



SNOHOMISH COUNTY
Public Works

C O N D E M N A T I O N M E M O R A N D U M

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: April 12, 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: 84th St NE / 163rd Ave NE Intersection Improvements
Project Number: RC 1758 / UPI #20-0005
Parcel Number: 005

Owner Names: Janie Morgan
Site Address: 16317 83rd St NE, Lake Stevens, WA 98258
Mailing Address: PO BOX 26, North Lakewood, WA 98259
Tax Parcel Number: 300623-003-006-00

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**

84th St NE / 163rd Ave NE Intersection Improvements

RC 1758 / UPI #20-0005

PARCEL 005

WHEREAS, it is a necessary and proper governmental purpose for Snohomish County to make certain road improvements to an existing County road, namely, 84th St NE / 163rd Ave NE Intersection Improvements and;

WHEREAS, the County Council previously approved the right-of-way plan and funding plan for 84th St NE / 163rd Ave NE Intersection Improvements 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 "I" 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, 06/28/2021 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 "I" are necessary for County purposes for certain road improvements to 84th St NE / 163rd Ave NE Intersection Improvements 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 "H" Legal Description for Permanent Easement
- Exhibit "I" Parcel Map for Permanent Easement

EXHIBIT "A"
Parties of Interest

Legal Representative: N/A

Vestee: Janie Morgan, as Trustee of the Janie Morgan Living Trust UAD 2-1-95

Mailing Address: PO BOX 26, North Lakewood, WA 98259

Site Address: 16317 83rd St NE, Lake Stevens, WA 98258

Beneficiary: N/A

EXHIBIT "B"
Vicinity Map

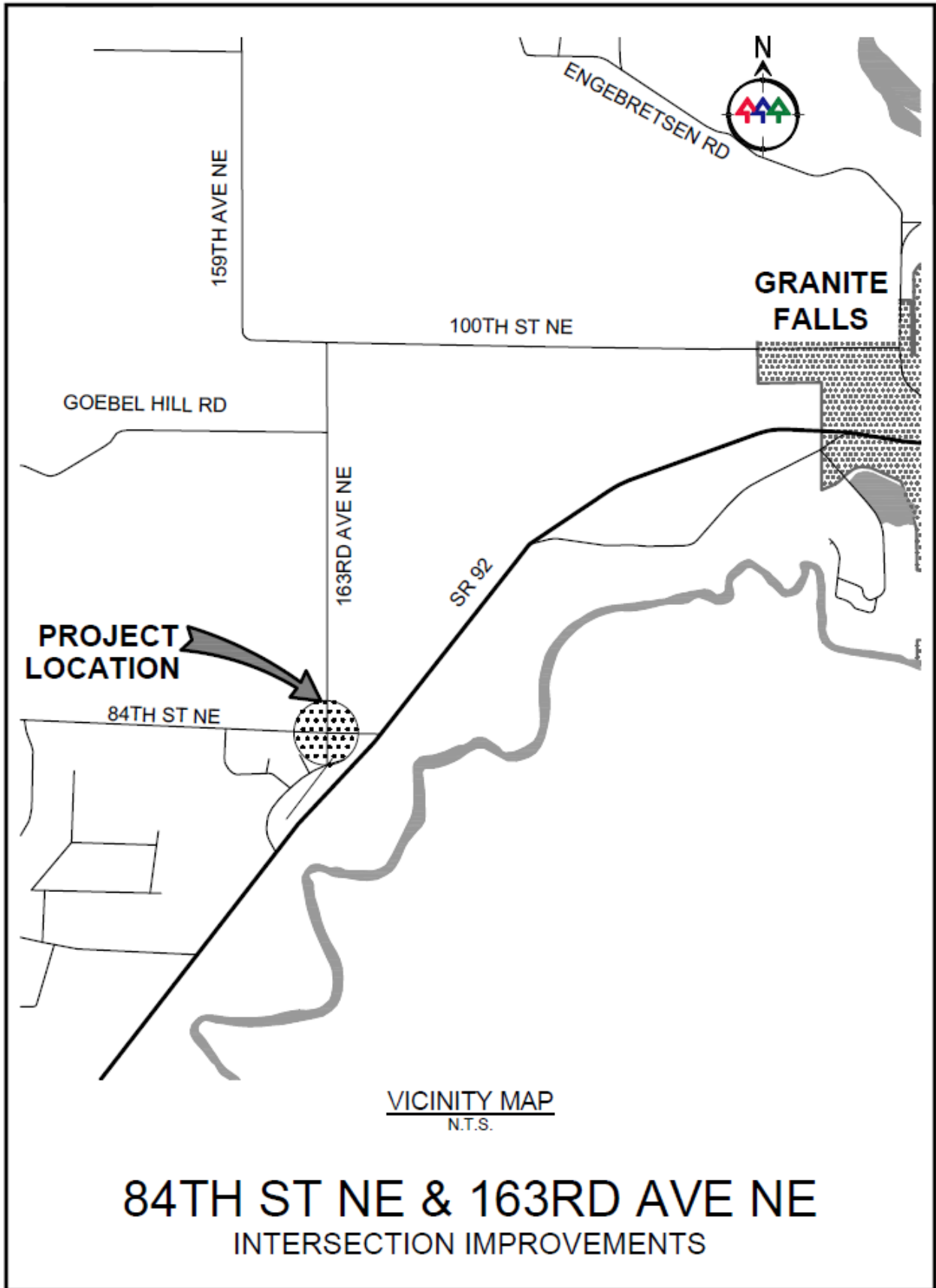


EXHIBIT "C"
Site Plan

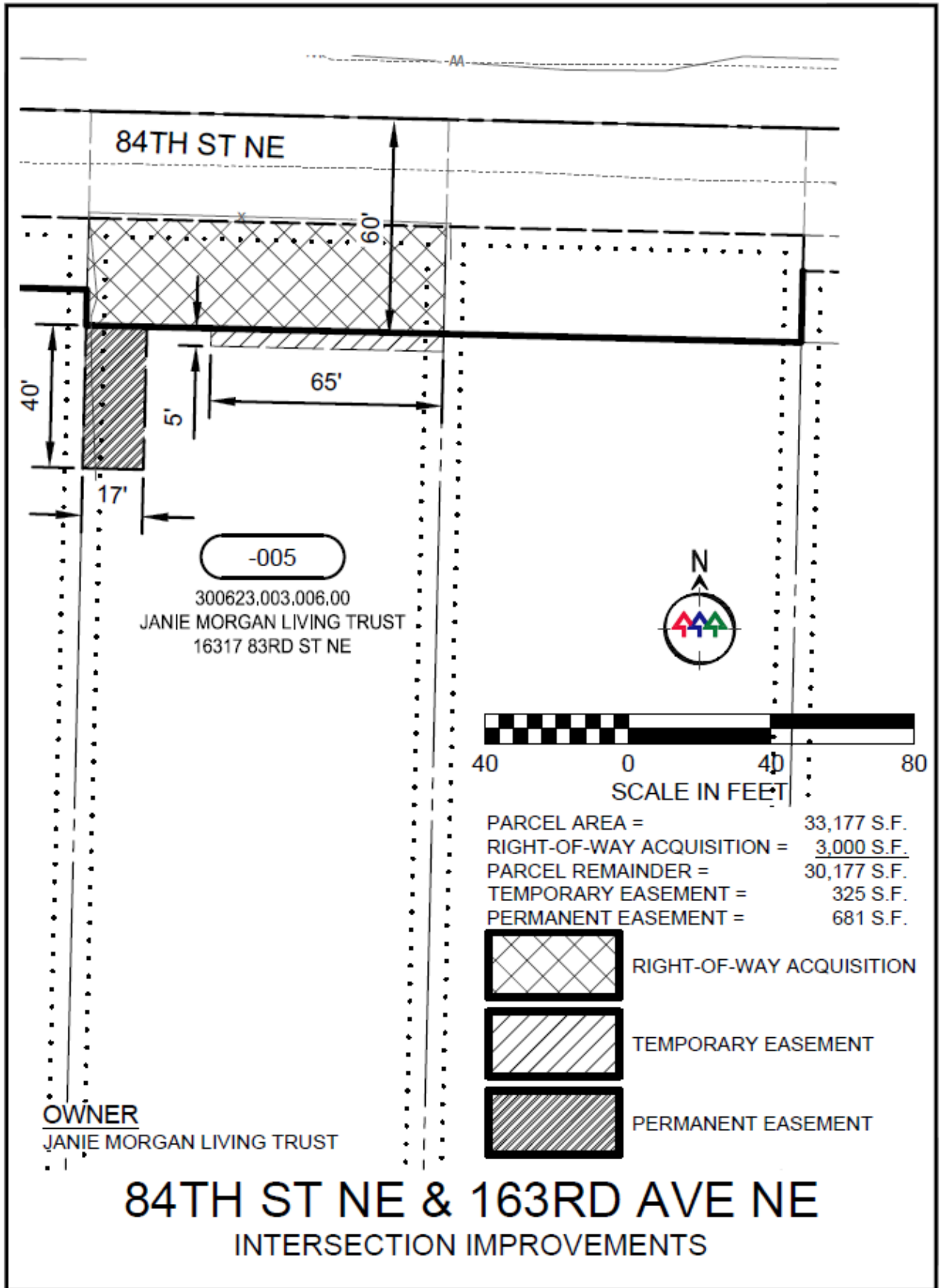


EXHIBIT "D"

Legal Description for Fee Acquisition

84th St. NE/163rd Ave. NE Intersection Improvements

Survey 4950, RC 1758, UPI 20-0005

APN 30062300300600 – N/F Janie Morgan Living Trust

September 19, 2022

EXHIBIT 'A'

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

The North 30 feet of that Parcel described in a Quit Claim Deed, recorded in File Number 201404160394, records of Snohomish County, Washington, situated within a portion of the Northwest Quarter of the Southwest Quarter of Section 23, Township 30 North, Range 6 East, Willamete Meridian, Snohomish County, Washington.

Containing an area of 3,000 square feet or 0.0689 acres, more or less.



9.19.2022

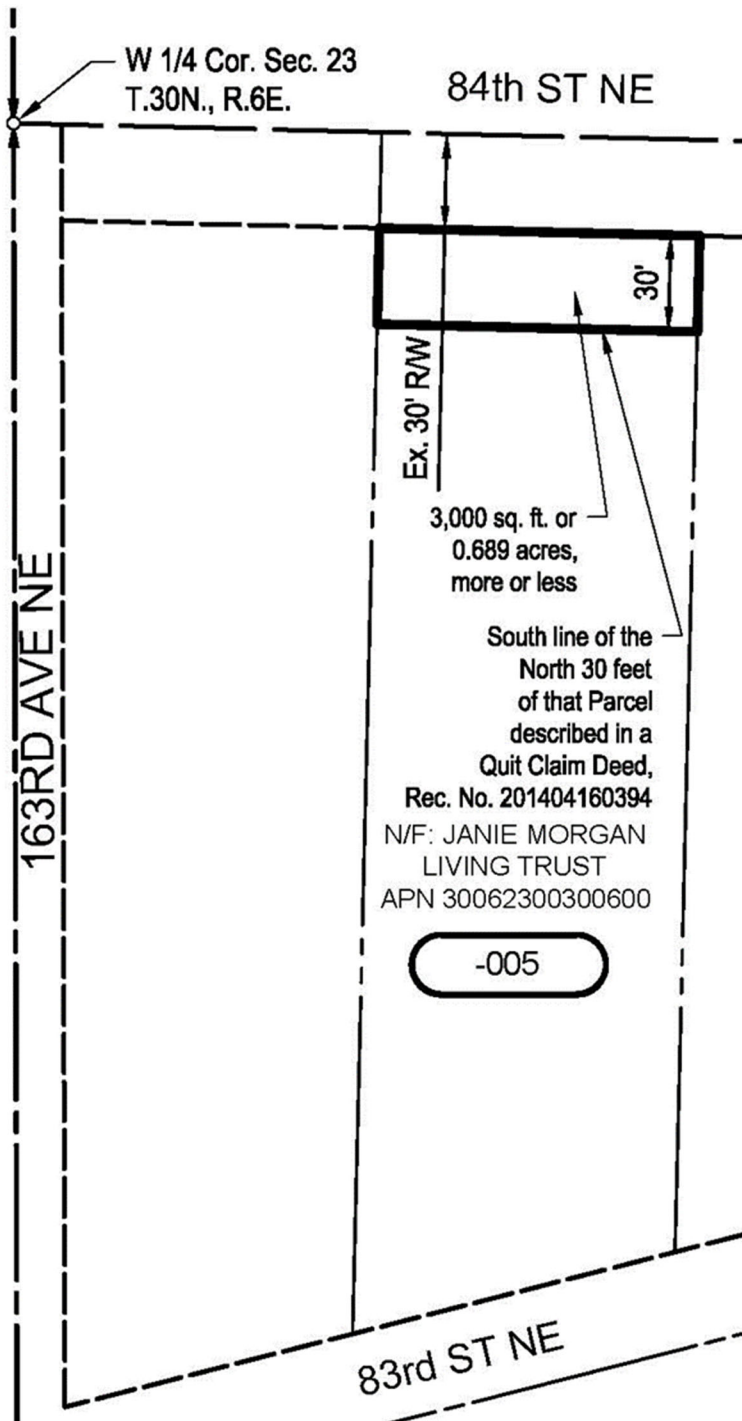
Grantor's Initials

EXHIBIT "E"
Parcel Map for Fee Acquisition

EXHIBIT 'B'

84TH ST NE/ 16RD AVE NE INTERSECTION IMPROVEMENTS
4950/UPI 20-0005/RC1758

SEC. 23, T. 30 N., R. 06 E., W.M.



NOT TO SCALE

Grantor's Initials



9.19.2022

- APN Assessor Parcel Number
- Cor. Corner
- Ex. Existing
- N/F Now or Formally
- No. Number
- Rec. Record
- R/W Right-of-Way
- Sec. Section
- W 1/4 West Quarter

EXHIBIT "F"

Legal Description for Temporary Easement

84th St. NE/163rd Ave. NE Intersection Improvements
Survey 4950, RC 1758, UPI 20-0005
APN 30062300300600 – N/F Janie Morgan Living Trust
September 20, 2022

EXHIBIT 'A'

Temporary Construction Easement (see Exhibit 'B'):

A portion of that Parcel described in a Quit Claim Deed, recorded in File Number 201404160394, records of Snohomish County, Washington, situated in the Southwest Quarter of Section 23, Township 30 North, Range 6 East, Willamete Meridian, Snohomish County, Washington, more particularly described as follows;

COMMENCING at a 3" brass disk at the West Quarter corner of said Section 23, from which a 1" Iron Pipe at the Southwest Corner of said Section 23 bears S00°09' 10" E (an assumed bearing) at a distance of 2,711.32 feet;

Thence S88°37'00"E, along the north line of the Southwest Quarter of said Section 23, for a distance of 150.00 feet;

Thence S01°23'00"W for a distance of 60.00 to a point on the south line of the north 60 feet of the Southwest Quarter of said Section 23, said point being the POINT OF BEGINNING;

Thence S88°37'00"E, along said south line, for a distance of 65.00 feet to a point on the east line of said Parcel;

Thence S01°23'00"W, along said east line, for a distance of 5.00 feet to a point on the south line of the north 65 feet of the Southwest Quarter of said Section 23;

Thence N88°37'00"W, along said south line, for a distance of 65.00 feet;

Thence N01°23'00"E for a distance of 5.00 feet to the POINT OF BEGINNING;

Containing an area of 325 square feet or 0.0075 acres, more or less.



9.19.2022

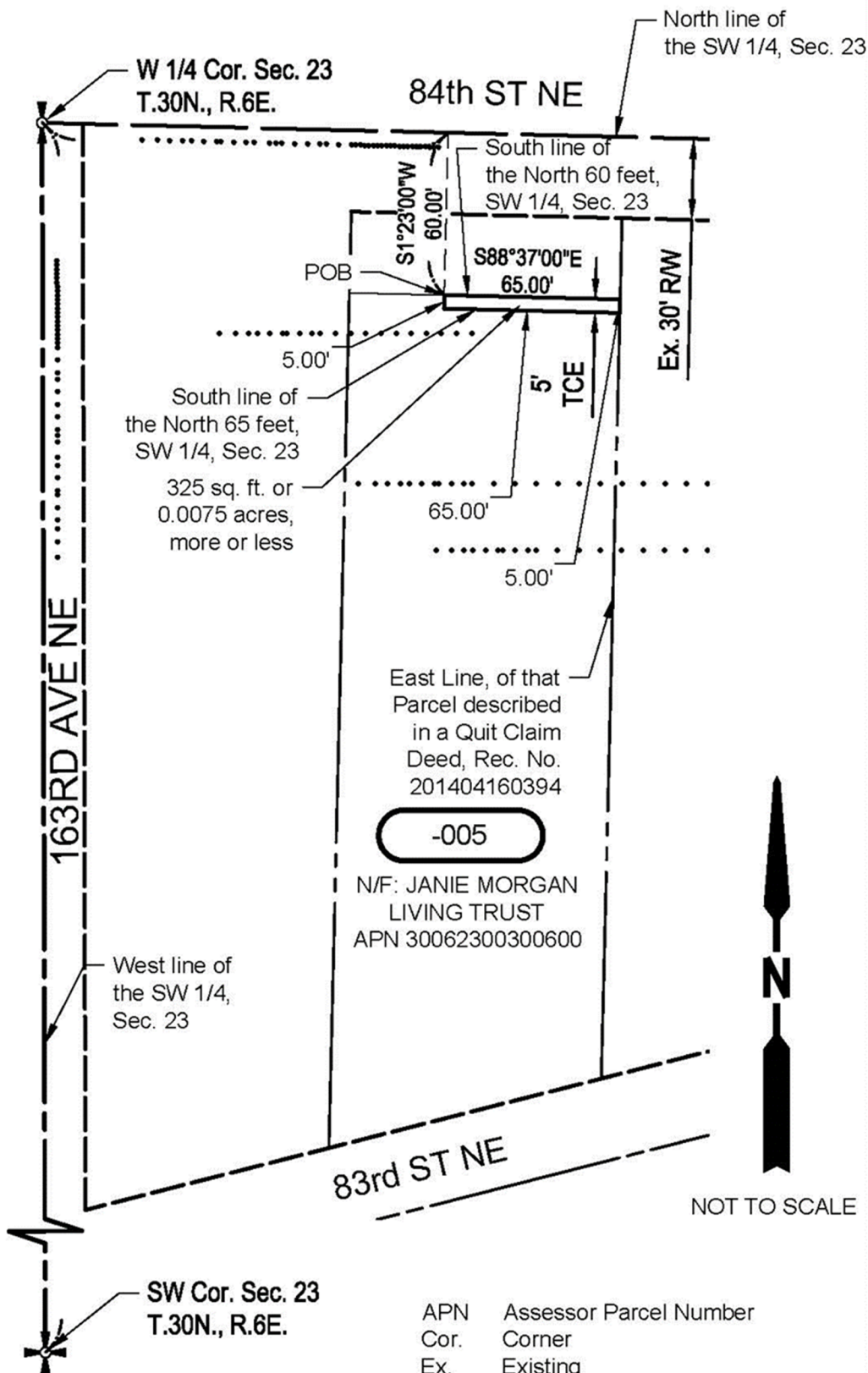
Grantor's Initials

EXHIBIT "G"
Parcel Map for Temporary Easement

EXHIBIT 'B'

84TH ST NE/ 16RD AVE NE INTERSECTION IMPROVEMENTS
4950/UPI 20-0005/RC1758

SEC. 23, T. 30 N., R. 06 E., W.M.



-005

N/F: JANIE MORGAN
LIVING TRUST
APN 30062300300600



NOT TO SCALE

Grantor's Initials



- APN Assessor Parcel Number
- Cor. Corner
- Ex. Existing
- Ft. Feet
- N/F Now or Formally
- No. Number
- POB Point of Beginning
- POC Point of Commencement
- Rec. Record
- R/W Right-of-Way
- Sec. Section
- Sq. Square
- SW Southwest
- TCE Temporary Construction Easement
- W 1/4 West Quarter

EXHIBIT "H"
Legal Description for Permanent Easement

84th St. NE/163rd Ave. NE Intersection Improvements
Survey 4950, RC 1758, UPI 20-0005
APN 30062300300600 – N/F Janie Morgan Living Trust
September 19, 2022

EXHIBIT 'A'

Permanent Easement (see Exhibit 'B'):

A portion of that Parcel described in a Quit Claim Deed, recorded in File Number 201404160394, records of Snohomish County, Washington, situated in the Southwest Quarter of Section 23, Township 30 North, Range 6 East, Willamete Meridian, Snohomish County, Washington, more particularly described as follows;

COMMENCING at a 3" brass disk at the West Quarter corner of said Section 23, from which a 1" Iron Pipe at the Southwest Corner of said Section 23 bears S00°09'10"E (an assumed bearing) at a distance of 2,711.32 feet;

Thence S88°37'00"E, along the north line of the Southwest Quarter of said Section 23, for a distance of 115.00 feet to the prolongation of the west line of said Parcel;

Thence S01°23'00"W, along said prolongation, for a distance of 60.00 to a point on the south line of the north 60 feet of the Southwest Quarter of said Section 23, said point being the POINT OF BEGINNING;

Thence S88°37'00"E, along said south line, for a distance of 17.00 feet to a point on the east line of the west 17 feet of said Parcel;

Thence S01°23'00"W, along said east line, for a distance of 40.00 feet to a point on the south line of the north 100 feet of the Southwest Quarter of said Section 23;

Thence N88°37'00"W, along said south line, for a distance of 17.00 feet to a point on the west line of said Parcel;

Thence N01°23'00"E, along said west line, for a distance of 40.00 feet to the POINT OF BEGINNING;

Containing an area of 681 square feet or 0.0156 acres, more or less.



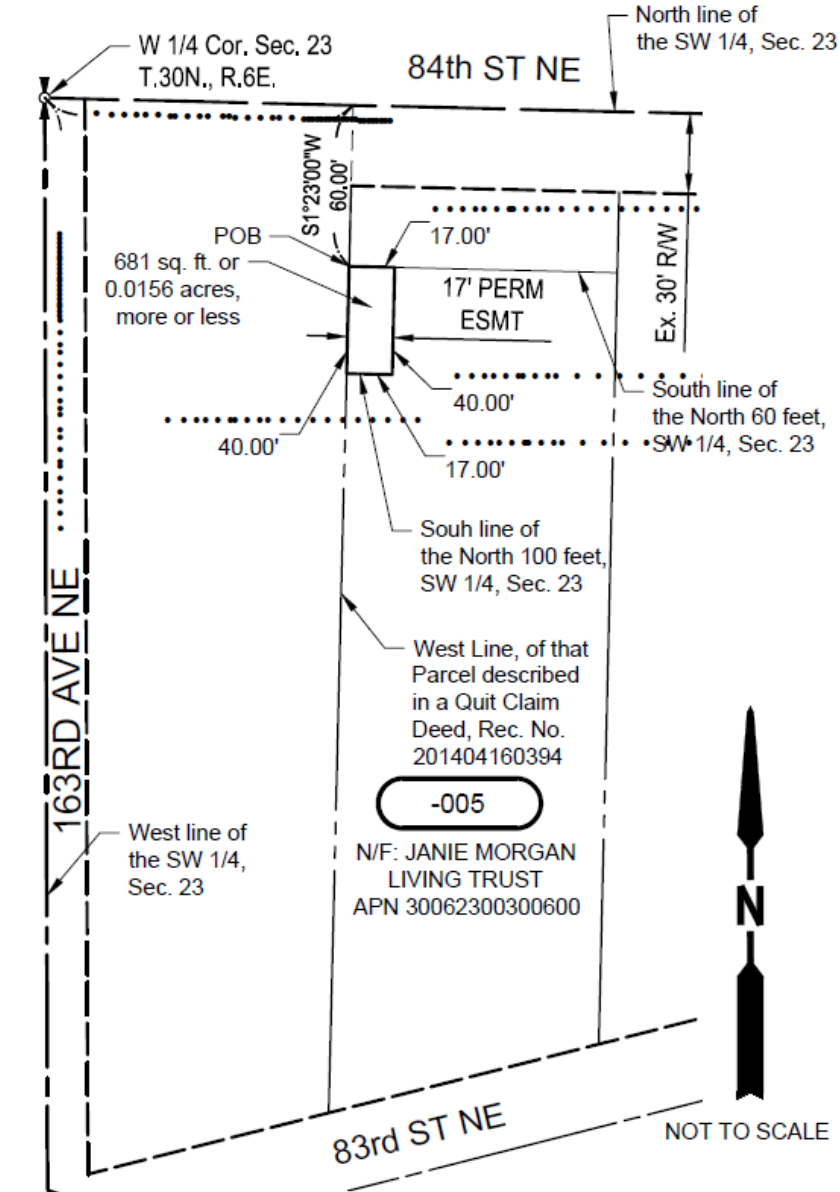
9.19.2022

Grantor's Initials

EXHIBIT "I"
Parcel Map for Permanent Easement

EXHIBIT 'B'

84TH ST NE/ 16RD AVE NE INTERSECTION IMPROVEMENTS
 4950/UPI 20-0005/RC1758
 SEC. 23, T. 30 N., R. 06 E., W.M.



Grantor's Initials



- APN Assessor Parcel Number
- Cor. Corner
- ESMT Easement
- Ex. Existing
- Ft. Feet
- N/F Now or Formally
- No. Number
- PERM Permanent
- POB Point of Beginning
- Rec. Record
- R/W Right-of-Way
- Sec. Section
- Sq. Square
- SW Southwest
- W 1/4 West Quarter