

CITY OF MARYSVILLE JOINT RESOLUTION NO. _____;

SNOHOMISH COUNTY FIRE PROTECTION DISTRICT NO. 12
JOINT RESOLUTION NO. 2019A-4

MARYSVILLE FIRE DISTRICT CONSOLIDATED FIRE DEPARTMENT
JOINT RESOLUTION NO. 2019B-10

A JOINT RESOLUTION OF THE CITY OF MARYSVILLE, THE SNOHOMISH COUNTY FIRE PROTECTION DISTRICT NO. 12, AND THE MARYSVILLE FIRE DISTRICT, A CONSOLIDATED FIRE DEPARTMENT; AUTHORIZING THE TRANSFER OF CERTAIN REAL PROPERTY TO THE DULY ESTABLISHED MARYSVILLE FIRE DISTRICT, REGIONAL FIRE AUTHORITY.

WHEREAS, the City of Marysville (City) and the Snohomish County Fire Protection District No. 12 (“District 12”), by Interlocal Agreement in 1991, created the Marysville Fire District (District) to provide fire and emergency response services within the corporate limits of the City of Marysville and the boundaries of the Snohomish County Fire Protection District No. 12; and

WHEREAS, pursuant to that certain Agreement for Joint Operations of Fire and Emergency Medical Protection Facilities dated April 18, 2016, as amended by amendments one through four thereto (the “Agreement”), the City and District 12 continued the relationship established by agreement in 1991 and established a Consolidated Fire Department known as the Marysville Fire District; and

WHEREAS, pursuant to paragraph 17 of the Agreement, upon termination of the Agreement, all property owned by District 12 shall remain the property of District 12, all property owned by City shall remain the property of City, and all jointly owned property and jointly purchased property acquired under the terms of the Agreement shall be disposed of on an equitable basis and in such manner as may be agreed upon between the City and District 12; and

WHEREAS, with the growing needs of the community within the service area and the demands for enhanced fire and EMS services the City and the District determined that it was in the public interest to place a measure before the voters that if approved would result in formation of a regional fire authority (RFA); and

WHEREAS, pursuant to RCW 52.26.030 and 52.26.040 the City and the District formed an RFA Planning Committee to evaluate the feasibility of creating a new and separate regional fire authority to provide the fire protection and emergency services within the boundaries of the City and the District; and

WHEREAS, the members of the Planning Committee included the Marysville Mayor, three City Council members and the three Fire District Commissioners. Over a period

of several months, the Planning Committee met and created a Marysville Fire District Regional Fire Authority Plan ("Plan") providing for the governance, design, financing, and development of fire protection and emergency services; and

WHEREAS, the Planning Committee held its final meeting on November 27, 2018, and unanimously recommended the City Council and District Commissioners approve and adopt the Plan by Joint Resolution; and

WHEREAS, pursuant to City Resolution No. 2460 passed February 11, 2019, and District No. 12 Resolution No. 2019 A-1 passed February 20, 2019, the City and District approved and adopted the Plan which certified the Plan to be placed on the ballot for approval pursuant RCW 52.26.060; and

WHEREAS, authority to form a Regional Fire Authority is set forth in RCW Chapter 52.26 which requires that voters of the area affected by the Plan must approve the formation of a Regional Fire Authority; and

WHEREAS, pursuant to the special election was held on April 23, 2019, for consideration of Ballot Measure Proposition No. 1, the voters approved and authorized the creation of the Marysville Fire District, a regional fire authority effective October 1, 2019; and

WHEREAS, RCW 52.26.100(2)(a) states in pertinent part “all reports, documents, surveys, books, records, files, papers, or written material in the possession of the participating fire protection jurisdiction pertaining to fire protection and emergency services powers, functions, and duties shall be delivered to the regional fire protection service authority; all real property and personal property including cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the participating fire protection jurisdiction in carrying out the fire protection and emergency services powers, functions, and duties shall be transferred to the regional fire protection service authority”; and

WHEREAS, RCW 52.26.100(4) states that “[t]he transfer of the powers, duties, functions, and personnel of the participating fire protection jurisdiction shall not affect the validity of any act performed before creation of the regional fire protection service authority”; and

WHEREAS, by this Joint Resolution the City of Marysville, the Snohomish County Fire Protection District No. 12, and the Marysville Fire District a consolidated fire department desires to transfer certain real property as identified in Exhibits A and/or Exhibit B pursuant to RCW 52.26.100(2)(a) and the Plan; and

WHEREAS, the Marysville Fire District, a regional fire authority, pursuant to RCW 52.26.100(2)(a) and the Plan, desires to accept the transfer of the real property as identified in Exhibits A and B, which transfer is made pursuant to the terms of RCW 52.26.100(2)(a) and the Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MARYSVILLE AS FOLLOWS:

Section 1. TRANSFER AND AUTHORIZATION The City of Marysville does hereby adopt this Resolution authorizing the transfer of the real property as identified in Exhibit A, to the Marysville Fire Protection District, a regional fire authority, pursuant to the terms of RCW 52.26.100(2)(a) and the Plan, and further authorizes the Mayor to execute the deed in the form of and as attached in Exhibit A to effectuate the Authorization of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE SNOHOMISH COUNTY FIRE PROTECTION DISTRICT NO. 12 AS FOLLOWS:

Section 1. TRANSFER AND AUTHORIZATION The Snohomish County Fire Protection District No. 12 does hereby adopt this Resolution authorizing the transfer of the real property as identified in Exhibits A and B to the Marysville Fire Protection District, a regional fire authority, pursuant to the terms of RCW 52.26.100(2)(a) and the Plan, and further authorizes the Chair, or Fire Chief as designee, to execute the deed in the form of and as attached in Exhibits A and B to effectuate the Authorization of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS FOR THE MARYSVILLE FIRE DISTRICT AS FOLLOWS:

Section 1. TRANSFER AND AUTHORIZATION The Marysville Fire District, a consolidated fire department, does hereby adopt this Resolution transferring the real property as identified in Exhibit A, to the Marysville Fire Protection District, a regional fire authority, pursuant to the terms of RCW 52.26.100(2)(a) and the Plan, and further authorizes the Chair, or Fire Chief as designee, to execute the deed in the form of and as attached in Exhibit A to effectuate the Authorization of this Resolution.

CITY OF MARYSVILLE

ADOPTED by the City Council at an open public meeting this ____ day of September, 2019.

CITY OF MARYSVILLE

By _____
Jon Nehring, Mayor

ATTEST:

APPROVED AS TO FORM:

By _____
Jan Berg, City Clerk

By _____
Jon Walker, City Attorney

SNOHOMISH COUNTY FIRE PROTECTION DISTRICT NO. 12

ADOPTED by the Snohomish County Fire Protection District No. 12 this ____ day of September, 2019.

BOARD OF COMMISSIONERS

Chairperson

Commissioner

ATTEST:

Commissioner

District Secretary

MARYSVILLE FIRE DISTRICT, A CONSOLIDATED FIRE DEPARTMENT

ADOPTED by the Marysville Fire District, a consolidated fire department this ____ day of September, 2019.

BOARD OF DIRECTORS

Chairperson

Board Member

Board Member

Board Member

Board Member

Board Member

Board Member

ATTEST:

District Secretary

EXHIBIT A

After Recording Return to:

MARYSVILLE FIRE DISTRICT
1094 Cedar Ave
Marysville, WA 98270

QUIT CLAIM DEED

Grantor: MARYSVILLE FIRE DISTRICT, a consolidated fire department composed of the City of Marysville and Snohomish County Fire Protection District No. 12; City of Marysville; Snohomish County Fire Protection District No. 12

Grantee: MARYSVILLE FIRE DISTRICT, a Regional Fire Authority

Legal Description: Ptn of NE ¼ NE ¼ S16 T30N R5E,
Ptn NE ¼ NW ¼ S2 T29N R5E and
Lot 3, Block 3, Loch-O-Rama, V. 21, P. 58 **Add'l on p. 1-2**

Tax Parcel ID#: 300516-001-005-00, 290502-002-066-00 and 004988-003-003-00.

THE GRANTOR, MARYSVILLE FIRE DISTRICT, a consolidated fire department composed of the City of Marysville and Snohomish County Fire Protection District No. 12, the City of Marysville, and the Snohomish County Fire Protection District No. 12, for and in consideration of establishment of a regional fire authority pursuant to that certain Marysville Fire District Regional Fire Authority (RFA) Plan adopted by Joint Resolution of the City of Marysville, Resolution 2460 passed February 11, 2019, and Marysville Fire Protection District No. 12, Resolution 2019A-1 passed February 20, 2019, and approved by the voters in the special election held April 23, 2019, all in accordance with RCW 52.26.100(2)(a), conveys and quit claims all of their respective interests to MARYSVILLE FIRE DISTRICT, a regional fire authority, the following-described real estate, situated in the County of Snohomish, State of Washington, including any interest therein which Grantor may hereafter acquire:

PARCEL 1

That portion of the Northeast quarter of the Northeast quarter of Section 16, Township 30 North, Range 5 East, W.M., described as follows:

Commencing at the Northeast corner of said Section 16; Thence South 0°00'00" West along the East line of said Section 16 a distance of 15.01 feet to the Southerly right-of-way line of 108th Street N.E., said right-of-way line being 15 feet Southerly of and parallel with the North line of said Section 16, said point

being the True Point of Beginning.

Thence continuing South 0°00'00" West 350.59 feet along said East line; Thence North 90°00'00" West 151.53 feet; Thence North 71°00'00" West 203.89 feet to the Easterly right-of-way line of Shoultes Road, said right-of-way line being 30 feet Southeasterly of the centerline of Shoultes Road when measured at right angles to said centerline; Thence North 39°54'22" East 374.10 feet along said Easterly right-of-way to the Southerly right-of-way line of said 108th Street NE; Thence South 88°28'58" East 104.35 feet along said Southerly right-of-way to the East line of said Section 16 and the True Point of Beginning.

LESS right of way conveyed to Snohomish County by Statutory Warranty Deed recorded at Auditor's File No. 200112140962; and

LESS right of way conveyed to Snohomish County by Quit Claim Deed recorded at Auditor's File No. 200112270401; and

LESS right of way conveyed to Snohomish County by Statutory Warranty Deed recorded at Auditor's File No. 200504220559;

Assessor's tax Parcel ID# 300516-001-005-00

Commonly known as 10701 Shoultes Road, Marysville, WA 98271.

PARCEL 2

Lot 2 of City of Marysville Short Plat PFN #SP 07004, recorded under Recording Number 200803205001, being a portion of Government Lot 3, Section 2, Township 29 North, Range 5 East, W.M, in Snohomish County, Washington

Assessor's Tax Parcel ID# 290502-002-066-00

Commonly known as 7217 40th St. NE, Marysville, WA 98270.

PARCEL 3

Lot 3, Block 3, Loch-O-Rama, according to the Plat thereof recorded in Volume 21 of Plats, page 58, records of Snohomish County, Washington.

Assessor's Tax Parcel ID# 004988-003-003-00

Commonly known as 4216 175th Pl. NW, Stanwood, WA 98292.

STATE OF WASHINGTON)
) ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that MARTIN McFALLS 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 Chief of MARYSVILLE FIRE DISTRICT, a consolidated fire department composed of the City of Marysville and Snohomish County Fire Protection District No. 12, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this ____ day of September, 2019.

(Legibly print name of notary)
NOTARY PUBLIC in and for the State of
Washington, residing at _____
My commission expires _____

EXHIBIT B

After Recording Return to:

MARYSVILLE FIRE DISTRICT
1094 Cedar Ave
Marysville, WA 98270

QUIT CLAIM DEED

Grantor: SNOHOMISH COUNTY FIRE PROTECTION DISTRICT NO. 12
Grantee: MARYSVILLE FIRE DISTRICT, a Regional Fire Authority
Legal Description: Ptn NE ¼ SE ¼ S32 T31N R5E,
Ptn NE ¼ SE ¼ S31 T31N R5E,
Ptn Lot 10, Block 2, Lake Loma, V. 13, p. 24-27
Lots 1, 2 & 11, Block 3, Loch-O-Rama, V. 21, P. 58
Ptn NW ¼ NW ¼ S15 T30N R5E. Add'l on p. 1-4
Tax Parcel ID#: 310532-004-006-00, 310531-004-014-00, 004991-002-010-01,
004988-003-001-00, 004988-003-011-00, 300515-002-030-00

THE GRANTOR, SNOHOMISH COUNTY FIRE PROTECTION DISTRICT NO. 12, which in some instances acquired title as SNOHOMISH COUNTY FIRE DISTRICT NO. 12, for and in consideration of establishment of a regional fire authority pursuant to that certain Marysville Fire District Regional Fire Authority (RFA) Plan adopted by Joint Resolution of the City of Marysville, Resolution 2460 passed February 11, 2019, and Marysville Fire Protection District No. 12, Resolution 2019A-1 passed February 20, 2019, and approved by the voters in the special election held April 23, 2019, all in accordance with RCW 52.26.100(2)(a), conveys and quit claims to MARYSVILLE FIRE DISTRICT, a Regional Fire Authority, the following-described real estate, situated in the County of Snohomish, State of Washington, including any interest therein which Grantor may hereafter acquire:

PARCEL 1

A portion of the Northeast quarter of the Southeast quarter of Section 32, Township 31 North, Range 5 East, W.M., described as follows:

Beginning at the East one-quarter corner of said Section 32;
Thence West 30.21 feet to the True Point of Beginning;
Thence West 222.90 feet;
Thence South 1°39' West 240.10 feet;
Thence East 180.52 feet;

Thence North 6°43'30" East 56.04 feet;
Thence South 83°16'30" East 20 feet;
Thence North 6°43'30" East 188.08 feet to the True Point of Beginning;

TOGETHER WITH the following-described property conveyed by Governor's Deed recorded at Auditor's file no. 2279270:

A portion of the Northeast quarter of the Southeast quarter of Section 32, Township 31 North, Range 5 East, W.M., described as follows:

Beginning at the East quarter corner of said Section 32;
Thence West 253.11 feet to the True Point of Beginning;
Thence West 50 feet to the Eastern right of way boundary line of SR 5, Quilceda Creek to Portage Creek;
Thence South along said right of way line a distance of 240.10 feet;
Thence east 50 feet to a point lying South 1° 39' West from the True Point of Beginning;
Thence North 1° 39' East 240.10 feet to the True Point of Beginning.

LESS the following-described property conveyed to Snohomish County by deed recorded at Auditor's file no. 8503200231:

A strip of land 10.0 feet in width over a portion of the NE¼ of the SE¼ of Section 32, Township 31 North, Range 5 East, W.M., said strip lying Westerly of and abutting the following-described line:

Commencing at the east quarter corner of said Section 32;
Thence due West along the North line of said NE¼ of the SE¼, 30.21 feet to the Westerly right-of-way margin of 35th Avenue N.E., the True Point of Beginning of said line;
Thence South 6°43'30" West along said right-of-way margin, 188.08 feet to the terminus of said line.

All situate in Snohomish County, Washington.

Assessor's Tax Parcel ID# 310532-004-006-00

Commonly known as 14716 Smokey Point Blvd., Marysville, WA 98271.

PARCEL 2

The North 242 feet of the East 180 feet of the East half of the Northeast quarter of the Southeast quarter of Section 31, Township 31 North, Range 5 East, W.M., EXCEPT the North 30 feet conveyed to Snohomish County by deed recorded July 14, 1964, under auditors file No. 1711179.
Situate in the County of Snohomish, State of Washington.

Assessor's Tax Parcel ID# 310531-004-014-00

PARCEL 3

The South 100 feet of Lot 10, Block 2, Plat of Lake Loma, parallel to the South line thereof, as per plat recorded in Volume 13 of Plats, pages 24 to 27, inclusive, records of Snohomish County, Washington.

Assessor's Tax Parcel ID#: 004991-002-010-01

Commonly known as 15105 10th Dr. NW, Marysville, WA 98271.

PARCEL 4

Lots 1 and 2, Block 3 of Loch-O-Rama Home Sites, situated in Sections 21 and 22, Township 31 North, Range 4 East, W.M., Snohomish County, Washington, described as follows:

Beginning at the Northeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence South along the East line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ for 210.0 feet to the True Point of Beginning;
Thence South 120.0 feet;
Thence West 120.0 feet;
Thence North 120.0 feet;
Thence East 120.0 feet to the Point of Beginning.

Assessor's Tax Parcel ID#: 004988-003-001-00

Commonly known as 17500 E Lake Goodwin RD, Stanwood, WA 98292.

PARCEL 5

Lot 11, Block 3, Loch-O-Rama Home Sites, as per plat recorded in Volume 21 of Plats on page 58, records of Snohomish County

Assessor's Tax Parcel ID#: 004988-003-011-00

Commonly known as 17428 E Lake Goodwin RD, Stanwood, WA 98292.

PARCEL 6

That portion of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15, Township 30 North, Range 5 East, W.M., described as follows:

Commencing at the Northwest corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$;
Thence East 1 rod to the True Point of Beginning;

Thence South 300 feet parallel to the West line of the NW¼ of NW¼;
Thence East 150 feet;
Thence North to a point which is 150 feet East of the Point of Beginning;
Thence Westerly to Point of Beginning;

LESS County Road;

AND LESS additional right of way conveyed to Snohomish County by deed recorded under Auditor's file no. 200504220560.

Assessor's Tax Parcel ID#: 300515-002-030-00

Commonly known as 5100 108th Street NE, Marysville, WA 98271.

DATED this _____ day of September, 2019.

SNOHOMISH COUNTY FIRE PROTECTION
DISTRICT NO. 12

By _____
MARTIN McFALLS, Chief

Accepted this ____ day of October, 2019:

MARYSVILLE FIRE DISTRICT
A Regional Fire Authority, pursuant to authority of the Board of Directors

By _____
MARTIN McFALLS, Chief

STATE OF WASHINGTON)
) ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that MARTIN McFALLS 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 Chief of SNOHOMISH COUNTY FIRE PROTECTION DISTRICT NO. 12 to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this ____ day of September, 2019.

(Legibly print name of notary)
NOTARY PUBLIC in and for the State of
Washington, residing at _____
My commission expires _____