ORDINANCE NO. 22-010
AN ORDINANCE APPROVING AND ACCEPTING A STATUTORY WARRANTY DEED AND ESTABLISHING RICHMOND ROAD AS A NEW COUNTY ROAD

WHEREAS, under chapter 36.75 RCW and chapter 36.81 RCW, Snohomish County (the “County”) has the authority to acquire County right-of-way and to establish roads for public purposes by purchase, gift, or condemnation; and

WHEREAS, under SCC 13.90.010, road establishment procedures may be initiated at the request of the Snohomish County Council (“County Council”), independently by Snohomish County Engineer (“County Engineer”) when he or she determines that the criteria for road establishment exists, or in response to a freeholders’ petition; and

WHEREAS, on September 29, 2019, Prospect Development LLC, submitted a development application to the Snohomish County Department of Planning and Development Services (PDS) known as the Camberfield SFDU; and

WHEREAS, as a condition of development approval, the County Engineer is requiring the developer to construct and establish a new portion of Richmond Road as new public road; and

WHEREAS, on August 10, 2020, Prospect Development LLC, under SCC 13.90 010, petitioned the Snohomish County Department of Public Works (DPW) for the establishment of Richmond Road as depicted on the Camberfield SFDU administrative site plan; and

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

ORDINANCE NO. 22-010
AN ORDINANCE APPROVING AND ACCEPTING A STATUTORY WARRANTY DEED AND ESTABLISHING RICHMOND ROAD AS A NEW COUNTY ROAD - 1
WHEREAS, with the transfer of the Camberfield SFDU, Pacific Ridge became the road establishment petitioner; and

WHEREAS, on February 7, 2022, the County Engineer, pursuant to RCW 36.81.050 and SCC 13.90.040, prepared a report determining that the establishment of Richmond Road is necessary and practicable and will benefit the public; and

WHEREAS, a properly executed Statutory Warranty Deed has been provided conveying sufficient ROW to ensure that County road standards can be met; and

WHEREAS, a properly filed record of survey depicting the right-of-way limits and road alignment has been recorded under Snohomish County Auditor’s File Number 202201075001; and

WHEREAS, the County Engineer has determined that the road construction plans depicting all required improvements to occur within the new right-of-way comply with the County’s Engineering Design and Development Standards (EDDS); and

WHEREAS, under SCC 13.90.020, a properly executed project guarantee improvement bond to ensure proper performance of road improvements constructed in conjunction with the establishment process was obtained and submitted to PDS; and

WHEREAS, the County Council has considered the County Engineer’s Report recommending that the Statutory Warranty Deed be accepted, and the establishment of Richmond Road be granted; and

WHEREAS, there will be no public expenditures for the construction of Richmond Road; and

WHEREAS, the County Council declares its intention for establishing the County road as described herein;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The foregoing recitals are incorporated herein as findings as though fully set forth.

Section 2. The County Council finds that Pacific Ridge is the fee owner and intends to deed the real property described in Section 3 for the use of the public as a County Road in perpetuity. The County Council further finds that a properly
executed statutory warranty deed has been submitted to accomplish the same, a

copy of which is attached hereto with exhibits and incorporated by reference.

Section 3. The following legally described property is hereby established
as County road right-of-way subject to the full County authority and discretion and
the conditions in Subsection 7:

All that portion as shown on Record of Survey Auditor’s File Number
202201075001 identified as area for road establishment.

Section 4. Construction of Richmond Road to the County’s EDDS shall be
by Pacific Ridge at its own expense. As required by title 13 SCC, a two-year
maintenance security shall be provided by Pacific Ridge upon acceptance of the
construction of Richmond Road by the County.

Section 5. The County Council finds the road right-of-way is a public
necessity, is practicable, and that the public will be benefitted by the establishment
of Richmond Road.

Section 6. The Snohomish County Executive is authorized to accept the
properly executed Statutory Warranty Deed on the County’s behalf for Richmond
Road established by this ordinance.

Section 7. Establishment of the County right-of-way described in Section 3
is not effective until: (1) DPW files a certification with the Clerk of the County
Council stating all administrative and advertising costs required under SCC
13.90.070 have been paid; (2) PDS and DPW have inspected and accepted final
construction of Richmond Road; (3) a two-year maintenance security has been
submitted by the Pacific Ridge and accepted by the County; and (4) the Statutory
Warranty Deed has been recorded.

PASSED this 23rd day of March, 2022.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Council Chair

ATTEST:

Asst. Clerk of the Council

ORDINANCE NO. 22-010
AN ORDINANCE APPROVING AND ACCEPTING A STATUTORY WARRANTY DEED AND
ESTABLISHING RICHMOND ROAD AS A NEW COUNTY ROAD - 3
ORDINANCE NO. 22-010
AN ORDINANCE APPROVING AND ACCEPTING A STATUTORY WARRANTY DEED AND
ESTABLISHING RICHMOND ROAD AS A NEW COUNTY ROAD - 4

(X) APPROVED

( ) EMERGENCY

( ) VETOED

Date: ________________

_______________________________

County Executive

ATTEST:

Melissa Geraghty

APPROVED AS TO FORM:

______________________________

Deputy Prosecuting Attorney

March 24, 2022
RECORD OF SURVEY FOR ROAD ESTABLISHMENT FOR RICHMOND ROAD
A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4
SECTION 24, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M.
COUNTY OF SNOHOMISH, STATE OF WASHINGTON

SURVEY REFERENCES
(R1) NEILLS ESTATES DIV. 1, ATN 10205964202
(R2) NEILLS ESTATES DIV. 2, ATN 10205964202
(R3) 55' x 55' LOT 7, 158' x 55' LOT 8, 5' x 55' LOT 9, 55' x 55' LOT 10
(R4) KING COUNTY ROAD SURVEY ATN 10205964202
(R5) SIERRA VISTA CONDOMINIUM ATN 10205964202
(R6) HELL'S ESTATE DIV. 1 APN 64099650001
(R7) HELL'S ESTATE DIV. 2 APN 64099650001

SURVEYOR'S NARRATIVE

BEGINNING: REFER TO THE SUBURBAN ARCitect's plan 20-200000-450000-300000 FOR THE LOCATION OF THE WEST BOUNDARY ROAD, AS SHOWN.

THE POINT OF BEGINNING IS THE NORTHEAST CORNER OF LOT 7, NEILLS ESTATES DIV. 1, SOWNOMISH COUNTY, FOR THE PURPOSE OF MAKING THE EXISTING ROAD OF LOTS 7, 8, 9, AND 10, AND THE WEST BOUNDARY ROAD, CONFORM TO THE REQUIREMENTS OF THE LAW, AND TO ESTABLISH THE ROAD AND SETTLEMENT TOWNSHIP AND RANGE, AS SHOWN, NORTHWESTERLY TO THE NORTHEAST OF THE POINT OF BEGINNING.

THE SURVEY WAS MADE TO HELP THE COUNTY OF SNOHOMISH, WASHINGTON, ESTABLISH THE ROAD AND SETTLEMENT TOWNSHIP AND RANGE, FOR THE PURPOSE OF MAKING THE EXISTING ROAD OF LOTS 7, 8, 9, AND 10, AND THE WEST BOUNDARY ROAD, CONFORM TO THE REQUIREMENTS OF THE LAW, AND TO ESTABLISH THE ROAD AND SETTLEMENT TOWNSHIP AND RANGE, AS SHOWN, NORTHWESTERLY TO THE NORTHEAST OF THE POINT OF BEGINNING.

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