

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Adoption of Ordinance No. 891 - Accepting a Corrected Survey and Plat for Short Plat No. SHSP-98055 as Provided in RCW 58.10.030
<b>DEPARTMENT:</b>	City Manager's Office
<b>PRESENTED BY:</b>	Nathan Daum, Economic Development Manager
<b>ACTION:</b>	<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing <input type="checkbox"/> Discussion

**PROBLEM/ISSUE STATEMENT:**

In 2019, a surveying error was discovered in the recorded plat of the property immediately to the north of the former Shoreline Police Station (1206 N 185<sup>th</sup> Street) which is pending sale to Seawest Investment Associates at \$2.45 million. Taking action to correct the error will ensure official records accurately reflect the extent of land under the City's ownership and is required for the sale of this property to proceed.

Pursuant to RCW 58.10.030, the City Council is authorized by ordinance to cause a new and correct survey and plat to be made and recorded. On July 20, Council discussed proposed Ordinance No. 891 (Attachment A) to accept the corrected plat and directed that it be recorded with King County so as to rectify the error. Tonight, proposed Ordinance No. 891 is scheduled for Council adoption.

**RESOURCE/FINANCIAL IMPACT:**

The City has agreed to provide a new fence, estimated to cost approximately \$5,000, located on the consenting property owner's side of the correct property line after recording of the corrected plat. The sale of the former police station at \$2.45 million is dependent upon this corrective action with regard to property records.

**RECOMMENDATION**

Staff recommends that Council adopt proposed Ordinance No. 891 accepting the corrected survey and plat for Short Plat No. SHSP-98055 as provided in RCW 58.10.030.

Approved By:            City Manager **DT**    City Attorney **MK**

## **BACKGROUND**

In 2017, with the adoption of Resolution No. 411, the City Council declared the former site of the Shoreline Police Station (1206 N 185<sup>th</sup> Street) as surplus and authorized the sale of the property to assist in funding the construction of the new Police Station at City Hall. In February 2019, the City entered into a Purchase and Sale Agreement with Seawest Investment Associates (Buyer) for the former Police Station property.

In the course of due diligence, the Buyer commissioned North Peak Associates LLC to prepare a survey. This 2019 survey identified a scrivener's error on the adjacent Short Plat No. SHSP-98055, recorded in 1999. This 1999 survey, by Continental Engineering Company, erroneously placed the south line of SHSP-98055 one (1) foot south into the northern edge of the City's Police Station Property.

The owner of Continental Engineering Company, who prepared the 1999 plat, has since retired and sold his business to Tye Surveyors. Staff contacted Tye Surveyors who, based on their review of the field notes and the plats, confirmed that a scrivener's error had occurred. Tye Surveyors, while not required to, prepared a corrected plat as a professional courtesy free of charge.

On July 20, 2020, Council discussed proposed Ordinance No. 891 (Attachment A), to accept the corrected survey and plat for Short Plat No. SHSP-98055 as provided in RCW 58.10.030. The staff report for this Council discussion can be accessed at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2020/staffreport072020-8d.pdf>.

## **DISCUSSION**

Staff secured the written consent of two of three property owners to the recording of the corrected plat, SHSP-98055. This is a majority sufficient for a plat alteration. The City has agreed to provide a new fence, estimated to cost approximately \$5,000, located on the consenting property owner's side of the correct property line after recording of the corrected plat. Any existing fencing or other private property will be removed from the City's property.

RCW 58.10.030 states that the City Council is authorized and empowered by ordinance to correct a previously recorded plat and to have that plat recorded with the County. To accomplish this, staff has prepared proposed Ordinance No. 891 accepting the corrected survey and plat for SHSP-98055 (Attachment A, Exhibit A). Following Council adoption of proposed Ordinance No. 891, staff would record the corrected survey and plat with the King County Recorder's Office to rectify the error. With this clouding item removed from the title to the Property, the sale of the Property to Seawest Investments can proceed.

Tonight, proposed Ordinance No. 891 is scheduled for Council adoption.

### **RESOURCE/FINANCIAL IMPACT**

The City has agreed to provide a new fence, estimated to cost approximately \$5,000, located on the consenting property owner's side of the correct property line after recording of the corrected plat. The sale of the former police station at \$2.45 million is dependent upon this corrective action with regard to property records.

### **RECOMMENDATION**

Staff recommends that Council adopt proposed Ordinance No. 891 accepting the corrected survey and plat for Short Plat No. SHSP-98055 as provided in RCW 58.10.030.

### **ATTACHMENTS**

Attachment A: Proposed Ordinance No. 891

Attachment A, Exhibit A: Corrected Survey and Plat for Short Plat No-98055

**ORDINANCE NO. 891**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON  
ACCEPTING A CORRECTED SURVEY AND PLAT FOR SHORT PLAT  
NO. SHSP-98055.**

WHEREAS, Short Plat No. SHSP-98055 is a portion of Lot 7, Block 2 of Clive Addition to Echo Lake, Volume 15, Page 5 of King County Book of Plats (hereinafter, Short Plat); and

WHEREAS, the Short Plat was approved by the City of Shoreline on April 20, 1999, and recorded with the King County Recorder's Office, Recording No. 9904229001; and

WHEREAS, due to a pending sale of surplus city property adjacent to the Short Plat, in 2019 a surveyor scrivener error in the southern boundary line was discovered; and

WHEREAS, with the consent of a majority of property owners in the Short Plat, a resurvey has been performed and a corrected survey made; and

WHEREAS, pursuant to RCW 58.10.030, the City Council desires to accept and certify the corrected plat for recording;

**THEREFORE, THE CITY COUNCIL OF THE CITY OF  
SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1. Corrected Plat Approved.** The Corrected Survey for City of Shoreline Short Plat Number SHSP-98055, a reduced copy of which is set forth in Exhibit A to this Ordinance, is hereby accepted by the City Council as the new and correct survey and plat for Short Plat No. SHSP-98055. Nothing in this Ordinance modifies any dedications, easements, or other terms and conditions set forth in the original Short Plat as recorded under Recording No. 9904229001.

**Section 2. Recording of the Corrected Plat.** The City Clerk is hereby directed to cause a full-size version of the Corrected Survey for City of Shoreline Short Plat Number SHSP-98055, with a certified copy of this Ordinance, to be recorded with the King County Recorder's Office.

**Section 3. Severability.** Should any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any person or situation.

**Section 4. Publication and Effective Date.** A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five (5) days after its publication.

**PASSED BY THE CITY COUNCIL ON AUGUST 3, 2020**

\_\_\_\_\_  
Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:

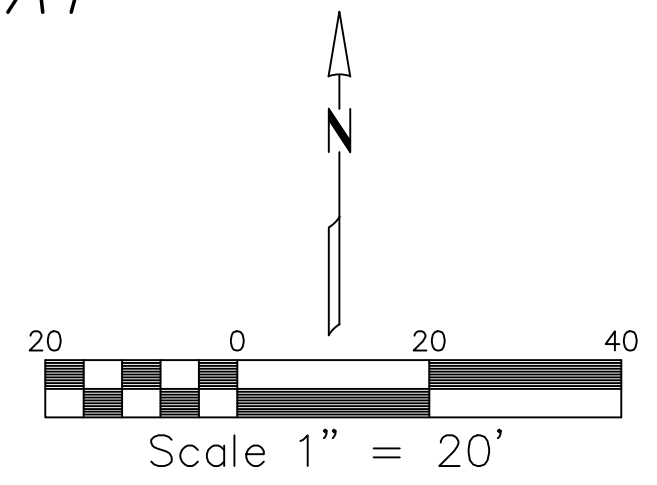
\_\_\_\_\_  
Jessica Simulcik Smith  
City Clerk

\_\_\_\_\_  
Julie Ainsworth-Taylor  
Assistant City Attorney

Date of Publication: \_\_\_\_\_, 2020

Effective Date: \_\_\_\_\_, 2020

# CORRECTION SURVEY FOR CITY OF SHORELINE SHORT PLAT NUMBER SHSP-98055



**MERIDIAN**

ASSUMED- BASIS OF BEARING ROAD CENTERLINE  
MIDVALE AVE N

**LEGAL DESCRIPTION**

SHORT PLAT SHSP-98055, RECORDS OF KING COUNTY  
WASHINGTON, REC. NO. 9904229001

**LEGEND**

- ⊠ FOUND LEAD AND TACK AS DESCRIBED ON MAP
- FOUND EXISTING PROPERTY CORNER AS DESCRIBED ON MAP
- ⊙ FOUND CONCRETE MONUMENT AS DESCRIBED ON MAP
- SET WOOD STAKE AND INDICATOR POST ON THE SOUTH LINE OF THE SHORT PLAT AS SHOWN.
- (C) CALCULATED DIMENSION
- (LS) LICENSED SURVEYOR
- (M) MEASURED DIMENSION
- (PG) PAGE
- (SP) SHORT PLAT
- (SUB) SUBDIVISION
- (VOL) VOLUME

**REFERENCES**

1. ALTA SURVEY FOR SEAWEST INVESTMENTS ASSOC. (R1)
2. PLAT OF MIDVALE COURT; VOL. 186, PG. 12-15  
REC. NO. 9808121515 (R2)
3. CITY OF SHORELINE SHORT SUBDIVISION SHSP-98055 REC.  
NO. 199904229001 (R3)

**EQUIPMENT & PROCEDURES**

A 5" ELECTRONIC TOTAL STATION WAS USED FOR THIS FIELD TRAVERSE SURVEY. ACCURACY MEETS OR EXCEEDS W.A.C. 332-130-090.

**CERTIFICATE OF CORRECTION**

THIS MAP IS A CORRECTION TO THE CITY OF SHORELINE SHORT PLAT NO. SHSP-98055 RECORDED UNDER KING COUNTY AUDITORS FILE NUMBER 199904229001 PURSUANT TO RCW 58.10.030.

THE ORIGINAL SHORT PLAT SHOWS DISTANCES OF 62.52 FEET FOR THE NORTH-SOUTH PROPERTY LINES OF LOTS 1, 2 AND 3. THE MAP ALSO SHOWS A DISTANCE OF 62.00 FEET FROM THE NORTH LINE OF THE LOTS TO THE SOUTH LINE. THE LEGAL DESCRIPTION OF THE ORIGINAL LOT IS THE SOUTH 62.00 FEET OF THE ORIGINAL LOT. FROM OUR FIELD WORK WE VERIFIED THE TIES TO MONUMENTATION OF THE SHORT PLAT AND FOUND THE CHAINLINK FENCE LYING SOUTH OF THE SHORT PLAT TO BE IN A SIMILAR POSITION AS SHOWN ON THE SHORT PLAT. WE ALSO FOUND AN IRON PIPE AND A PROPERTY CORNER BY CONTINENTAL ENGINEERING THAT APPEARS TO HAVE BEEN DISTURBED. WE BELIEVE THAT THE ORIGINAL DIMENSIONS OF "62.52" ARE A SCRIVNERS ERROR AND ARE HEREBY CORRECTING THESE DIMENSIONS TO 61.52' AS SHOWN HEREON.

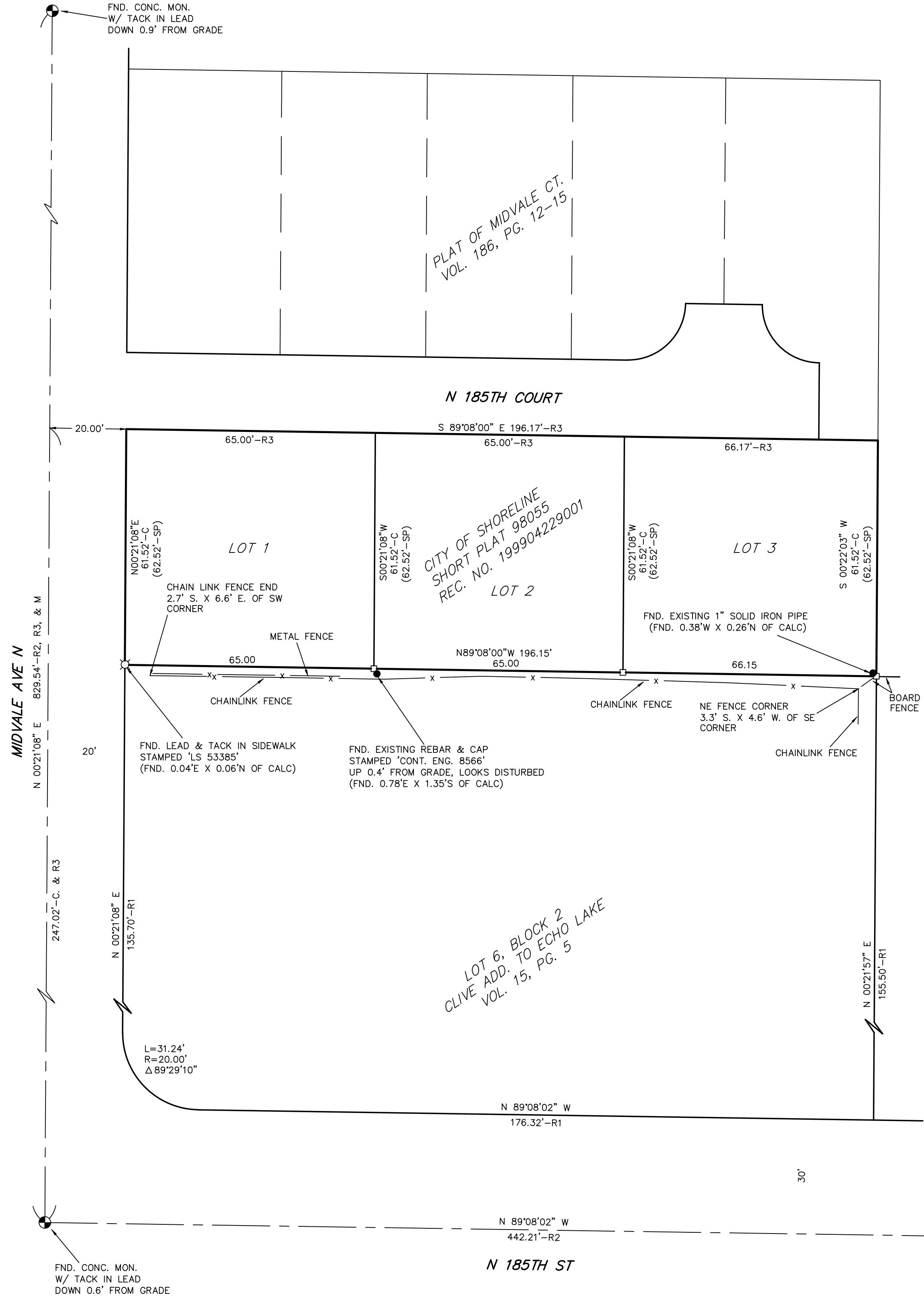
TYEE SURVEYORS USED A FIELD SURVEY AND THE ORIGINAL FILES OF CONTINENTAL ENGINEERING TO ESTABLISH THE MAP HEREIN.

*Timothy Griffin*  
TIMOTHY GRIFFIN, PLS



7/01/2020

SW1/4, SE1/4, SEC. 6, T. 26 N., R. 4 E., W.M.  
CITY OF SHORELINE, WASHINGTON



**RECORDERS CERTIFICATE**

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ OF SURVEYS AT PAGE \_\_\_\_\_ AT THE REQUEST OF \_\_\_\_\_

MANAGER \_\_\_\_\_ SUPT. OF RECORDS \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF \_\_\_\_\_ CITY OF SHORELINE \_\_\_\_\_ JULY \_\_\_\_\_ 2020

*Timothy Griffin*  
TIMOTHY A. GRIFFIN, PLS  
CERTIFICATE NO. 29276

**TYEE SURVEYORS**  
Tye Surveyors  
PROFESSIONAL LAND SURVEYORS  
10007 GREENWOOD AV. N. SEATTLE, WA. 98133 206-525-3660

DRAWN BY: AA	DATE: 7/01/2020	JOB NO.: 20056
CHKD BY: TG	SCALE: 1" = 20'	SHEET: 1 OF 1