

CITY OF ARLINGTON, WASHINGTON

ORDINANCE NO. 1465

AN ORDINANCE CORRECTING THE LEGAL DESCRIPTION OF ORDINANCE 1458,  
EFFECTING THE ANNEXATION COMMONLY KNOWN AS THE ISLAND CROSSING  
ANNEXATION

WHEREAS, the matter of the passage of this ordinance came before the City Council this day; and

WHEREAS, the City Council previously approved the annexation of what is commonly known as the Island Crossing annexation by Ordinance 1458, adopted on November 17, 2008, which ordinance was upheld by decision of the Snohomish County Superior Court under Snohomish County Superior Court case #08-2-10251-1; and

WHEREAS, the City and Snohomish County have determined that the legal description used in Ordinance 1458 and that contained in Ordinance 1464, which amended the legal description on March 16, 2009, contained a minor error as a result of right of way overlapping; and

WHEREAS, the City wishes to correct the error in legal description;

NOW THEREFORE, THE CITY COUNCIL OF ARLINGTON, WASHINGTON DO HEREBY ORDAIN AS FOLLOWS:

Section 1. The legal description attached hereto as Exhibit "A" shall be substituted for the legal description used in Ordinance 1464, and said property shall be annexed to and included within the corporate limits of the City of Arlington as though fully set forth therein, said property to be assessed and taxed at the same general rate and on the same general basis as the property in the City of Arlington is assessed and taxed to pay for any presently outstanding indebtedness of the City of Arlington which has been contracted prior hereto, or exists at, the date of the annexation.

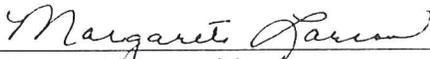
Section 2. The resident population of the annexed area shall be determined by, or under the direction of the Mayor, and the certificate shall be submitted, all in accordance with RCW 35A.14.700; the City Clerk shall submit five certified copies of this ordinance to the County Council of Snohomish County, through the Snohomish County Boundary Review Board; the City Clerk shall submit a certified copy of this ordinance to the Washington Survey and Rating Bureau; and the City Clerk shall take such other action as is required by law as a result of this annexation.

Section 3. If any provision, section, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. This ordinance shall be effective five days after its passage and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor, at a regular meeting of the City Council called on the 6<sup>th</sup> day of April, 2009.

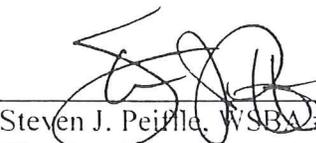
CITY OF ARLINGTON

  
\_\_\_\_\_  
Margaret Larson, Mayor

ATTEST:

  
\_\_\_\_\_  
Kathy Peterson, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Steven J. Peirla, WSBA #14704  
City Attorney

## Island Crossing Annexation to the City of Arlington

### Land Description (Amended March 23, 2009)

That portion of Section 8, Section 16, and Section 17 of Township 31 North, Range 5 East, W.M., situated in the County of Snohomish, State of Washington, described as follows;

**Beginning at the Northeast Corner of the Southwest Quarter of said Section 8;** thence South 0°42'45" West along the east line of the Southwest Quarter of said Section 8, for a distance of 54.48 feet to the south right-of-way margin of State Route 530; thence North 87°41'41" East along said south right-of-way **margin for a distance of 358.60 feet** to the easterly right-of-way margin of the public road conveyed to Snohomish County by deed recorded under Volume 202 of Deeds, Page 463, records of Snohomish County, Washington; thence southwesterly along said easterly right-of-way, along a non-tangent curve to the left, from which the radius point bears South 22°09'18" East, having a radius of 553.00 feet, for an arc length of 542.61 feet to the east line of the West 30.00 feet of the Southeast Quarter of said Section 8; thence South 0°42'45" West along said east line, for a distance of 2005.06 feet to the north line of said Section 17; thence South 1°09'28" West along the east line of the West 30.00 feet of the Northeast Quarter of said Section 17, for a distance of 1169.62 feet to the east right-of-way margin of Old P.S.H. No. 1 as shown on the W.S.D.O.T. plans dated approved Sept. 7, 1966; thence South 25°05'58" East along said east margin, for a distance of 180.43 feet; thence South 35°33'51" East along said east margin, for a distance of 251.67 feet; thence South 30°10'16" East along said east Margin, for a distance of 376.20 feet; thence South 7°51'09" East along said east margin, for a distance of 80.71 feet to the northwest corner of that certain parcel of land conveyed by deed recorded under AFN 200208050937, records of Snohomish County, Washington; thence South 89°24'54" East along the north line of said AFN 200208050937, for a distance of 307.87 feet; thence South 1°06'38" West along the east line of said AFN 200208050937, the east line of that certain tract of land conveyed by deed recorded under AFN 200008020300, records of Snohomish County, Washington, and the southerly extension thereof, for a distance of 619.60 feet to the north line of that certain tract of land conveyed by deed recorded under AFN 2379142, records of Snohomish County, Washington; thence South 89°30'11" East along the north line of said AFN 2379142, for a distance of 134.16 feet to the northeast corner of said AFN 2379142; thence South 1°06'38" West along the east line of said AFN 2379142, for a distance of 100.00 feet to the north line of the Southeast Quarter of said Section 17, being also the northeast corner of that certain tract of land conveyed by deed recorded under AFN 2176257, records of Snohomish County, Washington; thence South 25°20'49" East along the east line of said AFN 2176257, for a distance of 200.00 feet, thence North 89°30'11" West parallel with said north line, for a distance of 200.00 feet to the east right-of-way margin of Smokey Point Blvd.; thence South 25°20'49" East along said east right-of-way, for a distance of 671.52 feet to the north line of that certain tract of land conveyed by deed recorded under AFN 1791782, records of Snohomish County, Washington; thence South 70°36'31" East along said north line, for a distance of 938.66

feet to the northeast corner of said AFN 1791782; thence South 0°52'38" West along the east line of said AFN 1791782, for a distance of 80.00 feet to the northwest corner of Parcel "B" as described under AFN 2291602, records of Snohomish County, Washington; thence South 88°58'26" East along the north line of said Parcel "B", for a distance of 84.79 feet to the northeast corner of said Parcel "B"; thence South 1°21'14" West along the east line of said Parcel "B", for a distance of 150.00 feet; thence South 15°44'10" West along the east line of said Parcel "B", for a distance of 2.79 feet to the north line of the Southeast Quarter of the Southeast Quarter of said Section 17; thence South 89°14'42" East along said north line, for a distance of 570.87 feet to the northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 17; thence South 0°57'47" West along the east line of the Southeast Quarter of the Southeast Quarter of said Section 17, for a distance of 512.31 feet; thence South 89°02'13" East for a distance of 658.41 feet to the northwest corner of that certain tract of land conveyed by deed recorded under AFN 200212031514, records of Snohomish County, Washington, being a point on the west line of the East Half of the West Half of the Southwest Quarter of said Section 16; thence South 0°48'25" West along said west line, for a distance of 797.72 feet to the north right-of-way margin of 188th Street N.E.; thence North 88°32'51" West along said north right-of-way for a distance of 660.51 feet to the east line of said Section 17; **thence North 88°59'16" West along said north right-of-way, and the extension thereof, for a distance of 877.90 feet to a point on the south extension of the east line of Lot 4, according to the Smokey Point Business Park Binding Site Plan, as recorded under Auditors File No. 200403195143, records of Snohomish County, Washington; thence North 88°59'16" West, a distance of 449.11 feet to a point on the southerly extension of the west line of Lot 3 of said Binding Site Plan; thence North 88°59'16" West, along the said north right of way margin of 188<sup>th</sup> Street N.E., a distance of 539.21 feet to a point 219.44 feet east of, as measured perpendicular from, the principal centerline of S.R. 5 as shown on the W.S.D.O.T. plans dated approved Sept. 7, 1966; thence North 0°39'01" West for a distance of 270.11 feet to the southwesterly corner of Rest Area No. RAI-D-128 lying East of the said principal centerline as shown on said S.R. 5 plans; thence South 88°59'16" East along the boundary of said Rest Area, for a distance of 547.60 feet; thence North 1°07'46" East along the boundary of said Rest Area, for a distance of 931.69 feet; thence South 65°21'45" West along the boundary of said Rest Area, for a distance of 156.19 feet; thence North 20°43'52" West along the boundary of said Rest Area, for a distance of 178.13 feet; thence North 89°13'05" West along the boundary of said Rest Area, for a distance of 533.03 feet to the Easterly margin of said S. R. 5; thence North 5°43'50" West, along the Easterly margin of said S. R. 5 for a distance of 637.74 feet; thence North 9°18'24" West, along the said Easterly margin, a distance of 400.78 feet; thence North 5°43'50" West along said easterly margin, a distance of 528.02 feet; thence continuing along said margin northwesterly along a curve to the left, having a central angle of 3°45'12", a radius of 3970.00 feet, and an arc length of 260.07 feet; thence South 89°28'12" East along said easterly margin, a distance of 111.56 feet; thence North 11°00'00" West along said easterly margin, a distance of 212.62 feet; thence continuing along said margin Northwesterly along a curve left, having a central angle of 22°00'00", a radius of 685.00 feet, an arc length of 263.02 feet; thence North 33°00'00" West, along said margin, a distance of**

440.26 feet; thence continuing along said margin Northerly, along a curve to the right, having a central angle of 33°38'42", a radius of 315.00 feet, an arc length of 184.97 feet; thence North 88°50'32" West, along said east margin, a distance of 23.56 feet; thence North 1°09'28" East along said easterly margin, for a distance of 74.91 feet to an angle point on the east right-of-way margin of S.R. 5 as shown on said W.S.D.O.T. plans; thence northerly along said east right-of-way, along a non-tangent curve to the left, from which the radius point bears South 64°15'49" West, having a radius of 3970.00 feet, through a central angle of 4°08'39", for an arc distance of 287.15 feet; thence North 29°52'50" West along the said east right-of-way of S.R. 5 dated September 7, 1966, and the east right-of-way of S.R. 5 as shown on W.S.D.O.T. plans dated approved Oct. 4, 1955 and June 4, 1963, for a distance of 2643.43 feet; thence North 25°35'29" West along said east right-of-way, for a distance of 401.12 feet; thence North 15°50'39" West along said east right-of-way, for a distance of 185.54 feet; thence North 2°08'32" West along said east right-of-way, for a distance of 267.30 feet; thence North 0°57'52" East leaving said right-of-way, for a distance of 210.34 feet to a point 100.00 feet north of the I-E centerline station 202+75 of said W.S.D.O.T. plans, as measured perpendicular from said centerline; thence North 37°50'35" West along said east right-of-way, for a distance of 172.05 feet; thence North 69°32'23" West along said east right-of-way, for a distance of 334.40 feet; thence North 51°40'55" West along said east right-of-way, for a distance of 188.48 feet; thence North 35°35'28" West along said east right-of-way, for a distance of 201.00 feet; thence North 29°52'50" West along said east right-of-way, for a distance of 50.01 feet to the north line of that certain tract of land conveyed by deed recorded under AFN 9706020703, records of Snohomish County, Washington; thence North 88°16'25" East along said north line, for a distance of 731.41 feet to the west line of that certain tract of land conveyed by deed recorded under AFN 200308200203, records of Snohomish County, Washington; thence North 0°53'59" East along said west line, for a distance of 31.52 feet to the northwest corner of said AFN 200308200203; thence North 87°39'51" East along the north line of said AFN 200308200203, for a distance of 417.33 feet to the west line of that certain tract of land conveyed by deed recorded under AFN 9505180014, records of Snohomish County, Washington; thence North 0°46'28" East along said west line, for a distance of 69.66 feet to the northwest corner of said AFN 9505180014; thence North 87°10'15" East along the north line of said AFN 9505180014, for a distance of 626.25 feet to the northeast corner of said AFN 9505180014; thence South 2°20'45" East along the east line of said AFN 9505180014, for a distance of 161.54 feet to the north line of that certain tract of land conveyed by deed recorded under AFN 9604180418 records of Snohomish County, Washington; thence North 87°39'51" East along said north line and the extension thereof, for a distance of 699.31 feet to the east line of the Northwest Quarter of said Section 8; **thence South 0°42'45" West along said east line, for a distance of 639.36 feet to the Point of Beginning.**

*Containing approximately 208 acres.*

**EXCEPT that portion** of the Southwest Quarter of Section 8, Township 31 North, Range 5 East, W.M., *formerly adopted as a portion of the City of Marysville*, and is described as follows;

**Commencing** at the intersection of the centerline of State Route 530 and the east line of the Southwest Quarter of said Section 8; thence South 86°39'30" West, along the centerline of State Highway No. 1-E, for a distance of 556.00 feet; thence South 3°20'30" East, a distance of 50.00 feet to the Southerly margin of said highway and the **True Point of Beginning**; thence continue South 3°20'30" East, a distance of 35.00 feet; thence South 86°39'30" West, a distance of 25.00 feet; thence North 3°20'30" West, a distance of 35.00 feet; thence North 86°39'30" East, a distance of 25.00 feet to the **True Point of Beginning**.

(Also known as Snohomish County Tax Parcel No. 31050800302200)

**\*\*\****(Note: The bold italicized portions of this land description have been amended to conform to record documents as identified by the City of Arlington and Snohomish County.)*