

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: October 26, 2015**

<b>AGENDA ITEM:</b> Release of Slope Easements for Cedar Landing Housing Partners Recorded under Auditor’s File Number(s) 9610010546 & 9703280119	<b>AGENDA SECTION:</b> New Business	
<b>PREPARED BY:</b> Deryl Taylor, Development Services Technician	<b>APPROVED BY:</b>	
<b>ATTACHMENTS:</b> 1. Release of Slope Easement for AFN 9610010546 2. AFN 9610010546 3. Release of Slope Easement for AFN 9703280119 4. AFN 9703280119		
	<b>MAYOR</b>	<b>CAO</b>
<b>BUDGET CODE:</b>	<b>AMOUNT:</b>	

**DESCRIPTION:**

Cedar Landing Housing Partners has requested the City of Marysville release two slope easements recorded under Auditor’s File Number(s) 9610010546 & 9703280119 that were required to be recorded for slopes along 88<sup>th</sup> Street NE and 67<sup>th</sup> Avenue NE during the construction of Cedar Landing Apartment Complex, located at 8700 67<sup>th</sup> Avenue NE.

The Public Works and Community Development Departments have conducted site visits and reviewed the land use file and have determined that the slope easements are no longer necessary and should be released.

<b>RECOMMENDED ACTION:</b> Authorize the Mayor to the sign the two <i>Release of Slope Easements</i> for Cedar Landing Housing Partners.
<b>COUNCIL ACTION:</b>

Return Address:

**CITY OF MARYSVILLE  
1049 STATE AVENUE  
MARYSVILLE, WA 98270**

(Please print or type information)

Document Title(s) (or transactions contained therein):

**RELEASE OF SLOPE EASEMENT**

Grantor(s) (Last name first, then first name and initials):

**CITY OF MARYSVILLE**

Grantee(s) (Last name first, then first name and initials):

**CEDAR LANDING HOUSING PARTNERS, A WASHINGTON LIMITED  
PARTNERSHIP**

Legal description (abbreviated: i.e., lot, block, plat or section, township, range, qtr./qtr.)

**LOT 4 OF SHORT PLAT NO. 68(3-81) UNDER RECORDING NO.  
8206170136, BEING A PTN OF SE1/4 NE1/4 SEC 22, T30N, R5E, WM,  
SNOHOMISH CO, WA**

Reference Number(s) of Documents assigned or released:

**RELEASE AUDITORS FILE NUMBER 9610010546**

Assessor's Property Tax Parcel/Account Number:

**30052200102900**

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

**RELEASE OF SLOPE EASEMENT**

The City of Marysville, a Washington Municipal Corporation, as Grantee therein, releases all rights, title to and interest in that Easement for Slopes dated August 21, 1996, and recorded under Snohomish County Auditor No. 9610010546.

IN WITNESS WHEREOF, the parties have signed this document as their own free act and deed as of October \_\_\_\_\_, 2015.

**GRANTEE:**

CITY OF MARYSVILLE,  
a municipal corporation of the State of Washington

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF WASHINGTON            )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me and said person acknowledged that he/she signed this instrument as the \_\_\_\_\_ of CITY OF MARYSVILLE and acknowledge it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
Printed Name of Notary

NOTARY PUBLIC in and for the State of  
Washington, residing at \_\_\_\_\_.  
My appointment expires: \_\_\_\_\_

ACKNOWLEDGEMENT OF RELEASE OF EASEMENT

**GRANTOR:**

CEDAR LANDING HOUSING PARTNERS, a Washington limited partnership

By: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

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 as \_\_\_\_\_ of CEDAR LANDING HOUSING PARTNERS and acknowledge it to be the free and voluntary act of said entity for the uses and purposes mentioned in this instrument.

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
Printed Name of Notary

NOTARY PUBLIC in and for the State of  
Washington, residing at \_\_\_\_\_.  
My appointment expires: \_\_\_\_\_



AFTER RECORDING RETURN TO: 9  
CITY OF MARYSVILLE  
4822 GROVE STREET  
MARYSVILLE, WA 98270

**NO EXCISE TAX  
REQUIRED**

OCT 02 1996



BOB DANTINI, Snohomish County Treasurer  
By BOB DANTINI

96 OCT -1 PM 4:29  
SECRETARY OF STATE  
DEPUTY

RECORDED

9610010546

RECORDED BY SNOHOMISH COUNTY: BOB TERWILLIGER, AUDITOR

**EASEMENT FOR SLOPES**

THIS AGREEMENT, made this 21<sup>st</sup> day of August, 1996 by and between JOHN L. HARRISON and SHARON K. HARRISON, husband and wife, hereinafter called the GRANTOR, and the CITY OF MARYSVILLE, a municipal corporation of the State of Washington, hereinafter called the GRANTEE.

WHEREAS the GRANTOR herein is the owner of that certain parcel of land described as follows, to-wit:

**LOT 4 OF SHORT PLAT 68 (3-81) RECORDED UNDER RECORDING NUMBER 8206170136, BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON.**

WHEREAS, it has been found necessary in the construction and improvement of LID No. 64, 67th Avenue N.E. and 88th Street N.E. Reconstruction to make slopes on the said property of the Grantor for cuts and fills;

NOW, THEREFORE, in consideration of the premises, and to the same extent and purposes as if the rights herein granted had been acquired under the eminent domain statute of the State of Washington, Grantor hereby conveys and warrants to the CITY OF MARYSVILLE, its successors and assigns, a perpetual right and easement to use and occupy the following-described lands for the purpose of construction and maintenance of highway slopes:

**THE EAST 35 FEET OF SAID PROPERTY.**

IN WITNESS WHEREOF, the said GRANTOR has hereunto signed his name this 21 day of AUGUST, 1996

John L. Harrison  
GRANTOR

Sharon K. Harrison  
GRANTOR

State of Washington )  
County of Snohomish ) ss.

I certify that I know or have satisfactory evidence that JOHN L. HARRISON 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 owner of the aforementioned property to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: AUGUST 21, 1996



Jay R. Larson  
(Signature) Jay R. Larson  
NOTARY PUBLIC in and for the State of Washington, residing at Bainbridge Island  
Title \_\_\_\_\_  
My appointment expires 12-27-96

\\wshp\m\1004\NL1-039.DOC

TL 1-038 SL

VOL. 3217 PAGE 2404

RECORDED BY SNOHOMISH COUNTY: BOB TERWILLIGER, AUDITOR

State of Washington )  
 ) ss.  
County of Snohomish

I certify that I know or have satisfactory evidence that SHARON K. HARRISON is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the owner of the aforementioned property to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: AUGUST 21, 1996



Jay R. Larson  
(Signature) JAY R. LARSON

NOTARY PUBLIC in and for the State of Washington, residing at Bainbridge Island

Title \_\_\_\_\_  
My appointment expires 12-27-96

9610010546

\\waling\my\11084\11-030.DOC

TL 1-038 SL  
VOL. 3217 PAGE 2405

Return Address:

**CITY OF MARYSVILLE  
1049 STATE AVENUE  
MARYSVILLE, WA 98270**

(Please print or type information)

Document Title(s) (or transactions contained therein):

**RELEASE OF SLOPE EASEMENT**

Grantor(s) (Last name first, then first name and initials):

**CITY OF MARYSVILLE**

Grantee(s) (Last name first, then first name and initials):

**CEDAR LANDING HOUSING PARTNERS, A WASHINGTON LIMITED  
PARTNERSHIP**

Legal description (abbreviated: i.e., lot, block, plat or section, township, range, qtr./qtr.)

**LOT 3 OF SHORT PLAT NO. 68 (3-81) UNDER RECORDING NO. 8206  
170136, BEING A PORTION OF THE SE QUARTER OF THE NE  
QUARTER OF SECTION 22, TOWNSHIP 30 NORTH, RANGE 5 EAST,  
W.M., SNOHOMISH COUNTY, WASHINGTON**

Reference Number(s) of Documents assigned or released:

**RELEASE AUDITORS FILE NUMBER 9703280119**

Assessor's Property Tax Parcel/Account Number:

**30052200102900**

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.



**RELEASE OF SLOPE EASEMENT**

The City of Marysville, a Washington Municipal Corporation, as Grantee therein, hereby releases all right, title to and interest in that Easement for Slopes dated March 15, 1997, and recorded under Snohomish County Auditor No. 9703280119.

IN WITNESS WHEREOF, the parties have signed this document as their own free act and deed as of October \_\_\_\_\_, 2015.

**GRANTEE:**

CITY OF MARYSVILLE,  
a municipal corporation of the State of Washington

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF WASHINGTON            )  
  ) ss.  
COUNTY OF \_\_\_\_\_  )

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me and said person acknowledged that he/she signed this instrument as the \_\_\_\_\_ of CITY OF MARYSVILLE and acknowledge it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Signature  
\_\_\_\_\_  
Printed Name of Notary

NOTARY PUBLIC in and for the State of  
Washington, residing at \_\_\_\_\_  
My appointment expires: \_\_\_\_\_

ACKNOWLEDGEMENT OF RELEASE OF EASEMENT

**GRANTOR:**

CEDAR LANDING HOUSING PARTNERS

By: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

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 as the \_\_\_\_\_ of CEDAR LANDING HOUSING PARTNERS and acknowledge it to be the free and voluntary act of said entity for the uses and purposes mentioned in this instrument.

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
Printed Name of Notary

NOTARY PUBLIC in and for the State of  
Washington, residing at \_\_\_\_\_.  
My appointment expires: \_\_\_\_\_

RECORDED BY SNOHOMISH COUNTY: BOB TERWILLIGER, AUDITOR

9703280119

WASHINGTON STATE COUNTY AUDITOR/RECORDER'S  
INDEXING FORM (Cover Sheet)

10-

97 MAR 28 AM 10:33  
AUDITOR  
SNOHOMISH COUNTY, WASH.  
DEPUTY \_\_\_\_\_

RECORDED

Return Address

CITY OF MARYSVILLE  
ATTN: City Clerk  
4822 Grove Street  
Marysville, WA 98270

Please print or type information

Document Title(s) (or transactions contained therein):

- EASEMENT FOR SLOPES
- 
- 
- 

Reference Number(s) of Documents assigned or released:  
Not Applicable  
(on page \_\_\_\_ of document(s))

Grantor(s) (Last name first, then first name and initials)

- JENTZ, JON L., also shown of record as JENTZ, JOHN L.
- JENTZ, MICHELLE K.
- 
- 

Additional names is on page \_\_\_\_ of document.

Grantee(s) (Last name first, then first name and initials)

- CITY OF MARYSVILLE
- 
- 
- 

Additional names is on page \_\_\_\_ of document.

Legal description (abbreviated: i.e., lot, block, plat or section, township, range)

Pin of SEC 22, TWP 30N R5E  
 Additional legal is on page 1 of document.

Assessor's Property Tax Parcel/Account Number  
Portion of 223005-1-029-0008

Additional parcels on page \_\_\_\_ of document.

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

VOL. 3287 PAGE 1708

**NO EXCISE TAX  
REQUIRED**

**MAR 28 1997**

After Recording Return to:  
City of Marysville  
4822 Grove Street  
Marysville, WA 98270

*Bob Dantini*, Snohomish County Treasurer  
By BOB DANTINI

RECORDED BY SNOHOMISH COUNTY: BOB TERWILLIGER, AUDITOR

**EASEMENT FOR SLOPES**

Tax # 223005-1-029-0008

THIS AGREEMENT, made this 15 day of MARCH, 1997 by and between JON L. JENTZ, also shown of record as JOHN L. JENTZ, and MICHELLE K. JENTZ, husband and wife, hereinafter called the GRANTOR, and the CITY OF MARYSVILLE, a municipal corporation of the State of Washington, hereinafter called the GRANTEE.

WHEREAS the GRANTOR herein is the owner of that certain parcel of land described as follows, to-wit:

**LOT 3 OF SHORT PLAT NO. 68 (3-81) UNDER RECORDING NUMBER 8206 170136, BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M. IN SNOHOMISH COUNTY, WASHINGTON.**

WHEREAS, It has been found necessary in the construction and improvement of LID No. 64, 67th Avenue N.E. and 88th Street N.E. Reconstruction to make slopes on the said property of the Grantor for cuts and fills;

NOW, THEREFORE, in consideration of the premises, and to the same extent and purposes as if the rights herein granted had been acquired under the eminent domain statute of the State of Washington, Grantor hereby conveys and warrants to the CITY OF MARYSVILLE, its successors and assigns, a perpetual right and easement to use and occupy the following-described lands for the purpose of construction and maintenance of highway slopes:

**BEGINNING** AT A POINT ON THE SOUTH LINE OF SAID LOT DISTANT 35 FEET WEST OF THE WEST LINE OF A RIGHT-OF-WAY ON LOT 3 RUNNING FORTY FEET TO THE WEST OF AND PARALLEL TO THE CENTERLINE OF 67TH AVENUE N.E.;  
THENCE NORTHEASTERLY TO A POINT ON SAID RIGHT-OF-WAY LINE DISTANT 250 FEET NORTH OF THE SOUTH LINE OF SAID LOT;  
THENCE SOUTH ALONG SAID RIGHT-OF-WAY LINE TO SAID SOUTH LINE THEREOF;  
THENCE WEST ALONG SAID LINE 35 FEET TO THE POINT OF BEGINNING.

**TOGETHER WITH** THAT PORTION OF SAID LOT 3 LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:  
**BEGINNING** AT A POINT ON THE EAST LINE OF SAID LOT, DISTANT 40 FEET SOUTH OF THE NORTHEAST CORNER THEREOF;  
THENCE NORTHWESTERLY TO A POINT ON THE NORTH LINE OF SAID LOT, DISTANT 10 FEET WEST OF SAID NORTHEAST CORNER THEREOF AND TERMINUS OF SAID LINE. THE LOT LINES REFERRED TO RELATE TO THE DEDICATED RIGHT-OF-WAYS OF SAID SHORT PLAT.

IN WITNESS WHEREOF, the said GRANTOR has hereunto signed his name this 15th day of March, 1997.

GRANTOR *Jon L. Jentz*

GRANTOR *Michelle K. Jentz*

working\m\106\111-079.DOC

TL 1-029 SL

9703280 119

VOL. 3287 PAGE 1709