



Public Infrastructure and Conservation

Deb Bell

Council Initiated:

☐ Yes

☒ No

ECAF: 2025-2598

Ordinance: 25-049

Type:

☐ Contract

☐ Board Appt.

☐ Code Amendment

☐ Budget Action

☒ Other

Requested Handling:

☒ Normal

☐ Expedite

☐ Urgent

Fund Source:

☐ General Fund

☐ Other

☒ N/A

Executive Rec:

☒ Approve

☐ Do Not Approve

☐ N/A

Approved as to

Form:

☐ Yes

☐ No

☒ N/A

Subject: Proposed County Road Right-of-Way Vacation – 90th Avenue NW.

Scope: The proposed ordinance would vacate approximately 51.6 acres of deeded unopened right-of-way for 90th Ave NW, from Boe Road south to the end of the avenue, located in S.6, T.31N., R.4E., W.M. The County Engineer has prepared the required Engineer's Report and recommends conditional approval.

Authority Granted: RCW 36.87.060 and SCC 13.100.060 the Snohomish County Council shall hold a public hearing to consider the County Engineer's report and to hear public testimony.

Background: On February 15, 2023, the Department of Public Works received a petition to vacate unopened County ROW, 90th Ave NW, from the Stillaguamish Tribe of Indians. The proposed road vacation is in conjunction with the Boe Road design and the ZIS A BA Phase II Estuary Restoration Project (248 acres of tidal wetland restoration on Stillaguamish Tribal property). The 1917 Township book and the 1936 State Highway Map of Snohomish County show that 90th Ave NW was formerly known as Sponheim Rd #376. A record survey dated 1912 shows that the ROW is 30 feet in width, 15 feet each side of centerline. According to Auditor's File Number 187239, Volume 150, Page 86, this portion of 90th Ave NW was conveyed to the County by Quit Claim Deed on March 7, 1913. The portion of 90th Avenue NW petitioned to be vacated is classified as a Class B Road.

Recommendations:

1. Based on the findings in the Engineers Report, DWP has determined that the public will benefit by the vacation and abandonment of the ROW and that the ROW should be vacated and abandoned.
2. DPW recommends that the Vacation Petition 23 116653 RWE for the vacation of ROW of 90th Street NW, described in the attached Exhibits to the accompanying Ordinance, is in the best interest of the public and should be granted based on the recommended conditions:

Conditions:

1. All associated costs, as per SCC 13.100.070 and SCC 13.100.080, shall be paid: \$10,862.00.
2. The petitioner shall be responsible for the advertising and recording fees: estimated \$506.50.
3. Failure to make payment of the compensation required under SCC 13.100.070 and SCC 13.100.080 within one year of the date of the ordinance is approved by the County Council will result in the Ordinance not being recorded and 90th Ave NW petition to be vacated shall not be considered vacated as per SCC 13.100.080(4).

Requested Action: To set time and date for a Public Hearing, date of September 24th, 2025, at 10:30 am is suggested.