



CO00016049

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

ORDINANCE NO. 06-054

ADOPTING ZONING MAP AMENDMENTS IMPLEMENTING CHANGES TO THE
FUTURE LAND USE MAP ADOPTED BY ORDINANCE NO 06-053

WHEREAS, RCW 36.70A.130(3) directs counties planning under the Growth Management Act (GMA) to take legislative action to review and, if needed, revise its comprehensive plan and development regulations to ensure that the plan is capable of accommodating forecasted population and employment growth for the succeeding 20-year period; and

WHEREAS, Snohomish County adopted the Snohomish County Growth Management Act Comprehensive Plan ("GMACP") on June 28, 1995; and

WHEREAS, the county must also conduct a "10-Year Update" of its GMACP pursuant to RCW 36.70A.130(3), which directs counties planning under the GMA to take legislative action to review and, if needed, revise their comprehensive plans and development regulations at least every ten years to ensure that population growth for the succeeding 20-year period can be accommodated; and

WHEREAS, the Snohomish County Comprehensive Plan – General Policy Plan Future Land Use Map (FLU Map) changes adopted in Ordinance Number 06-053 require implementing zoning map changes; and

WHEREAS, certain zoning changes to implement comprehensive plan revisions create inconsistent zoning situations on adjacent land; and

WHEREAS, the proposed zoning changes mitigate these situations by making zoning designations consistent between areas with existing comprehensive plan designations and new plan designations; and

WHEREAS, in the spring of 2003 the county provided general notice it was, pursuant to RCW 36.70A.130, undertaking a review of its comprehensive plan to perform the seven-year compliance review along with the separate 10-Year update process, through its widely disseminated *Focus on Tomorrow Newsletter* and through updates to the county website; and

WHEREAS, public open houses concerning the seven-year compliance review and the 10-year update, were held in Everett on February 4, 2003, in Lynnwood on February 6, 2003, Monroe on February 10, 2003, and Arlington on February 19, 2003; and

WHEREAS, on July 22, 2003, the county council and planning commission held a joint public meeting in Everett concerning the seven-year compliance review and 10-Year update; and

WHEREAS, on November 8, 2003, an all-day event referred to as "Planners in the Library" was held in Lynnwood, Marysville, and Monroe, for the purpose of discussing the seven-year compliance review and 10-year update with the public; and

WHEREAS, in April 2004, the county updated the public on the seven-year compliance review and 10-Year update process through its widely disseminated *Focus on the Future Newsletter* and placed on the county website and through updates to the county website; and

WHEREAS, the county held public hearings concerning the seven-year compliance review and 10-Year update in Arlington on June 1 and 8, 2004, as well as in Everett on June 3, 2004; and

WHEREAS, on May 15, 2004, an all-day event known as "Planners in the Library" was held in Lynnwood, Marysville, and Monroe, for the purpose of discussing the seven-year compliance review update and 10-Year update with the public; and

WHEREAS, Snohomish County Department of Planning and Development Services (PDS) staff hosted public workshops on the seven-year compliance review and 10-Year update in Lynnwood on June 14, 2004, in Monroe on June 16, 2004, and in Arlington on June 17, 2004; and

WHEREAS, on June 29, 2004, the county council and planning commission held a joint public hearing in Everett concerning the seven-year compliance review and 10-Year update; and

WHEREAS, on July 27, 2004, PDS presented overviews of the seven-year compliance review and 10-Year update to the planning commission and the county council planning committee; and

WHEREAS, on October 12, 2004, PDS unveiled its "preferred alternative" future land use map at an advertised public meeting before the planning commission; and

WHEREAS, on October 14 and 20, 2004, PDS held public open houses to facilitate public knowledge of, and to receive public input concerning the "preferred alternative" future land use map; and

WHEREAS, on November 3, 4, 9 and 18, 2004, PDS held public workshops with city and county planning commissioners to discuss key policy issues related to the comprehensive plan, including infrastructure challenges for transportation, parks and drainage, economic development, resource land preservation, fully-contained communities, and others; and

WHEREAS, on April 19, 21, and 28, 2005, PDS held public open houses on the department's recommended package of comprehensive plan amendments for the 10-Year update, including amendments to the General Policy Plan, the Transportation Element, the Capital Facilities Plan, the Comprehensive Park and Recreation Plan, the Future Land Use Map (FLUM), the county zoning map, and selected sections of the code; and

WHEREAS, on May 24 and 26, and June 1 and 2, 2005, the planning commission and the county council held joint public hearings to receive public testimony concerning the proposed amendments to the comprehensive plan; and

WHEREAS, on June 7, 9, 14, 16 and 21, 2005, the planning commission deliberated on the PDS recommended package of comprehensive plan amendments at an advertised public hearing; and

WHEREAS, at the conclusion of the public hearing the planning commission voted to recommend adoption of the proposed package of comprehensive plan amendments, with certain modifications as enumerated in its recommendation letter of July 26, 2005; and

WHEREAS, the county council held public hearings on October 3, 4, 5, and 6, 2005, and December 7, 2005, to consider the entire record, including the planning commission's recommendations on the full package of comprehensive plan amendments, and to hear public testimony; and

WHEREAS, the county council deliberated on the planning commission recommendations, executive alternatives, and public testimony on October 10, 11, 12, 17, 18, 19, 20 and 31, 2005, and November 3 and 9, 2005, and December 14, 19 and 21, 2005.

WHEREAS, the county council adopted a full package of ordinances representing comprehensive plan and implementing development regulation amendments that constituted the 10-Year update on December 21, 2005, including Amended Ordinance No. 05-069 which adopted text, policy and map amendments to the GPP, with the provisions of these ordinances taking effect on February 1, 2006; and

WHEREAS, As part of the County's public review process for the 10-Year update, the County considered a proposal from CamWest Development, Inc. (CamWest) to modify the Southwest (SW) Urban Growth Area (UGA) boundary (the "Proposal"); and

WHEREAS, CamWest has a real property interest in a 92 acre ownership of land, located in SW Snohomish County. The property is located between 180th St. SE and 188th St. SE and east of 43rd Ave. SE (the "Property"); and

WHEREAS, the Property straddles the SW UGA boundary, with approximately 25 acres located within the UGA and approximately 67 acres located outside the UGA; and

WHEREAS, under the Proposal, the SW UGA boundary would be adjusted to include a unified urban neighborhood within the modified UGA and a conservation easement in the rural portion of the ownership outside the modified UGA. The proposed reconfiguration of the split parcel designation would increase the size of the UGA by a net 16 acres approximately and establish an approximately 51-acre nature conservancy that will preserve significant open space adjacent to and outside the SW UGA, provide a permanent buffer between urban and rural areas and help protect part of the headwaters of Little Bear Creek, an important salmonid stream, as set forth in an attached concomitant agreement; and

WHEREAS, the county council did not amend the SW UGA boundary as part of the 10-Year update and, as a result, did not include the CamWest proposal or any other proposal to amend the SW UGA boundary; and

WHEREAS, CamWest filed an appeal on March 20, 2006, with the Central Puget Sound Growth Management Hearings Board based on the County's alleged failure to comply with the goals of the GMA including the provision of greenbelt and open space areas for UGAs; and

WHEREAS, CamWest and the county both agreed to postpone the case for ninety days in order to hold settlement discussions and determine whether settlement is possible; and

WHEREAS, CamWest and the county negotiated a settlement agreement whereby CamWest has agreed to voluntarily dismiss its appeal if the county agrees to hold one or more public hearings to revisit its decision on the Proposal during the 10-Year Update, and the county agrees to complete the public hearing process by no later than August 1, 2006, with the county council conducting a vote on whether to amend the comprehensive plan and official zoning maps, as described in the Proposal; and

WHEREAS, the County Council held a public hearing on July 19, 2006, to consider the entire record and hear public testimony on Ordinance No. 06-054, adopting zoning map amendments implementing changes to the future land use map adopted by Ordinance No. 06-053.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The county council makes the following findings:

- A. The county council adopts and incorporates the foregoing recitals as findings as if set forth fully herein.
- B. The county council adopts the following additional general findings of fact related to the zoning map amendments:

1. The Snohomish County Zoning Map amendments as set forth in Exhibit "A" which is attached hereto and incorporated herein by this reference as if fully set forth, are consistent with the land use designations and the implementing zones specified in the General Policy Plan.
 2. The area-wide rezone amendments were developed from findings of fact and conclusions in Ordinance No. 06-053 amending the SW UGA.
 3. The proposal has been broadly disseminated and there has been early and continuous public participation in the review of this proposal for an area-wide rezone to implement the modification to the SW UGA as part of the 10-Year Update process.
 4. The general public, various interested agencies and parties were notified of the public hearings by means of legal notices, newsletters, news releases, the county website, and direct mail notices were sent to owners and neighbors of affected properties.
- C. Addendum No. 1 to the December 13, 2005, Final Environmental Impact Statement (Final EIS) was issued on June 16, 2006, for this non-project action. Addendum No. 1 adds information and analysis of previously identified significant impacts and alternatives to the county's GMA Comprehensive Plan 10-Year Update EIS dated May 5, 2004 (Draft EIS) and Final EIS. The information in Addendum No. 1 expanded on previous identified alternatives, but did not substantially change the analysis of significant impacts and alternatives analyzed in the county's existing adopted environmental documents. No additional significant impacts beyond those identified in the Final EIS were expected to occur.
- D. The area-wide rezone to implement the modification to the SW UGA is within the scope of analysis contained in the range of the alternatives analyzed in the GMACP 10-Year Update Draft EIS and the scope of additional analysis contained within the GMACP 10-Year Update Final EIS and related environmental documents adopted by the county.
- E. The CamWest proposal is located east of 43rd Ave. SE, between 180th St. SE and 188th St. SE, and east of the existing SW UGA and involves a reconfiguration of the UGA boundary that will expand the Southwest UGA by 36 acres and retract the UGA by 20 acres for a net UGA expansion of 16 acres. The proposed reconfiguration of the SW UGA includes the establishment of an approximately 51-acre nature conservancy by CamWest that will preserve significant open space adjacent to and outside the SW UGA, provide a permanent buffer between urban and rural areas and help protect part of the headwaters Little Bear Creek, an important salmonid stream, as set forth in the attached concomitant agreement.
- F. The proposal by CamWest involves a rezone on the property of 36 acres from Rural-5 (R-5) to Residential 7,200 (R-7,200), a rezone of approximately 5 acres from Residential (R-9,600) to Residential 7,200 (R-7,200), and a rezone of

approximately 20 acres from Residential 9,600 (R-9,600) to R-5. The proposal includes execution of a concomitant agreement where the property owner will preserve approximately 51 acres of the property by, prior to the first phase of any final plat approval, placing the approximately 51 acres in a perpetual conservation easement to be conveyed to a land conservancy or similar stewardship organization in order to help protect wetlands and a tributary stream which drains into the Little Bear Creek, a ESA listed Chinook salmon habitat, as set forth in the attached concomitant agreement. The concomitant agreement is attached to this ordinance as Exhibit B and is incorporated by reference. The concomitant agreement is required to be filed with the County Auditor prior to or simultaneous with the recording of the first phase of any condominium or final plat approval and its restrictions will run with the land and be applicable to current and future owners of the site.

- G. The proposal as conditioned is consistent with the GPP because it allows approximately 51 acres of land currently in the UGA that is still rural in character to be preserved in perpetuity, subject to the terms of the attached concomitant agreement, which in turn ensures significant open space adjacent to and outside of the SW UGA, provides a permanent buffer between urban and rural areas that also serves as a long-term open-space corridor between the urban and rural areas and further protects the headwaters of Little Bear Creek, an important salmonid stream, as valuable habitat.
- H. The proposal is consistent with the Countywide Planning Policy (CPP) OD-13, which provides in relevant part: Encourage the use of innovative development approaches and techniques to promote quality communities.
- I. The proposed area-wide rezone is consistent with the GMA comprehensive plan and consistent with the provisions of the GMA. In fact, the proposal is consistent with several provisions of the Snohomish County General Policy Plan (GPP) including Policy LU-10 which encourages the identification and protection of open space and natural and scenic resources. See LU Objectives 10.A and 10.B. For example, LU Policy 10.B.1 provides, "The county shall use a variety of land development techniques to preserve and maintain open space corridors that define urban growth boundaries and provide separation between communities, and between urban and rural areas where feasible." The proposal meets this GPP policy because it encourages protection of approximately 51 acres of open space outside of and adjacent to the SW UGA. The proposal also furthers the GPP Goal NE 5 which provides, "Improve and protect ecological functions and values of the natural environment through non-regulatory programs." The proposal meets this GPP goal because it uses innovative development techniques to protect ecological functions and values of valuable salmonid habitat in the SW UGA.

Section 2. The county council makes the following conclusions, based on its findings of facts and on the entire record of testimony and exhibits, including all written and oral testimony before the county council.

- A. The area-wide rezone, as mapped in Exhibit "A", is consistent with and implements the modification to the SW UGA as adopted by Ordinance No. 06-053.
- B. Addendum No. 1 to the GMACP 10-Year Update EIS was issued on June 16, 2006, for this non-project action and satisfies the requirements of the State Environmental Policy Act.
- C. This action rezones a total of approximately 61 acres of unincorporated properties within and adjacent to the Southwest UGA. These areas are shown in Exhibit "A" which is attached hereto and incorporated herein by this reference as if fully set forth.
- D. The area-wide rezone is within the range of the alternatives analyzed in the GMACP 10-Year Update Draft EIS and the scope of additional analysis contained within the GMACP 10-Year Update Final EIS and related environmental documents adopted by the county.
- E. The area-wide rezone bears a substantial relationship to the public health, safety and welfare.
- F. There has been early and continuous public participation in the review of the proposed area-wide rezone, as required by the GMA and consistent with chapter 30.73.
- G. The proposal has been broadly disseminated and opportunities have been provided for written comments and public hearing after effective notice.

Section 3. The county council bases its findings and conclusions on the entire record of the county council, including all testimony and exhibits. Any finding, which should be deemed a conclusion, and any conclusion, which should be deemed a finding is hereby adopted as such.

Section 4. Based on the foregoing findings and conclusions, the Snohomish County GMA Comprehensive Plan – General Policy Plan, adopted as Exhibit A in Section 4 of Amended Ordinance 94-125 on June 28, 1995, and last amended by Ordinance No. 06- 053 on July 19, 2006, including the exhibits contained therein, is incorporated by reference into this ordinance as if set forth in full.

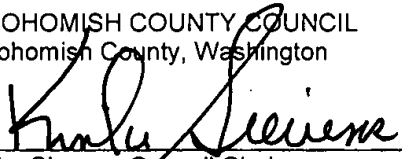
Section 5. Based on the foregoing findings and conclusions, the county council hereby adopts the area-wide rezone as mapped in Exhibit A which is attached hereto and incorporated by reference into this ordinance as if set forth in full, subject to the terms of the executed Concomitant Agreement attached hereto as Exhibit B.

Section 6. Severability and Savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by the Growth Management Hearings Board (Board), or a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that

if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

PASSED this 19th day of July, 2006.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Kirke Sievers, Council Chair

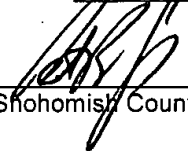
ATTEST:



Asst. Clerk of the Council

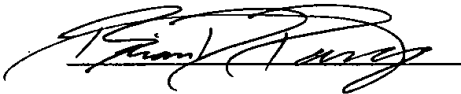
- APPROVED
- EMERGENCY
- VETOED

DATE: 24 July, 2006



Snohomish County Executive

ATTEST:



Approved as to form only:

Deputy Prosecuting Attorney

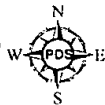
Exhibit A

Ordinance No. 06-054
Areawide Rezone Map

Area Wide Rezone

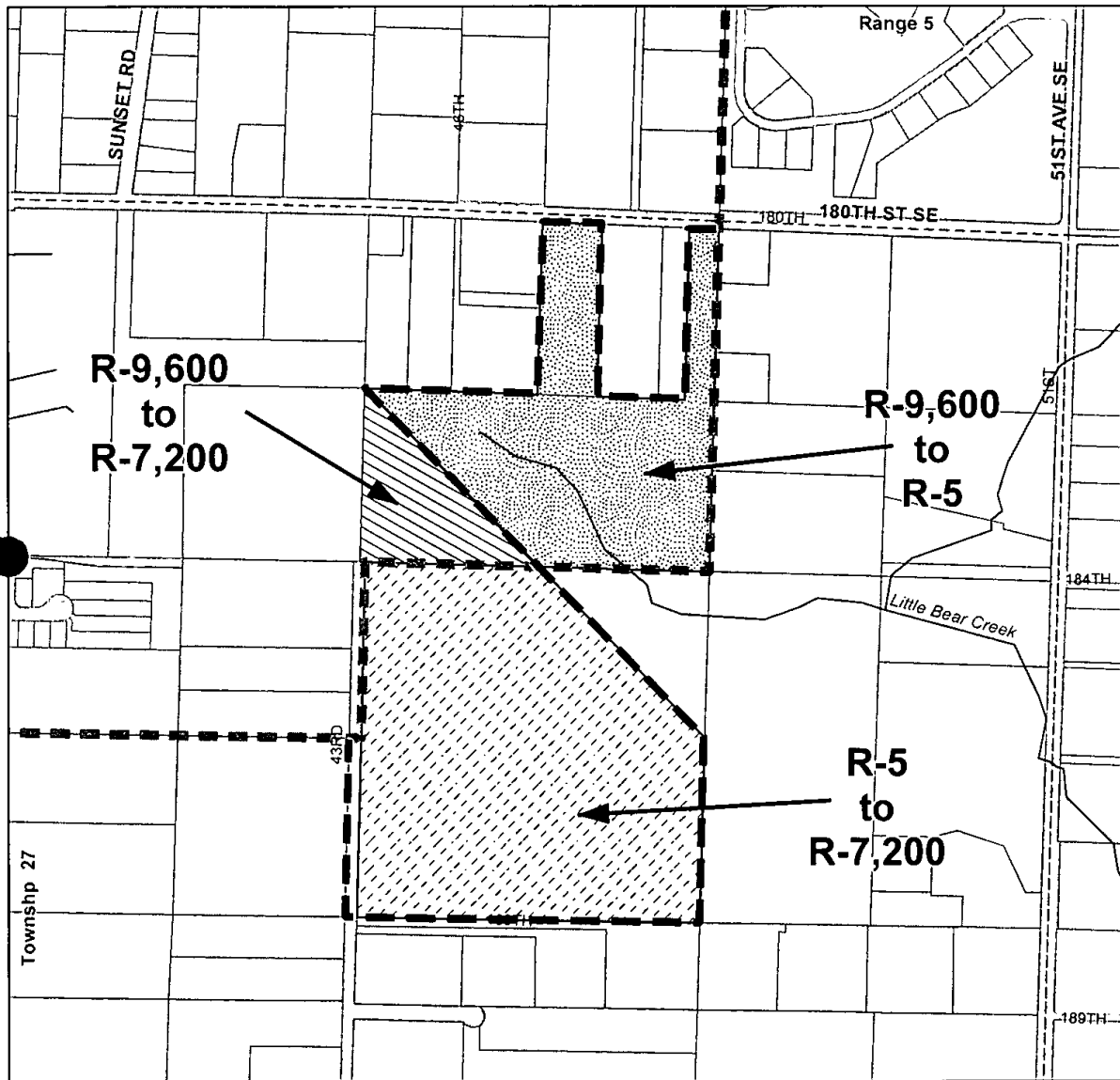
Southwest Urban Growth Area

Exhibit A









Snohomish County

CamWest Proposal



Legend

-  Proposed UGA Removal (R-9,600 to R-5)
-  Proposed UGA Expansion (R-5 to R-7,200)
-  Proposed Rezone (R-9,600 to R-7,200)
-  Existing UGA Boundary
-  Proposed UGA Boundary
-  Assessors Parcel Base

June 2006

0 250 500 750 1,000
Feet

Produced by Snohomish County
Department of Planning and
Development Services,
Cartography/GIS Team

W:\p\carto\1\uttenup\refall71
Docket 2006\Final Docket\1
CamWestSW11_Rezone.mxd

Snohomish County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either expressed or implied. No representation or warranty made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Snohomish County harmless from and against any damage, loss, or liability arising from any use of this map.

Return Name & Address

Snohomish County
Planning & Development
MS# 604

200608150174
08/15/2006 10:28am \$0.00
SNOHOMISH COUNTY, WASHINGTON

CONFORMED COPY
10 PGS

Document Title(s)

Concomitant
Agreement

Reference Number(s) of Related Document(s)

Additional Reference #'s on Page _____

Grantor(s)

Sturgell Family

Additional Grantors on Page _____

Grantee(s)

Snohomish County

Additional Grantees on Page _____

Legal Description (abbreviated form: ie Lot/Block/Plat or Section/Township/Range)

16 - 27 - 05

Complete Legal on Page _____

Assessor's Property Tax Parcel/Account Number

270591600101600

Additional Parcel #'s on Page _____

The Auditor/Recorder will rely on the information provided on this form. The responsibility for the accuracy of the indexing information is that of the document preparer.

When recorded, return to:
Department of Planning and Development Services
Planning Division
M/S #604

CONCOMITANT AGREEMENT

Owner: Sturgell Family LLC, including May Ellen Palmer,
Tom Sturgell and Joseph Sturgell Jr.
Assessor's Tax Account No.: 270551600101600
Legal Description: NE ¼ of Section 16, Township 27 N, Range 5 E

THIS AGREEMENT is made and entered into this 17th day of July, 2006, by Sturgell Family LLC, herein after referred to as "OWNER";

WITNESSETH:

WHEREAS, the Owner is the title holder of certain real property located at 18723 43RD Avenue SE, Bothell, WA, ("the Property"), the same being described as the "Developable Area" and the "Conservation Area," each of which is situated in the County of Snohomish, State of Washington, and legally described below;

Whereas, the Owner intends to use approximately 51 acres of the 92 acre site for a nature conservancy to preserve significant open space adjacent to and outside the SW UGA, to provide a permanent buffer between urban and rural areas and to help protect part of the headwaters of Little Bear Creek, an important salmonid stream, subject to the terms and conditions of this Agreement; and

ORIGINAL

Whereas, Snohomish County has found that said rezone of 41 acres of the site to Residential 7,200 (R-7,200) and the rezone of 20 acres of the site to Rural-5 (R-5) is in the public interest, provided that approximately 51 acres of the site is limited in use to a nature conservancy to preserve open space, to create a permanent buffer, and to help protect part of the headwaters of Little Bear Creek which limitation shall be documented herein and hereafter considered to be an integral part of the zoning restrictions applicable to the Property, subject to the following terms and conditions.

NOW THEREFORE,

THE OWNER HEREBY AGREES AS FOLLOWS:

Use Restriction: A detailed map of the zoning upon which this Agreement is based is attached hereto as **Exhibit A** and is incorporated herein as if set forth in full.

Under this zoning, the use of approximately forty-one acres shall be restricted to Residential 7,200 (R-7,200). A legal description of the area zoned R-7,200 is attached hereto as **Exhibit B** and is incorporated herein as if set forth in full (hereinafter the "Developable Area").

Under this zoning, the use of approximately twenty acres of the property being rezoned shall be restricted to Rural-5 (R-5).

Agreement: The Owner agrees to assign and grant approximately 51-acres of its property as a conservation easement in perpetuity, for use as a conservancy area, to a non-profit land conservation entity of regional stature (e.g. the Cascade Land Conservancy) prior to or simultaneous with recording of a condominium or final plat approval, or, in the event of phasing, prior to or simultaneous with the recording of the first phase of a condominium or final plat approval. The approximately 51-acre conservancy area is legally described in **Exhibit C** (hereinafter the "Conservation Area"). A map of the Conservation Area is attached hereto as **Exhibit D** and incorporated by reference.

The Owner will not submit any development application affecting the 51-acre Conservation Area prior to the assignment and granting of the conservation easement, PROVIDED, this prohibition does not apply to access, construction and maintenance of any facilities for underground utilities (excluding sanitary sewer facilities) within the Conservation Area if determined by a utility provider to be necessary as part of their service to the Developable Area; PROVIDED FURTHER, the Owner may submit applications for the construction of stormwater facilities,

within the southerly four-acres of the Conservation Area. Nothing herein shall be construed as a prior approval or code interpretation by Snohomish County as to whether utilities or stormwater facilities within the Conservation Area comply with the County Code and rules.

The Owner further agrees that residential development on the Developable Area will incorporate low impact development techniques reviewed by the City of Mill Creek and Snohomish County, and as required by law.

Changes in Zoning. The foregoing obligations of the Owner, its heirs, successors and assigns, will be automatically released and terminated in the event, following the effective date of this Agreement, the Snohomish County Council amends the comprehensive plan or zoning designations described in Exhibit A, or both, within the Developable Area to reduce the allowable density in the Developable Area, PROVIDED, this subsection shall not apply in the event the Developable Area portion of the Property is already developed or vested applications have been filed for all phases of condominium or final plat approval under the zoning described in Exhibit A.

Legal Requirements: The Owner, and its successors and assigns, shall comply with all County laws and regulations applicable to the development and use of the Property, and nothing herein shall be construed as superseding said laws and regulations.

Recording: This Agreement shall be filed by the Owner in records of the Snohomish County Auditor prior to the first phase of any condominium or final plat approval for the purpose of subjecting the Property to the restrictions, conditions and limitations herein set forth which are intended and shall have the force and effect of deed restrictions and shall be deemed to be covenants running with the land and binding upon the Owner, its successors and assigns. By such act, the Owner shall record a permanent easement granting stewardship of the approximately 51-acre Conservation Area to a non-profit land conservation entity of regional stature (e.g. the Cascade Land Conservancy).

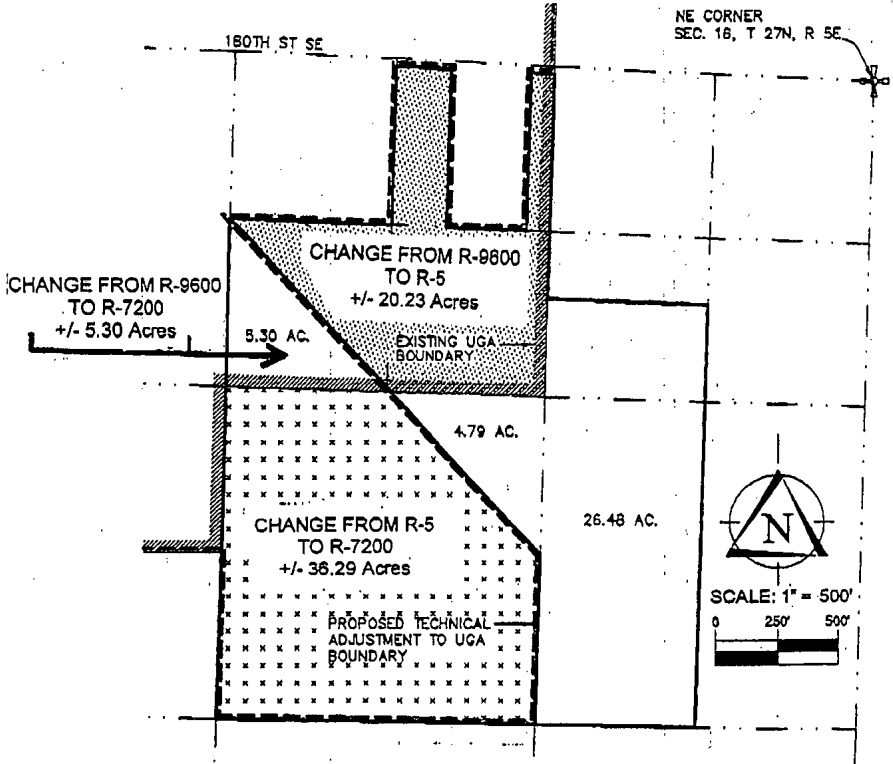
Enforcement: Any violation of this Agreement by the Owner, its successors or assigns, shall be considered a violation of the Snohomish County Zoning Code and shall be subject to all applicable penalties in addition to remedies. Snohomish County may also elect to bring such action or actions as will accomplish the specific performance of this Agreement.

EXHIBIT "A"

PARCEL EXHIBIT
STURGELL PROPERTY

ZONING

TRIAD JOB # 04-217
OCTOBER 6, 2005



12112 115th Avenue N.E. Kirkland, Washington 98034-9823
425.821.8448 - 800.488.0758 - Fax 425.821.3481
www.triadaassoc.com

04217.DWG EX-PARC-100505
HP5000-04217EX-PARC-100505.PLT

Land Development Consultants

EXHIBIT B

**DEVELOPABLE AREA
LEGAL DESCRIPTION**

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 27 NORTH, RANGE 5 EAST, W.M.,
SNOHOMISH COUNTY, WASHINGTON;

THENCE NORTH 88°54'32" WEST A DISTANCE OF 1322.34 FEET TO THE SOUTHWEST
CORNER OF SAID NORTHEAST QUARTER;

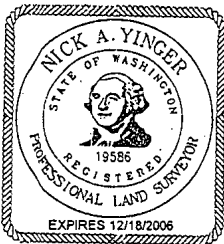
THENCE NORTH 01°34'44" EAST, ALONG THE WEST LINE OF SAID NORTHEAST
QUARTER, A DISTANCE OF 2038.92 FEET TO THE NORTHWEST CORNER OF THE SOUTH
HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION
16;

THENCE SOUTH 43°18'19" EAST A DISTANCE OF 1875.98 FEET TO A POINT ON THE EAST
LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER;

THENCE SOUTH 01°42'18" WEST A DISTANCE OF 698.47 FEET TO THE POINT OF
BEGINNING

CONTAINING 41.58 ACRES OF LAND MORE OR LESS

WRITTEN: NAY
CHECKED: SEB



C:\Documents and Settings\bknowlton\Local Settings\Temporary Internet
Files\OLK3\SW UGA PARCEL1.doc
12112 115th Avenue NE Kirkland, Washington 98034-9623
425.821.8448 · 800.488.0756 · Fax 425.821.3481
www.triadassoc.com

Land Development Consultants

EXHIBIT C
CONSERVATION AREA
LEGAL DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 27 NORTH, RANGE 5 EAST, W.M., SNOHOMISH COUNTY, WASHINGTON;

THENCE NORTH 01°42'18" EAST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 698.47 FEET;

THENCE NORTH 43°18'19" WEST A DISTANCE OF 1875.98 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16;

THENCE SOUTH 87°54'08" EAST A DISTANCE OF 663.39 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16;

THENCE NORTH 01°38'30" EAST, ALONG THE WEST LINE OF SAID SIXTYFOURTH SECTION A DISTANCE OF 645.76 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 180TH STREET SW (A 60.00 FOOT RIGHT-OF-WAY);

THENCE SOUTH 87°34'05" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF 180TH STREET SW A DISTANCE OF 235.14 FEET TO A POINT ON THE WEST LINE OF THE EAST 1.5 ACRES OF SAID SIXTYFOURTH SECTION;

THENCE SOUTH 01°40'24" WEST, ALONG LAST AFORESAID WEST LINE, A DISTANCE OF 644.39 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16;

THENCE SOUTH 87°54'08" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 328.63 FEET TO A POINT 100.00 FEET FROM MEASURED AT RIGHT ANGLES TO THE EAST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16;

THENCE NORTH 01°42'18" EAST, PARALLEL TO THE LAST AFORESAID EAST LINE, A DISTANCE OF 642.47 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 180TH STREET SW (A 60.00 FOOT RIGHT-OF-WAY);

THENCE SOUTH 87°34'05" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF 180TH STREET SW, A DISTANCE OF 100.00 FEET TO A POINT ON SAID EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16;

THENCE SOUTH 01°42'16" WEST, ALONG SAID EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16 A DISTANCE OF 910.63 FEET TO THE NORTHWEST CORNER OF THE SOUTH THREE-FIFTHS OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16;



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EXHIBIT C

THENCE SOUTH 88°02'09" EAST A DISTANCE OF 663.08 FEET TO THE NORTHEAST CORNER OF SAID SOUTH THREE-FIFTHS OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16;

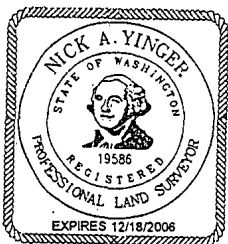
THENCE SOUTH 01°46'09" WEST A DISTANCE OF 1736.82 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16;

THENCE NORTH 88°54'32" WEST A DISTANCE OF 661.17 FEET TO THE POINT OF BEGINNING.

CONTAINING 51.49 ACRES OF LAND MORE OR LESS

WRITTEN: NAY

CHECKED: SEB



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Land Development Consultants

EXHIBIT D

CONSERVATION AREA MAP

