



<h2>Turnback Agreement</h2>			Organization and Address Snohomish County 3000 Rockefeller Avenue CSC - 2nd Floor Admin. E - MS 607 Everett, WA 98201
Agreement Number TB 1-0221			Section / Location T. 31N R. 5E. W.M. NE 1/4 NW 1/4 Sec. 25
State Route SR 9	Control Section 3132	Region Northwest	SR 9 - SR 531/172nd St. NE Intersection Improvement

THIS AGREEMENT is between the STATE OF WASHINGTON, Department of Transportation, hereinafter the "STATE," and Snohomish County, hereinafter the "LOCAL AGENCY," collectively hereinafter the "PARTIES."

WHEREAS, the STATE is planning the construction or improvement of a section of the state route as identified above, hereinafter referred to as the "PROJECT," and

WHEREAS, the STATE has acquired and/or is in the process of acquiring right of way needed to construct, reconstruct, or rearrange the state route and/or certain streets or roads, frontage roads, access roads, intersections, ramps, crossings, and /or other roadway features, hereinafter referred to as "Roadway Facilities," and

WHEREAS, upon completion of the PROJECT, certain right of way and Roadway Facilities, as shown on Exhibit A, attached hereto and made a part hereof, will require maintenance, operation, and ownership transfer from the STATE to the LOCAL AGENCY, and

WHEREAS, the STATE and LOCAL AGENCY enter into this Agreement to identify the process of Roadway Facilities and right of way maintenance, operation, and ownership transfer,

NOW, THEREFORE, pursuant to

(City or Town) RCW 36.75.090 and/or RCW 47.52.210,

(County) RCW 36.75.090 and WAC 468-18-040, "Design standards for rearranged county roads, frontage roads, access roads, intersections, ramps and crossings,"

IT IS MUTUALLY AGREED AS FOLLOWS:

1. COMPLETION, ACCEPTANCE, AND TRANSFER OF OPERATION AND MAINTENANCE

1.1 Once the PROJECT is completed and reviewed by the PARTIES, the STATE will in writing transfer to the LOCAL AGENCY and the LOCAL AGENCY agrees to accept the responsibility for the maintenance and operation of the Roadway Facilities and right of way until such time as the full ownership of the right of way and Roadway Facilities are conveyed by deed pursuant to Section 2.

1.2 The LOCAL AGENCY agrees to accept ownership of the right of way and Roadway Facilities as shaded, where applicable, on Exhibit A, as follows:

- Red** Indicates access control and access rights to be retained by the STATE
- Blue (light)** Indicates Roadway Facilities and right of way to be conveyed in fee to the LOCAL AGENCY
- Yellow** Indicates easements to be conveyed to the LOCAL AGENCY

2. RECORDED CONVEYANCE

2.1 Within one year following the STATE's written transfer to the LOCAL AGENCY of the responsibility for maintenance and operations as provided in Section 1, the STATE will furnish the LOCAL AGENCY a recordable conveyance of right of way, including the Roadway Facilities constructed thereon, as shown on the plans marked Exhibit A. The conveyance will be recorded pursuant to RCW 65.08.095.

2.2 It is understood and agreed that the above-referenced property is transferred for road/street purposes only, and no other use shall be made of said property without the prior written approval of the STATE. It is also understood and agreed that the LOCAL AGENCY, its successors or assigns, shall not revise either the right of way lines or the access control without prior written approval from the STATE, its successors, or assigns. Revenues resulting from any vacation, sale, or rental of this property or any portion thereof, shall (1) if the property is disposed of to a governmental entity for public use, be placed in the LOCAL AGENCY road/street fund and used exclusively for road/street purposes; or (2) if the property is disposed of other than as provided in (1) above, be shared by the LOCAL AGENCY and STATE, their successors or assigns, in the same proportion as acquisition costs were shared; except that the LOCAL AGENCY may deduct the documented direct costs of any such vacation, sale, or rental.

2.3 The LOCAL AGENCY agrees to comply with, and require its successors or assigns to comply with, all civil rights and anti-discrimination requirements of chapter 49.60 RCW, as to the right of way and Roadway Facilities to be conveyed.

2.4 The LOCAL AGENCY understands and agrees that the STATE is retaining ownership of all rights of ingress and egress, to, from and between the above referenced state highway route and/or Roadway Facilities and the properties abutting said state highway route and/or Roadway Facilities, including all rights of access, light, view and air, and access control as shown by the access prohibition symbol and as shaded in section 1.2 above along the above referenced state route and/or Roadway Facilities right of way and along abutting properties on the right of way access plans marked as Exhibit A. The LOCAL AGENCY, its successors or assigns, shall have no right of ingress or egress between the above referenced state route and abutting properties, or the state route and the lands herein conveyed that show the access prohibition symbol and as shaded in section 1.2 above. The LOCAL AGENCY, its successors or assigns, shall not be entitled to compensation for any loss of access, light, view, or air occasioned by the location, construction, reconstruction, maintenance, or operation of the above referenced state route and/or Roadway Facilities.

IN WITNESS WHEREOF, the PARTIES hereto have executed this Agreement on the date last written below.

LOCAL AGENCY

By

[Signature]

Print Name

Owen B Carter

County Engineer

Date

2/15/11

STATE OF WASHINGTON
DEPARTMENT OF TRANSPORTATION

By

[Signature]

Print Name Russell S. East, P.E.

Asst. Regional Administrator for NWR

Date

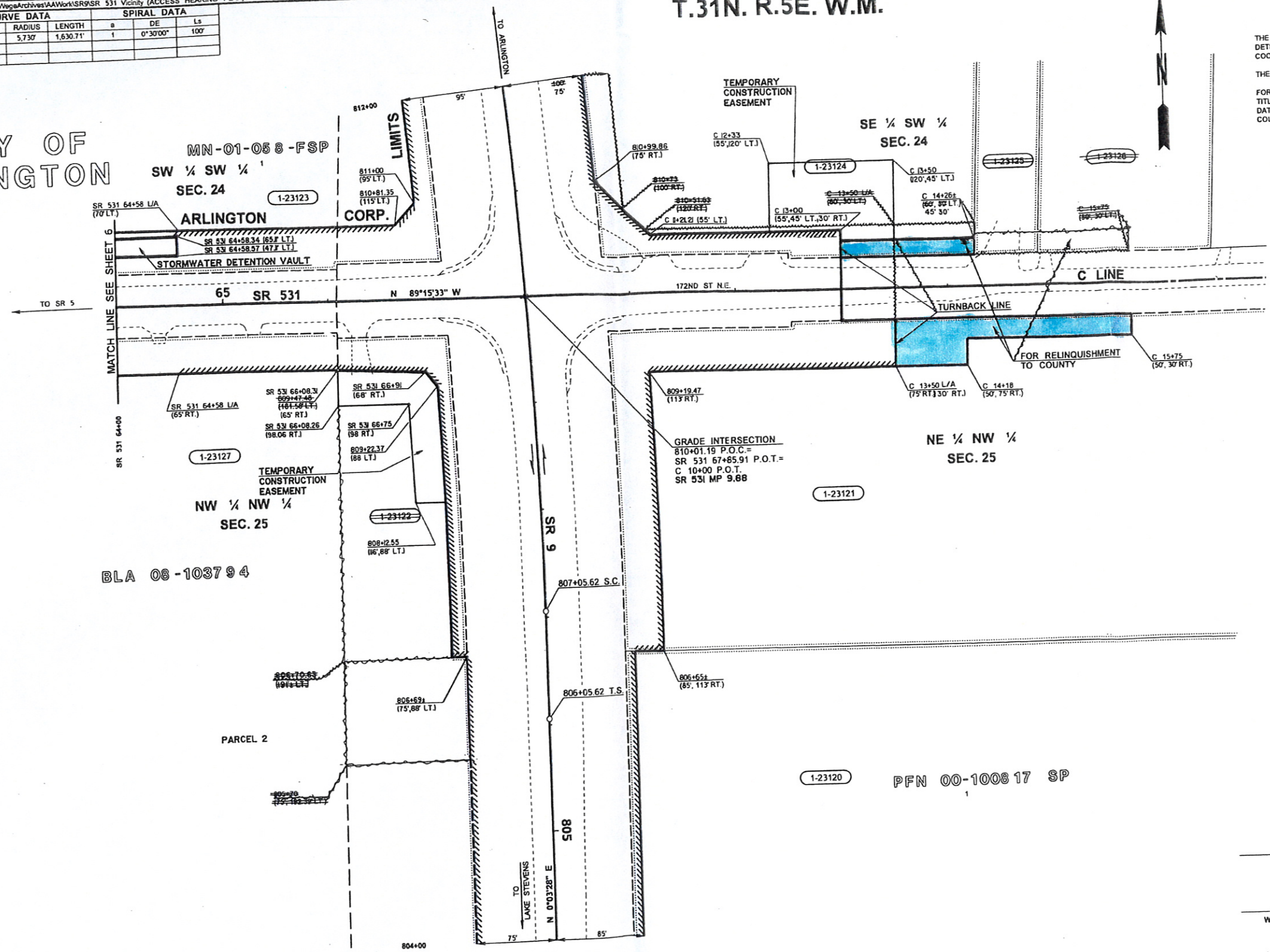
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westbys	9/24/2009	4:14:36 PM	Pkt 3	G:\WpgeArchives\AAWork\SR9\SR 531 Vicinity (ACCESS HEARING PLAN)\XL3325ROW_Sheet.dgn				
TOTAL CURVE DATA		CURVE DATA			SPIRAL DATA			
P.I. STATION	DELTA	TANGENT	DELTA	RADIUS	LENGTH	a	DE	Ls
815+27.63	17°18'21"	922.01'	16°18'21"	5.730'	1,630.71'	1	0°30'00"	100'

T.31N. R.5E. W.M.

CITY OF ARLINGTON

THE BASIS OF BEARINGS AND DISTANCES ARE DETERMINED FROM WASHINGTON STATE PLANE COORDINATE SYSTEM NORTH ZONE (NAD 83/91).
THE DISTANCES SHOWN ARE GROUND DISTANCES.
FOR SURVEY INFORMATION SEE RECORD OF SURVEY TITLED "SR 9 RIGHT-OF-WAY CENTERLINE ALIGNMENT", DATED JULY 1, 2002, RECORDED UNDER SNOHOMISH COUNTY AUDITORS FILE NO. 200209115002.



THIS PLAN SUPERSEDES SHEET 18 OF 21 SHEETS OF SR 9, LAKE STEVENS TO ARLINGTON, APPROVED JULY 12, 1955 AND SHEET 5 OF 6 SHEETS OF SR 9, LAKE STEVENS TO ARLINGTON PLAN SHOWING ACCESS, APPROVED MAY 31, 1955 AND SHEET 1 OF 1 SHEET OF SR 531, JCT. SR 9 VICINITY, ADOPTED JANUARY 12, 1996

EXHIBIT A

LIMITED ACCESS ESTABLISHED BY ASSISTANT SECRETARY OF ENGINEERING AND REGIONAL OPERATIONS, FINDINGS AND ORDER ADOPTED APRIL 7, 2010

SR 9

SR 531 VICINITY

SNOHOMISH COUNTY

RIGHT OF WAY AND LIMITED ACCESS PLAN
PARTIAL CONTROL
MP 25.93 TO MP 26.08
STATION 804+00 TO STATION 812+00

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION
OLYMPIA, WASHINGTON



APPROVED AND ADOPTED OCTOBER 8, 2009

John Neil Dye
RIGHT OF WAY PLANS MANAGER

9/30/09
Project Engineer
Expires 9-2-11
Limited Access Established by Council, Res. No. 255 June 22, 1955

SHEET 3 OF 6 SHEETS

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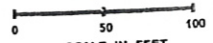
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OWNERSHIP SHOULD BE VERIFIED. PROPERTY RIGHTS SHOWN MAY NOT HAVE BEEN ACQUIRED BY WSDOT.

1-23127	SEE SHEET 2				
1-23126	NOT USED				
1-23125	NOT USED				
1-23124	THOMPSON	610,199	7958	602,241	805
1-23123	THE EVELYN ZAHRADNIK FAMILY LIMITED PARTNERSHIP IV	769,805	37,940	731,865	
1-23122	NOT USED				
1-23121	GRAY1 WASHINGTON, LLC	313,322	27,415		285,907
1-23120	SEE SHEET 2				
	TOTAL AREA		R/W	LT. REMAINDER RT.	EASMT

LEGEND

- ACCESS TO BE PROHIBITED SHOWN THUS
- PROPERTY OWNERSHIP NUMBERS
- PROPERTY LINES



Letter	Date	Revision Description	By
Letter 12-22-10	1-27-11	Revised Areas Parcel 1-23124, Revised R/W and L/A on Lt. Sta. C 11+21.25 to C 13+00 and on Rt. SR 9 810+55a to 812+00. Added T.C.E. on Lt. Sta. C 12+33 to C 13+50	CPB
Letter 10-7-10	10-28-10	Revised R/W and L/A Sta. 66+91 Rt.	CPB
Letter 8-19-10	9-23-10	Revised R/W and L/A Sta. 806+69a to SR 531 66+08.31 Rt.; Deleted Parcel 1-23122; Revised Boundary Parcel 1-23127; Added Stormwater Detention Vault on Lt. Sta. SR 531 64+00 to SR 531 64+58.57; Added T.C.E. Sta. 808+255 Lt. to SR 531 66+08.26 Rt.	CPB
Letter 3-8-10	4-15-10	Revised R/W and L/A on Lt. Sta. 805+70 to 806+70.63; Revised R/W on Lt. Sta. C14+26a to C 15+75; Added Supersedes Note; Deleted Parcels 1-23125 and 1-23126; Added Exhibit A and F&O Note	CPB
Reference	Approval	Revision Description	By