

ECAF #: 2023-0019
(council use only)



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: *JB* JOSEPH P. BENNETT, Special Deputy Prosecuting Attorney

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

DATE: NOVEMBER 3, 2022

CONFIRMATION OF EMAIL: SENT ON 11/11/2022

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: 028

Owner Name: Vivian E. Greenwood
Site Address: 15712 35th Ave. W, Lynnwood WA 98087
Mailing Address: 15712 35th Ave. W, Lynnwood WA 98087
Tax Parcel Number: 003729-002-012-01

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 Ave W / 35th Ave W (164th St SW-SR99)

RC 1491 / UPI #06-0014

PARCEL 028

WHEREAS, it is a necessary and proper governmental purpose for Snohomish County to make certain road improvements to an existing County road, namely, 36th Ave W / 35th Ave W (164th St SW-SR99) and;

WHEREAS, the County Council previously approved the right-of-way plan and funding plan for 36th Ave W / 35th Ave W (164th St SW-SR99) 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 "E" 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 "E" 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 "A"
Parties of Interest

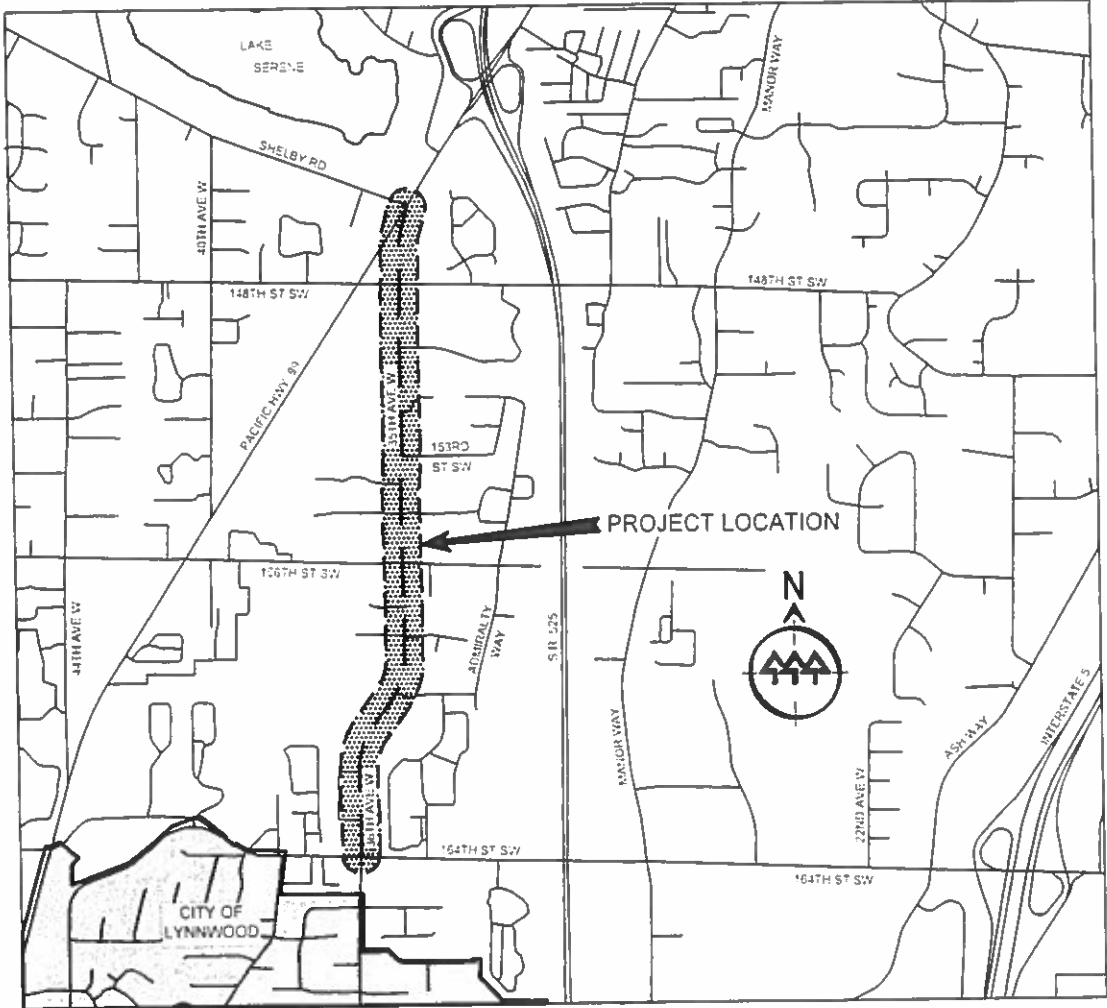
Legal Representative: N/A

Vestee: Vivian E. Greenwood

Mailing Address: 15712 35th Ave. W, Lynnwood, WA 98087

Site Address: 15712 35th Ave. W, Lynnwood, WA 98087

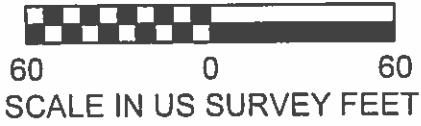
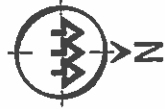
EXHIBIT "B"
Vicinity Map



VICINITY MAP
N.T.S.

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

EXHIBIT "C"
Site Plan



PARCEL AREA = 42,891 S.F.
RIGHT-OF-WAY ACQUISITION = 15,908 S.F.
PARCEL REMAINDER = 26,983 S.F.
EASEMENT AREA = 0 S.F.



RIGHT-OF-WAY ACQUISITION

OWNER
VIVIAN E. GREENWOOD

-028

81.7'

194.7'

35TH AVE W

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
(Greenwood, Vivian) -028
January 6, 2022

EXHIBIT 'A'

Acquisition parcel (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. 200401070406, records of said county, described as follows:

That portion of said parcel lying easterly of a line parallel with and 224.70 feet westerly of the north-south centerline of 35th Avenue W. according to the plat of Alderwood Manor No. 4, as recorded under at Auditor's File No. 237258, records of said county.
Also **EXCEPT** the south 20.3 feet of said parcel

Containing an area of 15,911 square feet, more or less.



1/7/2022

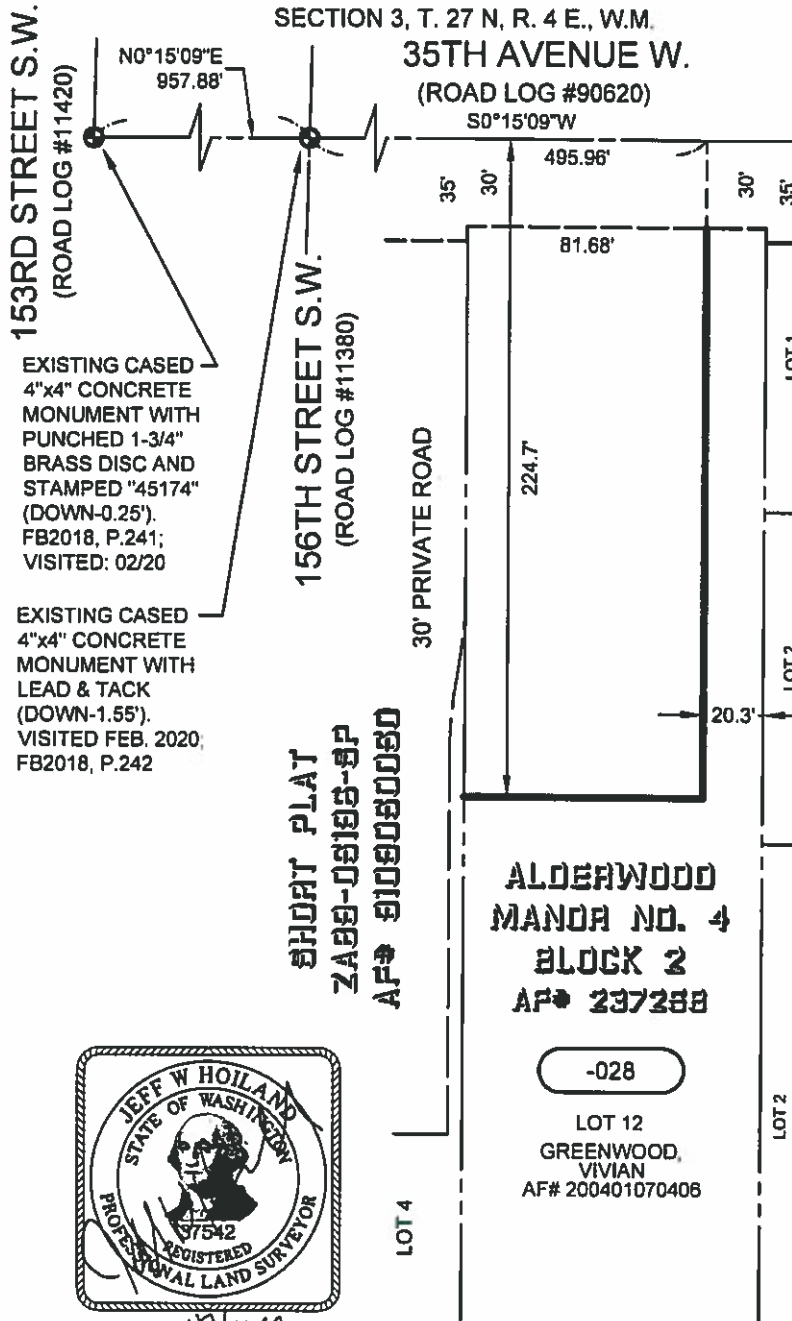
Grantor's Initials

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EXHIBIT "E"
Parcel Map for Fee Acquisition

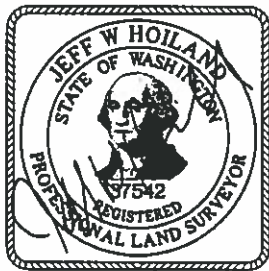
EXHIBIT 'B'

36TH/35TH AVE W, 164TH ST SW - SR 99
SN 4155 (-028 GREENWOOD, VIVIAN)



EXISTING CASED
4"x4" CONCRETE
MONUMENT WITH
PUNCHED 1-3/4"
BRASS DISC AND
STAMPED "45174"
(DOWN-0.25').
FB2018, P.241;
VISITED: 02/20

EXISTING CASED
4"x4" CONCRETE
MONUMENT WITH
LEAD & TACK
(DOWN-1.55').
VISITED FEB. 2020,
FB2018, P.242



1/1/2022



SCALE IN US SURVEY FEET

Grantor's Initials