

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2161

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON
ACCEPTING THE DEDICATION OF PROPERTY FOR USE AS A
PUBLIC RIGHT-OF-WAY**

WHEREAS, RAD Development, L.L.C., a Washington limited liability company, referred to herein as the Dedicators, are the fee simple owners of the property located generally south of 22nd Street, if extended, between Park Avenue and Pine Avenue, Snohomish, Snohomish County, Washington; and

WHEREAS, the Dedicators have deeded and dedicated to the City of Snohomish for use as a public right-of-way a portion of their property, which deed and dedication is attached hereto as Exhibit A; and

WHEREAS, the portion of the Dedicators' property that they have offered to deed and dedicate is legally described as follows:

A right-of-way over the North 30 feet of the following-described property:

The Northwest quarter of the Southwest quarter of the Southeast quarter of Section 6, Township 28 North, Range 6 East, W.M., Records of Snohomish County, Washington; EXCEPT the East 20 feet thereof; AND EXCEPT the West 20 feet thereof; AND EXCEPT the South 120 feet of the West 260 feet thereof; AND EXCEPT the West 95 feet of the East 210 feet of the North 190 feet thereof; AND EXCEPT that portion of said subdivision described as follows:

Commencing at the Northwest corner of said subdivision; Thence South 89°25'58" East, along the North line thereof for a distance of 167.26 feet; Thence South 01°50'08" West for a distance of 30.01 feet to a point on a line parallel with and 30 feet South of, as measured perpendicular to, said North line, said point being the True Point of Beginning of this legal description; Thence continue South 01°50'08" West for a distance of 170.04 feet to intersect a line parallel with and 200 feet South of, as measured perpendicular to, said North line; Thence North 89°25'58" West along said parallel line for a distance of 135.32 feet to intersect a line parallel with and 30 feet East of, as measured perpendicular to, the West line of said subdivision; Thence North 01°16'54" East along said parallel line for a distance of 170.01 feet to intersect a line parallel with and 30 feet South of, as measured perpendicular to the North line of said subdivision; Thence South 89°25'58" East along said parallel line for a distance of 136.96 feet to the Point of Beginning.

("The Property");

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH,
WASHINGTON DO ORDAIN AS FOLLOWS:**

The deed and dedication of the Property for right-of-way is accepted.

The City of Snohomish shall issue a Certificate of Acceptance, attached hereto as Exhibit B, to the Dedicators.

ADOPTED by the City Council and **APPROVED** by the Mayor this 2nd day of December, 2008.

CITY OF SNOHOMISH

By _____
Randy Hamlin, Mayor

ATTEST:

By _____
Torchie Corey, City Clerk

APPROVED AS TO FORM:

By _____
Grant Weed, City Attorney

Date of Publication: _____

Effective Date (5 days after publication): _____

EXHIBIT A

After Recording Return to:

CITY OF SNOHOMISH
116 UNION AVENUE
SNOHOMISH, WA 98290

DEED AND DEDICATION FOR PUBLIC RIGHT OF WAY

Grantor: RAD DEVELOPMENT, L.L.C.
Grantee: CITY OF SNOHOMISH
Legal Description: SE ¼ 6-28-6, Snohomish County, WA Add'l on p. 1-2
Tax Parcel No: 280606-004-011-00

The Grantor, RAD DEVELOPMENT, L.L.C., a Washington limited liability company, for and in consideration of satisfaction of a requirement of development approval, conveys, warrants and dedicates to the CITY OF SNOHOMISH, a municipal corporation of the State of Washington, the following-described real estate, situate in the County of Snohomish, State of Washington, together with all after-acquired title of the Grantor therein, for use as a public right of way:

The North 30 feet of the following-described property:

The Northwest quarter of the Southwest quarter of the Southeast quarter of Section 6, Township 28 North, Range 6 East, W.M., Records of Snohomish County, Washington;

EXCEPT the East 20 feet thereof;

AND EXCEPT the West 20 feet thereof;

AND EXCEPT the South 120 feet of the West 260 feet thereof;

AND EXCEPT the West 95 feet of the East 210 feet of the North 190 feet thereof;

AND EXCEPT that portion of said subdivision described as follows:

Commencing at the Northwest corner of said subdivision;

Thence South 89°25'58" East, along the North line thereof for a distance of 167.26 feet;

Thence South 01°50'08" West for a distance of 30.01 feet to a point on a line parallel with and 30 feet South of, as measured perpendicular to, said North line, said point being the True Point of Beginning of this legal description;

Thence continue South 01°50'08" West for a distance of 170.04 feet to intersect a

line parallel with and 200 feet South of, as measured perpendicular to, said North line;
 Thence North 89°25'58" West along said parallel line for a distance of 135.32 feet to intersect a line parallel with and 30 feet East of, as measured perpendicular to, the West line of said subdivision;
 Thence North 01°16'54" East along said parallel line for a distance of 170.01 feet to intersect a line parallel with and 30 feet South of, as measured perpendicular to the North line of said subdivision;
 Thence South 89°25'58" East along said parallel line for a distance of 136.96 feet to the Point of Beginning.

DATED this 30 day of September, 2008.

RAD DEVELOPMENT, L.L.C.

By *Dominique W*
 DOMINIQUE RUYBAL, Manager/Member

STATE OF WASHINGTON)
)ss.
 COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that DOMINIQUE RUYBAL 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 Manager/Member of RAD DEVELOPMENT, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 30 day of September, 2008.



Julie Ann States
Julie Ann States
 (Legibly print name of notary)
 NOTARY PUBLIC in and for the State of
 Washington, residing at Lynnwood
 My commission expires 9-30-09

ACCEPTED _____, 2008.

CITY OF SNOHOMISH

By _____

EXHIBIT B

CERTIFICATE OF ACCEPTANCE

Grantors: RAD Development, L.L.C., a Washington limited liability company
Grantee: City of Snohomish, Washington
Legal Description (abbreviated): SE ¼ 6-28-6, Snohomish County, WA
Additional Legals on Page 1
Assessor’s Tax Parcel ID: 280606-004-011-00

THIS CERTIFICATE is to certify that the interest in real property conveyed by the deed and dedication dated September 30, 2008, from RAD Development, L.L.C., to the City of Snohomish, Washington, for right-of-way only has been accepted by Ordinance 2161 of the City Council of the City of Snohomish, adopted on December 2, 2008, and such governing body has consented to recordation of such deed and dedication by its authorized officer.

The property subject to the deed and dedication is legally described as follows:

A right-of-way over the North 30 feet of the following-described property:

The Northwest quarter of the Southwest quarter of the Southeast quarter of Section 6, Township 28 North, Range 6 East, W.M., Records of Snohomish County, Washington; EXCEPT the East 20 feet thereof; AND EXCEPT the West 20 feet thereof; AND EXCEPT the South 120 feet of the West 260 feet thereof; AND EXCEPT the West 95 feet of the East 210 feet of the North 190 feet thereof; AND EXCEPT that portion of said subdivision described as follows:

Commencing at the Northwest corner of said subdivision;
Thence South 89°25’58” East, along the North line thereof for a distance of 167.26 feet;
Thence South 01°50’08” West for a distance of 30.01 feet to a point on a line parallel with and 30 feet South of, as measured perpendicular to, said North line, said point being the True Point of Beginning of this legal description;
Thence continue South 01°50’08” West for a distance of 170.04 feet to intersect a line parallel with and 200 feet South of, as measured perpendicular to, said North line;
Thence North 89°25’58” West along said parallel line for a distance of 135.32 feet to intersect a line parallel with and 30 feet East of, as measured perpendicular to, the West line of said subdivision;
Thence North 01°16’54” East along said parallel line for a distance of 170.01 feet to intersect a line parallel with and 30 feet South of, as measured perpendicular to the North line of said subdivision;
Thence South 89°25’58” East along said parallel line for a distance of 136.96 feet to the Point of Beginning.

Dated this ____ day of _____, 2008.

CITY OF SNOHOMISH, WASHINGTON

By: Larry Bauman
Position: City Manager