

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 21 - ____

APPROVAL OF AMENDMENT NO 3 TO THE CONTRACT FOR SERVICES WITH CHARLES H.
MONTANGE FOR CONSULTATION AND REPRESENTATION REGARDING CENTENNIAL TRAIL
LEGAL RIGHTS

WHEREAS, Snohomish County acquired a property interest from the Port of Seattle by Real Estate Purchase and Sale Agreement dated March 8, 2016, and Quitclaim Deed recorded March 25, 2016; and

WHEREAS, Prior to the County's purchase of the property interest from the Port of Seattle, BNSF had reserved a freight easement known as Woodinville Freight Easement over the property interest; and

WHEREAS, Snohomish County has endeavored to design Centennial Trail South, a public trail that will be compatible with rail in the Woodinville Freight Corridor; and

WHEREAS, Snohomish County has recognized the need to verify and protect its property rights obtained in the Purchase and Sale Agreement and associated with the Woodinville Freight Easement; and

WHEREAS, Snohomish County has engaged an attorney with knowledge and experience regarding the representation of property owners concerning such rights and desires to amend its previous agreement with the attorney concerning representation by and compensation of said attorney; and

WHEREAS an extension of the contract and additional compensation is needed in order to cover additional expenses through 2022 in order to continue the efforts in connection with the current conditions and risks associated with ongoing litigation associated with the corridor;

NOW, THEREFORE, ON MOTION, the Snohomish County Council hereby approves and authorizes the County Executive to sign and execute the Amendment No. 3 to Agreement for Legal Consultation Services with attorney Charles H. Montange ("Amendment"), and in doing so further ratifies the work previously performed by attorney Montange pursuant to the Amendment.

PASSED this _____ day of _____, 2021.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Council Chair

ATTEST:

Asst. Clerk of the Council

The first amendment covered most of the expenses for 2019, totaling \$85,000. The second amendment raised the amount of the contract to \$165,000.00. Progress has been made at the Surface

Transportation Board, but railbanking has yet to be achieved. For this reason, we are extending the contract and adding an additional \$50,000.00 that may be required to reach the goal of railbanking the corridor and include future trail development. This amendment wil allow the retained attorney to advise and represent the County in connection with ongoing litigation efforts.