





SNOHOMISH COUNTY
Public Works

CONDEMNATION MEMORANDUM

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:  MICHELE PESCADOR, Public Works Right-of- Way Supervisor

DATE: February 1, 2023

CONFIRMATION OF EMAIL: SENT ON April 12, 2023

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: 36TH / 35TH Ave. W (164th St. SW to SR 99)
Project Number: RC 1491 / UPI #06-0014
Parcel Number: 006

Owner Names: Sandra D. Phillips
Site Address: 15815 35th Ave. W, Lynnwood, WA 98087
Mailing Address: 15815 35th Ave. W, Lynnwood, WA 98087

Tax Parcel Number: 006744-000-023-00

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**

36TH / 35TH Ave. W (164th St. SW to SR 99)

RC 1491 / UPI #06-0014

PARCEL 006

WHEREAS, it is a necessary and proper governmental purpose for Snohomish County to make certain road improvements to an existing County road, namely, 36TH / 35TH Ave. W (164th St. SW to SR 99) and;

WHEREAS, the County Council previously approved the right-of-way plan and funding plan for 36TH / 35TH Ave. W (164th St. SW to SR 99) 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, 1/21/2021 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 36TH / 35TH Ave. W (164th St. SW to SR 99) 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 in 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"

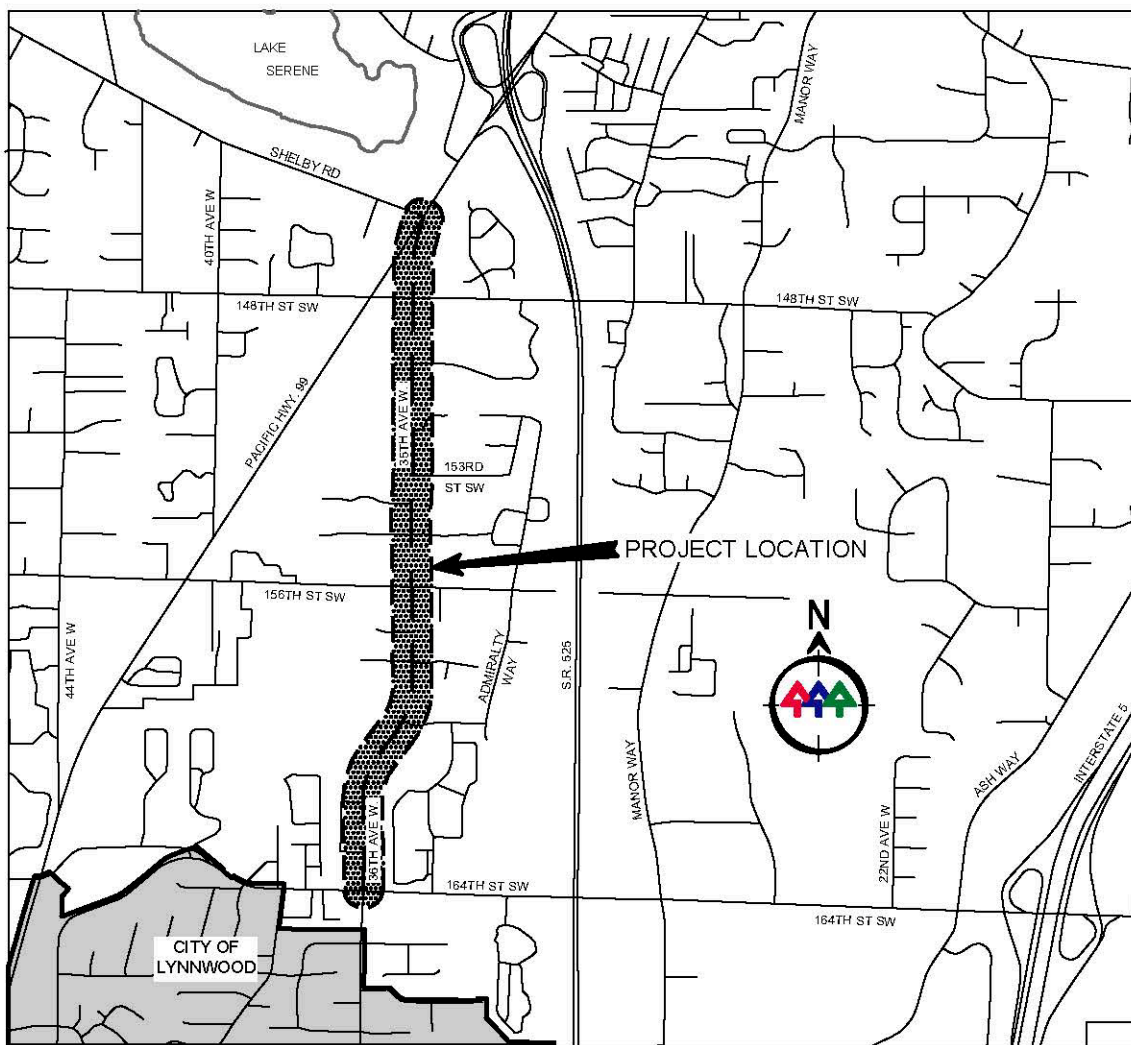
Legal Representative: N/A

Vestee: Sandra D. Phillips

Mail Address: 15815 35th Ave. W, Lynnwood, WA 98087

Site Address: 15815 35th Ave. W, Lynnwood, WA 98087

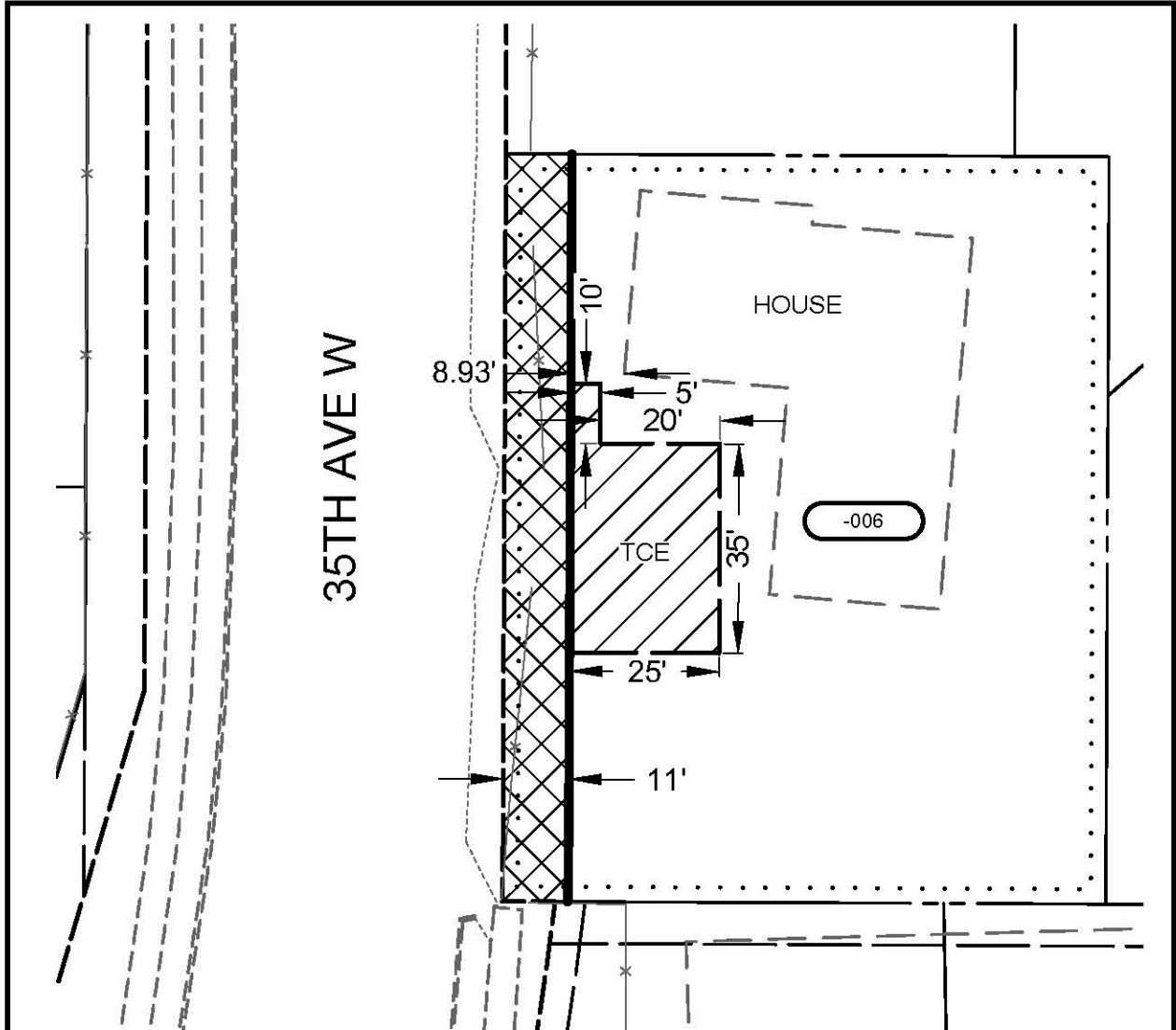
EXHIBIT "B"
Vicinity Map



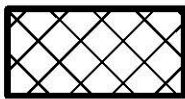
VICINITY MAP
N.T.S.

36TH/35TH AVE W
164TH ST SW TO SR 99

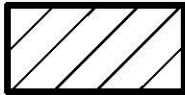
EXHIBIT "C"
Site Plan



PARCEL AREA = 12,600 S.F.
 RIGHT-OF-WAY ACQUISITION = 1,376 S.F.
 PARCEL REMAINDER = 11,224 S.F.
 TEMPORARY EASEMENT AREA = 925 S.F.

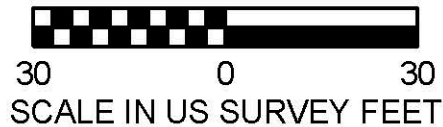


RIGHT-OF-WAY ACQUISITION



TEMPORARY EASEMENT

OWNER
 SANDRA PHILLIPS



36TH/35TH AVE W
 164TH ST SW TO SR 99

EXHIBIT "D"
Legal Description for Fee Acquisition

36th/35th Avenue W., 164th Street S.W. to SR 99
Survey 4155, RC1491, UPI 06-0014
(Phillips, Sandra) -006
November 8, 2021

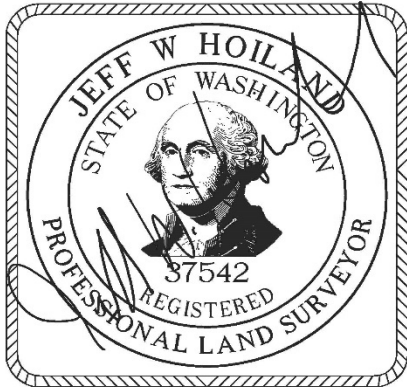
EXHIBIT 'A'

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

All that real property in the southeast quarter of section 3, 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 recorded at Auditor's File No. 201204060168, records of said county, described as follows:

That portion of said parcel lying westerly of a line parallel with and 41.00 feet easterly of the north-south centerline of 35th Avenue W. according to the plat of Lake Road Heights, as recorded at Auditor's File No. 7808070211, records of said county.

Containing an area of 1376 square feet, more or less.



11/8/2021

Grantor's Initials

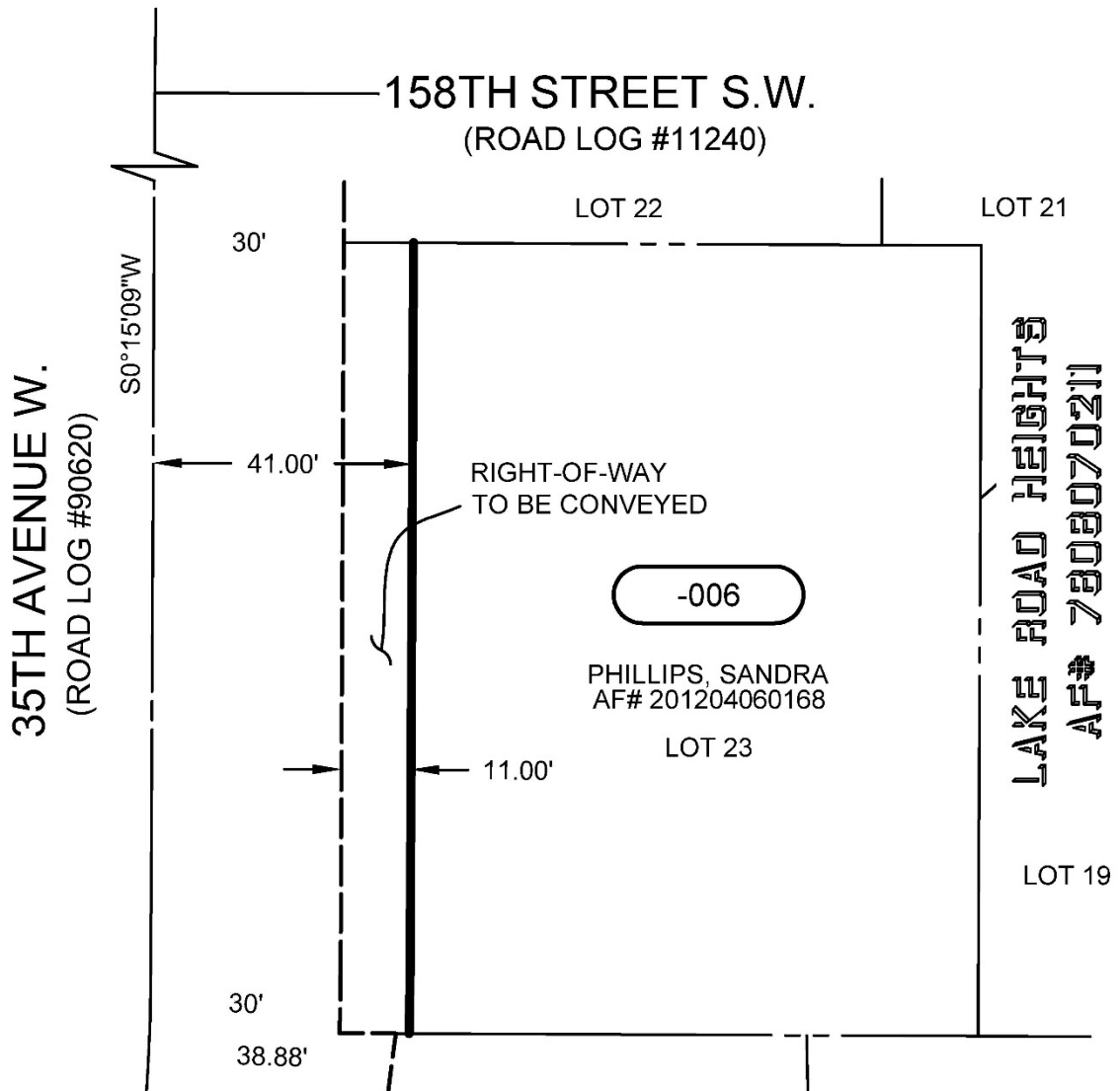
EXHIBIT "E"
Parcel Map for Fee Acquisition

EXHIBIT 'B'

36TH/35TH AVE W, 164TH ST SW - SR 99
SN 4155 (-006 PHILLIPS, SANDRA)



SECTION 3, T. 27 N, R. 4 E., W.M.



ALDER RIDGE TOWNHOMES,
CONDOMINIUM
AF# 200701255221



SCALE IN US SURVEY FEET

Grantor's Initials

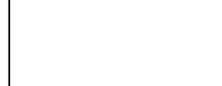


EXHIBIT "F"
Legal Description for Temporary Easement

36th/35th Avenue W., 164th Street S.W. to SR 99
Survey 4155, RC1491, UPI 06-0014
(Phillips, Sandra) -006
November 8, 2021

EXHIBIT 'A'

Temporary Construction Easement (see Exhibit 'B'):

All that real property in the southeast quarter of section 3, 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 recorded at Auditor's File No. 201204060168, records of said county, described as follows:

COMMENCING at a cased 4"x4" concrete monument with lead and tack marking the intersection of 35th Avenue W. and 156th Street S.W., according to that certain plat of survey recorded at Auditor's File No. 7607020259, records of said county, from which a cased 4"x4" concrete monument with a punched 1-3/4" brass disc, stamped "45174" marking the intersection of said 35th Avenue W. and 153rd Street S.W., according to the plat of Maria Lane as recorded at Auditor's File No. 2129187, records of said county, bears north 0°15'09" east, a distance of 957.88 feet;

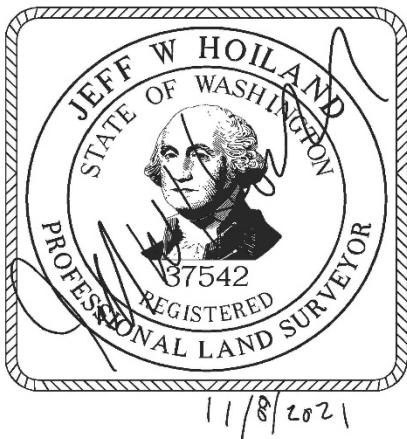
Thence from said **POINT OF COMMENTCMENT**, along the southerly prolongation of said centerline south 0°15'09" west, a distance of 891.04 feet;

Thence leaving said centerline, perpendicular thereto, South 89°44'51" East, a distance of 41.00 feet to the **POINT OF BEGINNING**;

Thence from said **POINT OF BEGINNING** the following courses:

1. Continuing southeast perpendicular to said centerline, a distance of 25.00 feet;
2. Thence northeast parallel with said centerline, a distance of 35.00 feet;
3. Thence northwest perpendicular to said centerline, a distance of 20.00 feet;
4. Thence northeast parallel with said centerline, a distance of 10.00 feet;
5. Thence northwest perpendicular to said centerline, a distance of 5.00 feet;
6. Thence southwest parallel with said centerline, a distance of 45.00 to the **POINT OF BEGINNING**.

Containing an area of 925 square feet, more or less.



Grantor's Initials

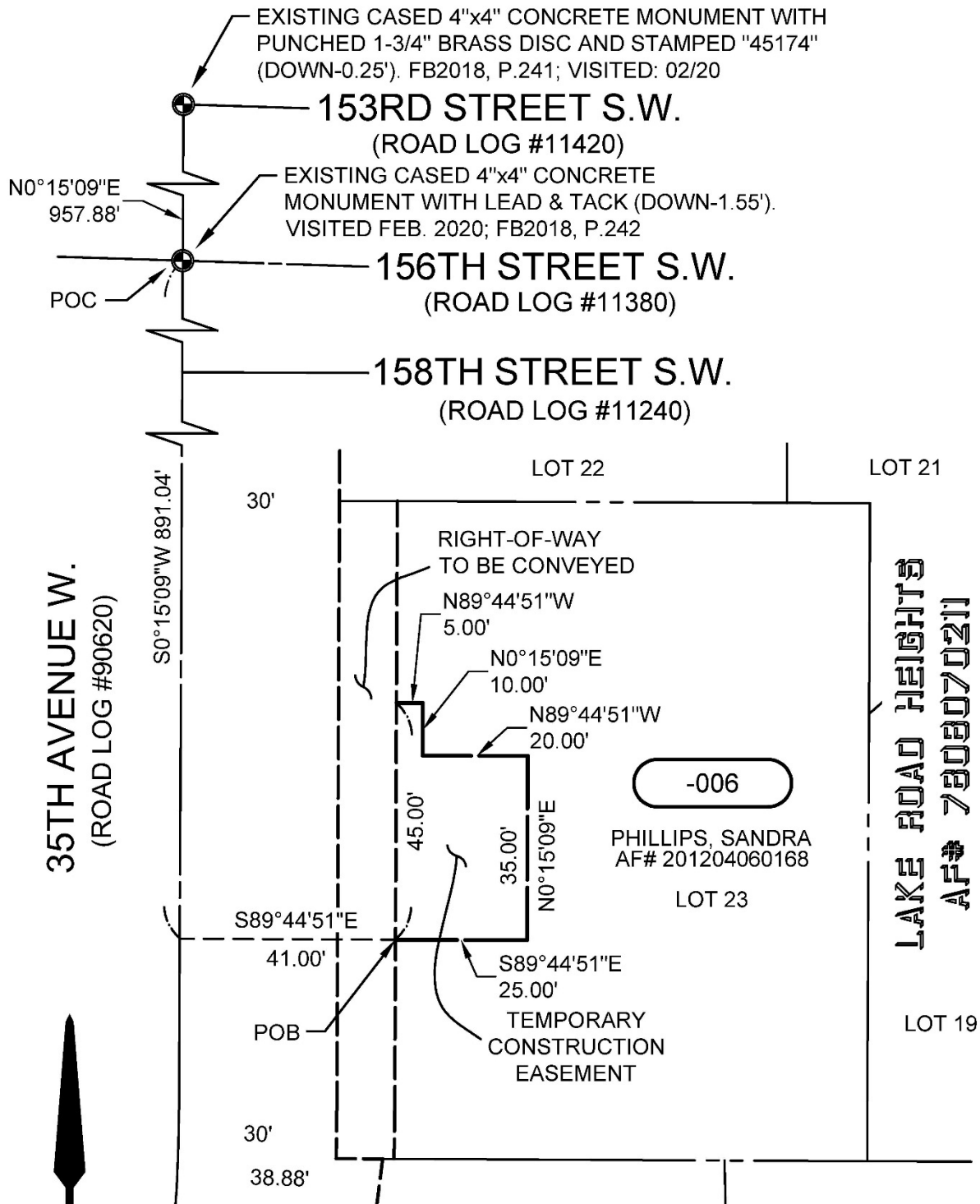
EXHIBIT "G"
Parcel Map for Temporary Easement

EXHIBIT 'B'

36TH/35TH AVE W, 164TH ST SW - SR 99
SN 4155 (-006 PHILLIPS, SANDRA)

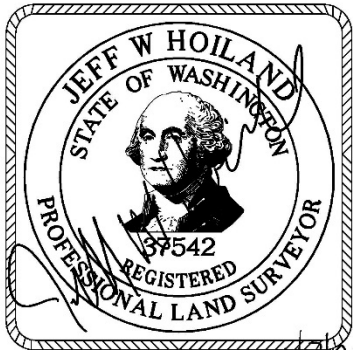


SECTION 3, T. 27 N, R. 4 E., W.M.



35TH AVENUE W.
(ROAD LOG #90620)

LAKE ROAD HEIGHTS
AF# 7808070211



**ALDER RIDGE TOWNHOMES,
CONDOMINIUM**
AF# 200701255221

AF# AUDITOR'S FILE NUMBER
POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING

Grantor's Initials

