduced, and use of transit systems, pedestrian facilities, and bicycle facilities are promoted.
5. Establishment of a new road is also consistent with the requirements set forth in chapter 30.24 SCC, "General Development Standards-Access and Road Network ", and EDDS chapter 3-01(7), "Road Circulation", including the requirement that a public road connection shall be constructed to any public road stubs on any adjacent parcel when the engineer determines the connection is necessary, practicable, and feasible.
6. No public expenditures will be required for the construction of the new road. All construction costs will be paid in full by the Applicant. The estimated cost of construction of the road is \$ 35,693.45.
7. Plans for the construction of the road to the County standards have been approved by DPW and PDS. The County accepted a performance security bond for the construction and completion of all ROW improvements. Upon completion by the Applicant and acceptance of the road by the County, including PDS approval of as-builts drawings, a two-year maintenance security bond shall be posted by the Applicant.

8. DPW has reviewed and approved the Statutory Warranty Deed (SWD) and recommends the deed be accepted by the County.
9. The public administrative costs estimated to be incurred by the County in examining, investigating and processing the establishment plus additional costs and expenses to be incurred in the final processing of the road establishment as required by the Ordinance are as follows:

|                                      |                  |
|--------------------------------------|------------------|
| Estimated Public Work Charges        | \$3,037.60       |
| Estimated Advertising Costs          | \$ 300.00        |
| Estimated Recording Fee              | <u>\$ 210.00</u> |
| Total Estimated Fees                 | \$3,547.60       |
| Application Fee Credit               | <\$ 500.00>      |
| Total Estimated Administrative Costs | \$3,047.60       |

## RECOMMENDATION

Based on the foregoing Findings, the establishment of 21<sup>st</sup> Ave W is necessary, practicable, and in the best interest of the general public. The County Engineer recommends the establishment be granted provided that: (1) all outstanding administrative costs are paid by the developer to the County Road Fund pursuant to SCC 13.90.070; and (2) PDS and DPW, after inspection, determines that all County road standards have been met.

The County Engineer also recommends that the County Council accept the Statutory Warranty Deed conveying ROW for the road and that it be recorded upon the terms and conditions of the Ordinance.

Approved By:

Douglas W McCormick Digitally signed by Douglas W McCormick  
Date: 2021.04.20 09:43:38 -07'00'  
 \_\_\_\_\_  
 Douglas W. McCormick P.E.  
 Deputy Director/County Engineer

Date 4/20/2021

*Maria Acuario*  
 \_\_\_\_\_  
 Prepared By: Maria Acuario  
 ROW Investigator III

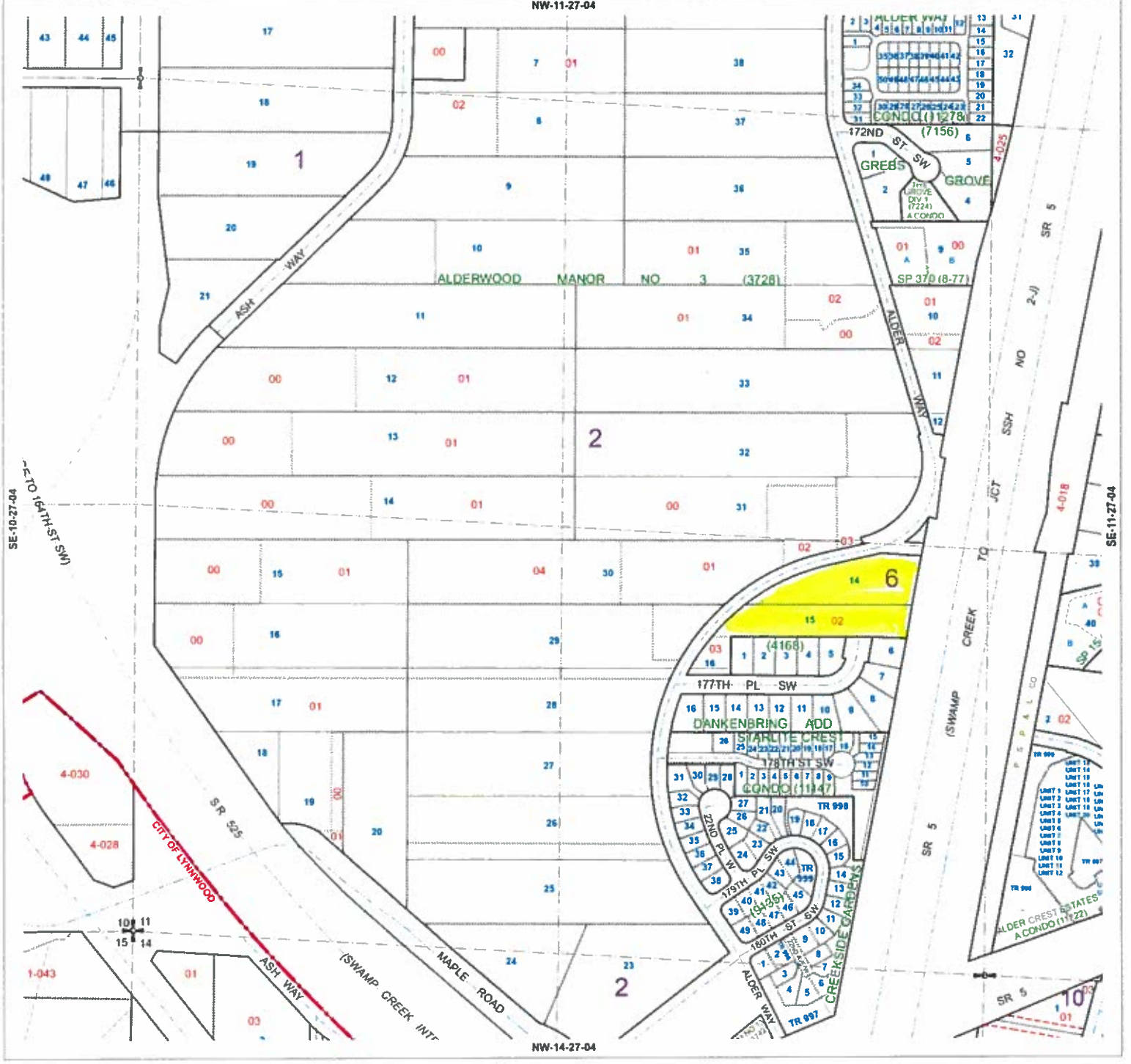
Date 4/20/2021



| QUARTER   | SECTION   | TOWNSHIP N W B L | RANGE E W M |
|-----------|-----------|------------------|-------------|
| <b>SW</b> | <b>11</b> | <b>27</b>        | <b>4</b>    |

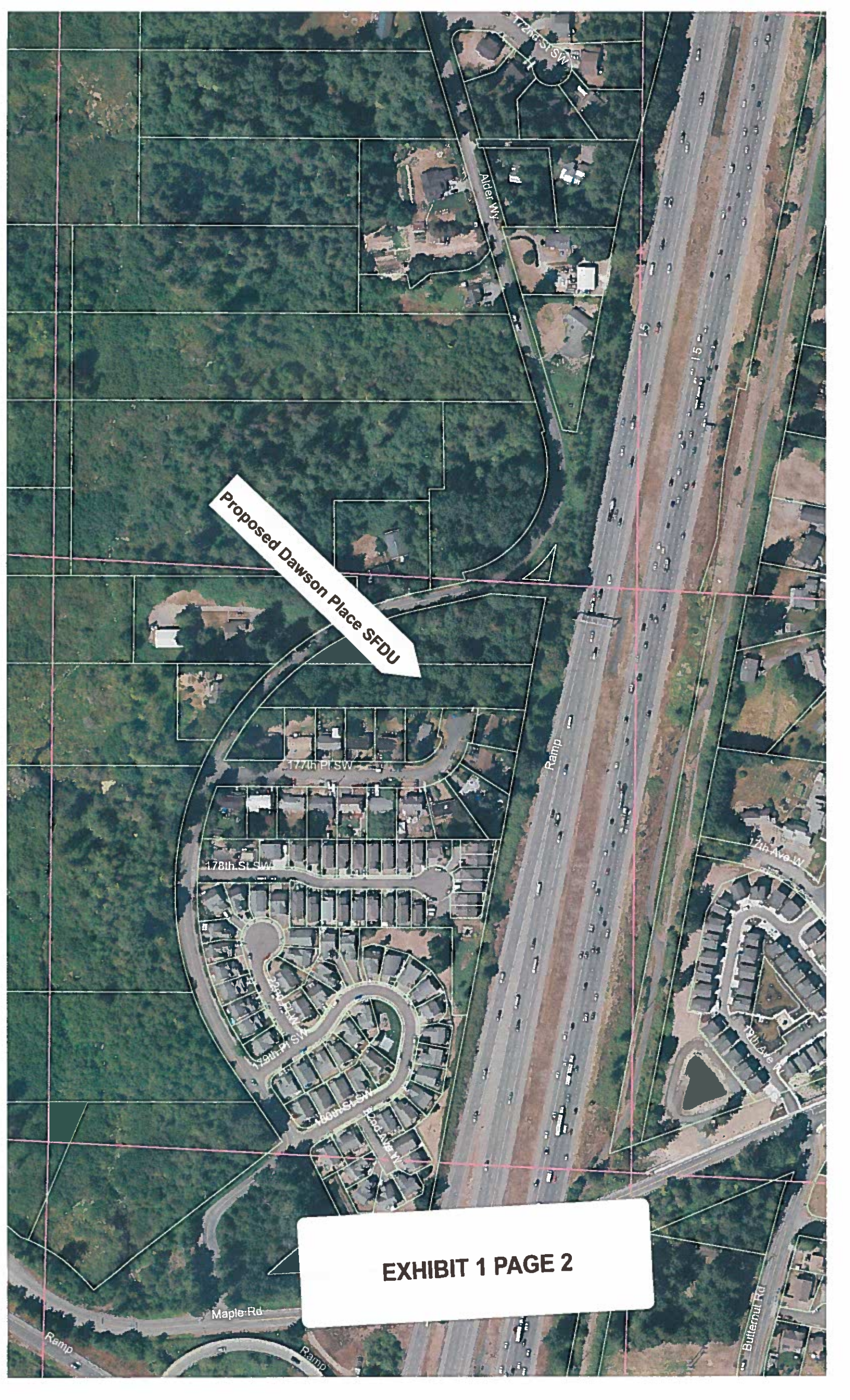
Centerline --- Lot --- Block --- Section --- City Limits ---  
 Gov Lot --- Subdv --- ROW --- Quarter --- Tax Acct ---  
 Major Water --- Other Lot --- Vac ROW --- 16th --- Easement ---  
 Minor Water --- Other Subdv --- Vac Lot ---

1 inch = 200 feet  
 Map produced on September 04, 2019  
 A product of the Assessor's Office  
 Anasatinish County, Washington



Proposed Dawson Place SFDU

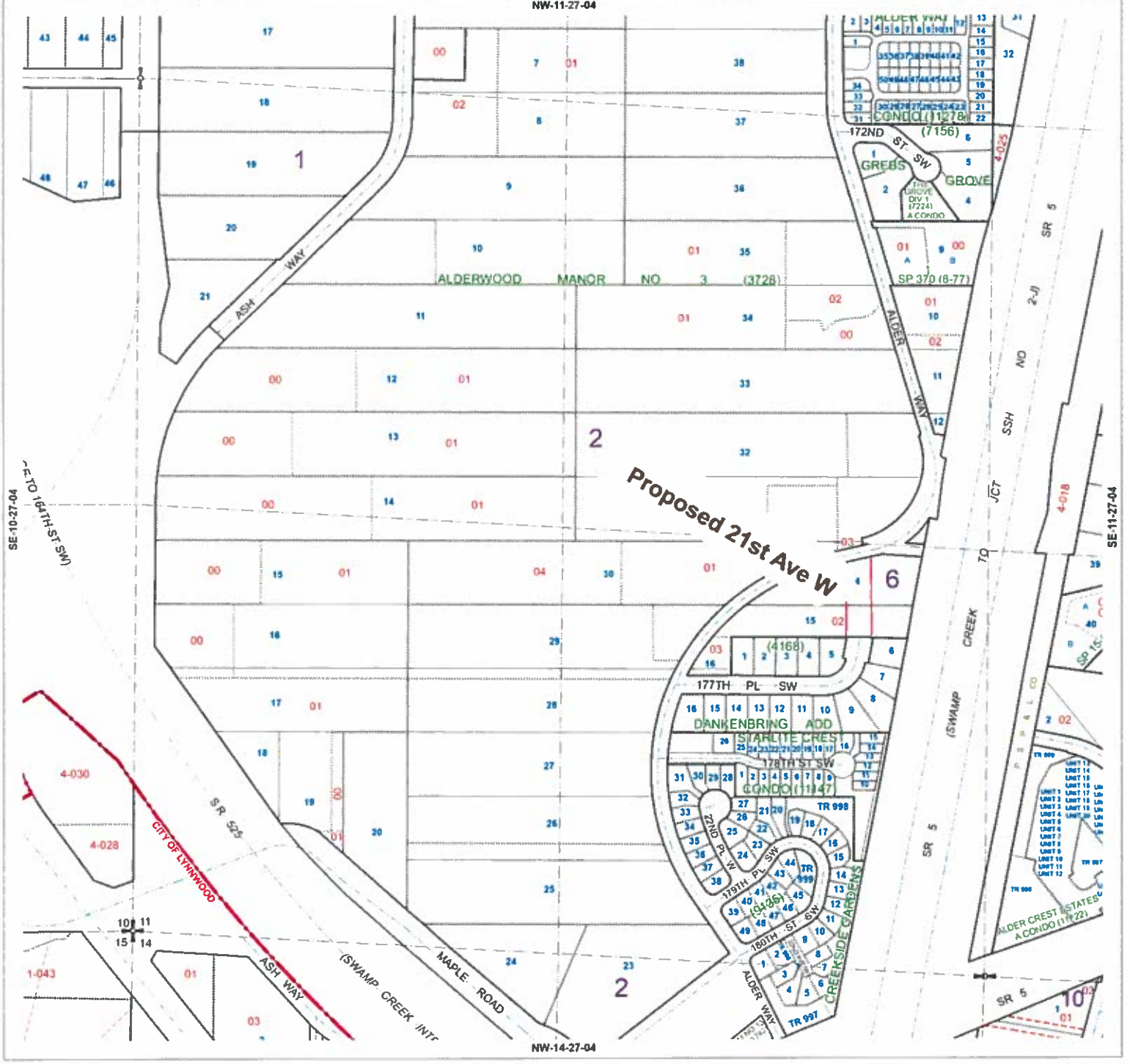
EXHIBIT 1 PAGE 2



|                      |                      |                                |                         |
|----------------------|----------------------|--------------------------------|-------------------------|
| QUARTER<br><b>SW</b> | SECTION<br><b>11</b> | TOWNSHIP N W B L.<br><b>27</b> | RANGE E W M<br><b>4</b> |
|----------------------|----------------------|--------------------------------|-------------------------|

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

1 inch = 200 feet  
 Map produced on September 04, 2020  
 A product of the Assessor's Office  
 Snohomish County, Washington





**AS-BUILT NOTE**

CONSTRUCTION SHALL BE ACCORDING TO THE LOCATION SHOWN ON THIS PLAN. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.

**AS-BUILT SURVEY BY:**  
 C.E.S. NW INC.  
 4710 15th Ave SW  
 Seattle, WA 98147  
 (206) 448-1827

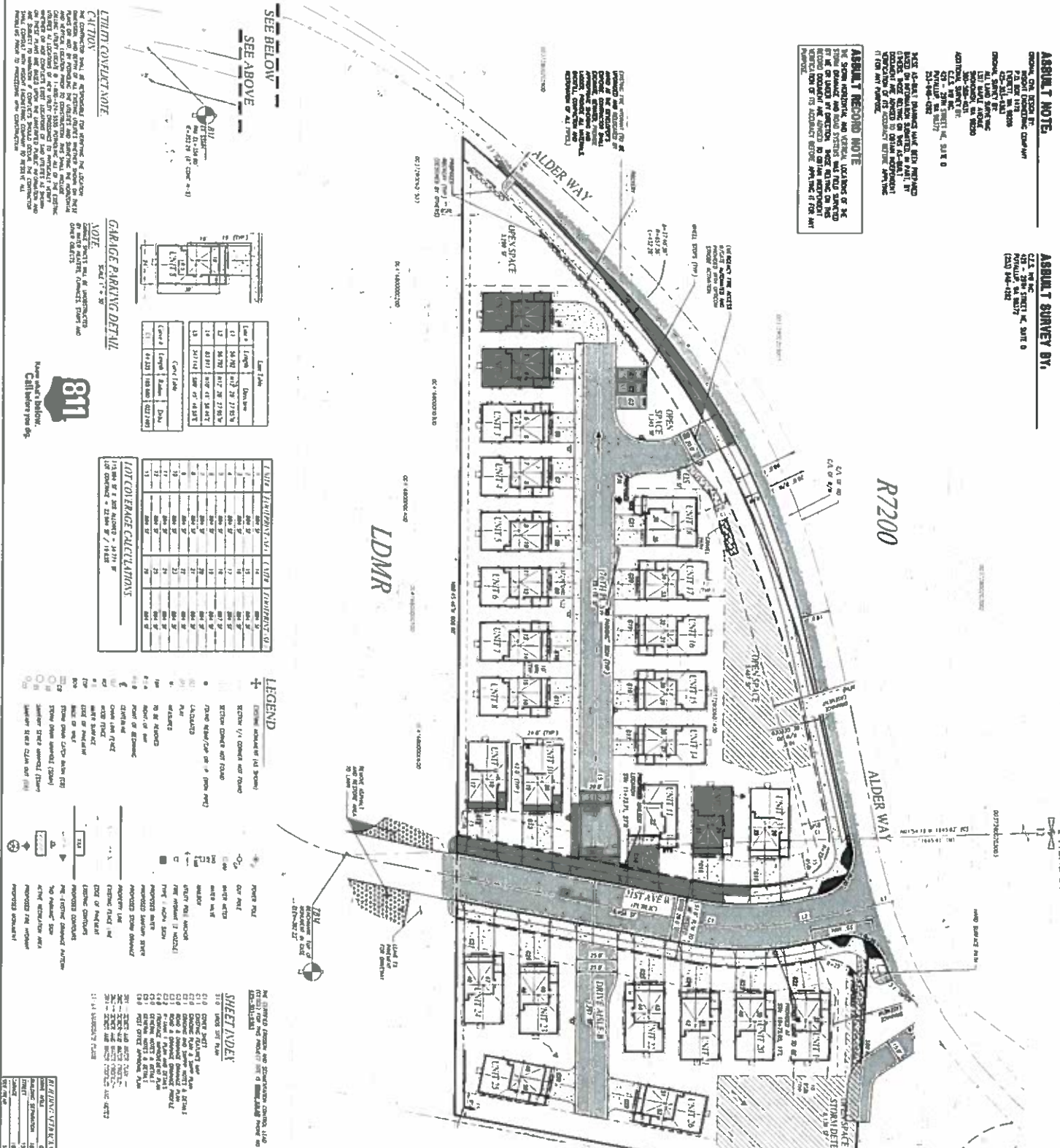
**AS-BUILT RECORD NOTE**  
 THE SHOWN DIMENSIONS AND VERTICAL LOCATIONS OF THE RECORD DRAWING SHALL BE USED TO CONSTRUCT THE PROJECT. THE RECORD DRAWING SHALL BE USED TO CONSTRUCT THE PROJECT. THE RECORD DRAWING SHALL BE USED TO CONSTRUCT THE PROJECT.

**DAWSON PLACE**  
 SR 1/4, SEC. 16, T. 27 N., R. 10M E., W. 1/2  
 KING COUNTY, WASHINGTON  
 172ND ST SW

SCALE: 1" = 30'



**As-Built**  
 APPROVED  
 02/04/2021



| NO. | DESCRIPTION | AMOUNT      | PERCENTAGE | REMARKS |
|-----|-------------|-------------|------------|---------|
| 1   | Lot 1       | 1,200 sq ft | 100%       |         |
| 2   | Lot 2       | 1,200 sq ft | 100%       |         |
| 3   | Lot 3       | 1,200 sq ft | 100%       |         |
| 4   | Lot 4       | 1,200 sq ft | 100%       |         |
| 5   | Lot 5       | 1,200 sq ft | 100%       |         |
| 6   | Lot 6       | 1,200 sq ft | 100%       |         |
| 7   | Lot 7       | 1,200 sq ft | 100%       |         |
| 8   | Lot 8       | 1,200 sq ft | 100%       |         |
| 9   | Lot 9       | 1,200 sq ft | 100%       |         |
| 10  | Lot 10      | 1,200 sq ft | 100%       |         |
| 11  | Lot 11      | 1,200 sq ft | 100%       |         |
| 12  | Lot 12      | 1,200 sq ft | 100%       |         |
| 13  | Lot 13      | 1,200 sq ft | 100%       |         |
| 14  | Lot 14      | 1,200 sq ft | 100%       |         |
| 15  | Lot 15      | 1,200 sq ft | 100%       |         |
| 16  | Lot 16      | 1,200 sq ft | 100%       |         |
| 17  | Lot 17      | 1,200 sq ft | 100%       |         |
| 18  | Lot 18      | 1,200 sq ft | 100%       |         |
| 19  | Lot 19      | 1,200 sq ft | 100%       |         |
| 20  | Lot 20      | 1,200 sq ft | 100%       |         |
| 21  | Lot 21      | 1,200 sq ft | 100%       |         |
| 22  | Lot 22      | 1,200 sq ft | 100%       |         |
| 23  | Lot 23      | 1,200 sq ft | 100%       |         |
| 24  | Lot 24      | 1,200 sq ft | 100%       |         |

| NO. | DESCRIPTION | AMOUNT      | PERCENTAGE | REMARKS |
|-----|-------------|-------------|------------|---------|
| 1   | Lot 1       | 1,200 sq ft | 100%       |         |
| 2   | Lot 2       | 1,200 sq ft | 100%       |         |
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| 5   | Lot 5       | 1,200 sq ft | 100%       |         |
| 6   | Lot 6       | 1,200 sq ft | 100%       |         |
| 7   | Lot 7       | 1,200 sq ft | 100%       |         |
| 8   | Lot 8       | 1,200 sq ft | 100%       |         |
| 9   | Lot 9       | 1,200 sq ft | 100%       |         |
| 10  | Lot 10      | 1,200 sq ft | 100%       |         |
| 11  | Lot 11      | 1,200 sq ft | 100%       |         |
| 12  | Lot 12      | 1,200 sq ft | 100%       |         |
| 13  | Lot 13      | 1,200 sq ft | 100%       |         |
| 14  | Lot 14      | 1,200 sq ft | 100%       |         |
| 15  | Lot 15      | 1,200 sq ft | 100%       |         |
| 16  | Lot 16      | 1,200 sq ft | 100%       |         |
| 17  | Lot 17      | 1,200 sq ft | 100%       |         |
| 18  | Lot 18      | 1,200 sq ft | 100%       |         |
| 19  | Lot 19      | 1,200 sq ft | 100%       |         |
| 20  | Lot 20      | 1,200 sq ft | 100%       |         |
| 21  | Lot 21      | 1,200 sq ft | 100%       |         |
| 22  | Lot 22      | 1,200 sq ft | 100%       |         |
| 23  | Lot 23      | 1,200 sq ft | 100%       |         |
| 24  | Lot 24      | 1,200 sq ft | 100%       |         |

**DAWSON PLACE**  
 URDS.SFDU SITE PLAN  
 PROSPECT DEVELOPMENT, LLC  
 2012 5TH AVE NE SUITE 201 PUYALLUP WA 98472

**C.E.S. NW INC.**  
 CIVIL ENGINEERING & SURVEYING  
 4710 15th Ave SW  
 Seattle, WA 98147  
 (206) 448-1827

# DAWSON PLACE

811  
 Know what's below.  
 Call before you dig.  
 UTILITY CONFLICT NOTE

### CLEAN-OUT DESIGN INFORMATION TABLE

| UNIT # | TRIAL | APPROX. CLEAN | AS-BUILT |
|--------|-------|---------------|----------|
|        | DATE  | DATE          | DATE     |
| 1      | 2012  | 2012          | 2012     |
| 2      | 2012  | 2012          | 2012     |
| 3      | 2012  | 2012          | 2012     |
| 4      | 2012  | 2012          | 2012     |
| 5      | 2012  | 2012          | 2012     |
| 6      | 2012  | 2012          | 2012     |
| 7      | 2012  | 2012          | 2012     |
| 8      | 2012  | 2012          | 2012     |
| 9      | 2012  | 2012          | 2012     |
| 10     | 2012  | 2012          | 2012     |
| 11     | 2012  | 2012          | 2012     |
| 12     | 2012  | 2012          | 2012     |
| 13     | 2012  | 2012          | 2012     |
| 14     | 2012  | 2012          | 2012     |
| 15     | 2012  | 2012          | 2012     |
| 16     | 2012  | 2012          | 2012     |
| 17     | 2012  | 2012          | 2012     |
| 18     | 2012  | 2012          | 2012     |
| 19     | 2012  | 2012          | 2012     |
| 20     | 2012  | 2012          | 2012     |
| 21     | 2012  | 2012          | 2012     |
| 22     | 2012  | 2012          | 2012     |
| 23     | 2012  | 2012          | 2012     |
| 24     | 2012  | 2012          | 2012     |
| 25     | 2012  | 2012          | 2012     |
| 26     | 2012  | 2012          | 2012     |

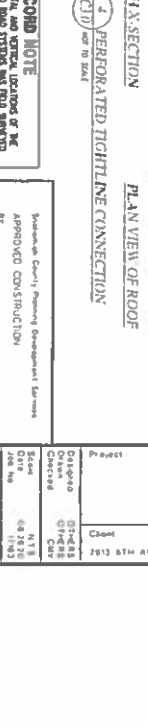
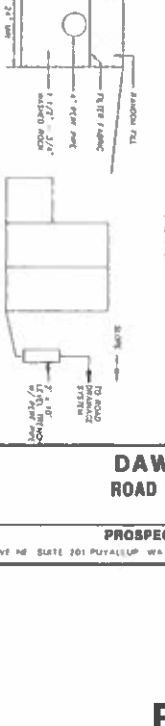
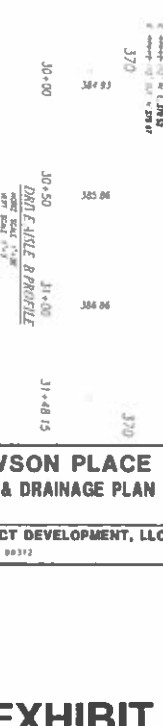
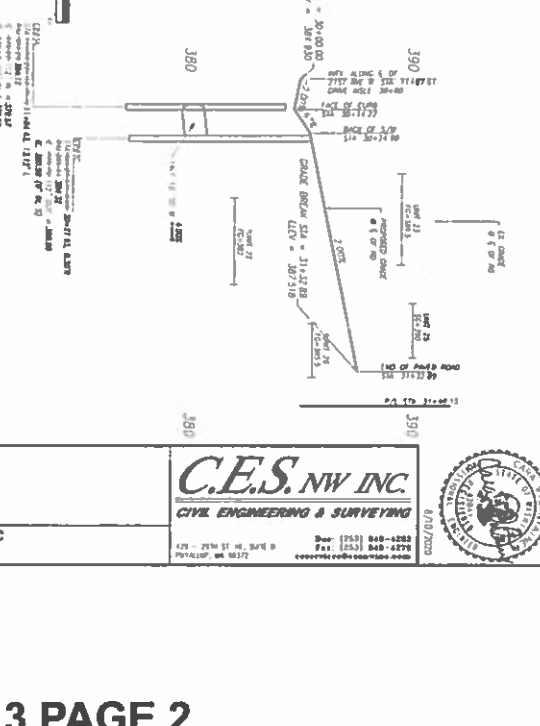
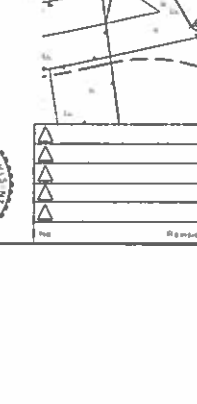
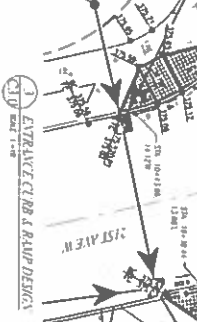
### CURB CUT TABLE

| UNIT # | STATION  | WIDTH |
|--------|----------|-------|
| 1      | 52+00.00 | 10.00 |
| 2      | 52+00.00 | 10.00 |
| 3      | 52+00.00 | 10.00 |
| 4      | 52+00.00 | 10.00 |
| 5      | 52+00.00 | 10.00 |
| 6      | 52+00.00 | 10.00 |
| 7      | 52+00.00 | 10.00 |
| 8      | 52+00.00 | 10.00 |
| 9      | 52+00.00 | 10.00 |
| 10     | 52+00.00 | 10.00 |
| 11     | 52+00.00 | 10.00 |
| 12     | 52+00.00 | 10.00 |
| 13     | 52+00.00 | 10.00 |
| 14     | 52+00.00 | 10.00 |
| 15     | 52+00.00 | 10.00 |
| 16     | 52+00.00 | 10.00 |
| 17     | 52+00.00 | 10.00 |
| 18     | 52+00.00 | 10.00 |
| 19     | 52+00.00 | 10.00 |
| 20     | 52+00.00 | 10.00 |
| 21     | 52+00.00 | 10.00 |
| 22     | 52+00.00 | 10.00 |
| 23     | 52+00.00 | 10.00 |
| 24     | 52+00.00 | 10.00 |
| 25     | 52+00.00 | 10.00 |
| 26     | 52+00.00 | 10.00 |

**NOTES:**  
 1. ALL CURB CUTS SHALL BE APPROVED FOR BY THE CITY OF SEASIDE.  
 2. CURB CUTS SHALL BE INSTALLED AT THE CURB CUT LOCATION.  
 3. CURB CUTS SHALL BE INSTALLED AT THE CURB CUT LOCATION.  
 4. CURB CUTS SHALL BE INSTALLED AT THE CURB CUT LOCATION.

**UTILITY CONFLICT NOTE:**  
 THE CONSTRUCTION SHALL BE APPROVED FOR BY THE CITY OF SEASIDE.  
 ALL UTILITIES SHALL BE MAINTAINED AND PROTECTED.  
 ALL UTILITIES SHALL BE MAINTAINED AND PROTECTED.  
 ALL UTILITIES SHALL BE MAINTAINED AND PROTECTED.

**AS-BUILT RECORD NOTE:**  
 THE SHOWN VERTICAL AND HORIZONTAL LOCATIONS OF THE  
 UTILITIES SHALL BE MAINTAINED AND PROTECTED.  
 ALL UTILITIES SHALL BE MAINTAINED AND PROTECTED.  
 ALL UTILITIES SHALL BE MAINTAINED AND PROTECTED.



**AWARD RECORD NOTE:**  
 THE SHOWN VERTICAL AND HORIZONTAL LOCATIONS OF THE  
 UTILITIES SHALL BE MAINTAINED AND PROTECTED.  
 ALL UTILITIES SHALL BE MAINTAINED AND PROTECTED.  
 ALL UTILITIES SHALL BE MAINTAINED AND PROTECTED.

**PROJECT INFORMATION:**  
 Project: DAWSON PLACE ROAD & DRAINAGE PLAN  
 Client: PROSPECT DEVELOPMENT, LLC  
 Date: 01/17/2024

**C.E.S. NW INC.**  
 CIVIL ENGINEERING & SURVEYING  
 2101 37th Ave NE, Suite 201, Puyallup, WA 98372  
 Phone: 253-843-6276  
 Fax: 253-843-6277  
 Email: info@cesnw.com  
 Website: www.cesnw.com



# RECORD OF SURVEY FOR ROAD ESTABLISHMENT OF 21ST AVE. W.

SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER  
SECTION 11, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M.  
CITY OF LYNNWOOD, COUNTY OF SNOHOMISH, STATE OF WASHINGTON

### LEGAL DESCRIPTION:

PER DECREE TITLE INSURANCE COMPANY OF WASHINGTON, A/TA COMMITMENT NO. 200002879C, DATED 3. DAVID OCTOBER 8, 2003)

PARCEL A OF ALDERWOOD MANOR NO. 3, ACCORDING TO THE PLAT HEREOF RECORDED IN VOLUME 8 OF PLAT PAGES 74 THROUGH 76, INCLUDING RECORDS OF SNOHOMISH COUNTY, WASHINGTON, LYING WESTERS OF PRIVATE STATE HIGHWAY NO. 1 AS CONVERTED TO STATE OF WASHINGTON BY DEED RECORDED UNDER ADDITION'S FILE NO. 1427285, AND EXCEPT THAT PORTION CONVEYED TO SNOHOMISH COUNTY UNDER ADDITION'S FILE NO. 2019106049 AND 2020000030.

PARCEL B OF ALDERWOOD MANOR NO. 3, ACCORDING TO THE PLAT HEREOF RECORDED IN VOLUME 8 OF PLAT PAGES 74 THROUGH 76, INCLUDING RECORDS OF SNOHOMISH COUNTY, WASHINGTON, EXCEPT THAT PORTION CONVEYED TO STATE OF WASHINGTON BY DEED RECORDED UNDER ADDITION'S FILE NO. 2019106049 AND 2020000030.

PARCEL C OF ALDERWOOD MANOR NO. 3, ACCORDING TO THE PLAT HEREOF RECORDED IN VOLUME 8 OF PLAT PAGES 74 THROUGH 76, INCLUDING RECORDS OF SNOHOMISH COUNTY, WASHINGTON, EXCEPT THAT PORTION CONVEYED TO STATE OF WASHINGTON BY DEED RECORDED UNDER ADDITION'S FILE NO. 2019106049 AND 2020000030.

PARCEL D OF ALDERWOOD MANOR NO. 3, ACCORDING TO THE PLAT HEREOF RECORDED IN VOLUME 8 OF PLAT PAGES 74 THROUGH 76, INCLUDING RECORDS OF SNOHOMISH COUNTY, WASHINGTON, EXCEPT THAT PORTION CONVEYED TO STATE OF WASHINGTON BY DEED RECORDED UNDER ADDITION'S FILE NO. 2019106049 AND 2020000030.

### SURVEYORS NARRATIVE:

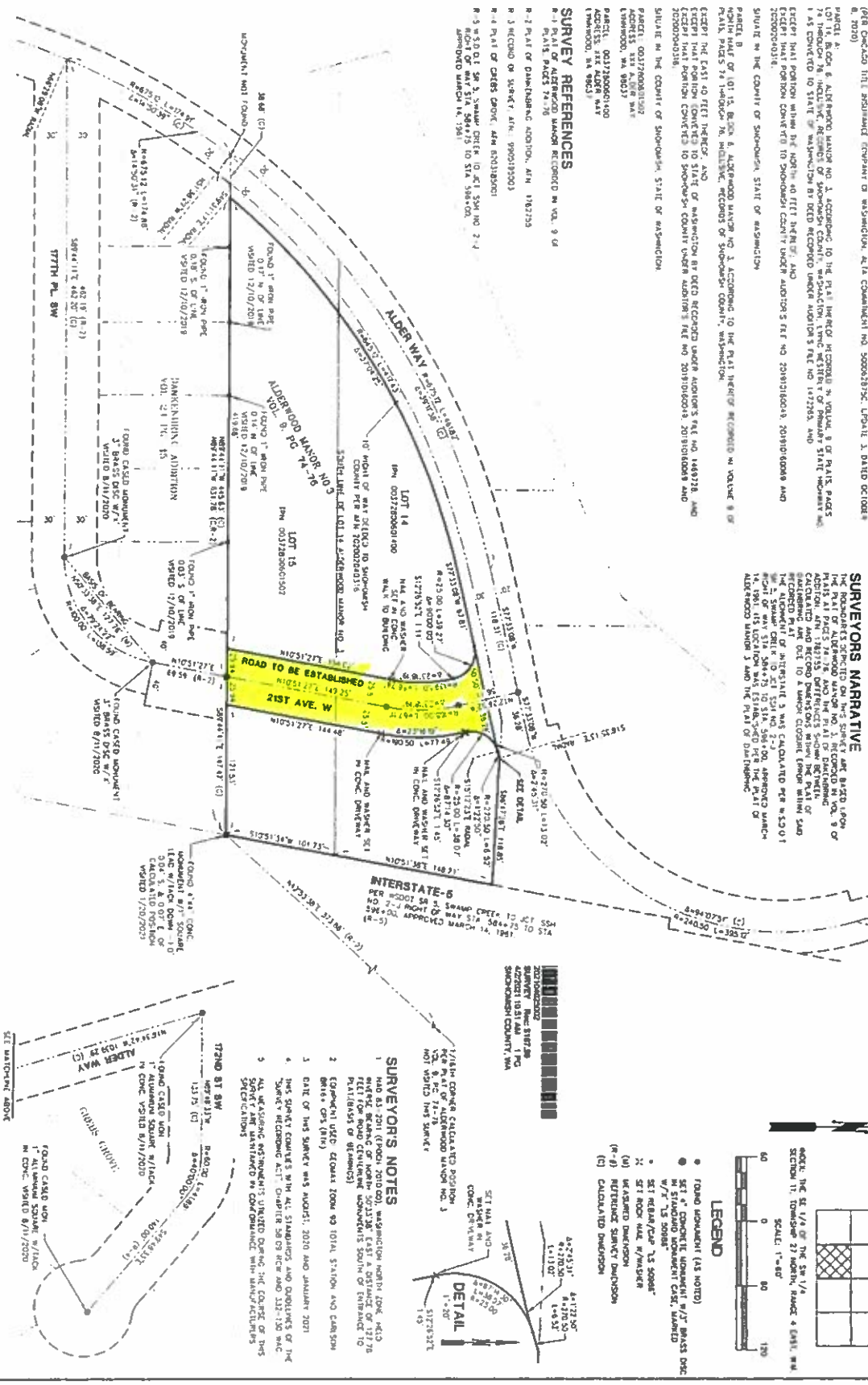
The ROADWAY'S BOUNDARY ON THE STREET ARE BASED UPON THE RECORDS OF SNOHOMISH COUNTY, WASHINGTON, RECORDED IN VOLUME 8 OF PLAT PAGES 74 THROUGH 76, INCLUDING RECORDS OF SNOHOMISH COUNTY, WASHINGTON, LYING WESTERS OF PRIVATE STATE HIGHWAY NO. 1 AS CONVERTED TO STATE OF WASHINGTON BY DEED RECORDED UNDER ADDITION'S FILE NO. 1427285, AND EXCEPT THAT PORTION CONVEYED TO SNOHOMISH COUNTY UNDER ADDITION'S FILE NO. 2019106049 AND 2020000030.

THE ALDERWOOD MANOR NO. 3, ACCORDING TO THE PLAT HEREOF RECORDED IN VOLUME 8 OF PLAT PAGES 74 THROUGH 76, INCLUDING RECORDS OF SNOHOMISH COUNTY, WASHINGTON, EXCEPT THAT PORTION CONVEYED TO STATE OF WASHINGTON BY DEED RECORDED UNDER ADDITION'S FILE NO. 2019106049 AND 2020000030.

THE ALDERWOOD MANOR NO. 3, ACCORDING TO THE PLAT HEREOF RECORDED IN VOLUME 8 OF PLAT PAGES 74 THROUGH 76, INCLUDING RECORDS OF SNOHOMISH COUNTY, WASHINGTON, EXCEPT THAT PORTION CONVEYED TO STATE OF WASHINGTON BY DEED RECORDED UNDER ADDITION'S FILE NO. 2019106049 AND 2020000030.

### SURVEY REFERENCES:

- R-1 PLAT OF ALDERWOOD MANOR RECORDED IN VOL. 8 OF PLAT PAGES 74-76
- R-2 PLAT OF DANFORD ADDITION, A/N 1982293
- R-3 RECORD OF SURVEY A/N 990282003
- R-4 PLAT OF CATES CREEK, A/N 020328001
- R-5 WEST OF 3RD S. SWAMP CREEK TO A/L 3RD AND 2-1/2 MILE, A/N 101328001



### SURVEYOR'S NOTES:

1. ALL CORNERS CALCULATED POSITION PER THE PLAT OF ALDERWOOD MANOR NO. 3 AND VOLUME 8 OF PLAT PAGES 74-76.
2. CORNER USED TO LOCATE 2004 TO 1014 STATION AND CURBS DRIVE C/S (R/S).
3. DATE OF THIS SURVEY WAS MARCH, 2020 AND JANUARY 2021.
4. THIS SURVEY COMPLETES WITH ALL STAKEOUTS AND CORNERS OF THE SWAMP CREEK ACT - CHAPTER 26.09 RCW AND 135-130 WAC.
5. ALL SURVEYING INSTRUMENTS USED DURING THE COURSE OF THIS SURVEY ARE IDENTIFIED BY CONFIDENCE WITH MANUFACTURER'S SPECIFICATIONS.

### RECORD OF SURVEY FOR SNOHOMISH COUNTY

|           |          |               |                |
|-----------|----------|---------------|----------------|
| DATE      | 4/1/2021 | CHECKED BY:   | 17183          |
| DRAWN BY: | CEP      | DRAWING NAME: | 17183 ROAD EST |

### SURVEYORS CERTIFICATE

I, CHARLES E. POZZALUNE, REGISTERED SURVEYOR, DO HEREBY CERTIFY THAT THIS RECORD OF SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF CHARLES E. POZZALUNE IN MARCH, 2021.

### AUDITORS CERTIFICATE

I, GARTH ELLIOTT, REGISTERED AUDITOR, DO HEREBY CERTIFY THAT THIS RECORD OF SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF CHARLES E. POZZALUNE IN MARCH, 2021.

**C.E.S. NW INC.**  
 CIVIL ENGINEERING & SURVEYING  
 408 7TH STREET, SUITE 0  
 LYNNWOOD, WA 98037  
 PHONE: (206) 848-6888  
 FAX: (206) 848-6889  
 WWW.CESNW.COM

JOB # 17183 SHEET 1 OF 1