CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: October 12, 2020

AGENDA ITEM:	
67th Avenue Townhomes – Slope Easement Relinquishmer	nt
PA20034	
PREPARED BY:	DIRECTOR APPROVAL:
Chris Holland, Planning Manager	
DEPARTMENT:	
Community Development	
ATTACHMENT:	
1. AFN 9610010549 – Easement for Slopes	
2. Relinquishment of Easement	
BUDGET CODE:	AMOUNT:
SUMMARY:	•

RESG Homes LLC has submitted a land use application, proposing a 30-unit townhome development, on property owned by the Marysville School District, located on the west side of 67^{th} Avenue NE between the 8300-8400 Block.

In order to construct improvements to 67th Avenue NE the City obtained a perpetual Easement for Slopes along the eastern 20 feet of APN 30052200104800, recorded under Auditor's File Number 9610010549.

Because 67th Avenue NE has been improved, the slope easement is no longer needed and the applicant is proposing to relinquish the slope easement encumbrance. The Public Works Department has reviewed the request to relinquish the easement and has recommended City Council authorize the Mayor to execute and record the attached Relinquishment of Easement.

RECOMMENDED ACTION:

Staff recommends Council authorize the Mayor to sign the Relinquishment of Easement and record with the Snohomish County Auditor.

RECOMMENDED MOTION:

I move to authorize the Mayor to sign the Relinquishment of Easement and record with the Snohomish County Auditor.

AUDITOR

RECORDED BY SNOHOMISH COUNTY: BOB TERWILLIGER,

AFTER RECORDING RETURN TO:

CITY OF MARYSVILLE

4822 GROVE STREET MARYSVILLE, WA 98270

NO EXCISE TAX REQUIRED

OCT 0 2 1956

EOB DANTINI, Snohomish County Treasurer



EASEMENT FOR SLOPES

P

5 H day of *AUGUST*, 19<u>96</u>, by and between THIS AGREEMENT, made this MARYSVILLE SCHOOL DISTRICT #25, 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 1 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, it 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 20.00 FEET OF THE SOUTH 242.50 AS MEASURED ALONG THE EAST LINE THEREOF OF SAID

to day of Fundust 1916.	$\sim 10^{-1}$
GRANTOR	GRANTOR FIN + OPS
State of Washington)	
County of SNO ss.	

IN WITNESS WHEREOF, the said GRANTOR has hereunto signed his name this _

I certify that I know or have satisfactory evidence that <u>Jawhence</u> <u>D. Cleme</u> person who appeared before me, and said person acknowledged that (he/she) signed this instrument on only stated that the the transfer of the stated that the st instrument, on oath stated that the/she) was authorized to execute the instrument and acknowledged it as the <u>Sec. Wiredon finance (DE)</u> of MARYSVILLE SCHOOL DISTRICT #25 to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Caugust 6, 1996

10/34 8-1-98 My appointment expires

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(Seal or stamp)

TL 1-030 SL

WHEN RECORDED RETURN TO:

CITY OF MARYSIVLLE 1049 STATE AVENUE MARYSVILLE, WA 98270

Relinquishment of Easement

WHEREAS, the City of Marysville, a municipal corporation of the State of Washington ("Marysville"), is the grantee of that certain slope easement recorded under <u>Auditors File No. 9610010549</u> records of Snohomish County, Washington, attached hereto as Exhibit A (the "Easement"); and

WHEREAS, the Easement burdens the property described in Exhibit B; and

WHEREAS, Marysville desires to relinquish, vacate, and release the Easement.

NOW, THEREFORE, the City of Marysville relinquishes, vacates, and releases the slope easement recorded under <u>Auditors File No. 9610010549</u> records of Snohomish County.

City of Marysville	
Dated, 20	(Mayor)
	(Clerk)
STATE OF WASHINGTON)	
) ss. COUNTY OF SNOHOMISH)	
On this day of, 20, before me, the undersign of Washington, duly commissioned and sworn, personally appeared be the MAYOR of THE <u>CITY OF MARYSVILLE</u> , the municipal corporation execution of the said instrument to be the free and voluntary act and deed of purposes therein mentioned, and on oath stated that _he is authorized to expose District. WITNESS my hand and official seal hereto affixed the day and year	to me known to n named herein, and acknowledged of said corporation, for the uses and ecute said instrument on behalf of the
Notary Public in and for Washington State, residing at	

My Commission expires_____

EXHIBIT A

Easement

THE EAST 20.00 FEET OF LOT 2, CITY OF MARYSVILLE SHORT PLAT NO. SP 12-004 RECORDED UNDER RECORDING NO. 201303045001 RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 30 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN.

SITUATE IN THE CITY OF MARYSVILLE, COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

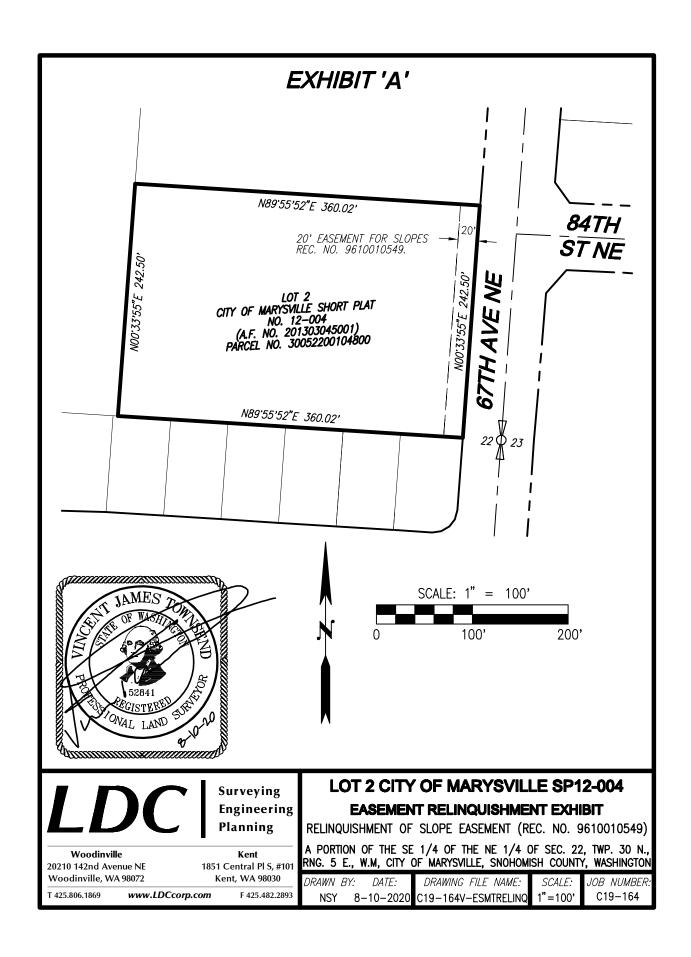


Exhibit "B"

Parcel Legal Description

LOT 2, CITY OF MARYSVILLE SHORT PLAT NO. SP 12-004 RECORDED UNDER RECORDING NO. 201303045001 RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 30 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN.

SITUATE IN THE CITY OF MARYSVILLE, COUNTY OF SNOHOMISH, STATE OF WASHINGTON.