

ECAF #: 2023-0458

(council use only)



**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 11, 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: 004

Owner Names: James E. Jansen and Suzanna M. Jansen
Site Address: 8303 163rd Ave NE, Lake Stevens, WA 98258
Mailing Address: 8303 163rd Ave NE, Lake Stevens, WA 98258
Tax Parcel Number: 300623-003-007-00

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 004

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 "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, 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 "E" 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 of 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: **James E. Jansen and Suzanna M. Jansen, as tenants in common**

Mailing Address: 8303 163rd Ave NE, Lake Stevens, WA 98258

Site Address: 8303 163rd Ave NE, Lake Stevens, WA 98258

Beneficiary: Mortgage Electronic Registration System, Inc., acting solely as nominee for Shelter Mortgage Company, L.L.C.

Address: 1839 S. Alma School Road #250, Mesa, AZ 85210

EXHIBIT "B"
Vicinity Map

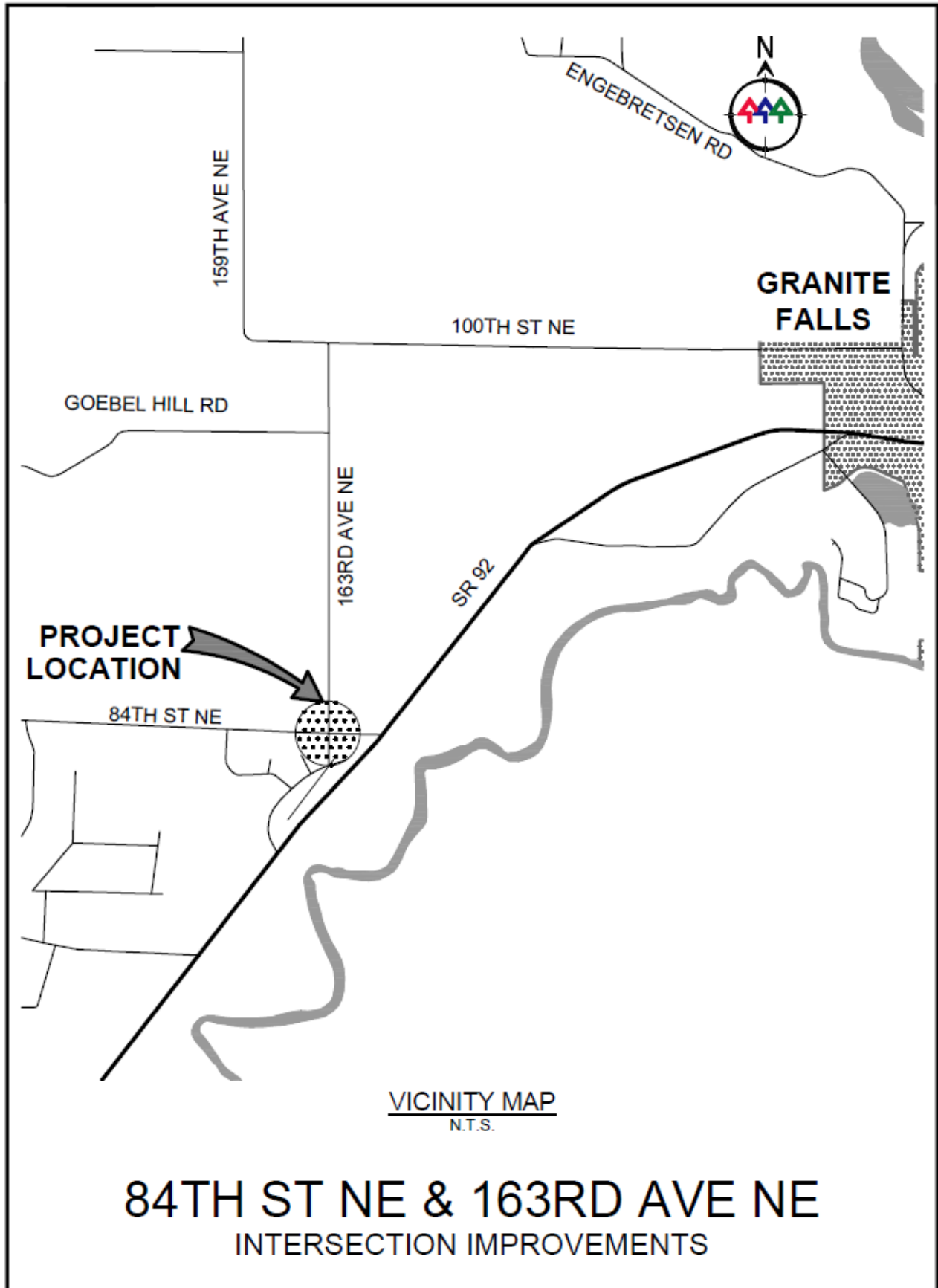


EXHIBIT "C"
Site Plan

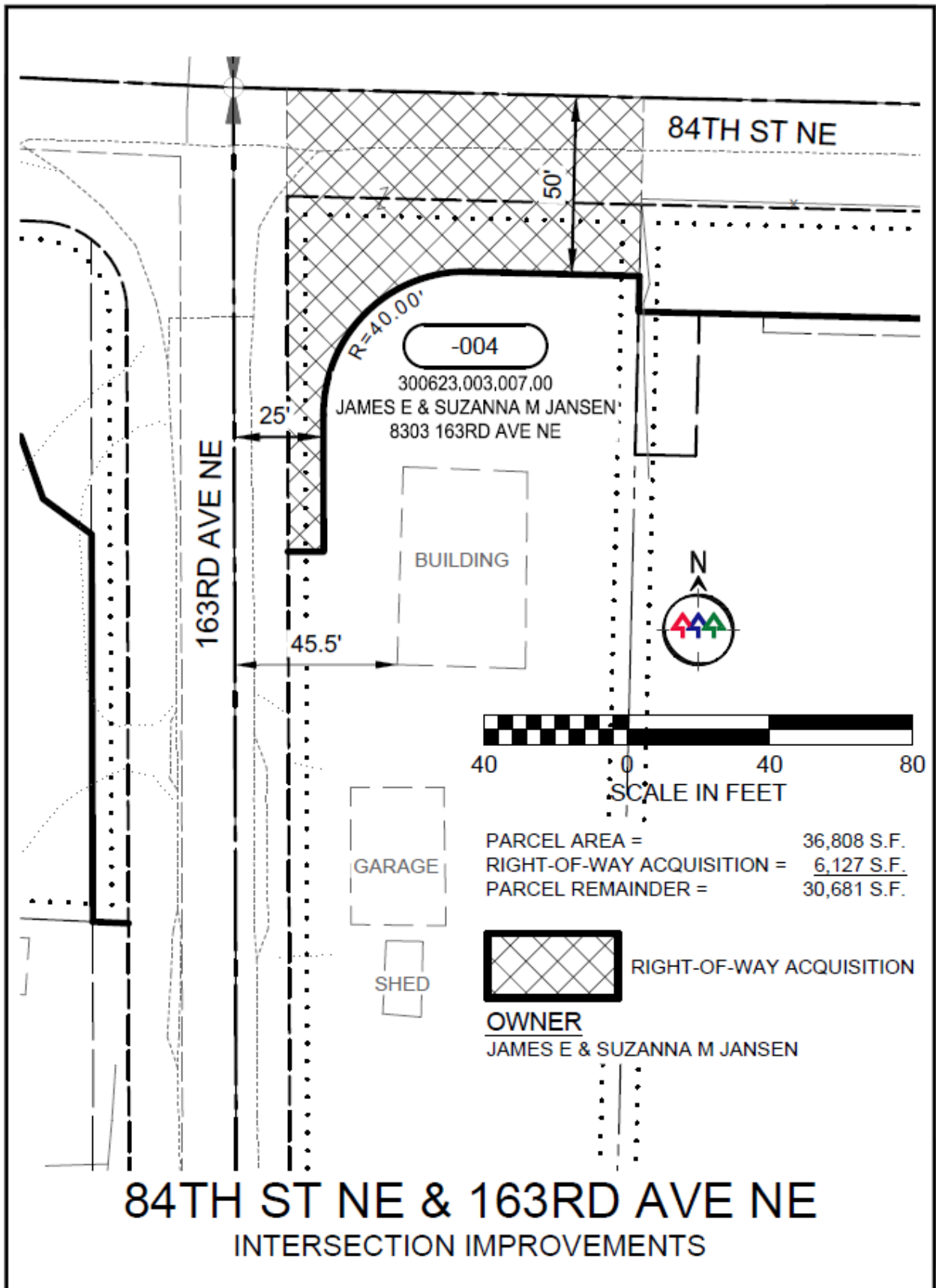


EXHIBIT "D"
Legal Description for Fee Acquisition

84th St. NE/163rd Ave. NE Intersection Improvements
Survey 4950, RC 1758, UPI 20-0005
APN 30062300300700 – N/F James E and Suzanna M Jansen
September 19, 2022

EXHIBIT 'A'

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

A portion of 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 15.01 feet to a point on the east line of the west 15 feet of the Southwest Quarter of said Section 23, said point being the POINT OF BEGINNING;

Thence continuing S88°37'00"E, along said north line, for a distance of 99.99' to the northeast corner of the parcel described in that Quit Claim Deed, recorded in File Number 201009210170, records of Snohomish County, Washington;

Thence S01°23'00"W, along the east line of said parcel, for a distance of 50.00 feet to a point on the south line of the north 50 feet of the Southwest Quarter of said Section 22;

Thence N88°37'00"W, along said south line, for a distance of 47.56 feet to the beginning of a curve, concave to the southeast, the center of which bears S01°23'00"W at a distance of 40.00 feet;

Thence southwesterly, along the arc of said curve, through a central angle of 91°32'10", for a distance of 63.90 feet to a point on the east line of the west 25 feet of the Southwest Quarter of said Section 23;

Thence S00°09'10"E, along said east line, for a distance of 38.23 feet;

Thence S89°50'50"W for a distance of 10.00 feet to a point on the east line of the west 15 feet of the Southwest Quarter of said Section 23;

Thence N00°09'10"W, along said east line, for a distance of 129.60 feet to the POINT OF BEGINNING;

Containing an area of 6,127 square feet or 0.1407 acres, more or less.



9.19.2022

Grantor's Initials

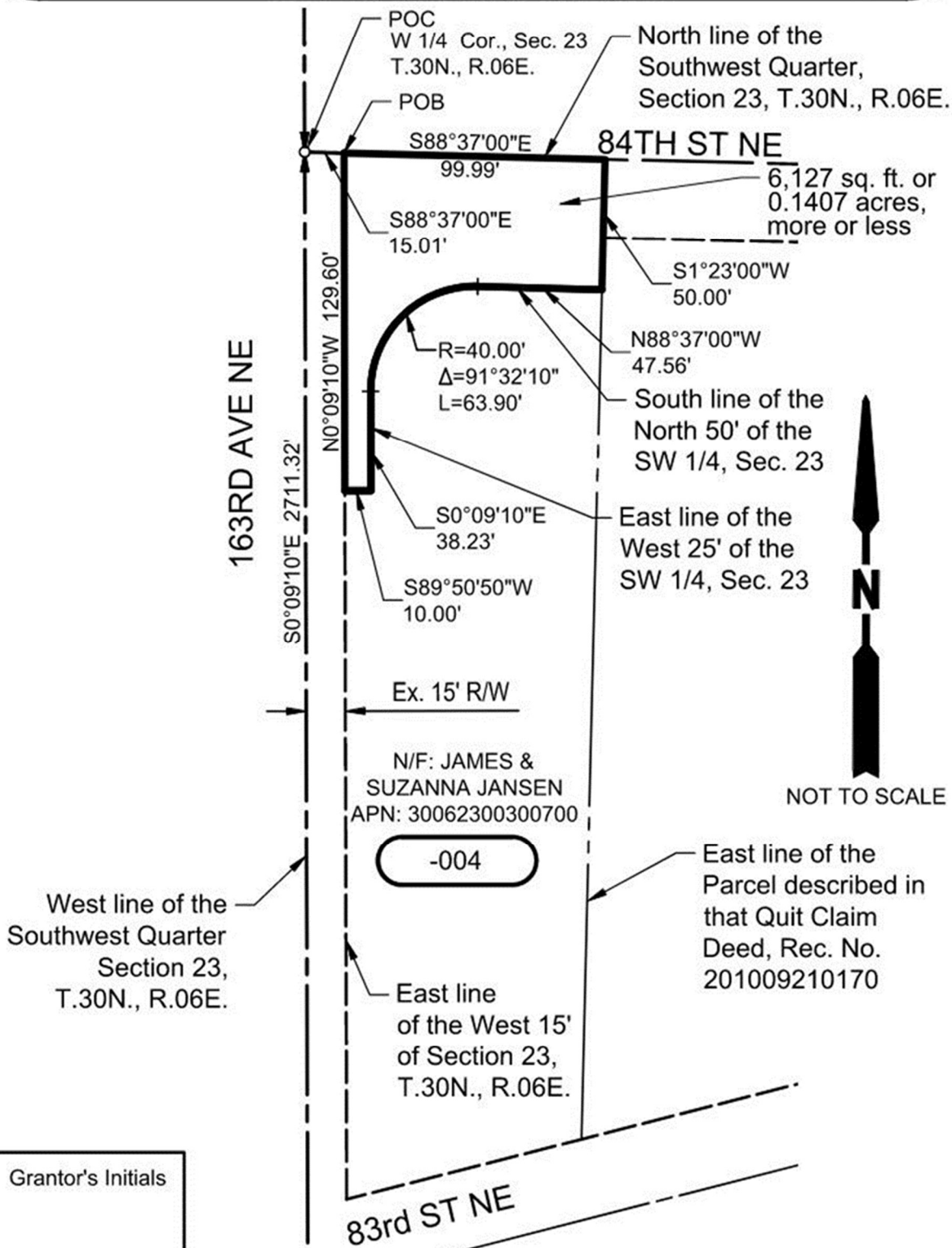
EXHIBIT "E"
Parcel Map for Fee Acquisition

EXHIBIT 'B'

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



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



Grantor's Initials



9.19.2022

SW Cor. Sec. 23
T.30N., R.6E.

APN	ASSESSOR PARCEL NUMBER
Ex.	EXISTING
N/F	NOW OR FORMERLY
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
R/W	RIGHT-OF-WAY
SW	SOUTHWEST
W 1/4	WEST QUARTER