EVERETT SCHOOL DISTRICT NO. 2
RESOLUTION NO. 1215

AUTHORIZE CONVEYANCE TO SNOHOMISH COUNTY FOR RIGHT OF WAY

A Resolution of the Board of Directors (the "Board") of Everett School District No. 2 (the "District") declaring certain real property "surplus" for purposes of conveying the same.

WHEREAS, the District is the owner of record of a parcel of real property located in Snohomish County, adjacent to 23rd Avenue SE, more particularly described on Exhibit A to the form of deed attached as **Exhibit 1** (collectively, the "Property"); and

WHEREAS, the Property constitutes a portion of a larger assemblage of property owned by the District, that the District is modernizing, Woodside Elementary School (the "School"); and

WHEREAS, in connection with the modernizing development of the School, the County of Snohomish (the "County") has imposed permit conditions requiring the deeding ("Deeding") of certain strip of the Property, as shown in Exhibit B to the form of deed attached as **Exhibit 1** (together, the "Deed Area") to accommodate a public right-of-way; and

WHEREAS, the Deed Area is not subject to an authorized school use and is not required for school purposes, and the Board has determined that the Deed Area is therefore surplus; and

WHEREAS, the District estimates the value of the Deed Area to be less than $25,000; and

WHEREAS, the Deeding, being necessary for the development of the School and future road improvements adjacent to the School, will therefore benefit the School and the facilities and programs of the District; and

WHEREAS, the Board has further determined that the surplusing of the Deed Area and consummation of the Deeding are in the current best interests of the District and do not interfere with the District's current educational program and related activities; and

WHEREAS, the District has previously adopted Policy No. 6882 (the "Policy") regarding the sale of real property that is no longer required for school purposes and therefore surplus; and

WHEREAS, pursuant to the Intergovernmental Disposition of Property Act, Chapter 39.33 RCW, the District has authority to transfer real property to the County on such terms and conditions as may be mutually agreed upon by the proper authorities of the District and the County; and

WHEREAS, pursuant to RCW 28A.335.090, the District has authority to exclusively control all real property owned by the District, including the authority to develop schools on the real property owned by the District and to take such actions as may be necessary to fulfill the

conditions of the permits issued for such development activities and as may be otherwise necessary or desirable in connection with such development activities;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors, pursuant to the District's authority under Chapter 39.33 RCW and the District's authority under RCW 28A.335.090, that:

(a) the Board of Directors declare, and the Board hereby does declare, that (i) the Deed Area is not subject to an authorized school use and is no longer needed for school purposes, (ii) the Deed Area is surplus, and (iii) the deeding of the Deed Area are in the best interests of the District; and

(b) the Superintendent of the District (or the Superintendent's designee) is authorized and directed to execute, acknowledge and deliver the Deed in substantially the form attached as **Exhibit 1** and to do all other things necessary and advisable to be done to accomplish the dedications of the Deed Area in accordance with the above statutory authorizations, the Policy, and applicable law.

ADOPTED this 5th day of May, 2020, and authenticated by the signatures affixed below.

EVERETT SCHOOL DISTRICT NO. 2
Snohomish County, Washington

Caroline Mason, President

Pam LeSesne, Vice President

April Berg, Director

Traci Mitchell, Director

Andrew Nicholls, Director

ATTESTED BY:

Ian B. Saltzman
Secretary, Board of Directors

EXHIBIT 1
(EXHIBIT ONLY - DO NOT SIGN)

After recording return document to:
Snohomish County Public Works
TES - M/S 607
3000 Rockefeller Ave
Everett WA 98201-4046

STATUTORY WARRANTY DEED

Reference Number: 19-102406 CUP
Grantor: Everett School District No. 2, a Washington municipal corporation
Grantee: Snohomish County, a political subdivision of the State of Washington

Abbreviated Legal Description: A portion the NW quarter of Section 8, Township 27 North, Range 5 East, Willamette Meridian, records of Snohomish County, Washington.

Add'l on Exhibit A

Assessor's Tax Parcel ID Number(s): 27050800200800

The Grantor(s) **Everett School District No. 2, a Washington municipal corporation**, for and in consideration of the mutual benefits to be derived, does hereby convey and warrant to the **Snohomish County, a political subdivision of the State of Washington,** Grantee, fee simple title, in and to the following described real estate and any after acquired interest therein, situated in Snohomish County, in the State of Washington:

The real property described on Exhibit A and depicted on Exhibit B

It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon Snohomish County, a political subdivision of the State of Washington unless and until accepted and approved in writing by the Snohomish County Director of Public Works or County Engineer.

The covenants shall run with the land and bond the Grantor and Grantor's heirs.

Dated this _____ day of _____ 20___.

Everett School District No. 2
Grantor, Print
Michael T. Gunn
Executive Director Facilities and Operations
Print Name and Title

_____
Signature and Title

STATE OF WASHINGTON)
: §
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that Michael T. Gunn is the person who appeared before me and said person acknowledged that he signed this instrument and acknowledges, on oath that he was authorized to execute the instrument and acknowledged it as the Executive Director of Facilities and Operations of the Everett School District No. 2 to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED _____

Notary Signature _____
Print name _____
Notary Public in and for the State of Washington,
Residing at _____
My commission expires _____

STATE OF WASHINGTON)
: §
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me and said person acknowledged that he/she signed this instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED _____

Notary Signature _____
Print name _____
Notary Public in and for the State of Washington,
Residing at _____
My commission expires _____

STATUTORY WARRANTY DEED

TO

THE COUNTY OF SNOHOMISH COUNTY

Dated _____ 20___

FILE FOR RECORD AT REQUEST OF
Department of Public Works

SNOHOMISH COUNTY PUBLIC WORKS
TRANSPORTATION & ENVIRONMENTAL
SERVICES

DOUGLAS W. McCORMICK, P.E.
SNOHOMISH COUNTY ENGINEER

Real Property Administrator
Checked by _____

Public Works Survey
Checked by _____

EXHIBIT A TO STATUTORY WARRANTY DEED

RIGHT-OF-WAY DEED
LEGAL DESCRIPTION

THAT PORTION OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 27 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, IN SNOHOMISH COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A FOUND 2 INCH BRASS DOME MARKED WITH AN "X" IN A CONCRETE MONUMENT IN CASE AT THE INTERSECTION OF 168TH STREET SOUTHEAST AND 23RD AVENUE SOUTHEAST;

THENCE SOUTH 00°13'48" WEST ALONG THE CENTERLINE OF RIGHT-OF-WAY OF SAID 23RD AVENUE SOUTHEAST, A DISTANCE OF 695.18 FEET;
THENCE DEPARTING NORTH 88°34'15" WEST ALONG THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 30.01 FEET TO THE WESTERLY RIGHT OF WAY MARGIN OF SAID 23RD AVENUE SOUTHEAST AND THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 88°34'15" WEST ALONG THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 5.00 FEET;
THENCE DEPARTING SOUTH 00°13'48" WEST ALONG A LINE PARALLEL WITH AND 5.00 FEET WESTERLY OF SAID WESTERLY RIGHT OF WAY MARGIN OF 23RD AVENUE SOUTHEAST, A DISTANCE OF 347.22 FEET TO THE SOUTHERLY LINE OF SAID SUBDIVISION;
THENCE SOUTH 88°35'06" EAST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 5.00 FEET TO SAID WESTERLY MARGIN;
THENCE NORTH 00°13'48" EAST ALONG SAID MARGIN, A DISTANCE OF 347.22 FEET TO THE POINT OF BEGINNING;

CONTAINING AN AREA OF 1,736 SQUARE FEET, OR 0.0399 ACRE, MORE OR LESS;

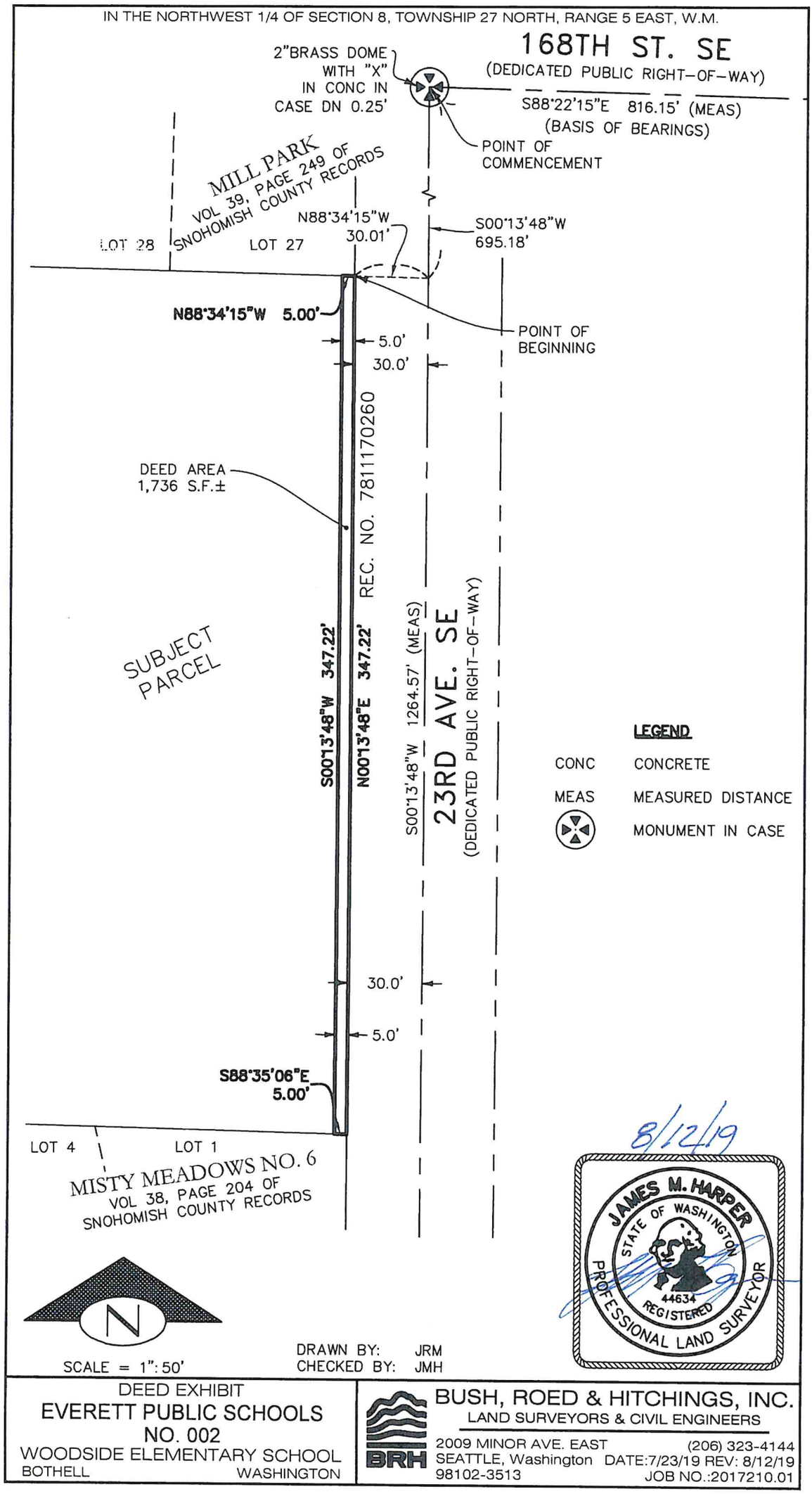
SITUATE IN THE CITY OF BOTHELL, SNOHOMISH COUNTY, WASHINGTON.

8/12/19

EVERETT PUBLIC SCHOOLS NO. 002
WOODSIDE ELEMENTARY SCHOOL
JAMES M. HARPER, P.L.S. NO. 44634
BRH JOB NO. 2017210.01
JULY 24, 2019
REV. AUGUST 12, 2019

BUSH, ROED & HITCHINGS, INC.
2009 MINOR AVENUE EAST
SEATTLE, WA 98102

EXHIBIT B TO STATUTORY WARRANTY DEED
Graphic Depiction of Dedicated Property



DEED EXHIBIT
EVERETT PUBLIC SCHOOLS
NO. 002
WOODSIDE ELEMENTARY SCHOOL
BOTHELL WASHINGTON

BUSH, ROED & HITCHINGS, INC.
LAND SURVEYORS & CIVIL ENGINEERS
2009 MINOR AVE. EAST (206) 323-4144
SEATTLE, Washington DATE:7/23/19 REV: 8/12/19
98102-3513 JOB NO.:2017210.01

EXHIBIT B