

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: October 12, 2015**

<b>AGENDA ITEM:</b> Relinquishment and Termination of Easement – Lighthouse Storage	<b>AGENDA SECTION:</b>	
<b>PREPARED BY:</b> Deryl Taylor, Development Services Technician	<b>AGENDA NUMBER:</b>	
<b>ATTACHMENTS:</b> <ul style="list-style-type: none"> <li>• Resolution</li> <li>• Relinquishment of Esmt AFN 9809170371</li> <li>• Exhibit A – Property Description</li> <li>• Exhibit B - Utility Easement</li> <li>• Map – Peak Engineering #99194</li> </ul>	<b>APPROVED BY:</b>	
	<b>MAYOR</b>	<b>CAO</b>
<b>BUDGET CODE:</b>	<b>AMOUNT:</b>	

This 'Relinquishment and Termination of Easement' is for the benefit of Lighthouse Storage, located at 8119 State Avenue. The water main was constructed in a different location and the new easement was recorded under AFN 200009210545.

<b>RECOMMENDED ACTION:</b> Public Works and Community Development staff recommends Council authorize the Mayor to sign the Resolution and the Relinquishment and Termination of Easement.
<b>COUNCIL ACTION:</b>

**CITY OF MARYSVILLE**  
**Marysville, Washington**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF MARYSVILLE, WASHINGTON,  
AUTHORIZING TERMINATION AND RELINQUISHMENT OF A CITY-  
OWNED EASEMENT ON PRIVATE PROPERTY**

WHEREAS, in 1998, Lighthouse Self Storage – Marysville, an Oregon LLC, granted a 10 foot utility easement to the City of Marysville, recorded under Auditor’s File Number 9809170371; and

WHEREAS, utilities were constructed in a different location than the easement described in **Exhibit B**, and the City has no current, past, or future use for the utility easement; and

WHEREAS, the owner of a property encumbered by the utility line easement has requested that the City relinquish said easement;

WHEREAS, the City Council of the City of Marysville has determined that the utility easement is surplus to the City’s needs;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE AS FOLLOWS:

That the Mayor of the City of Marysville is hereby authorized to execute such instruments as may be required to relinquish, terminate and extinguish the City’s interest in the 10 foot utility line easement described in **EXHIBIT B**.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF MARYSVILLE

By: \_\_\_\_\_  
JON NEHRING, MAYOR

Attest:

By: \_\_\_\_\_  
CITY CLERK

Approved as to form:

By: \_\_\_\_\_  
JON WALKER, CITY ATTORNEY

**After recording return to:**

CITY OF MARYSVILLE  
1049 STATE AVENUE  
MARYSVILLE, WA 98270

**RELINQUISHMENT AND TERMINATION OF EASEMENT  
AS TO SPECIFIC PROPERTY**

Grantor: CITY OF MARYSVILLE  
Grantee: LIGHTHOUSE SELF STORAGE  
Legal Description: Exhibit A – Ptn of NE ¼ of SW ¼ Sec 21, T30N, R5E, WM  
Assessor's Tax Parcel ID#: 30052100317500 & 30052100317000  
Reference No.:

WHEREAS, in 2000, City of Marysville SPL AFN 200008215001 was approved with a dedication to the City of Marysville of a water line easement Rec. No. 9809170371; and

WHEREAS, the water line was constructed in a different location than the above described easement, and the City has no current, past, or future use for the water line easement; and

WHEREAS, the City Council of the City of Marysville has determined the water line easement to be surplus to the City's needs;

NOW, THEREFORE,

FOR AND IN CONSIDERATION OF the above representations, the CITY OF MARYSVILLE, a municipal corporation of the State of Washington, hereby relinquishes, terminates and extinguishes the water line easement Rec. No. 9809170371.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2015

CITY OF MARYSVILLE

BY \_\_\_\_\_  
\_\_\_\_\_, Mayor

STATE OF WASHINGTON )  
  )ss.  
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Mayor of the CITY OF MARYSVILLE to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
\_\_\_\_\_  
(Legibly print name of notary)  
NOTARY PUBLIC in and for the State of  
Washington, residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

(Note: Do not write or stamp in 1" margins)

**CORE DESIGN, INC.  
BELLEVUE WA 98007**

Core Project No: 15091  
9/28/15

**LEGAL DESCRIPTION**

**EXHIBIT A  
LIGHTHOUSE SELF STORAGE PROPERTY**

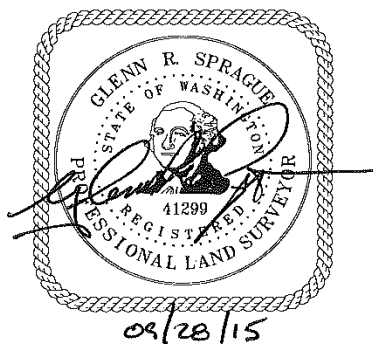
PARCEL A

LOT 7 OF CITY OF MARYSVILLE SHORT PLAT, ACCORDING TO SHORT PLAT RECORDED AUGUST 21, 2000 UNDER RECORDING NO. 200008215001 OF OFFICIAL RECORDS, IN SNOHOMISH COUNTY, WASHINGTON.

PARCEL B

THE NORTH 100 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, IN SNOHOMISH COUNTY, WASHINGTON;  
THENCE NORTH 294 FEET;  
THENCE SOUTH 89°50'41" WEST 618.69 FEET TO TRUE POINT OF BEGINNING;  
THENCE CONTINUE WEST ON SAME BEARING 250 FEET, MORE OR LESS, TO EASTERLY MARGIN OF OLD PACIFIC HIGHWAY AS DEEDED TO SNOHOMISH COUNTY BE DEED RECORDED IN VOLUME 33 OF DEEDS AT PAGE(S) 119;  
THENCE SOUTHERLY ALONG THE EASTERLY MARGIN OF OLD PACIFIC HIGHWAY FOR 234 FEET, MORE OR LESS, TO A POINT 60 FEET NORTH OF THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;  
THENCE NORTH 89°50'41" EAST FOR 250 FEET;  
THENCE NORTH TO THE TRUE POINT OF BEGINNING.



**CORE DESIGN, INC.  
BELLEVUE WA 98007**

Core Project No: 15091  
9/28/15

**LEGAL DESCRIPTION**

**EXHIBIT B  
WATERLINE EASEMENT – REC. NO. 9809170371**

AN EASEMENT FOR WATER LINE PURPOSES BEING 5.00 FEET ON BOTH SIDES OF THE AS-CONSTRUCTED WATERLINE, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

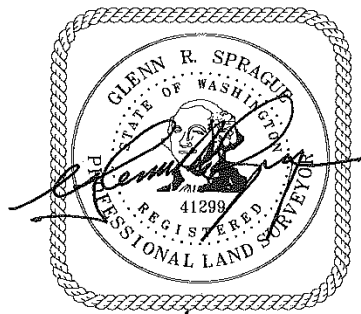
COMMENCING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M.; THENCE SOUTH 89°50'41" WEST A DISTANCE OF 900.49 FEET TO THE EASTERLY MARGIN OF STATE STREET; THENCE NORTH 04°44'13" EAST ALONG SAID EASTERLY MARGIN A DISTANCE OF 55.20 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°50'41" EAST A DISTANCE OF 2.45 FEET TO POINT "A"; THENCE CONTINUING NORTH 89°50'41" EAST A DISTANCE OF 255.55 FEET; THENCE NORTH 04°57'11" EAST A DISTANCE OF 8.04 FEET TO POINT "B"; THENCE NORTH 89°50'41" EAST A DISTANCE OF 407.63 FEET TO POINT "C"; THENCE CONTINUING NORTH 89°50'41" EAST A DISTANCE OF 9.19 FEET TO POINT "D"; THENCE CONTINUING NORTH 89°50'41" EAST A DISTANCE OF 18.70 FEET; THENCE SOUTH 00°09'19" EAST A DISTANCE OF 40.00 FEET; THENCE SOUTH 85°29'24" EAST A DISTANCE OF 221.13 FEET; THENCE SOUTH 46°22'38" EAST A DISTANCE OF 64.10 FEET; THENCE SOUTH 01°22'38" EAST A DISTANCE OF 125.37 FEET TO A POINT ON THE SOUTH LINE OF LOT 4 OF BUTLERS FIVE LOT PLAT RECORDED IN VOLUME 23 OF PLATS AT PAGE 101 RECORDS OF SNOHOMISH COUNTY, FROM WHICH THE SOUTHWEST CORNER OF SAID LOT 4 BEARS SOUTH 89°50'41" WEST A DISTANCE OF 63.97 FEET AND THE TERMINUS OF THIS DESCRIPTION

ALSO BEGINNING AT AFOREMENTIONED POINT "A"; THENCE SOUTH 00°08'88" EAST 36.81 FEET TO THE TERMINUS OF THIS DESCRIPTION.

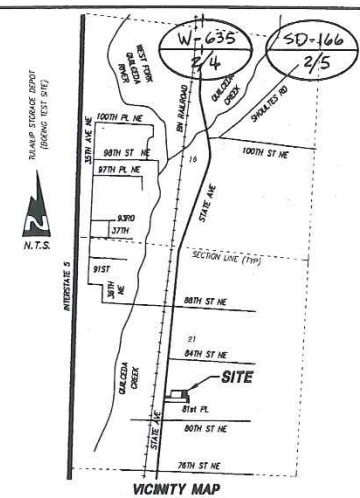
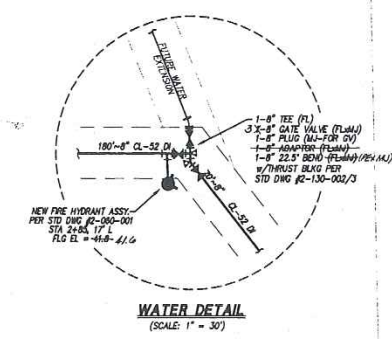
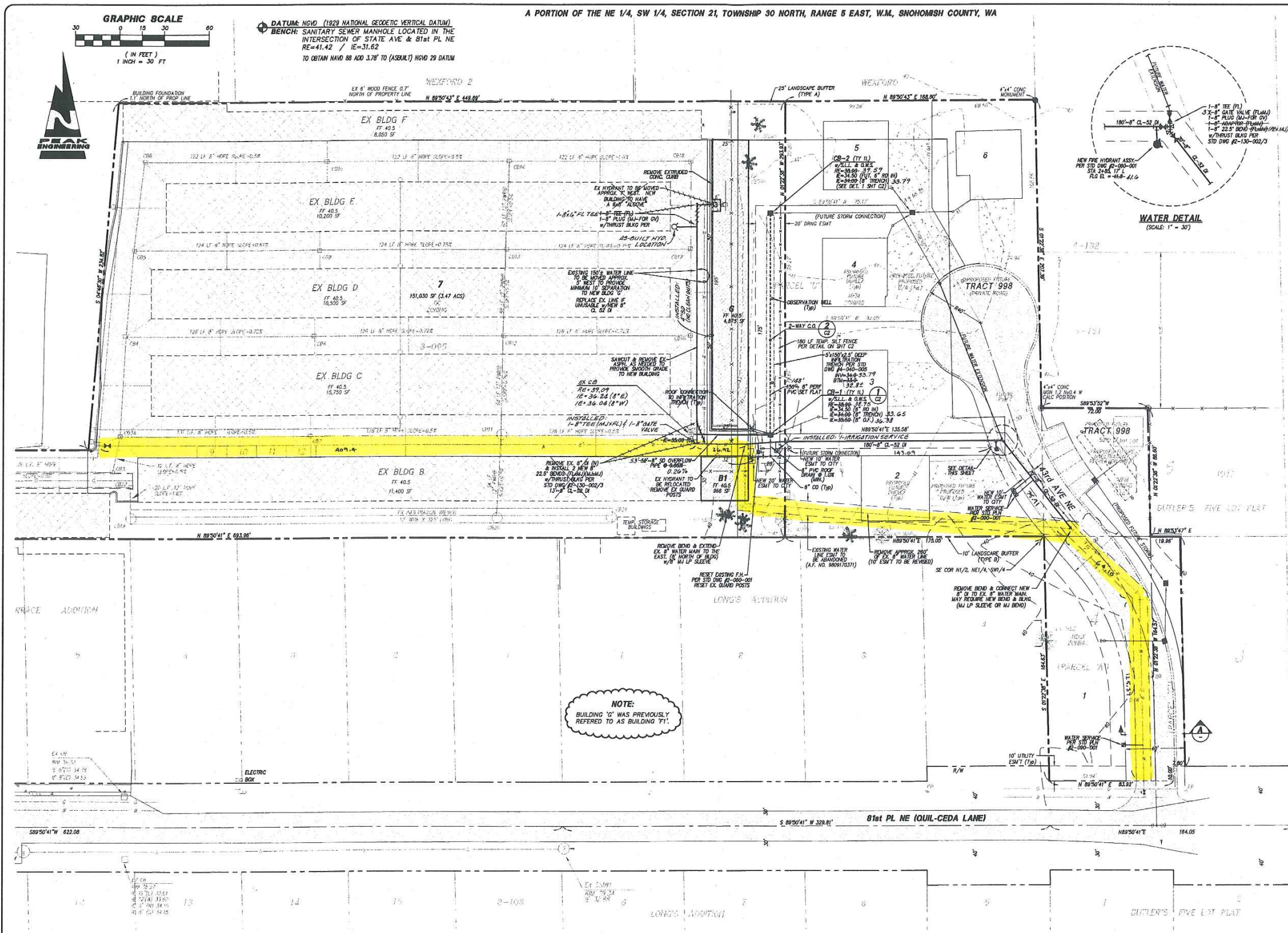
ALSO BEGINNING AT AFOREMENTIONED POINT "B", THENCE NORTH  
04°57'11" EAST A DISTANCE OF 166.45 FEET TO THE TERMINUS OF THIS  
DESCRIPTION.

ALSO BEGINNING AT THE AFOREMENTIONED POINT "C"; THENCE NORTH  
00°09'19" WEST A DISTANCE OF 161.78 FEET; THENCE DUE EAST A  
DISTANCE OF 19.50 FEET TO THE TERMINUS OF THIS DESCRIPTION

ALSO BEGINNING AT AFOREMENTIONED POINT "D"; THENCE SOUTH  
00°09'19" EAST A DISTANCE OF 13.00 FEET TO THE TERMINUS OF THIS  
DESCRIPTION.



09/28/15



**LEGAL DESCRIPTION**  
(PER TRANSACTION ORDER NO. 50860)

**PARCEL A:** LOT 4, BUTLER'S FIVE LOT PLAT, AS PER PLAT RECORDED IN VOLUME 23 OF PLATS, PAGE 101, RECORDS OF SNOHOMSH COUNTY, STATE OF WASHINGTON.

**PARCEL B:** THE WEST 72 FEET OF LOT 5, BUTLER'S FIVE LOT PLAT, AS PER PLAT RECORDED IN VOLUME 23 OF PLATS, PAGE 101, RECORDS OF SNOHOMSH COUNTY, STATE OF WASHINGTON.

**PARCEL C:** THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE NORTH 01° 22' 30" WEST ALONG THE EAST LINE THEREOF 294.00 FEET; THENCE SOUTH 89°50'41" WEST 618.68 FEET; THENCE SOUTH 04°48'50" WEST 234.82 FEET; THENCE SOUTH 89°50'41" WEST 250.00 FEET TO THE EAST LINE OF HIGHWAY 89; THENCE SOUTH 04°48'50" WEST ALONG SAID EAST LINE 663.3 FEET TO THE SOUTH LINE OF NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 89°50'41" EAST ALONG SAID SOUTH LINE 300.49 FEET TO THE POINT OF BEGINNING.

**EXCEPT ANY PORTION THEREOF THAT MIGHT LIE WITHIN THE FOLLOWING DESCRIBED TRACT:**  
BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M.; THENCE NORTH 294 FEET; THENCE SOUTH 89°50'41" WEST 618.68 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE WEST ON THE SAME BEARING 250 FEET, MORE OR LESS, TO THE EASTERN MARGIN OF OLD PACIFIC HIGHWAY AS DECEDED TO SNOHOMSH COUNTY BY DEED RECORDED IN VOLUME 33 OF DEEDS, PAGE 118; THENCE SOUTHERLY ALONG EASTERLY MARGIN OF OLD PACIFIC HIGHWAY FOR 234 FEET, MORE OR LESS, TO A POINT 80 FEET NORTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 89°50'41" EAST FOR 250 FEET; THENCE NORTH TO THE TRUE POINT OF BEGINNING.

**STATE IN THE CITY OF MARYSVILLE, COUNTY OF SNOHOMSH, STATE OF WASHINGTON.**

**PARCEL D:** PRIVATE ROAD DELINEATED ON THE FACE OF BUTLER'S FIVE LOT PLAT, RECORDED IN VOLUME 23 OF PLATS ON PAGE 101, RECORDS OF SNOHOMSH COUNTY; SAID ROAD LYING BETWEEN LOTS 3 AND 4 AND SOUTH OF LOT 5 IN SAID PLAT.

**STATE IN THE CITY OF MARYSVILLE, COUNTY OF SNOHOMSH, STATE OF WASHINGTON.**

**APPROVED FOR CONSTRUCTION**  
**CITY OF MARYSVILLE**

BY: *Errol J. Jensen*  
ERROL JENSEN, FIRE MARSHAL

DATE: 10-12-99  
THIS APPROVAL VALID FOR 18 MONTHS

**APPROVED FOR CONSTRUCTION**  
**CITY OF MARYSVILLE**

BY: *Alora Hirashima*  
ALORA HIRASHIMA, CITY PLANNER

DATE: 10-20-99  
THIS APPROVAL VALID FOR 18 MONTHS

**APPROVED FOR CONSTRUCTION**  
**CITY OF MARYSVILLE**

BY: *Owen Carter, P.E.*  
OWEN CARTER, P.E., CITY ENGINEER

DATE: 10/20/99  
THIS APPROVAL VALID FOR 18 MONTHS

REV. No.	REVISION	DATE OF REVISION	CITY APPROVAL	DATE OF CITY APPROVAL
-	ISSUED	7/21/99		
1	REV PER CITY	9/15/99		
2	REV PER CITY	10/10/99		
AS-BUILT		1/4/00		

**PEAK ENGINEERING INC.**

1720 GROVE STREET, MARYSVILLE, WASHINGTON 98270  
(360) 656-6986 / FAX: (360) 656-7828

**AS-BUILT SURVEY & TOPOGRAPHIC INFORMATION PROVIDED BY:**

JEFF CURTIS AND ASSOCIATES  
P.O. BOX 1512  
LAKE STEVENS, WA 98258  
(425) 397-8424

**APPLICANT**

DAVID A. LEE  
LIGHTHOUSE SELF STORAGE, LLC  
13333 BELLEVUE-REIMOND RD  
SUITE 223  
BELLEVUE, WA 98005  
PH: 425-957-1411

**GRADING QUANTITIES**

CUT: 50 CY's  
FILL: 50 CY's

**AS-BUILT DECLARATION**

WE HEREBY DECLARE THAT THE ROAD AND STORM DRAINAGE IMPROVEMENTS ARE LOCATED AS SHOWN ON THESE RECORD DRAWINGS.

BY: PROJECT ENGINEER DATE: \_\_\_\_\_  
BY: PLAT DEVELOPER / OWNER DATE: \_\_\_\_\_

CALL 48 HOURS BEFORE YOU DIG 1-800-424-8888

THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION. AGENCIES INVOLVED SHALL BE NOTIFIED WITHIN A REASONABLE TIME PRIOR TO THE START OF CONSTRUCTION.

**LIGHTHOUSE SELF STORAGE "AS-BUILT"**

**COMMERCIAL TESC, GRADING, DRAINAGE AND UTILITY PLAN**

**PROJECT NO. 99194**

**DWG C1**

OF 2