



Snohomish County Council

Legislation Text

File #: 2022-1180, Version: 1

Executive/Council Action Form (ECAF)

ITEM TITLE:

Motion 22-495, authorizing the surplus and transfer of real property a portion of Cicero Pond Conservation - parcel no. 32061200301200

DEPARTMENT: Facilities and Fleet

ORIGINATOR: Steven Tease

EXECUTIVE RECOMMENDATION: Approved by Ken Klein 11/17/22

PURPOSE: Council approval of the surplus and transfer of Assessor’s Tax Parcel No. 32061200301200. Find it to be in the public interest to transfer said parcel to the Stillaguamish Tribe of Indians, authorize the Property Officer of the Department of Facilities and Fleet to execute, on behalf of the County, a Quitclaim Deed, and Amendment No. 1 to the Declaration of Protective Covenants, Conditions and Restrictions For Cicero Pond Conservation, and take all steps that are necessary to consummate the transfer on behalf of Snohomish County.

BACKGROUND: On June 14, 1995 the Snohomish County Council approved Motion 95-215 authorizing acquisition of approximately 90 acres of real property for Cicero Pond Conservation. On August 16, 1995 a Declaration of Protective Covenants, Conditions and Restrictions For Cicero Pond Conservation was recorded and limited any improvements to the subject property to those which are passive in nature. Assessor’s Parcel No. 32061200301200 (the “Parcel”) contains 5.4 acres and is a portion of the Cicero Pond Conservation acquisition. The Parcel has experienced substantial accretion by the flow of the Stillaguamish River such that most of the Parcel presently lies within the riverbed and is under the jurisdiction of the State of Washington. Snohomish County and the Stillaguamish Tribe of Indians have been codefendants in a lawsuit, case no. 22-2-06240-31 Superior Court of the State of Washington, which has been dismissed without prejudice on November 9, 2022. The Stillaguamish Tribe agrees to acquire the Parcel and to continue to defend the Parcel and to bear the costs associated with ownership of the Parcel. A Quitclaim Deed will be used to transfer title and an Amendment to the Declaration of Protective Covenants will be executed and recorded. The Director of the Department of Conservation and Natural Resources (DCNR) has determined that the Parcel is surplus to the needs of DCNR. The Director of the Department of Conservation and Natural Resources (DCNR) and the Property Officer recommend the surplus and transfer of Assessor’s Parcel No. 32061200301200.

FISCAL IMPLICATIONS:

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS

TOTAL			
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REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
TOTAL			

DEPARTMENT FISCAL IMPACT NOTES: Click or tap here to enter text.

CONTRACT INFORMATION:

ORIGINAL _____ CONTRACT# _____ AMOUNT _____
AMENDMENT _____ CONTRACT# _____ AMOUNT _____

Contract Period

ORIGINAL START _____ END _____
AMENDMENT START _____ END _____

OTHER DEPARTMENTAL REVIEW/COMMENTS: Reviewed/approved by Risk - Shelia Barker 11/16/22 and Finance - Nathan Kennedy 11/17/22