

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
6
7
8

9 *In the matter of Richmond Road and 208th Street SE Vacation and Abandonment*
10

11 SNOHOMISH COUNTY COUNCIL
12 Snohomish County, Washington
13

14 ORDINANCE NO. 22-009
15

16 APPROVING AND AUTHORIZING THE VACATION AND ABANDONMENT
17 OF A PORTION OF RICHMOND ROAD AND A PORTION OF 208TH ST SE,
18 SNOHOMISH COUNTY ROAD RIGHTS-OF WAY
19

20
21 WHEREAS, under Chapter 36.87 RCW and Chapter 13.100 Snohomish
22 County Code (SCC), Snohomish County (the “County”) has the authority to
23 vacate and abandon County rights-of-way determined to be useless; and
24

25 WHEREAS, on August 10, 2020, Prospect Development LLC submitted a
26 petition pursuant to RCW 36.87.020 and SCC 13.100.030 to vacate and abandon
27 a portion of Richmond Road and a portion of 208th St SE, both Snohomish
28 County road rights-of-way; and
29

30 WHEREAS, on February 19, 2021, Prospect Development LLC, conveyed
31 property known as the Camberfield SFDU to Pacific Ridge-DRH LLC, via bargain
32 and sale deed recorded under Snohomish County Auditor’s File Number
33 202102190908; and
34

35 WHEREAS, with the transfer of the Camberfield SFDU, Pacific Ridge-
36 DRH LLC became the vacation and abandonment petitioner (“Petitioner”); and
37

38 WHEREAS, the Camberfield SFDU abuts the portions of rights-of-way
39 petitioned to be vacated and abandoned; and
40

41 WHEREAS, on February 7, 2022, the Snohomish County Road Engineer
42 (“County Engineer”), pursuant to RCW 36.87.040 and SCC 13.100.040, prepared
43 a report examining the road rights-of-way proposed to be vacated and
44 abandoned; and
45

1 WHEREAS, the Snohomish County Council (“County Council”),
2 considered the County Engineer’s report and the exhibits attached to the report
3 supporting his recommendation; and
4

5 WHEREAS, the County Engineer has determined that all criteria to vacate
6 and abandon a portion of Richmond Road and a portion of 208th St SE exists and
7 recommends that said County road rights-of-way be vacated and abandoned;
8 and
9

10 WHEREAS, on this 23rd day of March, 2022, pursuant to RCW 36.87.060
11 and SCC 13.100.060, the County Council held a public hearing to consider the
12 County Engineer’s report and to receive public testimony;
13

14 NOW, THEREFORE, BE IT ORDAINED:
15

16 **Section 1.** The County Council adopts and incorporates the foregoing
17 recitals as findings as if set forth fully herein.
18

19 **Section 2.** The County road rights-of-way described in Exhibits A and
20 Exhibit B and depicted on Exhibits A1 and B1, both attached to this ordinance
21 and incorporated herein by reference, are useless for County road purposes and
22 the public will be benefited by their vacation.
23

24 **Section 3.** The County road rights-of-way described and depicted in the
25 attached exhibits are vacated upon satisfaction of the terms and conditions
26 contained in this ordinance.
27

28 **Section 4.** Under Chapter 36.87 RCW and Chapter 13.100 SCC, the
29 vacation of the County road rights-of-way granted herein shall not take effect
30 unless within one year of the date this ordinance is passed by the County Council
31 the Department of Public Works (DPW) files a certification with the Clerk of the
32 Council stating the Petitioner has paid the itemized costs and expenses of the
33 proceedings enumerated by DPW under SCC 13.100.070 and identified in the
34 Engineer’s Report.
35

36 **Section 5.** Generally, under Chapter 36.87 RCW and Chapter 13.100
37 SCC the vacation of a County road right-of-way shall not take effect unless within
38 one year of the date this ordinance passed by the County Council the Petitioner
39 has paid the County the value of the road rights-of-way vacated according to the
40 schedule set forth in SCC 13.100.080. The road rights-of-way petitioned to be
41 vacated and abandoned here are classified as Class C under SCC
42 13.100.040(7)(d) and, therefore generally under SCC 13.100.085, the Petitioner
43 is required to compensate the County 50 percent of the appraised value of
44 \$57,619.62 which equals \$28,809.81, unless such requirement is waived by the
45 County Council under SCC 13.100.080(3). Here, the County Engineer

1 recommends that the County Council waive the compensation for the proposed
2 rights-of-way vacation because the Petitioner is providing a new County road as
3 part of the Camberfield SFDU of greater utility to public transportation purposes
4 to replace the portions of the rights-of-way being vacated by this ordinance.
5 Consistent with this recommendation, and as allowed under SCC
6 13.100.080(3)(d), the requirement that the Petitioner pay 50 percent of the
7 appraised value of the vacated portions of rights-of-way is waived.

8
9 **Section 6.** The County retains an easement in respect to the vacated
10 land for the construction, repair and maintenance of utilities and services within
11 the vacated portions of the rights-of-way vacated by this ordinance as allowed
12 under RCW 36.87.140 and SCC 13.100.100.

13
14 **Section 7.** Upon the Clerk of the County Council receiving confirmation
15 from DPW that the Petitioner has made timely and full payment as required by
16 Chapter 36.87 RCW and Chapter 13.100 SCC, this ordinance shall be recorded
17 and become effective. In the event the Petitioner fails to make payment of the
18 compensation required within one year of the date this ordinance is passed by
19 the County Council, this ordinance shall automatically become void and have no
20 further force or effect.

21
22 **Section 8.** This ordinance shall not be recorded, and the vacation of the
23 rights-of way shall not be effective until the new Richmond Road extension
24 identified as "Road A" in the May 4, 2021, administrative site plan approval for
25 the Camberfield SFDU (File Number 19 113061 SPA) is constructed and
26 accepted by the County and established as a County road.

27
28
29 Passed this day 23rd day of March, 2022.

30
31
32 SNOHOMISH COUNTY COUNCIL
33 Snohomish County, Washington

34
35 
36 _____
37 Chairperson

1 ATTEST:

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Melena Lao
Asst. Clerk of the Council

(X) APPROVED
() EMERGENCY
() VETOED

[Signature] 3/24/2022
County Executive Date

ATTEST:

Melissa Geraghty

APPROVED AS TO FORM:

[Signature] 2/3/22
Deputy Prosecuting Attorney

Exhibit A

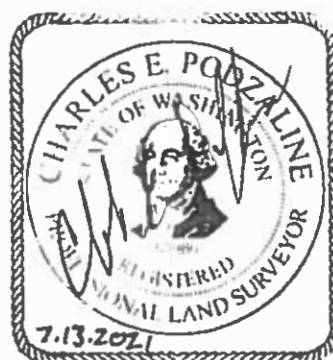
LEGAL DESCRIPTION ROAD RIGHT-OF-WAY VACATION

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M., BEING A PORTION OF LOTS 9, BLOCK 19, ALDERWOOD MANOR NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 79-83, INCLUSIVE, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 9;
THENCE NORTH 89°45'09" WEST, ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 364.85 FEET TO A POINT ON THE EASTERLY MARGIN OF THAT PORTION OF CUL-DE-SAC AREA DEEDED TO SNOHOMISH COUNTY PER QUIT CLAIM DEED RECORDED UNDER AFN. 8007300168, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING A PORTION OF RICHMOND ROAD AND THE TRUE POINT OF BEGINNING;
THENCE ALONG SAID EASTERLY MARGIN SOUTH 7°03'03" EAST A DISTANCE OF 35.40 FEET TO THE SOUTHEAST CORNER OF SAID AREA DEEDED TO SNOHOMISH COUNTY;
THENCE CONTINUING ALONG THE SOUTHERLY MARGIN OF SAID AREA DEEDED TO SNOHOMISH COUNTY SOUTH 42°35'04" WEST A DISTANCE OF 61.78 FEET;
THENCE NORTH 18°21'38" WEST A DISTANCE OF 11.39 FEET TO A POINT OF CURVATURE TO THE RIGHT WHOSE RADIUS IS 143.50 FEET;
THENCE ALONG SAID CURVE AN ARC LENGTH OF 70.91 FEET THROUGH A CENTRAL ANGLE OF 28°18'47";
THENCE SOUTH 89°45'09" EAST A DISTANCE OF 46.19 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

SAID PARCEL HAVING 3,001 SQUARE FEET.



C.E.S. NW INC.

CIVIL ENGINEERING & SURVEYING

429 - 29TH ST. NE, SUITE D
PUYALLUP, WA 98372

PH: (253) 848-4282
ceservices@cesnwin.com

CAMBERFIELD SDFU

ROAD ROW VACATION

7/13/2021

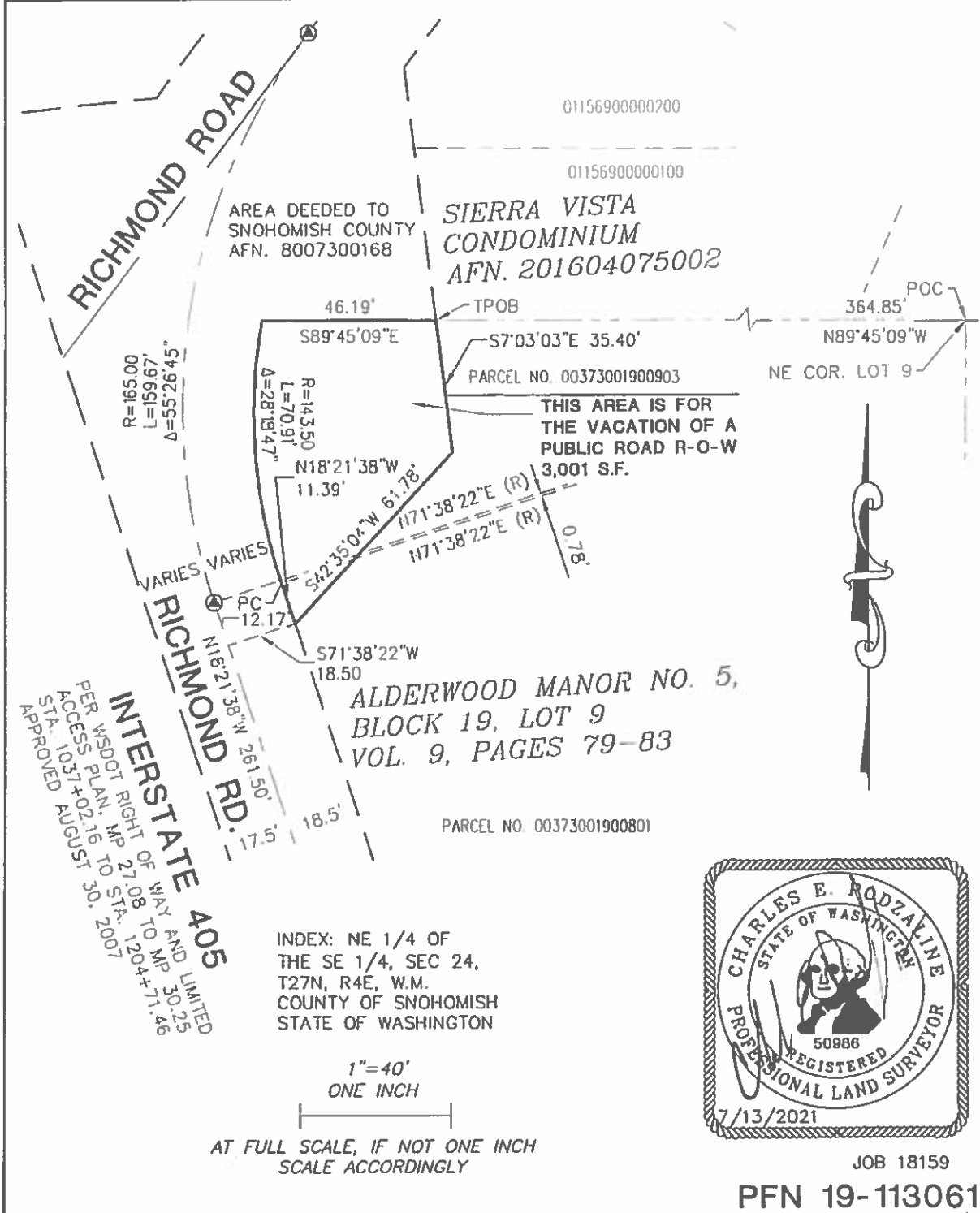


Exhibit A1

Exhibit B

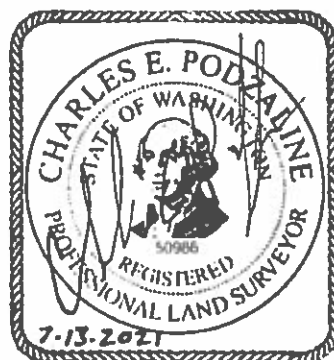
LEGAL DESCRIPTION ROAD RIGHT-OF-WAY VACATION

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M., BEING A PORTION OF LOT 8 , BLOCK 19, ALDERWOOD MANOR NO. 5, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 79-83, INCLUSIVE, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 8;
THENCE NORTH 0°14'51" EAST ALONG THE EAST LINE OF SAID LOT 8 A DISTANCE OF 10.00 FEET TO THE NORTH LINE OF AREA DEEDED TO SNOHOMISH COUNTY BY INSTRUMENT RECORDED UNDER AUDITORS FILE NUMBER 2213804, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;
THENCE NORTH 89°45'09" WEST, ALONG SAID NORTH LINE A DISTANCE OF 245.36 FEET TO A POINT ON THE EASTERLY LINE OF CULC-DE-SAC AREA DEEDED TO SNOHOMISH COUTNY BY QUIT CLAIM DEED RECORDED UNDER AFN. 8007300168, RECORDS OF SNOHOMISH COUNTY WASHINGTON, AND THE TRUE POINT OF BEGINNING;
THENCE CONTINUING NORTH 89°45'09" WEST A DISTANCE OF 21.23 FEET TO A NON-TANGENT CURVE TO THE RIGHT WHOSE RADIUS BEARS NORTH 24°37'54" EAST AND WHOSE RADIUS IS 106.50 FEET;
THENCE ALONG THE CURVE AN ARC DISTANCE OF 52.39 FEET THROUGH A CENTRAL ANGLE OF 28°11'08" TO A POINT ON THE NORTH MARGIN OF SAID AREA DEEDED TO SNOHOMISH COUNTY;
THENCE NORTH 87°09'47" EAST ALONG THE NORTH MARGIN OF SAID AREA DEEDED TO SNOHOMISH COUNTY A DISTANCE OF 50.14 FEET TO THE NORTHEAST CORNER OF SAID AREA;
THENCE SOUTH 18°21'38" EAST ALONG THE EASTERLY MARGIN OF SAID AREA DEEDED TO SNOHOMISH COUNTY A DISTANCE OF 36.90 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

SAID PARCEL HAVING 1,345 SQUARE FEET.



C.E.S. NW INC.

CIVIL ENGINEERING & SURVEYING

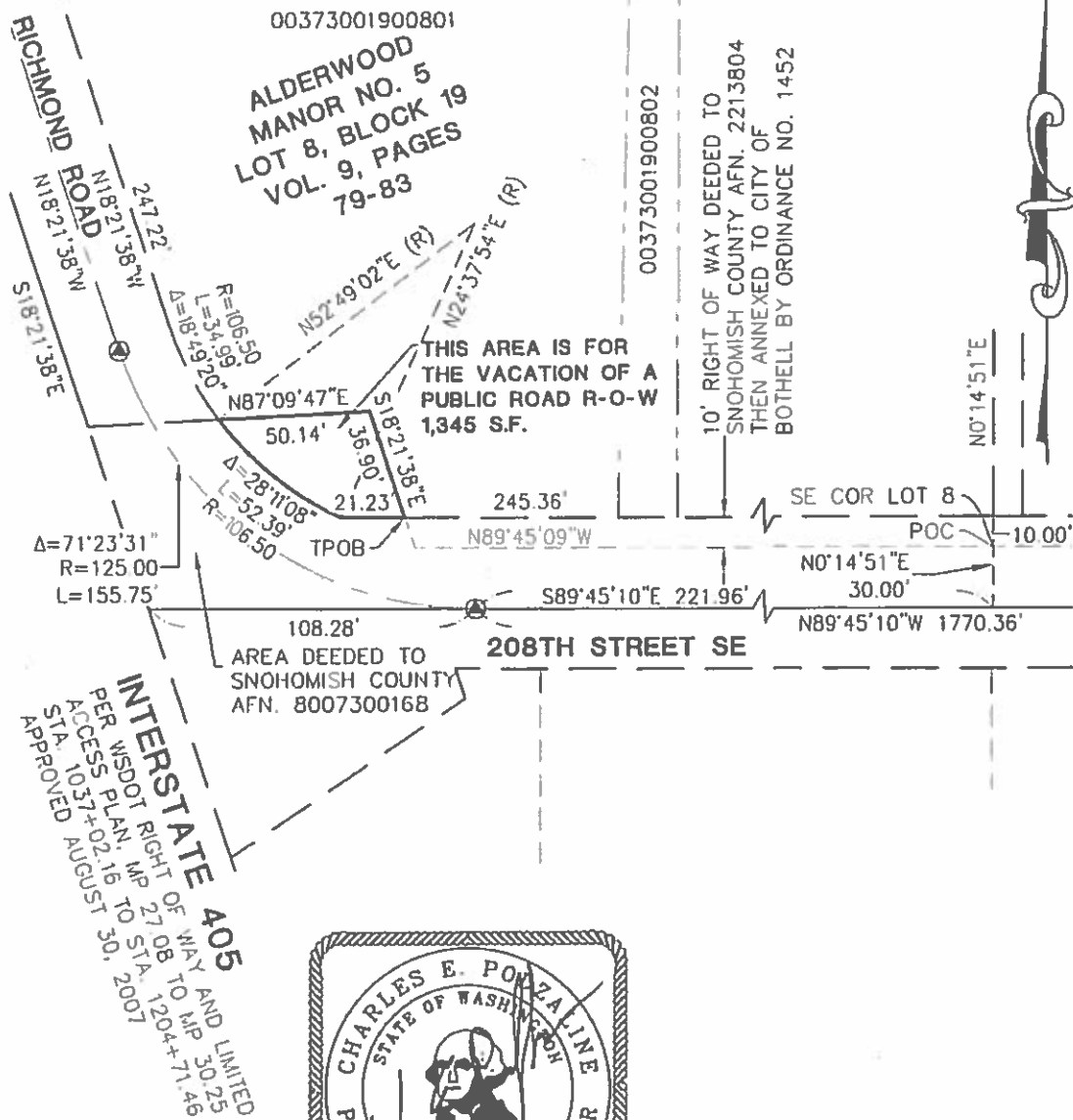
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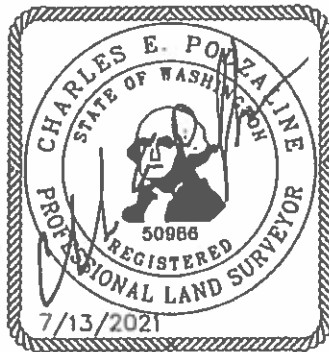
CAMBERFIELD

ROAD VACATION

7/13/2021



INTERSTATE 405
 PER WSDOT RIGHT OF WAY AND LIMITED
 ACCESS PLAN, MP 27.08 TO MP 30.25
 STA. 1037+02.19 TO STA. 1204+71.49
 APPROVED AUGUST 30, 2007



JOB 18159

INDEX: NE 1/4 OF THE SE 1/4,
SEC 24, TWP 27 N., R 4 E., W.M.
COUNTY OF SNOHOMISH
STATE OF WASHINGTON

1"=60'
ONE INCH

AT FULL SCALE, IF NOT ONE INCH
SCALE ACCORDINGLY

PFN 19-113061

Exhibit B1