

ORDINANCE NO. 1392

AN ORDINANCE approving the Petition For Annexation, filed with the Town of Friday Harbor on August 19, 2008, concerning certain real property, portions of which are commonly referred to as "The Buck Property".

WHEREAS, on August 19, 2008, the Town received a Petition For Annexation of certain real property (hereinafter "the Property"), located adjacent to the Town's present corporate limits, said Property being legally described in Exhibit A hereto; and

WHEREAS, a very substantial portion of the Property is owned by members of the Buck family (hereinafter "the Bucks"), who wish to develop the same in a manner that, according to professional studies provided to the Town, would have unacceptable impacts on the Town's utilities and streets; and

WHEREAS, the Bucks, in order to mitigate the unacceptable impacts that would result from an unconditional annexation of the Property, voluntarily offered to enter into a binding legal agreement (hereinafter "the Development Agreement") that would impose limitations and conditions on their rights to develop their portion of the Property if it was annexed; and

WHEREAS, by adoption of Resolution No. 1712, the Town Council approved the Development Agreement proposed by the Bucks, and authorized the Mayor to sign the same if the Bucks were to execute and return to the Town two originals by a date not later than September 15, 2009; and

WHEREAS, the Bucks have executed two originals of the Development Agreement and returned both to the Town on June 3, 2009; and

WHEREAS, pursuant to the provisions of Resolution No. 1712, the Mayor has signed both originals of said Agreement on June 3, 2009; and

WHEREAS, pursuant to Section 2 of Resolution No. 1712, the Town Council is now obligated to adopt an ordinance annexing the Property, with said ordinance to have an effective date that is Forty-Five (45) days after its adoption.

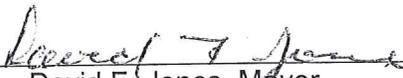
NOW THEREFORE BE IT ORDAINED by the Council of the Town of Friday Harbor; as follows:

SECTION 1. Annexation - The Petition For Annexation filed with the Town of Friday Harbor on August 19, 2008 is hereby approved and the entirety of the real property that is described in Exhibit A hereto shall become annexed into and become a part of the Town of Friday Harbor on the effective date set forth in Section 2, below.

SECTION 2. Effective Date - This ordinance shall become effective on August 2, 2009, and the real property described in Exhibit A hereto shall, for all purposes, be included within the corporate boundaries of the Town of Friday Harbor on and after that date.

ADOPTED this 18th day of June, 2009.

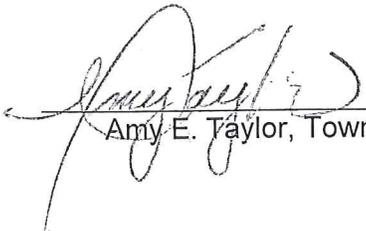
TOWN OF FRIDAY HARBOR



David F. Jones, Mayor

SEAL of the
Town of Friday Harbor

ATTEST:



Amy E. Taylor, Town Clerk

EXHIBIT A

1. TAX PARCEL 351313005 :

That portion of Government Lots 4 and 5 in Section 13, Township 35 North, Range 3 West, W.M. which lies Westerly and Southerly of the existing County Road, County Road #6, known locally as Turn Point Road; EXCEPT that portion of said lot 4 heretofore conveyed to and for the benefit of Friday Island Estates, Inc. for a parking lot; and

The north half of the East half of the Northeast quarter of the Southwest quarter (N $\frac{1}{2}$, E $\frac{1}{2}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$) of Section 13 herein described.

2. TAX PARCEL 351313002

A portion of Government Lot 4, Section 13, Township 35 North, Range 3 West, W.M., in San Juan County, Washington, described as follows:

Commencing at the Southwest corner of the tract deeded to the University of Washington on April 10, 1910 by deed recorded at page 479 of Volume 11 of Deeds, records of San Juan County, Washington which corner is marked by an iron pipe driven four inches above the ground and described in various deeds as being 1,065.96 feet South and 2,239.58 feet East of the corner common to Sections 11, 12, 13, and 14 of said Township and Range; in other deeds as being 1,065.96 feet South and 2,359.58 feet East of said corner and still in others as being 1,108.71 feet South and 2,335.75 feet East of said corner, run thence South 64°15' East 189.1 feet to the Northwest corner of a certain tract land described by deed at page 342 of Volume 21 of Deeds, Records of San Juan County, Washington;

THENCE along the boundary of said certain tract South 60°27' East 42.8 feet;

THENCE, South 50°30' East 93.9 feet;

THENCE, South 52.6 feet to an old stake in a mound of rock in the one sixteenth line between Government Lots 3 and 4 of said Section 13 and the TRUE POINT OF BEGINNING of the following described parcel of land;

THENCE, from said TRUE POINT OF BEGINNING South 224.6 feet along the West boundary of said Government Lot 4;

THENCE, South 77°50' East 133.4 feet;

THENCE, North 12°04' West 292.7 feet;

THENCE, North 50°30' West 90 feet more or less to a point on the said West Boundary of said Government Lot 4;

THENCE, South along said West Boundary 92 feet more or less to the said POINT OF TRUE BEGINNING;

EXCEPT any portion lying within Harrison Street along the North line thereof;

AND TOGETHER WITH, an easement over and across a 30 foot strip of land for roadway purposes only, said strip extending from and lying Northerly of the Southerly boundary of a certain tract of land described by deed recorded at page 420 of Volume 36 of Deeds, Records of San Juan County, Washington, said Southerly boundary line having a beginning at the most Southerly point of said parcel and running thence North 66°37' East 145 feet more or less to the County Road.

3. TAX PARCEL 351313003

A portion of Government Lot 4, Section 13, Township 35 North, Range 3 West, W.M., in San Juan County, Washington, described as follows:

Commencing at the Southwest corner of the tract deeded to the University of Washington on April 10, 1910, by deed recorded at Page 479 of Volume 11 of Deeds, records of San Juan County, Washington which corner is marked by an iron pipe driven four inches above the ground and described in various deeds as being 1,065.96 feet South and 2,329.58 feet East of the corner common to Sections 11, 12, 13, and 14 of said township and range; in other deeds as being 1,065.96 feet South and 2,359.58 feet East of said corner and still in others as being 1,108.71 feet South and 2,355.75 feet East of said corner; run thence South 64°15' East 189.1 feet to the Northwest corner of a certain tract of land described by deed at Page 342 of Volume 21 of Deeds, records of said county;

THENCE, along the boundary of said certain tract South 60°27' East 42.8 feet;

THENCE, South 50°30' East 93.9 feet;

THENCE, South 52.6 feet to and old stake in a mound of rock in the sixteenth line between Government Lots 3 and 4 of said Section 13;

THENCE, from said stake South 224.6 feet;

THENCE, South 77°50 East 133.4 feet to the TRUE POINT OF BEGINNING of the following described parcel of land;

THENCE, from said TRUE POINT OF BEGINNING North 66°37 East 145.0 feet;
THENCE, North 23°22' West 210.5 feet;

THENCE, North 23°23'30" West 103.5 feet;

THENCE, Westerly 10 feet, more or less, to the most Easterly corner of an addition tract of land deeded on the above said page 342;

THENCE, South 45°West 84.0 feet;

THENCE, South 12°04' East 292.7 feet to said TRUE POINT OF BEGINNING' EXCEPT portion lying Easterly or Northerly of County Road as conveyed to San Juan County under Auditor's File No. 67532, records of said county.