

**MARYSVILLE FIRE DISTRICT
A REGIONAL FIRE AUTHORITY
RESOLUTION NO. 2026-005**

**A RESOLUTION OF THE MARYSVILLE FIRE DISTRICT, A REGIONAL FIRE AUTHORITY,
AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY AND PROPERTY INTERESTS BY
EMINENT DOMAIN FOR A FIRE STATION**

WHEREAS, Marysville Fire District, a regional fire authority, (the “District”) is authorized by applicable Washington law to acquire real property and property interests necessary for the provision of fire protection and emergency services and for other authorized public purposes; and

WHEREAS, the District has determined that acquisition of certain real property and/or property interests located at or commonly known as 14805 35th Avenue Northeast/14805 Smokey Point Blvd, Marysville, WA 98271, and legally described in Exhibit A attached hereto and incorporated herein by this reference (the “Property”), is necessary for the public use and purpose of a fire station; and

WHEREAS, the District intends to build and operate a new fire station to replace an existing fire station in service of the fire protection and emergency needs of the community. The existing fire station serving this area has extensive and costly maintenance, operational and safety issues and needs to be replaced at a new location. A new station located on the Property will be geographically well-situated to serve the fire protection and emergency service needs of the community. A new fire station at this location will be able to house additional firefighters and emergency equipment to effectively and efficiently respond to calls for service from the public.

WHEREAS, the District has attempted, or caused its representatives to attempt, to acquire the Property through good faith negotiations with the owner or owners thereof; and

WHEREAS, the District has been unable to acquire the Property and/or the necessary property interests on terms acceptable to the District; and

WHEREAS, the District has determined that acquisition of the Property and/or property interests is necessary to accomplish public safety and fire protection and emergency service purposes and that acquisition by eminent domain is authorized and appropriate if the District is unable to acquire the Property through voluntary agreement; and

WHEREAS, pursuant to RCW 8.25.290, the District provided notice of the planned final action to the property owner or owners of record by certified mail and by publication as required by law, including publication once a week for two successive weeks in the applicable legal newspaper or newspapers; and

WHEREAS, the District Board of Directors (“Board”) has provided an opportunity for public comment concerning the proposed condemnation and has considered the public necessity and

purpose of the proposed acquisition, the Property, the District's need for the Property, and the District's efforts to acquire the Property by negotiation; and

WHEREAS, the Board finds that acquisition of the Property and/or property interests described herein is necessary for a public use and that the District has a present need for the Property for a fire station;

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

Section 1. Public Use and Necessity.

The Board hereby finds and determines that acquisition of the Property and the property interests described in Exhibit A is necessary for a public use and purpose, specifically a fire station, and that acquisition of the Property is reasonably necessary to accomplish that public purpose.

Section 2. Authorization to Acquire Property by Eminent Domain.

The Board hereby authorizes the acquisition by eminent domain of the Property and the property interests described in Exhibit A, including all interests reasonably necessary to accomplish the public purpose identified in this Resolution.

The Board further authorizes the commencement and prosecution of condemnation proceedings if the District is unable to acquire the Property or the necessary property interests through voluntary agreement with the owner or owners.

Section 3. Compensation.

The District shall pay just compensation for the Property and property interests acquired through eminent domain as required by applicable law. The District is authorized to make offers, negotiate with property owners, and enter into agreements for the acquisition of the Property or property interests, provided that such agreements are otherwise authorized by law.

Section 4. Legal Proceedings.

The District's Fire Chief, and the District's legal counsel, are authorized and directed to take all actions reasonably necessary to commence, prosecute, and conclude condemnation proceedings for acquisition of the Property, including preparation and filing of a condemnation petition with the court, service of required notices and pleadings, participation in court proceedings to determine public use and necessity and just compensation, and execution of documents necessary to complete the acquisition.

Section 5. Authority to Negotiate.

The Fire Chief is authorized to continue negotiations with the owner or owners of the Property and, if an agreement can be reached on terms acceptable to the District, to acquire the Property

without completing the condemnation proceeding with such acquisition agreement being approved by the Board.

Section 6. Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this Resolution is determined to be invalid or unconstitutional by a court of competent jurisdiction, that determination shall not affect the validity of the remaining portions of this Resolution.

Section 7. Effective Date.

This Resolution shall take effect immediately upon adoption.

MARYSVILLE FIRE DISTRICT, A REGIONAL FIRE AUTHORITY

ADOPTED by the Marysville Fire District, A Regional Fire Authority, this 28th day of September 2026 by majority vote of the members.

BOARD OF DIRECTORS

Signed by:

63D2E2E7587C49B...
Board Chairperson

ATTEST:

Signed by:

B0AB257EFA7F49A...
District Secretary

EXHIBIT A

****LEGAL DESCRIPTION OF PROPERTY AND PROPERTY INTERESTS****

Property Interest to be acquired by MVFD: Fee Simple.

Owner: Point Smokey LLC

Street Address: 14805 35th Avenue Northeast/14805 Smokey Point Blvd, Marysville, WA 98271

County: Snohomish

Tax Account No's.: 31053300201500; 31053300202400; 31053300202500;
31053300300600

Legal Description:

THE NORTH 182.06 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON;

EXCEPT STATE RIGHT OF WAY ON WEST LINE OF SAID TRACT;

AND EXCEPT THE WEST 18.00 FEET FOR ROAD RIGHT-OF-WAY CONVEYED TO THE CITY OF MARYSVILLE PER DEED RECORDING NO. 200709250285;

AND EXCEPT THE WEST 2.00 FEET THEREOF;

AND EXCEPT THAT PORTION LYING EAST OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHEAST CORNER SAID NORTH 182.06 FEET;

THENCE NORTH 86°46'38" WEST, ALONG THE SAID NORTH LINE, 257.50 FEET;

THENCE SOUTH 02°17'14" WEST 179.81 FEET;

THENCE SOUTH 05°56'22" WEST 2.27 FEET TO THE SOUTH LINE OF SAID NORTH 182.06 FEET;

TOGETHER WITH THAT PORTION OF SECTION 33, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

THE NORTH HALF OF THE FOLLOWING DESCRIBED TRACT:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTH HALF OF THE NORTHWEST
QUARTER OF THE SOUTHWEST QUARTER;

THENCE SOUTH 98 FEET;

THENCE EAST 430 FEET;

THENCE NORTH 98 FEET;

THENCE WEST 430 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT 35TH AVENUE N.E.;

EXCEPT THE WEST 20.00 FEET FOR ROAD RIGHTOF-WAY CONVEYED TO CITY OF
MARYSVILLE PER DEED RECORDING NO. 200709250285.

AND EXCEPT THE EAST 56.00 FEET THEREOF;

SITUATE IN THE CITY OF MARYSVILLE, COUNTY OF SNOHOMISH, STATE OF WASHINGTON