

Recording Requested By And
When Recorded Mail To:

Skagit County
Department of Public Health
Attn: Corinne Story
700 South Second, Rm. 301
Mount Vernon, Washington 98273



201206290100
Skagit County Auditor

6/29/2012 Page 1 of 4 1:22PM

DOCUMENT TITLE: A RESOLUTION AUTHORIZING A SPECIAL ASSESSMENT TO
REIMBURSE SKAGIT COUNTY FOR COSTS INCURRED TO DEFRAY THE
COST OF ABATING A NUISANCE UNDER RCW 36.32.120(10)

REFERENCE NUMBER OF RELATED DOCUMENT: Skagit County Resolution no.
R20120191

DEBTOR: Andranita Roberts, a single woman.

CREDITOR: Skagit County, a political subdivision of the State of Washington.

LEGAL DESCRIPTION: ACRES 0.55, ADMIN ACCT P34206, TAX 9: DR 25: DK 25: INC.
M/H 1970 BROOKWOOD 44X20 SN 2022 TPO# &09027: THAT PORTION OF THE
SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP
35 NORTH, RANGE 3 EAST, W.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE
SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE NORTH 2 DEGREES 00'
WEST ALONG THE WEST LINE THEROF 673.12 FEET TO THE TRUE POINT OF
BEGINNING OF THIS DESCRIPTION; THENCE NORTH 88 DEGREES 00' EAST 145.05
FEET TO THE NORTHWEST CORNER OF THAT CERTAIN TRACT CONVEYED TO
ROBERT WATKINSON AND VERA WATKINSON, HUSBAND AND WIFE, BY DEED
RECORDED AUGUST 16, 1966 AS AUDITOR'S FILE NO. 686942; THENCE SOUTH 0
DEGREES 12' WEST ALONG THE WEST LINE OF SAID WATKINSON TRACT 185.87
FEET, MORE OR LESS, TO THE CENTER OF THE SAMISH RIVER; THENCE
WESTERLY ALONG THE CENTER OF THE SAMISH RIVER TO ITS INTERSECTION
WITH THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST
QUARTER; THENCE NORTH 2 DEGREES 00' WEST ALONG SAID WEST LINE TO THE
TRUE POINT OF BEGINNING. EXCEPT COUNTY ROAD ALONG THE WEST LINE
THEREOF.

ASSESSOR'S TAX / PARCEL NUMBER(S): XrefID: 350313-0-013-0006 / P34206

Resolution No. .

**A RESOLUTION AUTHORIZING A SPECIAL ASSESSMENT TO
REIMBURSE SKAGIT COUNTY FOR COSTS INCURRED TO
DEFRAY THE COST OF ABATING A NUISANCE UNDER RCW 36.32.120(10)**

WHEREAS under RCW 36.32.120(10), the Board of County Commissioners has the power to declare by ordinance what shall be deemed to be a nuisance within Skagit County; to prevent, remove, and abate the nuisance at the expense of the party creating, causing, or committing the nuisance; and to levy a special assessment on the land or premises on which the nuisance is situated to defray the costs of abatement or to reimburse the county for the cost of abating the nuisance, which special assessment shall constitute a lien against the property and be of equal rank with state, county, and municipal taxes; and

WHEREAS Andranita Roberts owns property at 8881 Ershig Road, Bow, Washington; and

WHEREAS this property is located adjacent to the Samish River and within the Lower Samish Marine Recovery Area; and

WHEREAS The Department of Health downgraded Samish Bay from approved to conditionally approved for commercial shellfish harvesting due to high levels of fecal coliform bacteria entering the Samish during rain events; and

WHEREAS Andranita Roberts has had a failed septic system on the property since 2011 which may contribute to increased fecal coliform levels in the Samish; and

WHEREAS Skagit County Department of Public Health directed Andranita Roberts to repair the failed septic system; and

WHEREAS Skagit County Planning and Development Services has issued a notice and order to abate to Andranita Roberts that directs her to repair the failed septic system; and

WHEREAS the maintenance of a failed septic system constitutes a public nuisance as defined by SCC 14.44.010(1); and

WHEREAS Andranita Roberts has insufficient means to pay for the cost of the repair herself; and

WHEREAS no reasonable, alternative means of enforcing the applicable provisions of the Skagit County Code other than abating the public nuisance at county expense exists; and

WHEREAS Andranita Roberts granted a Temporary Construction Easement to Skagit County on April 17, 2012 for the purpose of repairing the septic system, Skagit County Auditor number 201205230067; and

WHEREAS the County entered into contract #C20120227 with Happy Face Farms, Inc. to perform the septic system repair; and

WHEREAS the repair was completed and final approval of the repair occurred on June 7, 2012; and

WHEREAS abatement of the nuisance required a repair of the septic system that was funded by Skagit County as follows:

Permit Fees.....	\$ 450.00
Fee to Record Right of Entry .	\$ 66.00
<u>Happy Face Farms, Inc.....</u>	<u>\$4,859.87</u>
TOTAL.....	\$5,375.87

WHEREAS, in accordance with RCW 36.32.120(10), Skagit County may impose a special assessment on Andranita Roberts' property in the amount of \$5,375.87, which special assessment shall constitute a lien against the property, accrue interest at a statutory rate, and be of equal rank with state, county, and municipal taxes.

NOW, THEREFORE, BE IT RESOLVED that a special assessment in the amount of \$5,375.87, shall be levied on the property of Andranita Roberts at 8881 Ershig Road, Bow, Washington, in accordance with RCW 36.32.120(10).

WITNESS OUR HANDS AND THE OFFICIAL SEAL OF OUR OFFICE this 18 day of June, 2012.

**BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

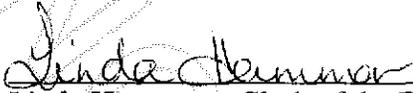
Kenneth A. Dahlstedt
Kenneth A. Dahlstedt, Chair

Sharon Dillon
Sharon Dillon, Commissioner

Ron Wesen
Ron Wesen, Commissioner

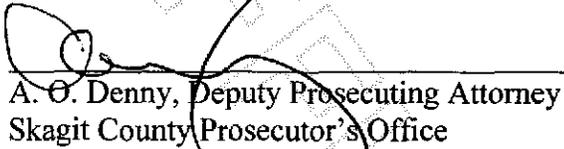


ATTEST:



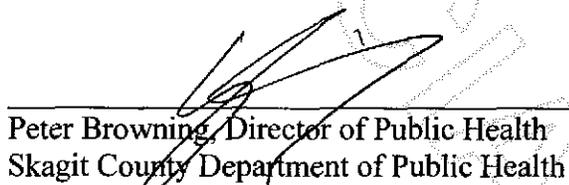
Linda Hammons, Clerk of the Board

APPROVED AS TO FORM:



A. G. Denny, Deputy Prosecuting Attorney
Skagit County Prosecutor's Office

APPROVED AS TO CONTENT:



Peter Browning, Director of Public Health
Skagit County Department of Public Health

