

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: March 25, 2018

AGENDA ITEM: Resolve discrepancy between recorded city sewer easement and actual location of installed sewer line.	AGENDA SECTION: New Business	
PREPARED BY: Cheryl Dungan, Senior Planner	APPROVED BY:	
ATTACHMENTS: 1. Utility Easement/Easement Relinquishment		
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

DESCRIPTION:

Attachment 1 resolves a discrepancy between existing City of Marysville sewer easements recorded under Snohomish County recording numbers 200012150261, 200012150261 and 200101100391 and the actual installed sewer line.

<p>RECOMMENDED ACTION: City staff recommends the City Council approve and authorize the Mayor to sign the Sewer Utility Easement and Sewer Easement Relinquishment to resolve a discrepancy City of Marysville sewer easements record under Snohomish County recording numbers 200012150261, 200012150261 and 200101100391 and the actual installed sewer line.</p>
<p>COUNCIL ACTION:</p>

Return Address:
THE CITY OF MARYSVILLE
1049 State Avenue
Marysville, WA 98270

Document Title(s) or transactions contained therein):

1. Utility Easement / Easement Relinquishment

Reference Number(s) of Documents assigned or released:

(on page ____ of document(s)) 200012150261, 200012150262, 200101100391

Grantor(s) (First name, initials, last name, and title and/or entity name and incorporation type)

1. Sunset Heights 2017, A Washington Limited Liability Company
- 2.
- 3.
- 4.

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

1. CITY OF MARYSVILLE
- 2.
- 3.
- 4.

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

Portion of Government Lots 2 and 7, Section 3, Township 29 N., Range 5 E., W.M.

Assessor Property Tax Parcel(s): 29050300102300, 29050300102500, 29050300103300

SEWER UTILITY EASEMENT AND SEWER EASEMENT RELINQUISHMENT

The purpose of this document is to resolve a discrepancy between existing City of Marysville sewer easements recorded under Snohomish County recording numbers 200012150261, 200012150262 and 200101100391 and the actual installed sewer line.

THIS INDENTURE, made this 14th day of March 2019, between **Sunset Heights 2017, A Washington Limited Liability Company**, hereinafter referred to a Grantor, the **CITY OF MARYSVILLE**, a Municipal Corporation of the State of Washington, hereinafter referred to as Grantee.

WHEREAS, Grantor is the owner of certain lands and premises situated in the County of Snohomish, State of Washington, described as follows:

Portion of Government Lots 2 and 7, Section 3, Township 29 North, Range 5 East, W.M., more particularly as described in Exhibit "A" (Attached).

Grantor hereby conveys and grants to the grantee, its successor's and assigns, and its permittees and licensees, the perpetual right, privilege, and authority to construct, alter, improve, repair, operate, and maintain a sanitary sewer line, pipes and appurtenances, under, over and upon the following described lands and premises situated in the County of Snohomish, State of Washington, to wit:

See Exhibit "A" and "B" (Attached).

Together with the right of ingress to and egress from said lands across adjacent lands of the Grantor, for the purpose of constructing, reconstructing, repairing, renewing, altering, changing, patrolling, and operating said lines, and the right at any time to remove said lines and appurtenances from said lands.

The Grantor reserves the right to use the surface of the above-described easement in the manner now existing, but shall not erect any buildings, structures, patios, or other construction of any nature on said easement.

Grantee shall replace any fences, lawns, shrubbery, or land contours that are disturbed in connection with the exercise of the Grantee's rights hereunder in as good condition as the same were immediately before the property was entered upon by the Grantee.

The rights, title, privileges, and authority hereby granted shall continue to be in force until such time the Grantee, its successors and assigns, shall permanently remove said lines and appurtenances from said lands, or shall otherwise permanently abandon said lines, at which time all such rights, title, privileges, and authority hereby granted shall terminate.

The Grantor also covenants to and with the Grantee that Grantor is lawfully seized and possessed of the land aforesaid, has a good and lawful right and power to sell and convey same, that same is free and clear of encumbrances, except as above indicated, and that Grantor will forever warrant and defend the title to said easement and the quiet possession thereof against the lawful claims and demands of all persons whomsoever. This conveyance shall be a covenant running with the land, and shall be binding on the Grantor and its heirs, successors and assigns forever.


Any mortgage on said land held by the Mortgagee is hereby subordinated to the rights herein granted to the Grantee, but in all other respect said mortgage shall remain unimpaired.

UPON RECORDING OF THIS DOCUMENT, THE SANITARY SEWER EASEMENTS RECORDED UNDER SNOHOMISH COUNTY RECORDING NUMBERS 200012150261, 200012150262 AND 200101100391 SHALL BE RELINQUISHED.

IN WITNESS WHEREOF, this instrument has been executed the day and year first above written.

GRANTOR
Sunset Heights 2017,
A Washington Limited Liability Company

GRANTEE
CITY OF MARYSVILLE



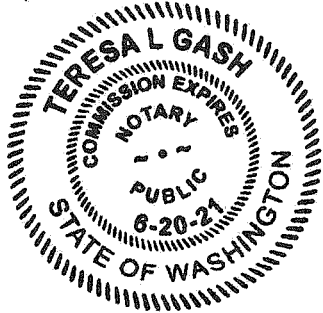
MANAGER

REPRESENTATIVE NOTARY

STATE OF WASHINGTON)
) ss
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that Robert Dabler is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument, on oath stated that he/she/they was/were authorized to execute the instrument and acknowledge it as the Manager of **Sunset Heights 2017, A Washington Limited Liability Company**, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 14th day of March, 2019.



Teresa L Gash
Notary Public in and for the State of Washington
Print Name: Teresa L Gash
Residing at Snohomish
My appointment expires: 10-20-2021

REPRESENTATIVE NOTARY

STATE OF WASHINGTON)
) ss
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that _____ is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument, on oath stated that he/she/they was/were authorized to execute the instrument and acknowledge it as the _____ 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 _____, 2019.

Notary Public in and for the State of Washington
Print Name: _____
Residing at _____
My appointment expires: _____

EXHIBIT 'A'
SANITARY SEWER EASEMENT

LEGAL DESCRIPTIONS OF PARCELS:

PARCEL A (Tax Parcel No. 29050300102300)

Commencing at the southeast corner of Government Lot 2, Section 3, Township 29 North, Range 5 East, W.M.;
Thence north along the east line of Lot 2 for 202 feet to the True Point of Beginning; Thence north along the east line of Lot 2 for 230 feet; Thence west and parallel to the south line of Lot 2 to the west line of Lot 2;
Thence west and parallel to the south line of Government Lot 3 in said Section 3 to the meander line on the bank of Ebey Slough; Thence southeasterly following said meander line to a point 202 feet north of the south line of Lot 3; thence east to the Point of Beginning.

Situate in the County of Snohomish, State of Washington.

PARCEL B (Tax Parcel No. 29050300102500)

Beginning at the southeast corner of Government Lot 2, Section 3, Township 29 North, Range 5 East of the Willamette Meridian;
Thence north along the east line of Government Lot 2 a distance of 202 feet;
Thence west parallel to the south line of Government Lot 2 for 396 feet to the True Point of Beginning;
Thence continue west parallel to south line of Government Lot 2 to the west line of said Lot;
Thence continue west and parallel to the south line of Government Lot 3 in said section 3 to the meander line of the east bank of Ebey Slough;
Thence southerly along the said meander line to the south line of Government Lot 3;
Thence east along the south line of said Government Lot 3 and Government Lot 2 to a point 396 feet west of the east line of said Government Lot 2;
Thence north 202 feet to True Point of Beginning;

Situate in the County of Snohomish, State of Washington.

PARCEL C (Tax Parcel No. 29050300103300)

The north 144.1 feet of Government Lot 7, Section 3, Township 29 North, Range 5 East of the Willamette Meridian;
Except the east 396 feet thereof.

Situate in the County of Snohomish, State of Washington.

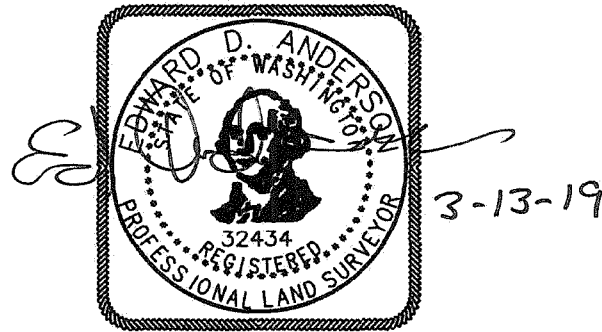
EASEMENT DESCRIPTION:

A strip of land 15.00 feet in width, lying 7.50 feet on each side of the following described centerline:

Commencing at a point on the north line of said Parcel A at the west line of said Government Lot 2,
Thence along said north line, South 88°51'29" East, 282.56 feet to the True Point of Beginning;
Thence South 01°02'47" West, 251.78 feet;
Thence South 21°00'58" East, 350.18 feet to the south line of said Parcel C, distant 431.70 feet, South 88°51'29" East from the west line of said Government Lot 7 and the terminus of this easement centerline description.

The sidelines of this easement are to be extended or shortened to begin and end at the north line of said Parcel A and south line of said Parcel C.

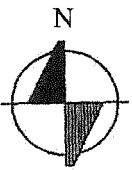
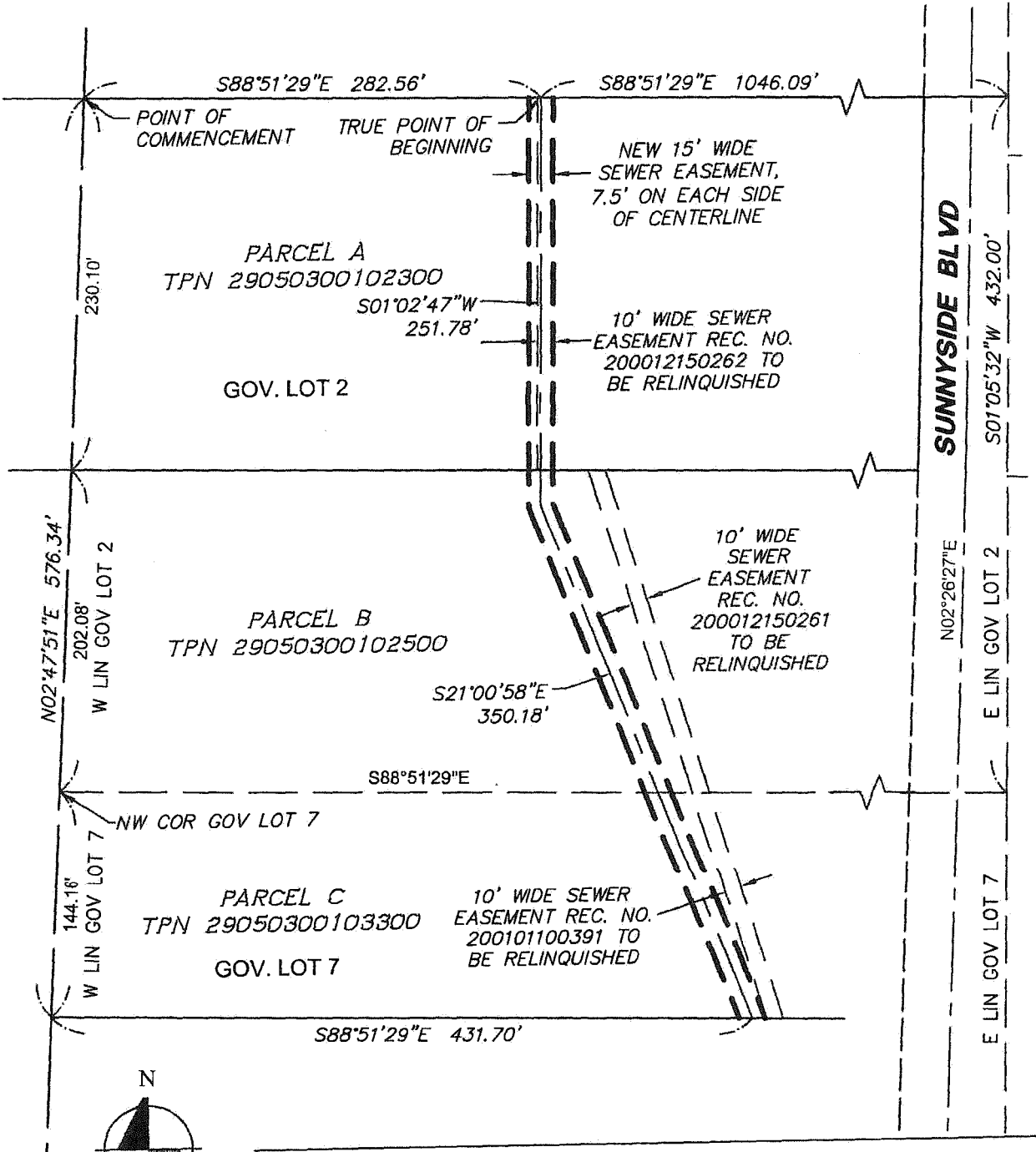
Contains 9,030 Square Feet, more or less.



SANITARY SEWER EASEMENT

EXHIBIT 'B'

JOB # GAMU00000001
JANUARY 11, 2019



SCALE: 1" = 100'
0 50' 100'



DAVID EVANS AND ASSOCIATES INC.
20300 Woodinville Snohomish Rd NE
Suite A - Woodinville, WA 98072
Phone: 425.415.2000

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