



## Snohomish County Council

**Committee:** Committee of the Whole

**Analyst:** Deb Evison Bell

**ECAF:** 2023-0020

**Proposal:** Motion 23-005

**Date:** January 10, 2023

### **Consideration:**

Motion authorizing the prosecuting attorney to commence condemnation proceedings necessary for certain road improvements to 36<sup>th</sup> Ave W / 35<sup>th</sup> Ave W (164<sup>th</sup> St SW to SR99) RC 1491/UPI 06-0014; Parcel 001 (Houys), under RCW 36.85.

### **Background:**

The project involves improving 36<sup>th</sup> Ave W / 35<sup>th</sup> Ave W (from 164<sup>th</sup> St SW to SR 99) to arterial road standards. The project includes adding bike lanes, sidewalks, shoulders, turn lanes, and drainage facilities. County Council previously approved the right-of way plan in January 2021 and the funding for the entire road improvement project been secured.

The County needs to acquire real property (Tax Parcel No. 003729-004-001-01) for additional right-of-way (as described in Exhibits “D” through Exhibit “F” of the proposed motion) which is in accordance with the Council approved Right-of-Way Plan 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. The County and the owners are unable to agree upon compensation.

### **Current Proposal:**

*Scope:* The proposed motion would authorize and direct the prosecuting attorney of Snohomish County to commence condemnation proceedings<sup>1</sup> and make all litigation decisions including settlement for the real property of interest.

*Fiscal Implications:* This project is included in the 2023-2028 Transportation Improvement Plan (TIP) and the adopted 2023 Annual Construction Program (ACP) as Item E.40.02 and E.40.03.

**2023 Budget:** Contingent on condemnation proceedings.

**Handling:** NA

**Approved-as-to-form:** N/A as the set standard is prepared by licensed professionals.

**Risk Management:** N/A as the set standard is prepared by licensed professionals.

**Executive Recommendation:** APPROVE

**Requests:** Council to set time and day for Public Hearing.

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<sup>1</sup> [Chapter 36.85 RCW: ROADS AND BRIDGES—RIGHTS-OF-WAY](#)