




City of Arlington Council Agenda Bill

Item:
WS #3
Attachment
C

COUNCIL MEETING DATE:	
March 23, 2018	
SUBJECT:	
Opal Properties, LLC Release of Easements	
ATTACHMENTS:	
<ul style="list-style-type: none"> - Release of Easement Interests Crossing Parcel 31050400302900 - Map showing location of Easement 	
DEPARTMENT OF ORIGIN	
Public Works - Transportation	
EXPENDITURES REQUESTED:	None
BUDGET CATEGORY:	N/A
BUDGETED AMOUNT:	N/A
LEGAL REVIEW:	
DESCRIPTION:	
<p>Council is being asked to authorize the release the City of Arlington’s interest in a 60-ft wide non-exclusive access easement road crossing a property owned by Opal Properties, LLC.</p>	
HISTORY:	
<p>The Arlington Valley Land Company divided property and sold lots on a parcel of land situated on the east side of 67th Ave, and roughly between 188th St to 197 St. There were no roads or utilities installed when the lots were sold so access easements were created to allow access to many of the lots. Original Lot #6 (<i>Snohomish County Tax Parcel No. 31050400302900</i>) still has a 60-ft wide non-exclusive access easement road (<i>Auditor File Number 7905290175</i>) crossing the property.</p> <p>With Arlington Valley Road being constructed, there will be full access to all lots and the City does not require any interest in the aforementioned 60-ft wide non-exclusive access easement road.</p>	
ALTERNATIVES:	
<ul style="list-style-type: none"> - Do not authorize the Release of Easements - Remand to staff for further evaluation 	
RECOMMENDED MOTION:	
<p>Workshop; discussion only. At the May 7, 2018 council meeting the recommended motion will be: “I move to authorize the Release of Easements for Opal Properties pending final approval by the City Attorney”.</p>	

RETURN TO:
BAILEY, DUSKIN & PEIFFLE PS
P.O. Box 188
Arlington, WA 98223

Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)

Document Title(s) (or transactions contained therein): (all areas applicable to your document must be filled in) RELEASE OF EASEMENTS
Reference Number(s) of Documents assigned or released: Additional reference #'s on page _____ of document
Grantor(s) (Last name, first name, initials) 1. City of Arlington Additional names on page _____ of document.
Grantee(s) (Last name first, then first name and initials) 1. Opal Properties, LLC Additional names on page _____ of document.
Legal description (abbreviated: i.e. lot, block, plat or section, township, range) PTN OF SW 1/4 OF SECTION 14, TOWNSHIP 31 NORTH, RANGE 5 EAST, W M Additional legal is on page ____ of document.
Assessor's Property Tax Parcel/Account Number <input type="checkbox"/> Assessor Tax # not yet assigned 31050400302900
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.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

Signature of Requesting Party

AFTER RECORDING RETURN TO:

Bailey, Duskin & Peiffle, P.S.
Attorneys at Law
P.O. Box 188
Arlington, WA 98223

GRANTOR: CITY OF ARLINGTON, a municipal corporation of the state of Washington

GRANTEE: OPAL PROPERTIES, LLC

LEGAL (abbrev.): PORTION, SW 1/4, SECTION 14, T. 31 N., R. 5 E, W.M.

TAX PARCEL NO.: 31051400302900

RELEASE OF EASEMENT INTERESTS

The City of Arlington, a municipal corporation of the state of Washington ("Declarant") does declare as follows:

Recitals

- (a) OPAL PROPERTIES LLC is the owner of certain real property commonly known as Snohomish County Tax Parcel ~~31050400302900~~31051400302900, legally described as follows:

See attached Exhibit A.

- (b) The City has acquired certain real property and is in the process of ~~construction~~constructing a roadway in the vicinity of the property owned by OPAL PROPERTIES, LLC, which would allow the release of existing easements intended for public roadway and utility purposes.

NOW, THEREFORE, in consideration of the benefits to be derived, the City of Arlington does hereby grant, sell, bargain and convey as follows:

Grantor, City of Arlington, does hereby release any interest which the City of Arlington may have in the following recorded Easements, Surveys, or documents which are or might be construed to be in favor of the City of Arlington, which documents are recorded under the following Snohomish County Auditor's File Numbers:

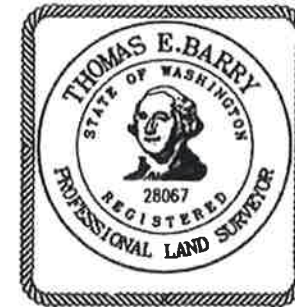
- 7905290175

Any interest which the City of Arlington has in said easements or documents shall be and hereby are released by the City.

DATED this _____ day of _____, 2018.

CITY OF ARLINGTON, GRANTOR

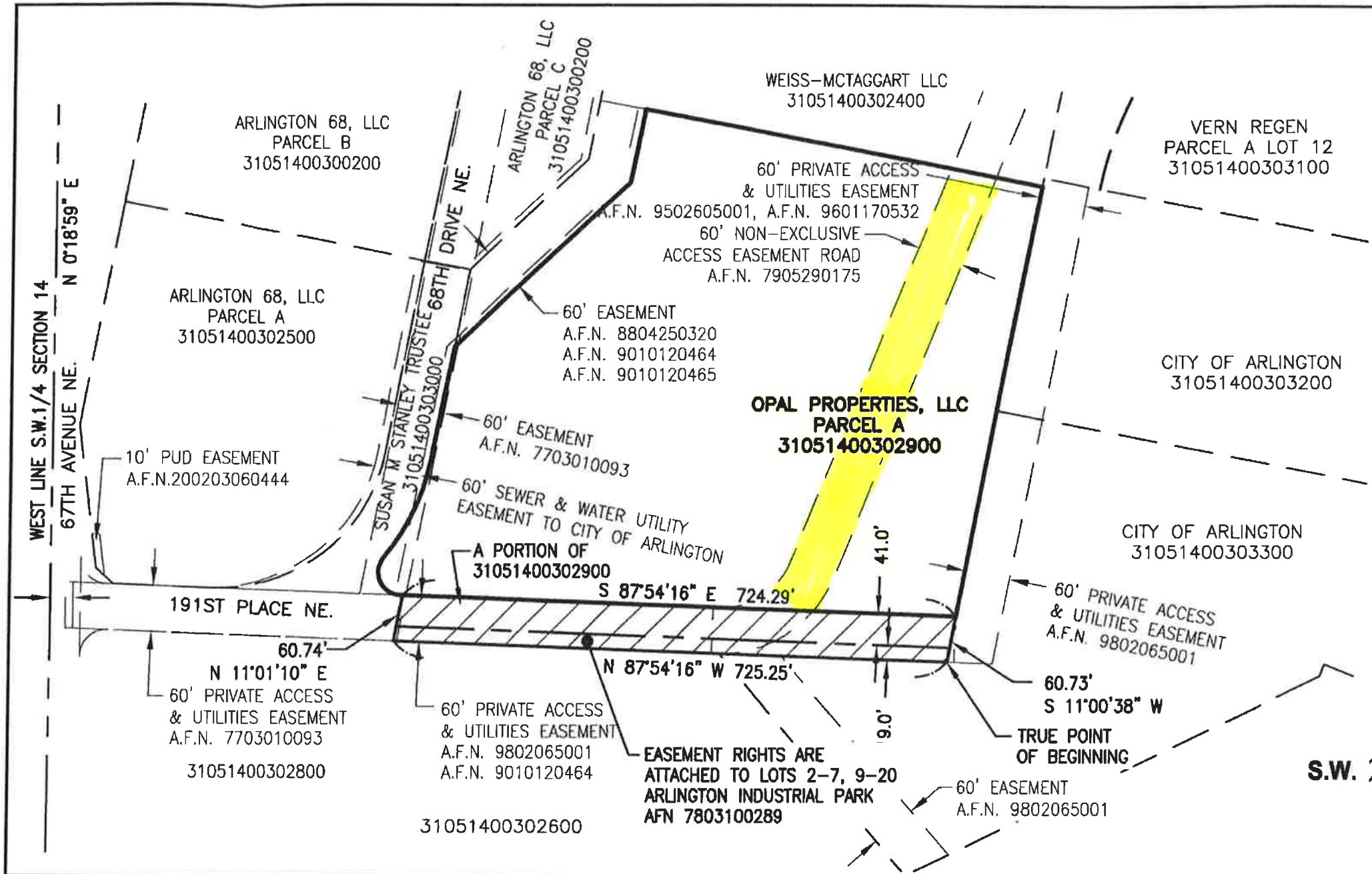
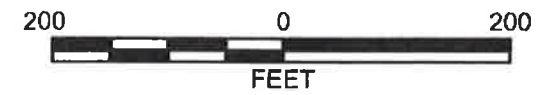
Barbara Tolbert, Mayor



PROJECT PARCEL #3
 TAX # 31051400302900
PARCEL ADDRESS:
 UNKOWN
 ARLINGTON, WA 98223

OWNER:
 OPAL PROPERTIES, LLC
 5802 CEMETERY RD,
 ARLINGTON, WA 98223

LEGEND:
 R.O.W. ACQUISITION



S.W. 1/4 SECTION 14, TWP 31 N, R 05 E, W.M.

ACQUISITION LEGAL:
 SEE ATTACHED EXHIBIT A

REV. 02 10/31/16

**CITY OF ARLINGTON
 PUBLIC WORKS**

ARLINGTON VALLEY ROAD
 CITY P.O.#: 3356

*ORIGINAL AREA	=	454,132 S.F.
ACQUISITION AREA	=	43,458 S.F.
REMAINDER AREA	=	410,674 S.F.

* approximate per public record dimension

6/13/13
Exhibit B