

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 26-211

APPROVING AND AUTHORIZING THE ESTABLISHMENT AND ACCEPTANCE
OF REAL PROPERTY IDENTIFIED AS 162ND PLACE SW

WHEREAS, under Chapter 36.75 RCW and Chapter 36.81 RCW, Snohomish County ("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 ("County Council") or, when the Snohomish County Engineer (County Engineer) determines that the criteria for road establishment exist; and

WHEREAS, on December 10, 2024, Ash Way Development, LLC, submitted a development application to Planning and Development Services (PDS) under PFN 24 117856 SPA, identified as Ash Way Senior Living; and

WHEREAS, a public hearing is required for the establishment of a new County Road and, in accordance with SCC 13.90.080, the hearing before the Snohomish County Hearing Examiner on October 23, 2025, fulfilled this requirement; and

WHEREAS, on December 30, 2025, the Snohomish County Hearing Examiner issued a decision requiring the developer to construct and establish 162nd PI SW as a new public road; and

WHEREAS, the County Engineer, pursuant to SCC 13.90.040 has determined that the public would benefit from the new County Road and as a recommended condition of development approval that 162nd PI SW be constructed by Ash Way Development LLC and Ash Way Crossing LLC and established as a new County Road; and

WHEREAS, on August 15, 2025, Ash Way Development, LLC (Owner), under SCC 13.90 010, applied to the Department of Public Works (DPW) for the establishment of 162nd PI SW; and

WHEREAS, the proposed 80-foot-wide road to be constructed is on two separate property owners and two separate parcels evenly split; and

WHEREAS, Ash Way Development, LLC has approached Ash Way Crossing, LLC, to join in on the road establishment; and

WHEREAS, Ash Way Crossing, LLC has agreed to join the road establishment process and deed the south 40 feet of the proposed 80-foot-wide ROW subject to the right of Ash Way Crossing LLC, its heirs, successors and assigns, to reserve all development rights and development density credits which would otherwise accrue to Ash Way Crossing, LLC, arising out of the conveyance of the south 40 feet of the ROW for purposes of any subsequent development of that abutting parcel identified as Snohomish County Assessor Parcel Number 27040200301800 which reservation of development rights shall be deemed to run with the land; and

WHEREAS, on November 18, 2025, the County Engineer agreed and supported the proposed concepts; and

WHEREAS, under RCW 36.81.050 and SCC 13.90.040, the County Engineer prepared a report determining that the establishment of 162nd PI SW is necessary and practicable and will benefit the public; and

WHEREAS, a properly executed statutory warranty deeds have been provided conveying sufficient ROW to ensure that 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 (AFN); and .

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

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

WHEREAS, there will be no public expenditures for the construction of the 162nd PI SW; and

WHEREAS, the Council has considered the County Engineer's Report recommending that the statutory warranty deed be accepted, and the establishment of the 162nd PL SW be granted; and

NOW, THEREFORE, ON MOTION, the Snohomish County Council approve of the following actions:

1. Snohomish County's acceptance and acquisition, at no cost to the County, of real property for the establishment of 162nd PL SW as a new public road.

2. The Public Works Director or County Engineer shall have the authority to approve, sign and execute all documents necessary to effectuate the acquisition and transfer of real property from Ash Way Development LLC and Ash Way Crossing, LLC to Snohomish County as is generally shown in the Record of Survey under AFN.
3. Establishment of the County ROW is not effective until DPW files a certification with the Clerk of the Council that the administrative and advertising costs are paid. DPW has inspected and accepted final construction of 162nd PI SW, a two-year maintenance security has been submitted by the Owner and accepted by the County, and the Statutory Warranty Deeds has been recorded.
4. As to that portion of the ROW comprising the south 40 feet to be conveyed by Ash Way Crossing, LLC, arising out of the conveyance to the south 40 feet of the ROW for purposes of any subsequent development of that abutting parcel identified as Snohomish County Assessor Parcel Number 27042300301800, which reservation of development rights shall be deemed to run with the land.

PASSED this 3rd day of June, 2026.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

ATTEST:



Deputy Clerk of the Council