


CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: October 11, 2021

AGENDA ITEM:	
Project Roxy [Amazon Warehouse] (AU21-001) – Easement Amendment	
PREPARED BY:	DIRECTOR APPROVAL:
Ken McIntyre, Development Services Manager	
DEPARTMENT:	
ATTACHMENTS:	
1. Easement Amendment Document 2. Water Main Abandonment Figure 3. Water Main Abandonment Plan	
BUDGET CODE:	AMOUNT:
N/A	N/A
SUMMARY:	

Panattoni Development is currently constructing the Amazon Warehouse in Arlington, officially known as “Project Roxy”. The project was previously in the City of Marysville’s utility service area, but was changed to Arlington’s service area through a regional utility agreement several years ago. Project Roxy recently abandoned a portion of an existing water main on the project site which is no longer needed, and wishes to extinguish the corresponding portion of the existing easement. The attached document is intended to amend the existing easement to omit the portion that is no longer needed.

The Public Works Department has reviewed the request, and recommends that the City Council authorize the Mayor to execute and record the attached easement amendment document. The existing easement lies partially on the Project Roxy (Amazon) site, and partially on an adjacent parcel owned by National Foods, Inc. The attached easement modification document contains authorizing signatures from both parties.

RECOMMENDED ACTION: Staff recommends that Council authorize the Mayor execute the attached easement amendment document and record with the Snohomish County Auditor.
RECOMMENDED MOTION: I move to authorize the Mayor to sign and execute the easement amendment document and record it with the Snohomish County Auditor.

WHEN RECORDED RETURN TO:

CITY OF MARYSVILLE
1049 STATE AVENUE
MARYSVILLE, WA 98270

EASEMENT AMENDMENT

THIS EASEMENT AMENDMENT (“**Amendment**”) is entered into as of the last signature date below, by and between NATIONAL FOOD CORPORATION, a Washington Corporation (“National”), AMAZON.COM SERVICES LLC, a Washington limited liability company (“Amazon”) and the CITY OF MARYSVILLE, a municipal corporation of the State of Washington (“Marysville”).

RECITALS

- A.** Marysville is the grantee of that certain utility easement recorded under Auditors File No. 9105020176 records of Snohomish County, Washington, attached hereto as **Exhibit A** (the “Original Easement”).
- B.** National owns the property commonly known as 16900 51ST AVE NE, ARLINGTON, WA 98223, the legal description of which is attached as **Exhibit B** (the “National Property”).
- C.** Amazon owns the property commonly known as 4710 172ND ST NE, ARLINGTON, WA 98270, the legal description of which is attached as **Exhibit C** (the “Amazon Property”).
- D.** The Original Easement burdens both the National Property and the Amazon Property.
- E.** The parties desire to amend the Easement, by reducing its geographic size.

AGREEMENT

In consideration of the foregoing recitals (which are hereby incorporated by this reference) and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. The legal description of the Original Easement is hereby amended to that legal description as set forth in **Exhibit D**.

2. All other terms and conditions of the Original Easement shall remain in full force and effect.

3. This Amendment and the rights and obligations contained herein shall run with the land and shall inure to the benefit of and be binding upon the respective successors and assigns of the parties hereto.

4. The effective date of this Amendment shall be the date this document is recorded in the Official Records of Snohomish County, Washington.

IN WITNESS WHEREOF, the undersigned have executed this Amendment as of the last signature date below.

[SIGNATURES ON FOLLOWING PAGE]

DATED this _____ day of _____, 20____.

CITY OF MARYSVILLE

By _____
Jon Nehring, Mayor

DATED this _____ day of _____, 20____.

NATIONAL FOOD CORPORATION

By _____
Brian Bookey
Its: President

DATED this 16 day of September, 2021.

AMAZON.COM SERVICES LLC

By  _____
[Name] Mark Griffin
Its: Authorized Signatory

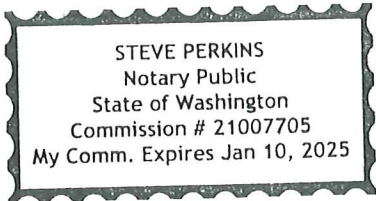
Approved as to form:

Jon Walker, City Attorney

[Notary page follows]

STATE OF WASHINGTON)
)ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that Mark Griffin is/are the persons 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 acknowledged him/her as the (title) Authorized Signatory of (company) Amazon.com Services LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.



Dated this 16 day of September, 20 21

[Signature]
(Notary Signature)
Steve Perkins
(Print Name)

NOTARY PUBLIC in and for the State of Washington

Residing at (city): Seattle

My commission expires: January 10, 2025


DATED this _____ day of _____, 20_____.

CITY OF MARYSVILLE

By _____
Jon Nehring, Mayor

DATED this 9th day of September, 2021.

NATIONAL FOOD CORPORATION

By 
Brian Bookey
Its: President

DATED this _____ day of _____, 20_____.

AMAZON.COM SERVICES LLC

By _____
[Name]
Its: Amazon.com Services LLC

Approved as to form:

Jon Walker, City Attorney

[Notary page follows]

STATE OF WASHINGTON)
)ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that _____ is/are the persons 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 acknowledged him/her as the (title) _____ of (company) _____ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this _____ day of _____, 20__

(Notary Signature)

(Print Name)

NOTARY PUBLIC in and for the State of Washington

Residing at (city): _____

My commission expires: _____

STATE OF WASHINGTON)
)ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that Brian V Bookley is/are the persons 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 acknowledged him/her as the (title) President of (company) National Food Corporation to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this 9 day of September, 2021

Shaun M McCann
(Notary Signature)

Shaun M McCann
(Print Name)

NOTARY PUBLIC in and for the State of Washington

Residing at (city): Everett, WA

My commission expires: Jun 5, 2022



STATE OF WASHINGTON)
)ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that _____ is/are the persons 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 acknowledged him/her as the (title)_____ of (company)_____ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this _____ day of _____, 20____

(Notary Signature)

(Print Name)

NOTARY PUBLIC in and for the State of Washington

Residing at (city): _____

My commission expires: _____

Exhibit A

Original Easement

EXHIBIT B

NEW PARCEL A, CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT NO. PLN-439, RECORDED UNDER RECORDING NO. 201812055003, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.



EXHIBIT C

NEW PARCEL B, CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT NO. PLN-439, RECORDED UNDER RECORDING NO. 201812055003, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

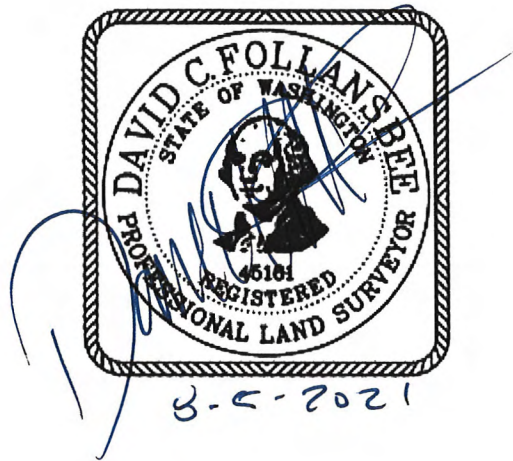


EXHIBIT D-1

PARCEL 31052800100300

THAT PORTION OF THE FOLLOWING DESCRIBED STRIP OF LAND, LYING WITHIN NEW PARCEL A, CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT NO. PLN-439, RECORDED UNDER RECORDING NO. 201812055003, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND LYING WITHIN NEW PARCELS A AND B, CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT NO. PLN-439, RECORDED UNDER RECORDING NO. 201812055003, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, 10.00 FEET IN WIDTH AND LYING 5.00 FEET TO EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID NEW PARCEL A; THENCE SOUTH 02°02'32" WEST, ALONG THE EASTERLY LINE OF SAID PARCEL A, A DISTANCE OF 7.23 FEET TO THE BEGINNING OF THIS CENTERLINE DESCRIPTION; THENCE NORTH 87°29'19" WEST, A DISTANCE OF 379.49 FEET TO THE POINT OF TERMINUS OF THIS CENTERLINE DESCRIPTION.

THE SIDELINES SHALL BE SHORTENED OR LENGTHENED SO AS TO INTERSECT THE EAST LINE OF SAID NEW PARCEL A.

EXCEPT ANY PORTION LYING WITHIN 51ST AVENUE NORTHEAST.

CONTAINING 2,914.64 SQUARE FEET +/-

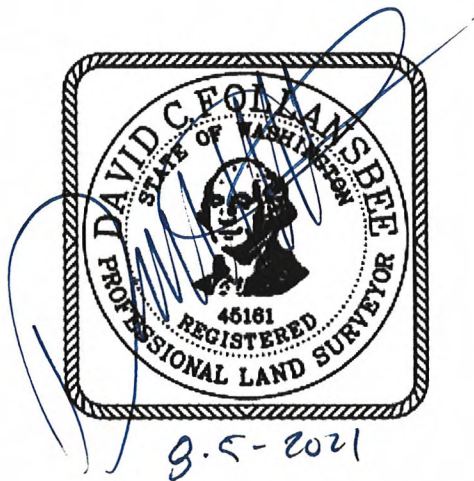


EXHIBIT "D-1A"

PARCEL B
BLA PLN-439
AFN 201812055003
APN 31052800100100

NORTH LINE
OF PARCEL A

P.O.T.

N87° 29' 19"W
379.49'

10'

P.O.C.

S2° 02' 32"W
7.23'

P.O.B.

WATER EASEMENT
AREA 2,914.64 S.F. +/-

PARCEL A
BLA PLN-439
AFN 201812055003
APN 31052800100300

51ST AVENUE NE (PUBLIC RIGHT-OF-WAY)

AVE

Handwritten signature and scribbles over the surveyor's seal.

8-5-2021



1"=100'

JOB NO. 2200283.50
7/20/2021
LEGAL BY: DF EXHIBIT BY: GD
N 1/2, NE 1/4, S28, T31N, R5E
w:\sdeskproj\2020\2200283\2200283-2021exhibit.dwg



2215 North 30th Street,
Suite 200,
Tacoma, WA 98403
253.383.2422 TEL
253.383.2572 FAX

THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.

EXHIBIT D-2

PARCEL 31052800100100

THAT PORTION OF THE FOLLOWING DESCRIBED STRIP OF LAND, LYING WITHIN NEW PARCEL B, CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT NO. PLN-439, RECORDED UNDER RECORDING NO. 201812055003, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND LYING WITHIN NEW PARCELS A AND B, CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT NO. PLN-439, RECORDED UNDER RECORDING NO. 201812055003, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, 10.00 FEET IN WIDTH AND LYING 5.00 FEET TO EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID NEW PARCEL A; THENCE SOUTH 02°02'32" WEST, ALONG THE EASTERLY LINE OF SAID PARCEL A, A DISTANCE OF 7.23 FEET TO THE BEGINNING OF THIS CENTERLINE DESCRIPTION; THENCE NORTH 87°29'19" WEST, A DISTANCE OF 379.49 FEET TO THE POINT OF TERMINUS OF THIS CENTERLINE DESCRIPTION.

THE SIDELINES SHALL BE SHORTENED OR LENGTHENED SO AS TO INTERSECT THE EAST LINE OF SAID NEW PARCEL A.

EXCEPT ANY PORTION LYING WITHIN 51ST AVENUE NORTHEAST.

CONTAINING 875.26 SQUARE FEET +/-

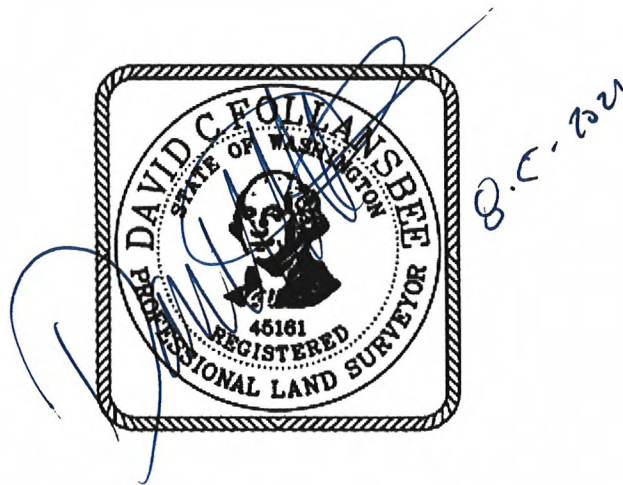


EXHIBIT "D-2A"

PARCEL B
 BLA PLN-439
 AFN 201812055003
 APN 31052800100100

NORTH LINE
 OF PARCEL A

WATER EASEMENT
 AREA 875.26 S.F. +/-

N87° 29' 19"W
 379.49'

P.O.T.

10'

P.O.C.

S2° 02' 32"W
 7.23'

P.O.B.

51ST AVENUE NE (PUBLIC RIGHT-OF-WAY)

PARCEL A
 BLA PLN-439
 AFN 201812055003
 APN 31052800100300



1"=100'

JOB NO. 2200283.50

7/20/2021

LEGAL BY: DF EXHIBIT BY: GD

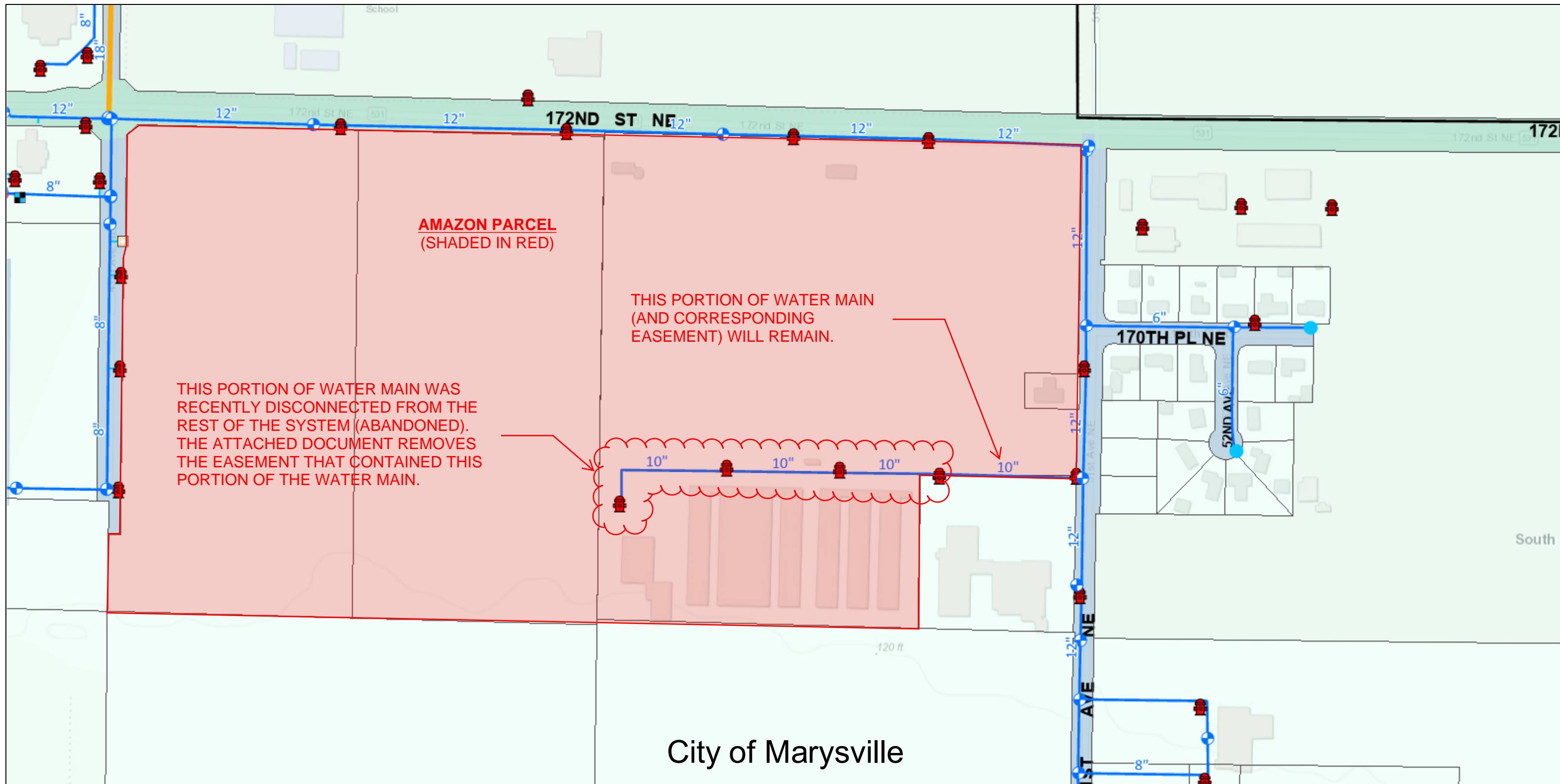
N 1/2, NE 1/4, S28, T31N, R5E

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2215 North 30th Street,
 Suite 200,
 Tacoma, WA 98403
 253.383.2422 TEL
 253.383.2572 FAX

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Water Valves - Mains

- Open
- Closed
- Unknown
- Water Hydrants
- Water Sampling Stations

Water Appurtenances (AV, BO, and etc.)

- Air Control
- Air Gap

- Air Release
- Air Vac
- Altitude
- Backflow Control
- Blowoff
- Booster Pump Control
- Combination
- Double Check
- Flow Control

- Other
- PRV By-Pass
- PSI Relief Surge Anticipator
- Pigport
- Pressure Reducer
- Simple Check
- Surge Relief
- Unknown
- <all other values>

Water Network Structures (PS, SF, and etc.)

- Electrolysis Station
- Enclosed Storage Facility
- Meter Station
- Production Well
- Pump Station
- Reservoir
- Storage Basin

Treatment Plant

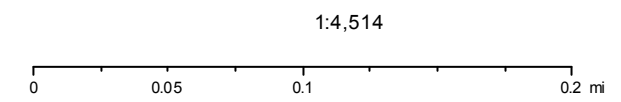
- Treatment Plant
- Water Manhole
- Other

Water Mains

- Yes
- No
- Unknown
- Water Lateral Lines
- Parcels

Railroad

- Railroad

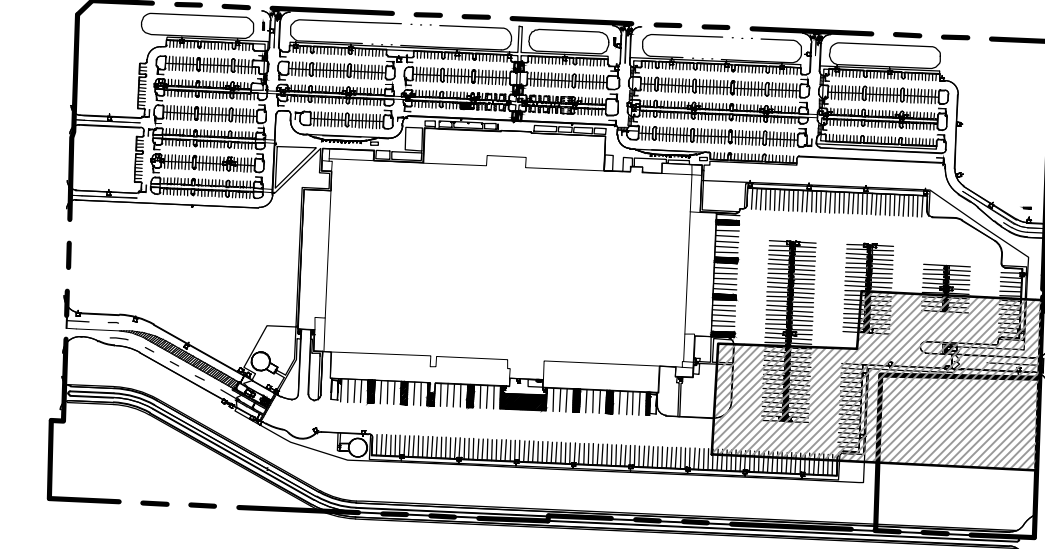
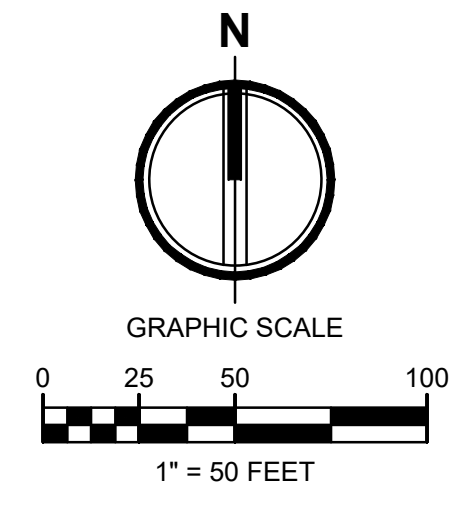


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PROJECT ROXY

A PORTION OF THE N 1/2 OF THE NE 1/4 OF SEC. 28, TWN. 31 N., RGE. 05 E. W.M.
CITY OF ARLINGTON, SNOHOMISH COUNTY WASHINGTON.

CONSTRUCTION DRAWING APPROVAL
THIS PLAN SHEET HAS BEEN REVIEWED AND APPROVED PER THE CONDITIONS ON THE TITLE SHEET.
BY: _____
City Engineer, CITY OF ARLINGTON
DATE: _____
THIS APPROVAL VALID FOR 18 MONTHS



LEGEND

	BOLLARD
	THRUST BLOCKING, PER DETAIL 1 & 2 SHEET C4.10
	FITTINGS AS NOTED
	WATER PIPING
	WATER PIPING DEMO

Project Title:
PROJECT ROXY

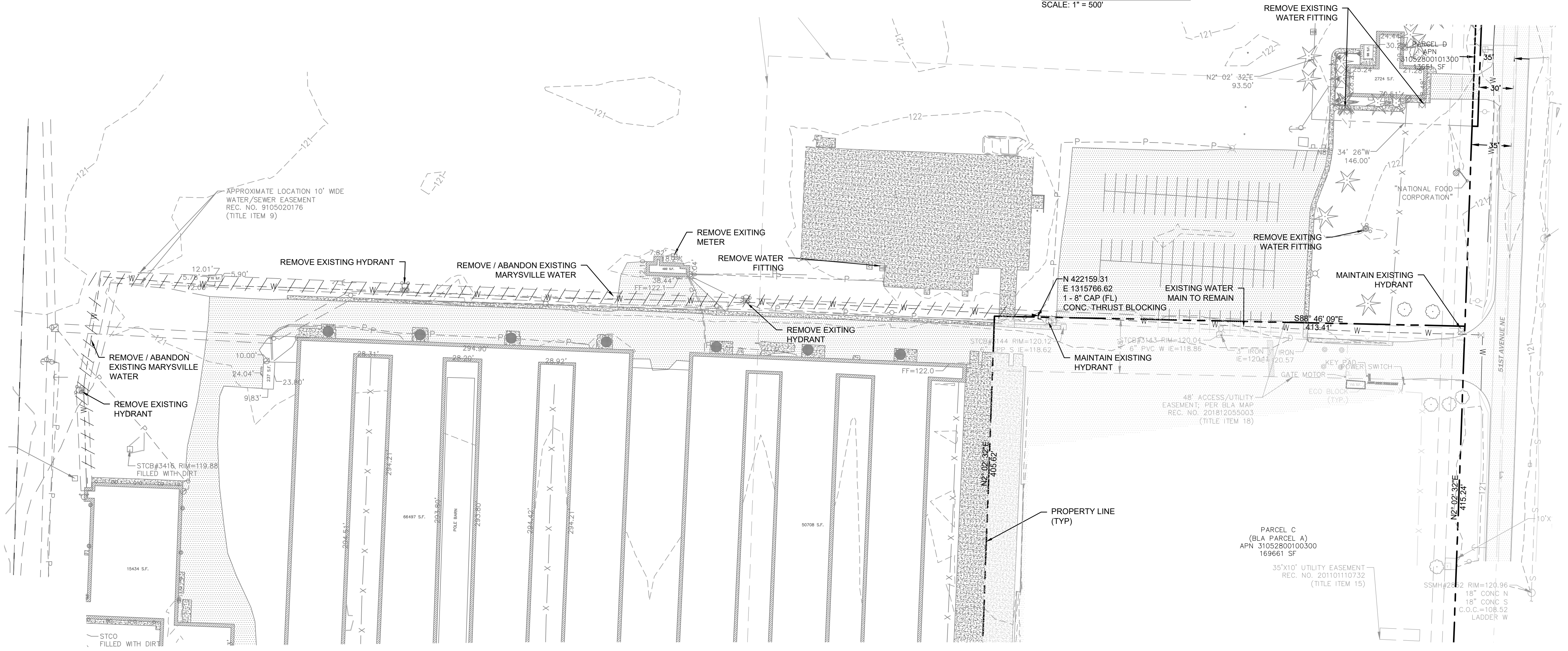
Client:
PANATTONI DEVELOPMENT COMPANY, LLC
1821 DOCK STREET, SUITE 100
TACOMA, WA 98402

Project No.
2200283.10

Issue Set & Date:
SITE DEVELOPMENT PERMIT SET
12/14/2020



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Revisions:

△	
△	
△	
△	

Sheet Title:
MARYSVILLE WATER DEMOLITION PLAN

Designed by: BB/TW/ML/MW
Drawn by: TS
Checked by: BB/MW

Sheet No.
C4.7
42 of 54 Sheets

