

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 23-149

SNOHOMISH COUNTY APPROVAL AND ACCEPTANCE OF A
STATUTORY WARRANTY DEED FOR HILLIS ROAD

WHEREAS, Hillis Road formerly known as Grant Creek Road, also known as Road #164, is located on the SE ¼ of Section 10 Township 32 North Range 6 East, W.M.; and

WHEREAS, on October 5, 1893, Frank Pickering et al, petitioned the county to establish a public county road and highway, 45 feet in width; and

WHEREAS, on March 29, 1894, the Superior Court of the State of Washington for Snohomish County granted an order of establishment for Road #164 as a 45-foot-wide county road; and

WHEREAS, on April 20, 2020, Mark Belles, submitted a request to Planning and Development Services (PDS), seeking Lot Status Determination for his property identified as tax parcel 3201000401000 and is bisected by Hillis Road; and

WHEREAS, PDS uses specific criteria and documentation to identify whether or not property constitutes a legal lot, which include the size, zoning regulations, and access requirements in effect at the time of creation or currently in effect; and

WHEREAS, PDS Rule 3510 outlines the requirements to be met in obtaining Lot Status separated by a public ROW; and

WHEREAS, PDS has required that 60 feet of ROW for Hillis Road be transferred to the county prior to the lot status determination creating two legal lots being effective; and

WHEREAS, on February 7, 2023, Mark Belles, submitted a Statutory Warranty Deed to Snohomish County DPW; and

WHEREAS, a record of survey depicting the ROW limits and alignment of the road has been recorded under Auditors File Number 202212285002; and

WHEREAS, DPW recommends the acceptance and transfer of the Road to the County at no cost.

NOW, THEREFORE, ON MOTION, the Snohomish County Council approves of Snohomish County's acceptance and acquisition of approximately 18, 843 square feet of real property identified as a Hillis Road bisecting tax parcel 32061000401000, at no cost to the County, and authorizes the Public Works Director or County Engineer to approve and sign all documents necessary to effectuate the acquisition and transfer of the Real Property from the Owner to Snohomish County as is generally shown in the Record of Survey attached as Exhibit A.


PASSED this 10th day of May, 2023.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

ATTEST:



Deputy Clerk of the Council

EXHIBIT A

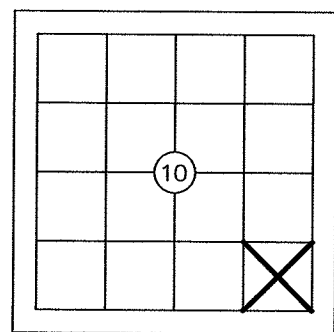
LEGAL DESCRIPTION:

HILLIS ROAD RIGHT-OF-WAY

A PORTION OF GOVERNMENT LOT 8, SECTION 10, TOWNSHIP 32 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN BEING MORE PARTICULARLY DESCRIBED TO WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 10; THENCE NORTH 00°20'11" WEST, ALONG THE EAST LINE OF GOVERNMENT LOT 8, A DISTANCE OF 131.05 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 530 AS SHOWN ON RIGHT-OF-WAY MAP FOR SECONDARY STATE HIGHWAY 1-E, SIGN ROUTE NO. 530 CICERO TO MCGOVERN ROAD, DATED MARCH 17, 1964; THENCE SOUTH 62°40'19" WEST, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 61.57 FEET TO THE EASTERNMOST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO SNOHOMISH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF WASHINGTON AS RECORDED UNDER AUDITOR'S FILE NO. 7608050201, RECORDS OF SNOHOMISH COUNTY, WASHINGTON; THENCE NORTH 54°08'41" WEST, ALONG THE NORTHEASTERLY LINE OF SAID SNOHOMISH COUNTY TRACT, A DISTANCE OF 469.25 FEET TO THE NORTHERN MOST CORNER OF SAID SNOHOMISH COUNTY TRACT; THENCE SOUTH 35°51'19" WEST ALONG THE MOST NORTHWESTERLY SIDE OF SAID SNOHOMISH COUNTY TRACT 20.00 FEET TO THE POINT OF BEGINNING OF HILLIS ROAD RIGHT-OF-WAY; THENCE NORTH 00°34'48" WEST, ALONG THE MOST NORTHEASTERLY RIGHT-OF-WAY OF SAID HILLIS ROAD, A DISTANCE OF 1006.17 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT, WHOSE RADIUS IS 135.00 FEET AND THROUGH A CENTRAL ANGLE OF 53°05'34"; AN ARC DISTANCE OF 125.10 FEET; THENCE NORTH 00°34'48" WEST, ALONG A LINE 30 FOOT EAST AND PARALLEL WITH THE WEST LINE OF SAID GOVERNMENT LOT 8, A DISTANCE OF 265.70 FEET TO THE NORTH LINE OF SAID GOVERNMENT LOT 8; THENCE NORTH 89°53'17" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 8; THENCE SOUTH 00°34'48" EAST, ALONG THE WEST LINE OF SAID GOVERNMENT LOT 8, A DISTANCE OF 369.98 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT; THENCE DEPARTING SAID WEST LINE AND ALONG SAID NON-TANGENT CURVE TO THE LEFT, WHOSE RADIUS BEARS NORTH 57°12'57" EAST, A DISTANCE OF 195.00 FEET AND THROUGH A CENTRAL ANGLE OF 20°53'19", AN ARC DISTANCE OF 71.09 FEET TO THE END OF SAID NON-TANGENT CURVE TO THE LEFT; THENCE SOUTH 53°40'22" EAST, ALONG THE SOUTHWESTERLY R.O.W, A DISTANCE OF 1190.80 TO THE SOUTHERLY LINE OF A TRACT OF LAND RECORDED BY STATUTORY WARRANTY DEED UNDER A.F. #20141120557 RECORDS OF SNOHOMISH COUNTY WA; THENCE NORTH 63°06'19" EAST, ALONG SAID TRACT A DISTANCE OF 24.20 FEET TO THE PREVIOUSLY REFERENCED DEED A.F. #7608050201 BEING STATE HIGHWAY 530; THENCE NORTH 54°08'41" WEST, ALONG SAID RIGHT-OF-WAY A DISTANCE OF 195.21 FEET; THENCE NORTH 35°51'19" EAST, ALONG SAID HWY 530, 40.00 FEET TO THE TRUE POINT OF BEGINNING.

SURVEY REFERENCES:

- (R1) STATUTORY WARRANTY DEED TO MARK BELLES AS RECORDED UNDER AUDITOR'S FILE No. 20141120557, RECORDS OF SNOHOMISH COUNTY, WASHINGTON
- (R2) RIGHT-OF-WAY MAP FOR SECONDARY STATE HIGHWAY No. 1-E, SIGN ROUTE No. 530 CICERO TO MCGOVERN ROAD, DATED MARCH 17, 1964
- (R3) RECORD OF SURVEY FOR MARK BELLES AS RECORDED UNDER AUDITOR'S FILE No. 201410315005, RECORDS OF SNOHOMISH COUNTY, WASHINGTON
- (R4) STATUTORY WARRANTY DEED TO THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON AS RECORDED UNDER AUDITOR'S FILE No. 7709140171, RECORDS OF SNOHOMISH COUNTY, WASHINGTON



GRAPHIC SCALE

1 inch = 100 ft.

BASIS OF BEARINGS: MONUMENTED LINE BETWEEN S1/4 COR. & SE SEC. COR. PER SURVEY RECORDED UNDER AFN 201410315005

SURVEY INSTRUMENT USED: SOKKIA SET 5
SURVEY INSTRUMENT USED: TOPCON DS
SURVEY INSTRUMENT USED: TOPCON HIPERSR
SURVEY PROCEDURE: CLOSED TRAVERSE
SURVEY PRECISION: THIS SURVEY EXCEEDS FIELD TRAVERSE REQUIREMENTS OF WAC 332-130-090

S1/4 COR. (CM)
FND. 4"x4" CON. MON.
W/HOLE IN CTR. 10-2000

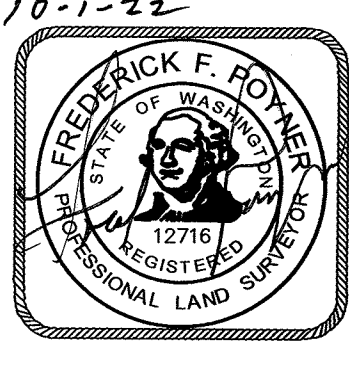
1332.36' (R3)

THIS SURVEY IS INTENDED TO CORRECT AND SUPERCEDE THOSE CERTAIN RECORDS OF SURVEY FOR MARK BELLES AS RECORDED UNDER AUDITOR'S FILE Nos. 201410315005 AND _____ RECORDS OF SNOHOMISH COUNTY, WASHINGTON

AUDITOR'S FILE # 202212285002

SHEET 1 OF 2

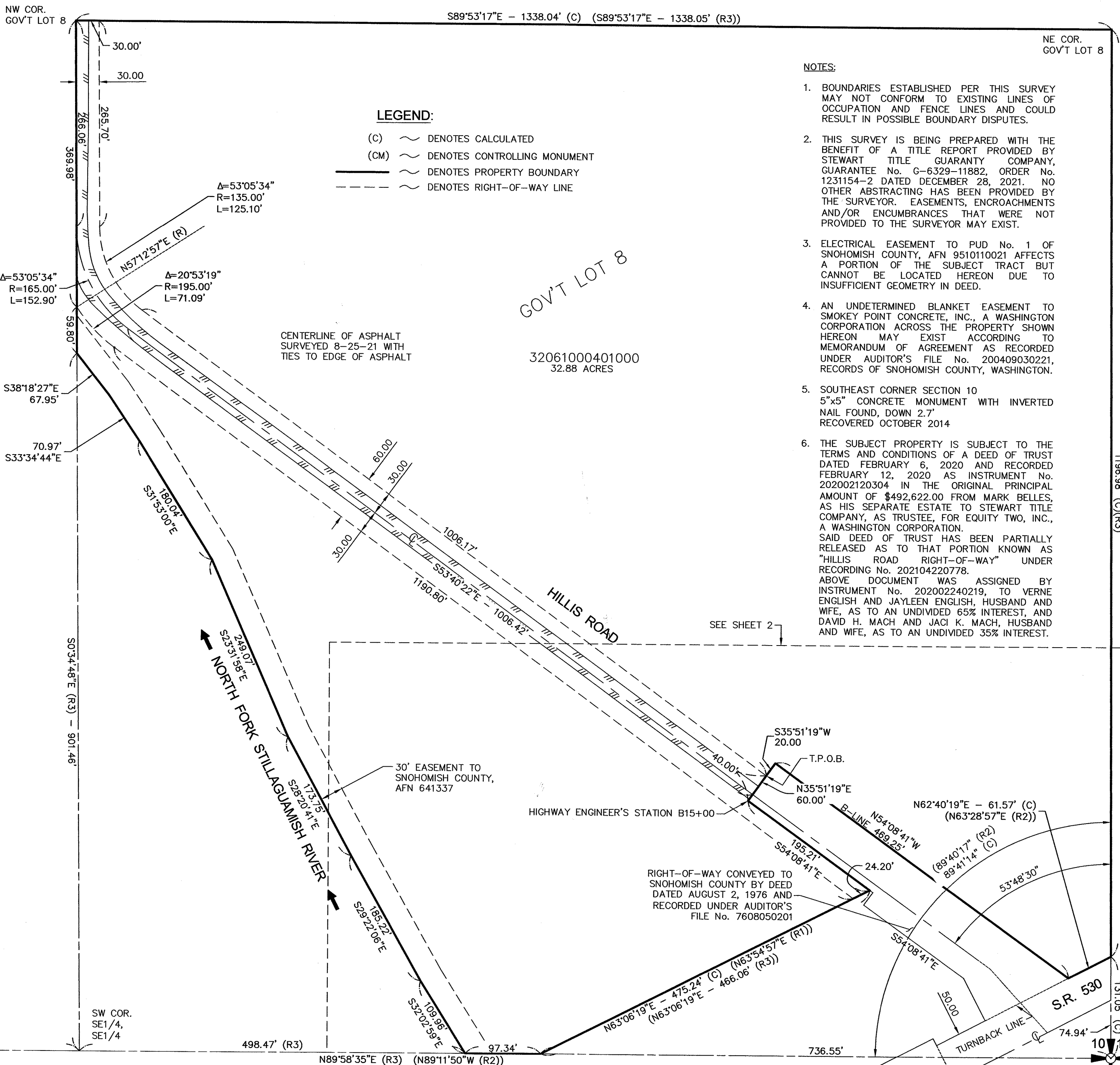
Amended Survey For: PORT'N GOV'T LOT 8, SEC.10, TWP.32N, RGE.6E, W.M.
MARK BELLES
Survey By: N:\PROJECTS-22000\22452\DWG\ROS\22452-ROS.DWG SHEET 1)
Cascade Surveying & Engineering, Inc.
P.O. BOX 326, ARLINGTON, WASHINGTON, 98223 (105 EAST DIVISION STREET) 9/30/22



AUDITOR'S CERTIFICATE
FILED FOR RECORD THIS 28 DAY OF December 2022, AT 9:31 AM. IN BOOK _____ OF _____ AT PAGE _____ AT THE REQUEST OF CASCADE SURVEYING & ENGINEERING, INC.
Garth Fox COUNTY AUDITOR
Amber Overland DEPUTY AUDITOR

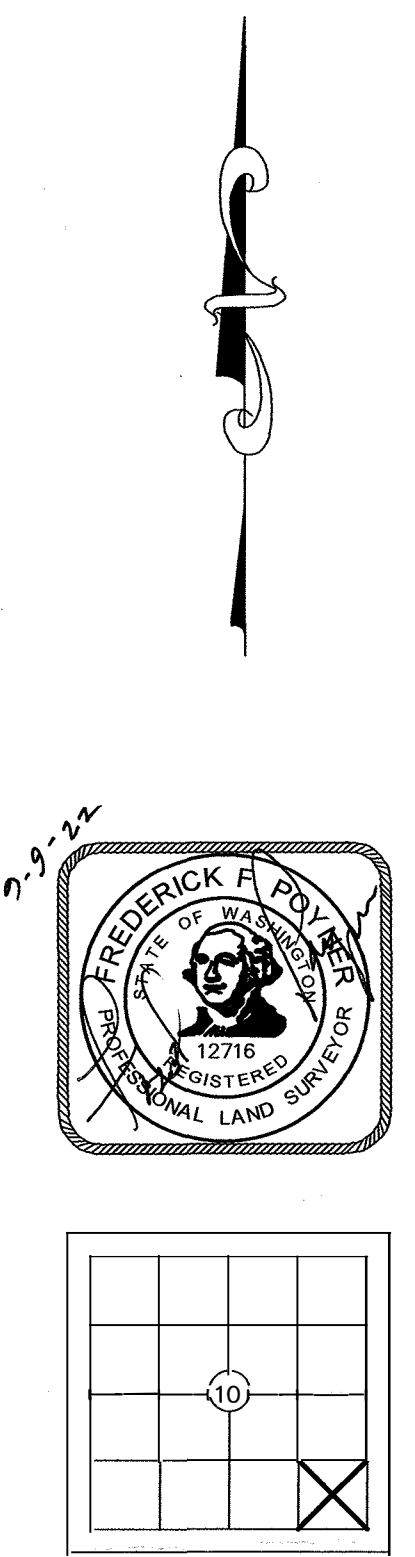
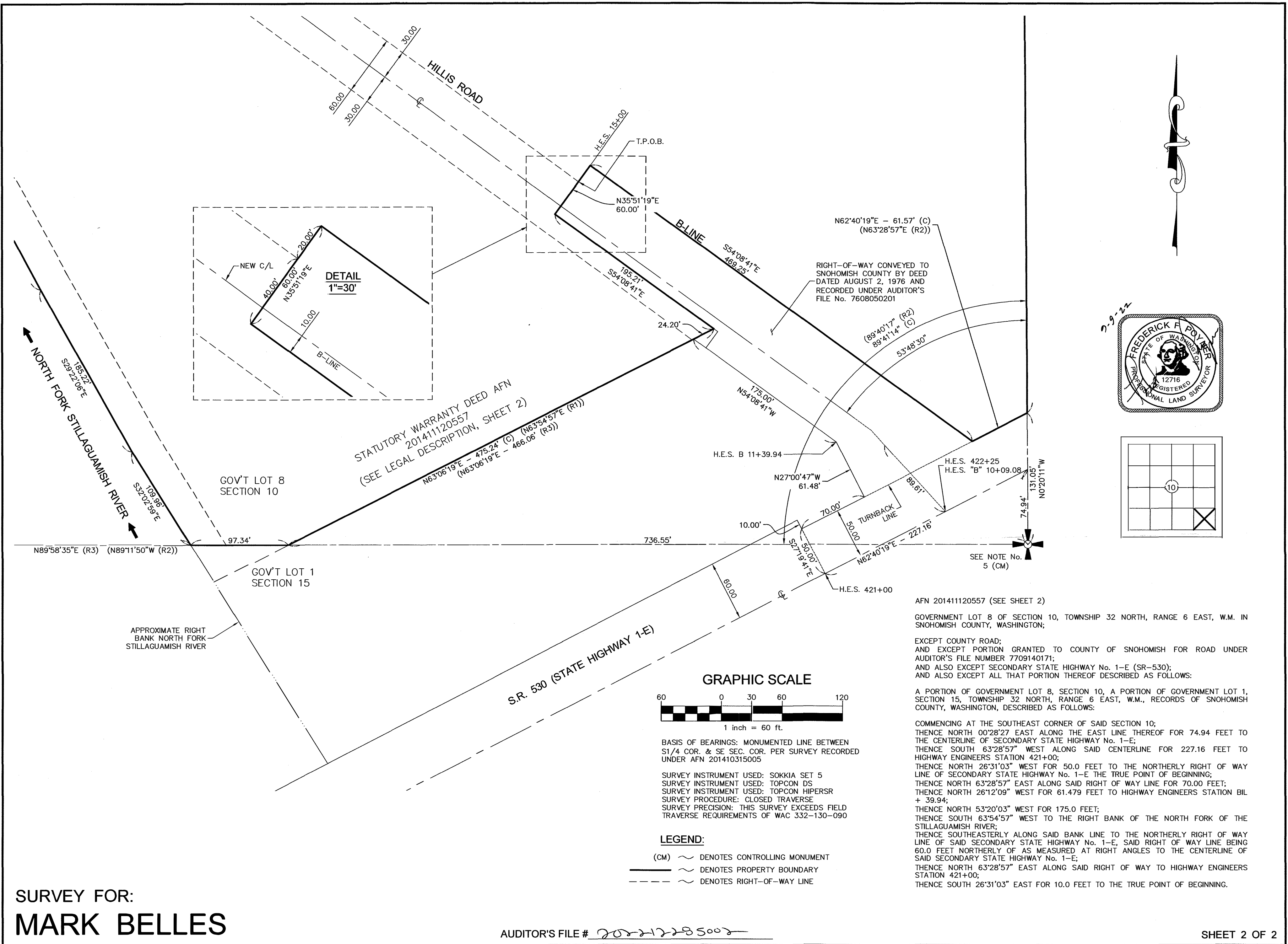
SURVEYOR'S CERTIFICATE
THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT, AT THE REQUEST OF MARK BELLES
IN SEPTEMBER 2021.
REGISTERED LAND SURVEYOR
L.S. NO 12716

SCALE: 1"=100'
DRAWN BY: LAF 1/7/2022
CHECKED BY: FP
FIELD SURVEY: 8/25/2021
JOB #: 22452
F.B. #: SN_978



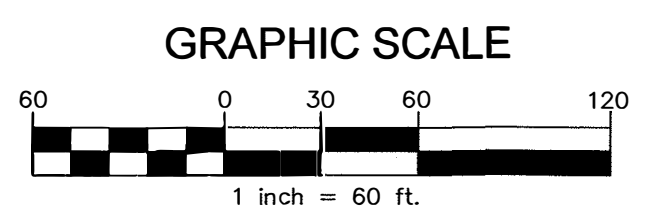
- NOTES:
- 1. BOUNDARIES ESTABLISHED PER THIS SURVEY MAY NOT CONFORM TO EXISTING LINES OF OCCUPATION AND FENCE LINES AND COULD RESULT IN POSSIBLE BOUNDARY DISPUTES.
 - 2. THIS SURVEY IS BEING PREPARED WITH THE BENEFIT OF A TITLE REPORT PROVIDED BY STEWART TITLE GUARANTY COMPANY, GUARANTEE No. G-6329-11882, ORDER No. 1231154-2 DATED DECEMBER 28, 2021. NO OTHER ABSTRACTING HAS BEEN PROVIDED BY THE SURVEYOR. EASEMENTS, ENCROACHMENTS AND/OR ENCUMBRANCES THAT WERE NOT PROVIDED TO THE SURVEYOR MAY EXIST.
 - 3. ELECTRICAL EASEMENT TO PUD No. 1 OF SNOHOMISH COUNTY, AFN 9510110021 AFFECTS A PORTION OF THE SUBJECT TRACT BUT CANNOT BE LOCATED HEREON DUE TO INSUFFICIENT GEOMETRY IN DEED.
 - 4. AN UNDETERMINED BLANKET EASEMENT TO SMOKEY POINT CONCRETE, INC., A WASHINGTON CORPORATION ACROSS THE PROPERTY SHOWN HEREON MAY EXIST ACCORDING TO MEMORANDUM OF AGREEMENT AS RECORDED UNDER AUDITOR'S FILE No. 200409030221, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.
 - 5. SOUTHEAST CORNER SECTION 10 5"x5" CONCRETE MONUMENT WITH INVERTED NAIL FOUND, DOWN 2.7" RECOVERED OCTOBER 2014
 - 6. THE SUBJECT PROPERTY IS SUBJECT TO THE TERMS AND CONDITIONS OF A DEED OF TRUST DATED FEBRUARY 6, 2020 AND RECORDED FEBRUARY 12, 2020 AS INSTRUMENT No. 202002120304 IN THE ORIGINAL PRINCIPAL AMOUNT OF \$492,622.00 FROM MARK BELLES, AS HIS SEPARATE ESTATE TO STEWART TITLE COMPANY, AS TRUSTEE, FOR EQUITY TWO, INC., A WASHINGTON CORPORATION. SAID DEED OF TRUST HAS BEEN PARTIALLY RELEASED AS TO THAT PORTION KNOWN AS "HILLIS ROAD RIGHT-OF-WAY" UNDER RECORDING No. 202104220778. ABOVE DOCUMENT WAS ASSIGNED BY INSTRUMENT No. 202002240219, TO VERNE ENGLISH AND JAYLEEN ENGLISH, HUSBAND AND WIFE, AS TO AN UNDIVIDED 65% INTEREST, AND DAVID H. MACH AND JACI K. MACH, HUSBAND AND WIFE, AS TO AN UNDIVIDED 35% INTEREST.

N00°20'11"W (R3) (N02°28'27"E (R1)(R2))
1198.98' (C)(R3)



AFN 201411120557 (SEE SHEET 2)
 GOVERNMENT LOT 8 OF SECTION 10, TOWNSHIP 32 NORTH, RANGE 6 EAST, W.M. IN SNOHOMISH COUNTY, WASHINGTON;
 EXCEPT COUNTY ROAD;
 AND EXCEPT PORTION GRANTED TO COUNTY OF SNOHOMISH FOR ROAD UNDER AUDITOR'S FILE NUMBER 7709140171;
 AND ALSO EXCEPT SECONDARY STATE HIGHWAY No. 1-E (SR-530);
 AND ALSO EXCEPT ALL THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

A PORTION OF GOVERNMENT LOT 8, SECTION 10, A PORTION OF GOVERNMENT LOT 1, SECTION 15, TOWNSHIP 32 NORTH, RANGE 6 EAST, W.M., RECORDS OF SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 10;
 THENCE NORTH 00°28'27" EAST ALONG THE EAST LINE THEREOF FOR 74.94 FEET TO THE CENTERLINE OF SECONDARY STATE HIGHWAY No. 1-E;
 THENCE SOUTH 63°28'57" WEST ALONG SAID CENTERLINE FOR 227.16 FEET TO HIGHWAY ENGINEERS STATION 421+00;
 THENCE NORTH 26°31'03" WEST FOR 50.0 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SECONDARY STATE HIGHWAY No. 1-E THE TRUE POINT OF BEGINNING;
 THENCE NORTH 63°28'57" EAST ALONG SAID RIGHT OF WAY LINE FOR 70.00 FEET;
 THENCE NORTH 26°12'09" WEST FOR 61.479 FEET TO HIGHWAY ENGINEERS STATION 421+39.94;
 THENCE NORTH 53°20'03" WEST FOR 175.0 FEET;
 THENCE SOUTH 63°54'57" WEST TO THE RIGHT BANK OF THE NORTH FORK OF THE STILLAGUAMISH RIVER;
 THENCE SOUTHEASTERLY ALONG SAID BANK LINE TO THE NORTHERLY RIGHT OF WAY LINE OF SAID SECONDARY STATE HIGHWAY No. 1-E, SAID RIGHT OF WAY LINE BEING 60.0 FEET NORTHERLY OF AS MEASURED AT RIGHT ANGLES TO THE CENTERLINE OF SAID SECONDARY STATE HIGHWAY No. 1-E;
 THENCE NORTH 63°28'57" EAST ALONG SAID RIGHT OF WAY TO HIGHWAY ENGINEERS STATION 421+00;
 THENCE SOUTH 26°31'03" EAST FOR 10.0 FEET TO THE TRUE POINT OF BEGINNING.



BASIS OF BEARINGS: MONUMENTED LINE BETWEEN S1/4 COR. & SE SEC. COR. PER SURVEY RECORDED UNDER AFN 201410315005

SURVEY INSTRUMENT USED: SOKKIA SET 5
 SURVEY INSTRUMENT USED: TOPCON DS
 SURVEY INSTRUMENT USED: TOPCON HIPERSR
 SURVEY PROCEDURE: CLOSED TRAVERSE
 SURVEY PRECISION: THIS SURVEY EXCEEDS FIELD TRAVERSE REQUIREMENTS OF WAC 332-130-090

LEGEND:
 (CM) ~ DENOTES CONTROLLING MONUMENT
 ——— DENOTES PROPERTY BOUNDARY
 - - - - - DENOTES RIGHT-OF-WAY LINE

SURVEY FOR:
MARK BELLES

AUDITOR'S FILE # 202212285002

SHEET 2 OF 2