

1 After Recording Return To:
2 Clerk of the Council
3 Snohomish County Council
4 3000 Rockefeller Avenue – M/S 609
5 Everett, WA 98201
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9 *In the matter of: 20th St NE*
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12 SNOHOMISH COUNTY COUNCIL
13 Snohomish County, Washington
14

15 ORDINANCE NO. 21-102
16

17 AN ORDINANCE VACATING A PORTION OF 20th St NE
18 A SNOHOMISH COUNTY ROAD RIGHT-OF-WAY
19

20 WHEREAS, on November 4, 2020, James and Rachel Day (the “Petitioners”),
21 submitted a petition pursuant to RCW 36.87.020 and SCC 13.100.030, to vacate and
22 abandon a portion of 20th St NE, an unopened Snohomish County road right-of-way;
23 and
24

25 WHEREAS, the County Road Engineer, pursuant to RCW 36.87.040 and
26 SCC 13.100.040, prepared a report examining the unopened road right-of-way
27 proposed to be vacated and abandoned; and
28

29 WHEREAS, the County Road Engineer has determined that all criteria to
30 vacate and abandon a portion of 20th St NE exist and recommends that said
31 unopened County road right-of-way be vacated and abandoned; and
32

33 WHEREAS, on this 12th day of January, 2022, pursuant to RCW 36.87.060
34 and SCC 13.100.060, the Snohomish County Council (the “County Council”) held a
35 public hearing to consider the County Road Engineer’s report and to hear public
36 testimony;
37

38 NOW, THEREFORE, BE IT ORDAINED:
39

40 **Section 1.** The County Council adopts and incorporates the foregoing
41 recitals as findings as if set forth fully herein.
42

43 **Section 2.** The County Council further finds that the unopened County road
44 right-of-way described in Exhibit A and depicted in Exhibit B, both attached to this
45 ordinance and incorporated herein by reference, is useless for County road
46 purposes and the public will benefit by its vacation.
47

1 **Section 3.** The County Council finds that the portion of the unopened County
2 road right-of-way described and depicted in the attached exhibits are vacated upon
3 satisfaction of the terms and conditions contained in this ordinance.
4


5 **Section 4.** Under Chapter 36.87 RCW and Chapter 13.100 SCC, the
6 vacation of the unopened county road right-of-way granted herein shall not take
7 effect unless within one year of the date this ordinance is passed by the County
8 Council the Petitioners have paid all itemized costs and expenses of the proceedings
9 enumerated by the Department of Public Works under SCC 13.100.070.
10

11 **Section 5.** Under Chapter 36.87 RCW and Chapter 13.100 SCC, the
12 vacation of the unopened County road right-of-way granted herein shall not take
13 effect unless within one year of the date this ordinance is passed by the County
14 Council the Petitioners have paid the County for the value of the road right-of-way
15 vacated according to the schedule set forth in SCC 13.100.080. The unopened road
16 right-of-way is classified as Class B under SCC13.100.040(7)(b), and therefore the
17 Petitioners are required to compensate the County fifty percent of the appraised
18 value (\$2,843.31) which equals \$1,421.66.
19


20 **Section 6.** Upon the Clerk of the County Council receiving confirmation from
21 the Department of Public Works that the Petitioners have made timely and full
22 payment for the value of the road right-of-way and the costs and expenses incurred
23 by the County in the examination and proceedings related to the petitioner right-of-
24 way vacation as required by Chapter 36.87 RCW and Chapter 13.100 SCC and
25 identified in the supporting County Road Engineer's report, this ordinance shall be
26 recorded and become effective. In the event the Petitioners fail to make the required
27 payments within one year of the date this ordinance is passed by the County
28 Council, this ordinance shall automatically become void and have no further force or
29 effect.
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31
32 Passed this day 12th day of January, 2022.
33

34
35 SNOHOMISH COUNTY COUNCIL
36 Snohomish County, Washington
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38 
39 _____
40 Chairperson
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42 ATTEST:

43 
44 _____
45 Assistant Clerk of the Council
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- (X) APPROVED
- () EMERGENCY
- () VETOED



1/24/2022

County Executive

Date

ATTEST:



Approved as to form only:


11/19/2021
Deputy Prosecuting Attorney

EXHIBIT A
(VACATION LEGAL DESCRIPTION)

ALL THOSE PORTIONS OF THE 16.00 FOOT WIDE RIGHT-OF-WAY RECORDED UNDER AUDITOR'S FILE NO. 176529 CENTERED ALONG THE EAST/WEST CENTERLINE OF SECTION 11, TOWNSHIP 29 NORTH, RANGE 5 EAST, W.M., LYING WEST OF THE EAST LINE OF THE WEST 990.00 FEET OF THE NORTH/SOUTH CENTERLINE OF SAID SECTION 11;

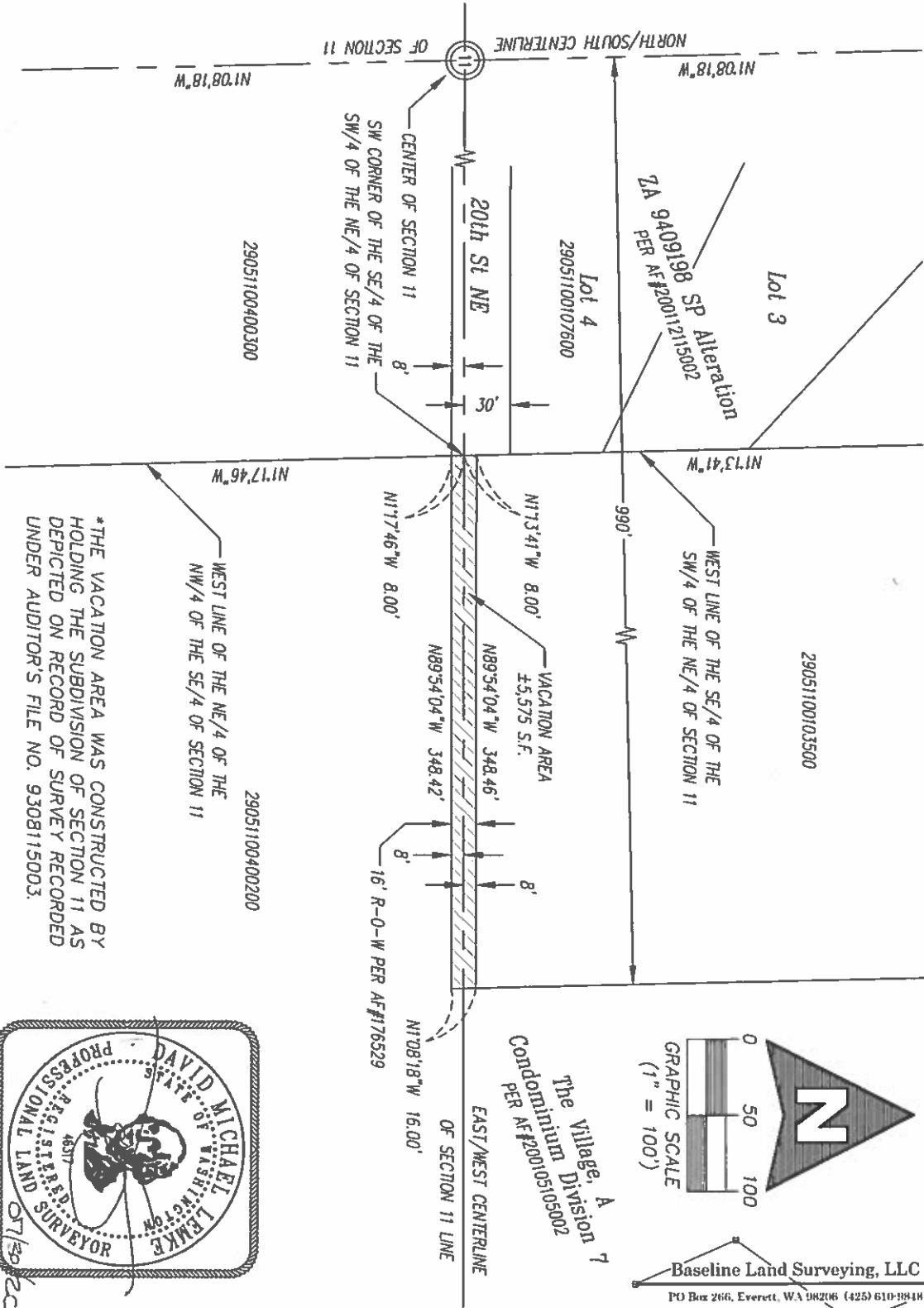
EXCEPT ALL THOSE PORTIONS LYING WEST OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 11.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

(CONTAINING APPROXIMATELY 5,575 S.F.)



EXHIBIT B



29051100400300

WEST LINE OF THE SE/4 OF THE SW/4 OF THE NE/4 OF SECTION 11

29051100103500

WEST LINE OF THE NE/4 OF THE NW/4 OF THE SE/4 OF SECTION 11

29051100400200

*THE VACATION AREA WAS CONSTRUCTED BY HOLDING THE SUBDIVISION OF SECTION 11 AS DEPICTED ON RECORD OF SURVEY RECORDED UNDER AUDITOR'S FILE NO. 9308115003.

0 50 100

GRAPHIC SCALE (1" = 100')

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Baseline Land Surveying, LLC
PO Box 266, Everett, WA 98206 (425) 610-8818

