



## ENGINEER'S REPORT

PERMIT REQUEST # 20-102394 RWE

### ESTABLISHMENT OF A NEW COUNTY ROAD RIGHT-OF-WAY *Admiralty Way*

#### 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. Snohomish County Code (SCC) 13.90.010 provides that the County Council also has the authority to establish public roads independent of the statutory establishment provisions of chapter 36.81 RCW. The county legislative authority's use of this broad authority must be made under the advice and supervision of the County Engineer.

SCC13.90.010 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 dedication of public road right-a-way (ROW). The process required for establishment of County roads is found in SCC 13.90.020.

#### FACTS/BACKGROUND

1. On March 28, 2019, Ravenswood Apartments, LLC submitted an application to Planning and Development Services (PDS), requesting an approval of an Urban Center Development named Ravenswood Urban Center. (See Exhibit 1, Notice of Application)
2. The proposed Ravenswood development is 6.2 acres in size, is located on the east frontage of Admiralty Way, and near its southerly terminus in the vicinity of 159<sup>th</sup> PI SW, Lynnwood. (See Exhibit 2, Aerial Map)
3. The proposed 295-unit apartment complex is to be built on Lots 14-16 Block 4 of the Plat of Alderwood Manor 4. (See Exhibit 3, Assessors' Map)
4. As conditions of approval of the development, the Department of Public Works (DPW) and PDS are requiring Ravenswood Apartments LLC to establish a new portion of Admiralty Way as a County Road and to vacate a portion of the existing Admiralty Way right of way. The new

portion of County Road is identified as “Road A” in the March 28, 2019 site plan approval for the Ravenswood Urban Center. (County File Number 19 104160 SPA)

5. On February 11, 2020, Ravenswood Apartments LLC Managing Member, David B. Ratliff (the Petitioner), submitted an application to DPW to vacate ROWs where the existing Admiralty Way location ends and to establish a new county road.
6. On January 27, 2021, the County Council held a public hearing to consider the proposed vacation under Motion 21-017 and the vacation was recorded under Auditor’s File Number 202103101248. (See Exhibit 4)
7. The proposed new public road is an extension of the existing Admiralty Way from its current terminus to the south property line of the subject development. (See Exhibit 5, Site Plan)
8. On December 11, 2019, the development was granted preliminary approval, and on April 16, 2020, the construction plans for the development, including the roads, were approved.

## **FINDINGS**

1. The new proposed public road identified on the March 28, 2019 urban center development site plan is designated as Admiralty Way.
2. The new road is classified as a non–arterial residential road. The ROW being provided has sufficient width to contain the required road and improvements and will comply with all applicable code and Engineering Design and Development Standards (EDDS) requirements.
3. The new public road, Admiralty Way, will start from the current terminus of the existing Admiralty Way and run for a length of 288 feet and end at the south property line of the subject development.
4. A record of survey depicting the ROW limits and alignment of the road has been recorded under Auditor’s File Number (AFN) 202204115001 and was amended under AFN 202208185007. (See Exhibit 6, Record of Survey)
5. Establishment of the 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.
6. Establishment of the 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.

7. No public expenditures will be required for the construction of the new road. All construction costs will be paid in full by the Applicant.
8. Plans for the construction of the road to County standards have been approved by DPW and PDS. The county has accepted a performance security bond for the construction and completion of all ROW improvements for the road. Upon completion of construction of the road by the developer, approval of as-built drawings and acceptance of the road by the County (including PDS), a two-year maintenance security bond shall be posted by the developer. (See Exhibit 7)
9. DPW has reviewed and approved the Statutory Warranty Deed and recommends the deed be accepted by the County. The public administrative costs estimated to be incurred by the County in examining, investigating, and processing the establishment application are as follows:

Estimated Public Works Charges	\$2,500.00
Estimated Advertisement Costs	\$ 300.00
 Total Estimated Fee	 \$2,800.00
 Application Fee Credit	 <\$ 500.00>
Total Estimated Administrative Costs	\$2,300.00

## RECOMMENDATION

Based on the foregoing Findings, Permit Request #20 102394 RWE, establishment of the public road for Admiralty Way is necessary, practicable, and in the best interest of the public. The County Engineer recommends that the County Council accept the Statutory Warranty Deed conveying the ROW for the road and that it be recorded upon the terms and conditions of the Motion.

The County Engineer also recommends the establishment be granted based on the following conditions:

## CONDITIONS

1. All outstanding administrative costs are paid by the developer to the County Road Fund pursuant to SCC 13.90.070.
2. DPW and PDS, after inspection of the finished construction, determines all County Road standards have been met.

Approved by:

Douglas W McCormick Digitally signed by Douglas W  
McCormick  
Date: 2022.10.12 12:00:20 -07'00'

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Douglas W. McCormick P. E.  
Deputy Director/County Engineer

10/12/2022

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Date

Prepared by:

Maria Acuario Digitally signed by Maria Acuario  
Date: 2022.10.12 10:38:09 -07'00'

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Maria Acuario  
ROW Investigator III

10/12/22

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Date



# NOTICE

## NOTICE OF APPLICATION

**File Name:** Ravenswood      **File Number:** 19-104160 SPA, 19-104181 LDA, 19-104186 FPA  
**Project Description:** New 295 unit multi-family community subject to Urban Center standards on 6.2 acres.  
**Location:** 15911, 16003, 16011 Admiralty Way, Lynnwood  
**Tax Account Number:** 003729-004-014-01, 003729-004-016-04, 003729-004-014-02, 003729-004-015-01  
**Applicant:** Devco, Inc.

**Date of application/Completeness Date:** March 28, 2019

**Approvals required:** Administrative site plan approval, land disturbing activity, forest practice activity, SEPA environmental review, and all related construction activity permits.

**Concurrency:** This project will be evaluated to determine if there is enough capacity on county roads to accommodate the project's traffic impacts, and a concurrency determination will be made. Notice of the concurrency determination will be provided in the notice of project decision. The notice of decision will be provided to all parties of record for the project.

**Comment Period:** Submit written comments on or before **April 24, 2019**

**Project Manager:** Stephen Fesler, 425.262.2053 or Stephen.Fesler@snoco.org

**Date of Notice:** April 3, 2019

### HOW TO USE THIS BULLETIN

#### To learn more about a project:

- Call the planner assigned to the project.
- Review project file at Snohomish County Planning and Development Services (PDS) 2nd Floor Customer Service Center County Administration Building East
- Permit Center and Record Center Hours are
  - 8:00 AM to 4:00 PM - Monday, Tuesday, Wednesday, Friday
  - 10:00 AM to 4:00 PM - Thursday
  - Please call ahead to be certain the project file is available.

#### To comment on a project:

- Submit written comments to PDS at the address below or email the project manager listed above. All comments received prior to issuance of a department decision or recommendation will be reviewed. To ensure that comments are addressed in the decision or recommendation, they should be received by PDS before the end of the published comment period
- Comments on a project scheduled for a hearing before the hearing examiner, may be made by submitting them to PDS prior to the open record hearing.
- PDS only publishes the decisions that are required by Snohomish County Code. Persons will receive notice of all decisions that they have submitted written comment on, regardless of whether or not they are published.
- You may become a party of record for a project by: 1. submitting original written comments and request to become a party of record to the county prior to the hearing, 2. testifying at the hearing or 3. entering your name on a sign-up register at the hearing. NOTE: only parties of record may subsequently appeal the hearing examiner's decision or provide written or oral arguments to the county council if such an appeal is filed.

#### To appeal a decision:

- There is no appeal opportunity for this application at this point in the process. Additional notice will be provided of any future appeal opportunities.

#### HOW TO REACH US:

The Customer Service Center for the Snohomish County Planning and Development Services is located on the 2nd floor of the Robert J. Drewel Building, 3000 Rockefeller Avenue, M/S 604, Everett, WA 98201  
 425-388-3311 TTY.

More information can be reviewed online at [snohomishcountywa.gov/PDSPostcard](http://snohomishcountywa.gov/PDSPostcard)

**ADA NOTICE:** Accommodations for persons with disabilities will be provided upon request. Please make arrangements as soon as possible but no later than 48 hours before the hearing by contacting the Hearing Examiner's office at 425-388-3538, or Department of Planning and Development Services at 425-388-7119.

#### VERIFICATION OF NOTICE POSTING

A COPY OF THIS NOTICE SHALL BE RETURNED TO THE DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES WITHIN 14 DAYS OF APPLICATION

I hereby verify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, I posted the above property in at least two (2) conspicuous places on the subject property in accordance with Snohomish County regulations. Said signs are posted at the following locations:

\_\_\_\_\_ and \_\_\_\_\_

Signed: \_\_\_\_\_

RETURN TO: Snohomish County Planning & Development Services

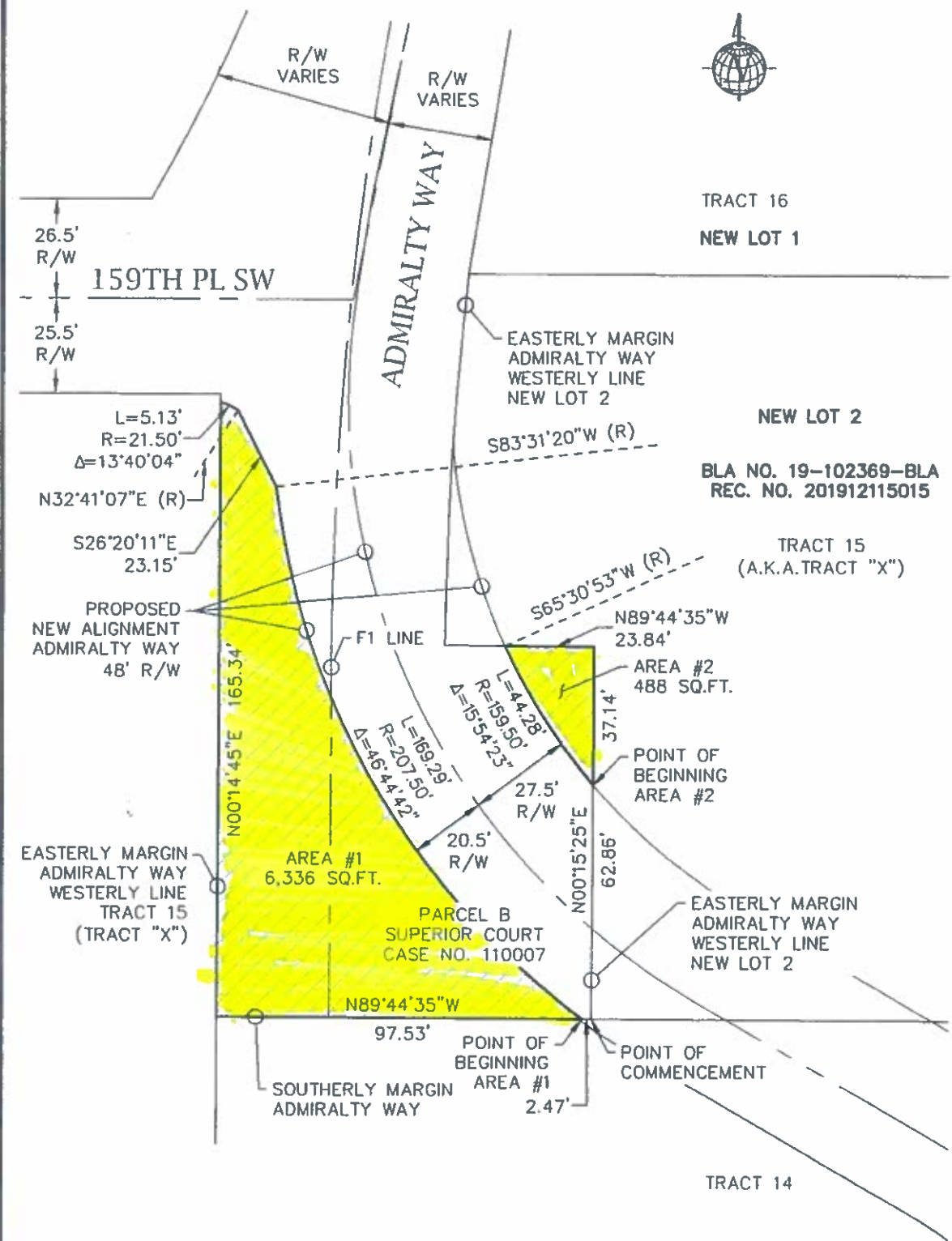
19 104160 SPA



Exhibit 2



**EXHIBIT C**  
**ADMIRALTY WAY VACATION GRAPHIC DEPICTION**



**— EXHIBIT NOTE —**  
 THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.

SE 1/4, SEC. 3, TWP. 27N., RGE. 4E., W.M.  
 CITY OF LYNNWOOD, SNOHOMISH COUNTY, WASHINGTON

ALDERWOOD MANOR NO. 4  
 BLOCK 4  
 VOL. 9 / PG. 73

 <p><b>Axis</b> Survey &amp; Mapping</p>	www.axismap.com	
	JOB NO. 17-268	DATE 05/03/20
	DRAWN BY MWF	CHECKED BY ZLN
	SCALE 1" = 30'	SHEET 3 OF 3

15241 NE 90TH ST  
 REDMOND, WA 98052  
 TEL. 425.823-5700  
 FAX 425.823-6700



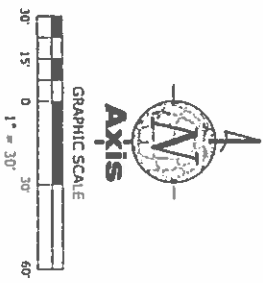
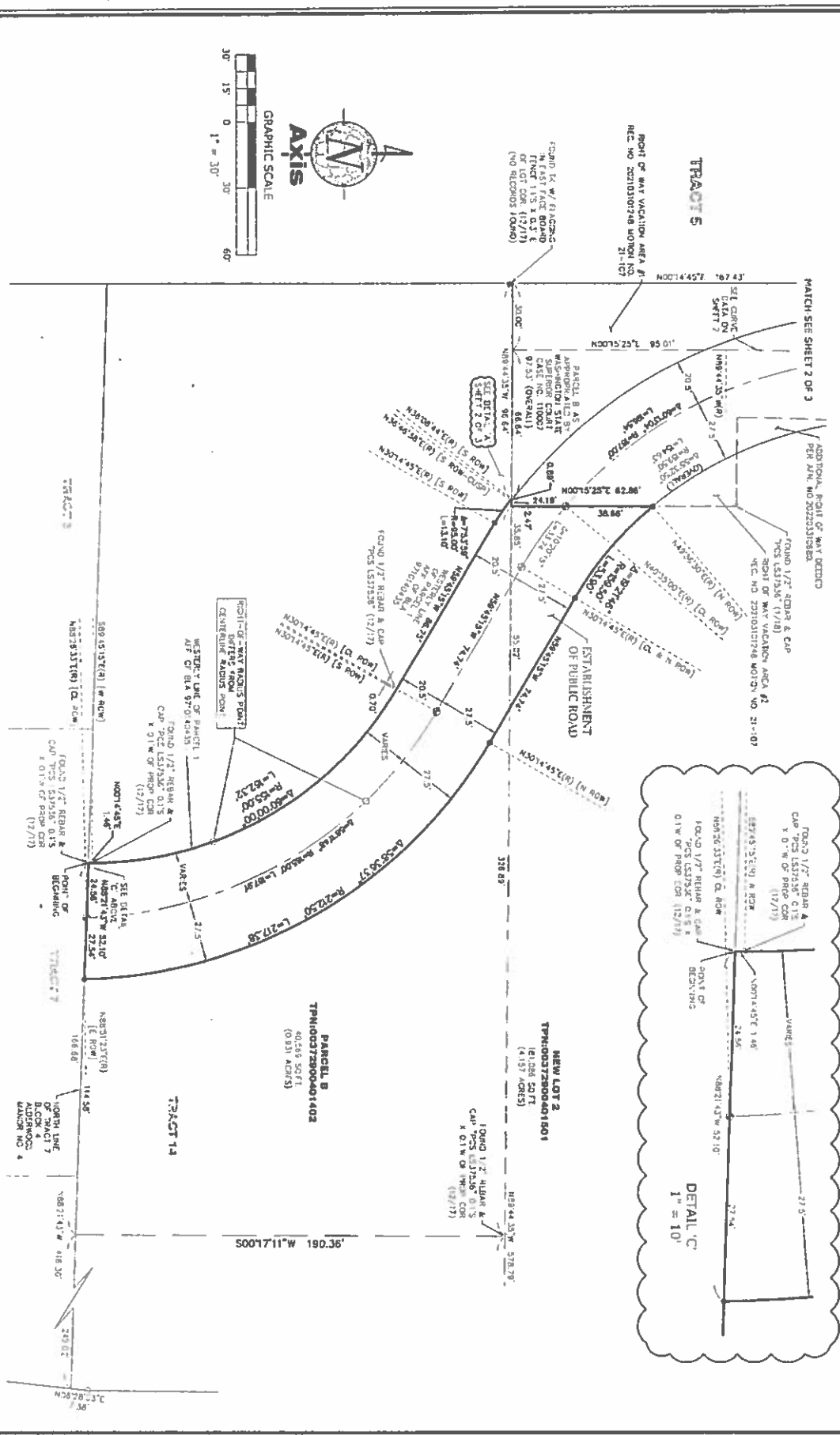






# Exhibit 6 Page 3

## AMENDED RECORD OF SURVEY FOR THE ESTABLISHMENT OF AN EXTENSION OF ADMIRALTY WAY, A PUBLIC ROAD



- LEGEND**
- ① FOUND VARIATION IN CASE AS NOTED ON THIS SHEET
  - ② FOUND REBAR & CAP AS NOTED ON THIS SHEET
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NE, NW, SE & SW 1/4 OF SE 1/4 OF SEC. 3, TWP. 27N., RGE. 4E., W.M.  
 CITY OF LYNNWOOD, SNOHOMISH COUNTY, WASHINGTON

RECORD OF SURVEY  
 FOR THE ESTABLISHMENT  
 OF AN EXTENSION OF  
 ADMIRALTY WAY,  
 A PUBLIC ROAD



JOB NO.	17-268	DATE	08/18/2022
DRAWN BY	TDO / ERH	CHECKED BY	ZLN
SCALE	1" = 30'	SHEET	3 OF 3

KSN 111110111-1100  
19-327

Title 13 Right of Way  
Performance Bond

TITLE 13 SCC RIGHT-OF-WAY  
PERFORMANCE SECURITY - BOND

STATE OF WASHINGTON )

ss.

BOND NO. 3463684

COUNTY OF SNOHOMISH )

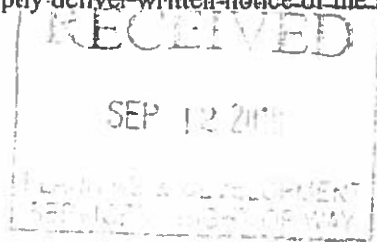
We, Ravenswood Apartments, LLC as Principal (the Principal), and SureTec Insurance Company as Surety (the Surety), a corporation organized under the laws of the State of Texas and duly authorized to transact Surety business in the State of Washington, are held and firmly bound unto Snohomish County (the County), a political subdivision of the State of Washington, in the amount of \$19,600.00, for the payment of which sum we bind ourselves, and each of our executors, administrators, successors and assigns, jointly and severally.

Now, therefore, the conditions of these obligations are such, that if the Principal shall construct and complete all right of way improvements for the project of Ravenswood, project file number 19 104181 LDA required under Titles 13 and 30 Snohomish County Code (SCC) and permitted under Title 13 SCC, then this obligation shall be void; otherwise the obligations set forth herein shall remain in full force and effect until final inspection and construction acceptance by the County of all improvements.

We further agree that if, during the period this performance security is in effect, either the Director of Snohomish County Planning and Development Services (the Director) or the County Engineer determines the Principal has failed to properly install the improvements, the Director or County Engineer shall notify the Principal and Surety in accordance with SCC 13.10.116. 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 Surety, in accordance with SCC 13.10.116(3), 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 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.

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), 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 Surety and the Principal.



Title 13 Right of Way Performance Bond

Project Name: Ravenswood

Project File Number: 19 104181 LDA

*We further agree* that the Principal and the Surety 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 Surety.

Signed this 9 day of September, 2019.

Ravenswood Apartments, LLC

Principal

10900 NE 8th Street STE 1200

Address

Bellevue, WA 98004

City, State, Zip

Phone Number: 425-453-9551

*Evan J. Hunden*  
Signature of Principal

Evan J. Hunden, Managing Member of  
Please Print Name & Title Managing Member

SureTec Insurance Company

Name of Surety

2233 112th Ave NE

Address

Bellevue, WA 98004

City, State, Zip

Phone Number: (425) 709-3600

*Elizabeth R. Hahn*  
Signature of Surety Official

Elizabeth R. Hahn, Attorney-in-Fact  
Please Print Name & Title

Accepted by Snohomish County: *Ken W. Ross* Date: 9-12-19

ST

# SureTec Insurance Company

## LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

Guy Armfield, John Claeys, Scott Fisher, Nicholas Fredrickson, Deanna M. French, Scott Garcia, Elizabeth R. Hahn, Roger Kallenbach, Ronald J. Lange, Andrew P. Larsen, Susan B. Larson, Scott McGilvray, Mindee L. Rankin, Jana M. Roy

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for, providing the bond penalty does not exceed

Fifty Million and 00/100 Dollars (\$50,000,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the CEO, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (Adopted at a meeting held on 20<sup>th</sup> of April, 1999.)

In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its CEO, and its corporate seal to be hereto affixed this 28th day of June A.D. 2019 .

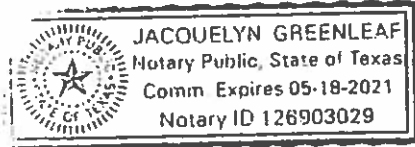
State of Texas                    ss:  
County of Harris



SURETEC INSURANCE COMPANY

By: \_\_\_\_\_  
John Knox Jr., CEO

On this 28th day of June , A.D. 2019 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is CEO of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.



\_\_\_\_\_  
Jacquelyn Greenleaf, Notary Public  
My commission expires May 18, 2021

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 9 day of September, 2019, A.D.

\_\_\_\_\_  
M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity. 4710009  
For verification of the authority of this power you may call (713) 812-0800 any business day between 8:30 am and 5:00 pm CST.