



ORDINANCE NO. 3391-14

**AN ORDINANCE Annexing Property
Located East of 19th Avenue SE, Between
106th Place SE and 108th Street SE,
The Holdeman Annexation**

WHEREAS; pursuant to RCW 35.13.130, a petition was presented to the City Council proposing the annexation of certain property; and

WHEREAS, the petition which was filed pursuant to RCW 35.13.130 was signed by owners of more than sixty percent of the total assessed valuation of the property proposed to be annexed; and

WHEREAS, the 60 percent petition was found to meet the requirements of RCW 35.13.130 and was certified by the Snohomish County Auditor's Office on October 23, 2013; and

WHEREAS, the City Council did conduct a public hearing on December 18, 2013 for the sixty percent petition, for which proper notice of hearing was provided; and

WHEREAS, following the public hearing, the City Council determined to annex all of the property described in the sixty percent petition; and

WHEREAS, the Snohomish County Boundary Review Board did not invoke jurisdiction on this proposal, and gave notice to proceed with the annexation on April 1, 2014; and

WHEREAS, the City Council finds that the proposed annexation is in the best interests of the citizens of Everett;

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN THAT:

Section 1: The property described below is hereby annexed to the City of Everett:

Legal Description of annexation area - perimeter

HOLDEMAN ANNEXATION: LEGAL DESCRIPTION

IT IS THE INTENT OF THIS LEGAL DESCRIPTION TO FOLLOW THE EXISTING CORPORATE CITY LIMITS OF EVERETT. REFERENCES HEREIN ARE MEANT TO CONVEY THAT ALTHOUGH PRESENT RIGHTS OF WAY BOUNDARIES MAY BE DIFFERENT, THE RIGHTS OF WAY BOUNDARIES AT THE TIME OF THE ORIGINAL INCORPORATION AND SUBSEQUENTLY ADOPTED ORDINANCES ARE INTENDED TO BE FOLLOWED SO THAT NO GAP OR OVERLAP EXISTS BETWEEN THIS ANNEXATION AND THE EXISTING CITY LIMITS OF EVERETT.

Beginning at the northeast corner of Lot 1, Plat of Fir Grove Addition, according to the plat thereof, recorded in Volume 25 of plats, Page 31, records of Snohomish County, Washington.
Thence, south along the east lot line of Lot 1, to the southeast corner of Lot 1, and the True Point of Beginning;

Thence, continuing south along the southerly projected east lot line of Lot 1 to intersect the northeast corner of Lot 31, Plat of Fir Grove Addition;

Thence, south along the east lot line of Lot 31, Plat of Fir Grove Addition to the southeast corner of Lot 31; said point also being the southwest corner of Lot 30, Plat of Fir Grove Addition;

Thence, east along the south lot line of Lot 30, to a point that is 6 feet distant from and east of the northwest corner of Lot 1, Plat of Mary-Ann Tracts, according to the plat thereof, recorded in Volume 27 of plats, Page 14, records of Snohomish County, Washington;

Thence, southerly from said point along a line that is parallel with and equally 6 feet distant from the west lot line of Lot 1, Plat of Mary-Ann Tracts, to intersect the south lot line of said Lot 1,

Thence, east along the south lot line of said Lot 1 to the southeast corner of Lot 1,

Thence, south along the west lot line of Lot 2, Plat of Mary-Ann Tracts to intersect the north lot line of Lot 1; Plat of Wilbur-Wood, according to the plat hereof, recorded in Volume 24 of plats, Page 81, records of Snohomish County, Washington;

Thence, west along the north lot line of Lot 1, Plat of Wilbur-Wood to the northwest corner of said lot 1;

Thence, south along the west lot line of said lot 1 and the southerly projection thereof to intersect the north lot line of Lot 6, Plat of Wilbur-Wood;

Thence, west along the north lot line of Lot 6 to the northwest corner of Lot 6, Plat of Wilbur-Wood;

Thence, north along the northerly projected west lot line of said Lot 6 to intersect the north right of way line of 108th Street SE, as it existed per Ordinance No. 2404-89, effective date 9-30-1999;

Thence, west along said north right of way line of 108th Street SE to intersect the east right of way line of 19th Ave SE, as it existed per Ordinance No. 4318, effective date 9-18-1968;

Thence, north along said east right of way line of 19th Ave SE to intersect the north right of way line of 106th Place SE, as it existed per Ordinance No. 1536-88, effective date 11-10-1988;

Thence, east along said north right of way line of 106th Place SE to the southeast corner of Lot 1, Plat of Fir Grove Addition, and the true **point of beginning**;

All situate in the County of Snohomish, State of Washington.

Section 2: Map Attached

Attached hereto and incorporated herein is a map (Exhibit "A") which identifies the land area being annexed.

Section 3: Assumption of Indebtedness

Upon annexation, the land area described in Section 1 shall become a part of the City, and shall be subject to all of its laws and ordinances then and thereafter in force. Upon annexation of the above-described land area, all property within the area shall be assessed and taxed at the same rate as other property located within the City, but will not be required to assume indebtedness. In addition, the annexed area will remain responsible unto any other lawfully formed municipal corporation to which the property is obliged at the time of annexation subject to a specific lien. Further, since the City may incur additional operating expenses in supplying water or sewage to persons who are located within the annexed area, utility rates for the property described in Section 1 may vary from rates of other areas within the City.

Section 4: Land Use Designation

The existing Comprehensive Plan map designation of 4.3 (Office), is hereby affirmed as the Comprehensive Plan designation for the annexation area, according to the land use designation boundaries depicted on the attached map (Exhibit "B").

Section 5: 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 other person or situation. The City Council of the City of Everett hereby declares that it would have adopted this Ordinance and each section, subsection, paragraph, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 6: Effective Date

That the official map in the Planning and Community Development Department of the City of Everett shall upon the effective date of this Ordinance, be amended as herein provided, annexing the area into the City, and henceforth said property shall be used in accordance with the comprehensive plan map designations as depicted, and as provided by Ordinance No. 1671-89, as amended (Title 19, E.M.C.).

Section 7: Notice to Snohomish County

The City Clerk of the City of Everett is hereby directed upon passage of this Ordinance of annexation to deliver and to file with the Snohomish County Council, the Snohomish

County Auditor, the Snohomish County Boundary Review Board and the State of Washington, a certified copy of this ordinance of annexation.

Section 8: City Clerk Authorized to Make Certain Corrections.

The City Clerk is authorized to make necessary corrections to this Ordinance including, but not limited to the correction of scrivener's / clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.


Ray Stephanson, MAYOR

ATTEST:


Sharon Fuller, CITY CLERK

Passed:	<u>6/18/14</u>
Valid:	<u>6/23/14</u>
Published:	<u>6/27/14</u>
Effective Date:	7/8/2014

Exhibit A

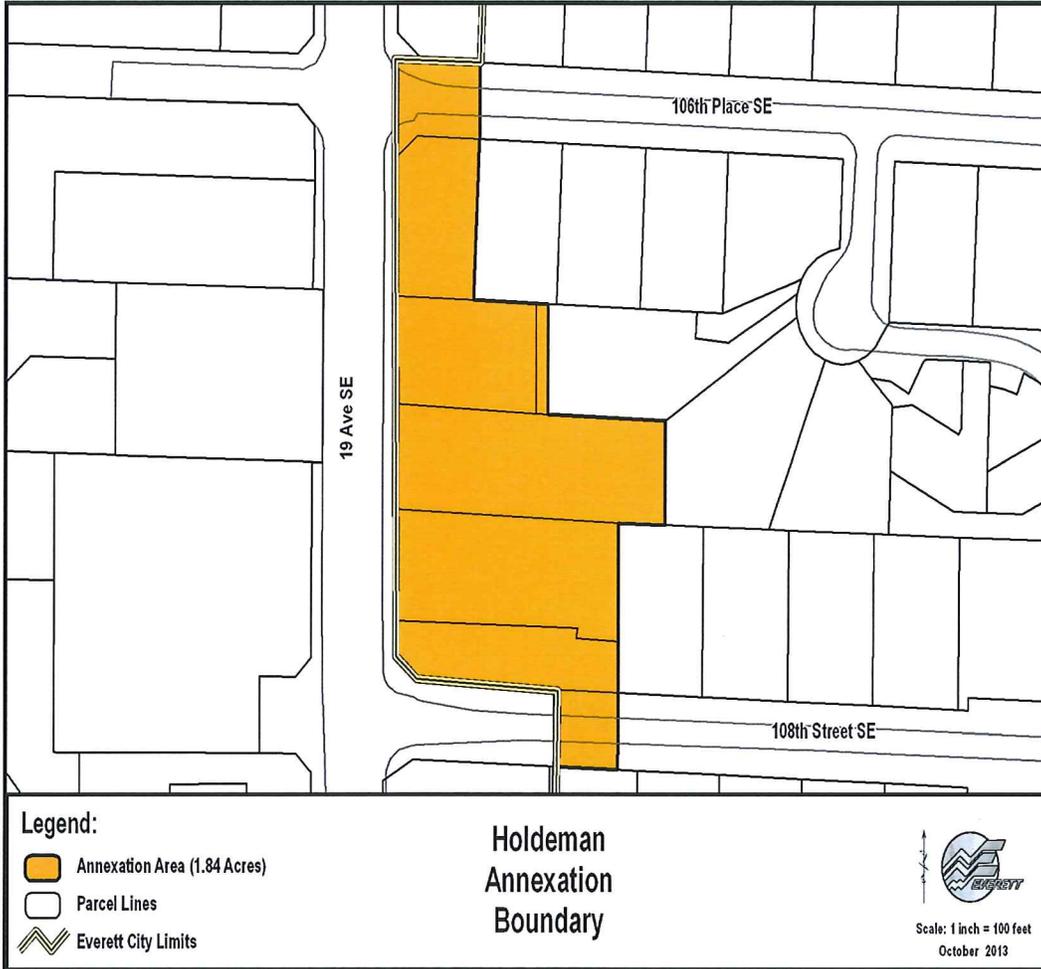
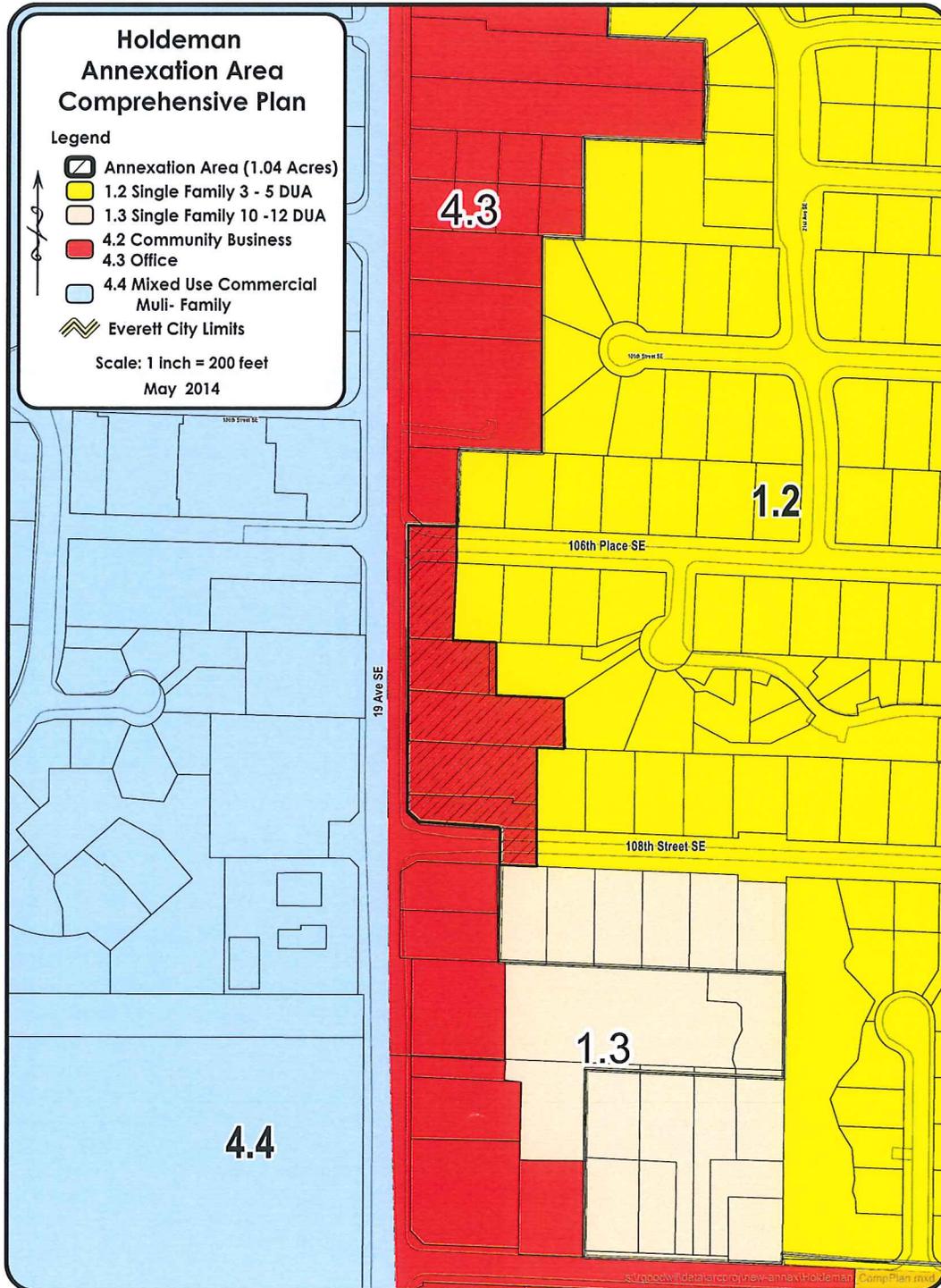


Exhibit B



City Council
Planning Department Staff Report
Holdeman Annexation and Zoning

June 4, 2014

A. Summary

City Council is asked to finalize the Holdeman Annexation and set zoning on the subject area.

Following Council action a population census will be carried out, the State Office of Financial Management will certify the annexation as complete and made part of the City of Everett, and affected State agencies, service providers and interested individuals will be notified.

The zoning ordinance is presented under separate cover.

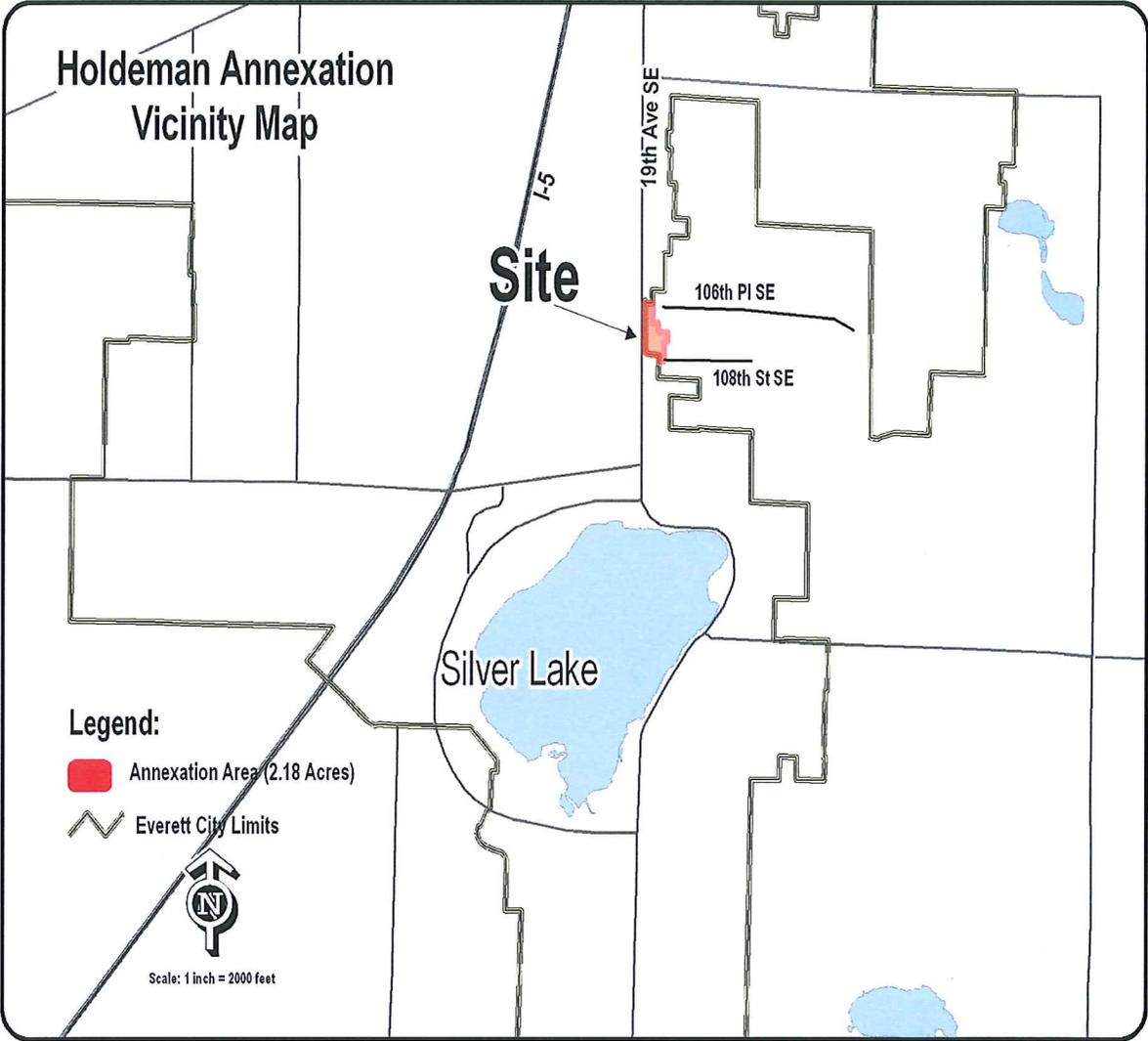
B. Background

An annexation petition representing more than 60% of the assessed valuation was submitted by Mrs. Holdeman, a property owner in the annexation area, and accepted for presenting to the Snohomish County Boundary Review Board by City Council on December 18, 2013.

The annexation was then submitted to the Snohomish County Boundary Review Board for review. The BRB held a 45 day review period of the annexation during which there were no requests for further review by affected agencies and individuals. As a result, the BRB officially notified the City that it could move forward with the formal process of bringing the annexation area and its population into the City of Everett. The Notice of Approval, dated April 1, 2014, is attached.

Planning Commission held a public hearing on zoning of the annexation area on May 6, 2014, recommending that zoning be set at B-2(B) (Office).

C. Vicinity map



C. Boundary map

