Ordinance No. 1532

AN ORDINANCE OF THE CITY OF SUMAS, WASHINGTON, ANNEXING APPROXIMATELY 11 ACRES OF REAL PROPERTY, COMMONLY KNOWN AS THE "SKILLMAN ANNEXATION," TO SAID CITY PURSUANT TO OWNER'S PETITION, REQUIRING SAID PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN SAID CITY, AND ESTABLISHING HIGH-DENSITY RESIDENTIAL AND RECREATIONAL VEHICLE PARK ZONING FOR SAID PROPERTY CONSISTENT WITH THE CITY COMPREHENSIVE PLAN

WHEREAS the City of Sumas, Washington ("City"), received a Petition for Annexation of certain real property, the legal description of which is set forth on Exhibit "A" attached hereto; and

WHEREAS said real property lies within the Urban Growth Area and within the Short Term Planning Area for the City, as established by ordinance of Whatcom County; and

WHEREAS the Sumas City Council has determined that the City will require the assumption of existing City indebtedness, if any, by the area to be annexed and will require the assignment of zoning consistent with the Comprehensive Plan; and

WHEREAS the Sumas City Council held a public hearing thereon and caused due and proper notice of said hearing to be posted and published as required by law; and

WHEREAS said annexation as petitioned for was approved by the Sumas City Council through Resolution No. 698 subject to final review and acceptance by the Boundary Review Board for Whatcom County; and

WHEREAS said proposed annexation was submitted to the Boundary Review Board for Whatcom County and was deemed approved by the Board in a letter dated 8 May 2009; and

WHEREAS an amendment to the "Interlocal Agreement Between the City of Sumas and Whatcom County Concerning Annexation" was approved by Whatcom County and the City on 7 May 2009; and

WHEREAS the Sumas City Council has agreed to accept the annexation as petitioned for;

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

Section 1. The territory commonly known as the "Skillman Annexation," legally described on Exhibit "A", is hereby annexed to and incorporated into the City of Sumas.

Section 2. Territory set forth in this ordinance was all included as part of the property in said petition for annexation as filed, and should be and is hereby made a part of the City of Sumas.

Section 3. Pursuant to the terms of the Petition for Annexation, all property within the territory to be annexed as set forth in the attached Exhibit "A" shall be assessed and taxed at the

same rate and on the same basis as property within the City, including assessment or taxes in payment of bonds issued or debts contracted prior to or existing at the date of the annexation.

Section 4. The annexation territory shall be classified in the High-Density Residential Zone and the Recreational Vehicle Park Zone pursuant to the Sumas Municipal Code, in conformance with the Future Zoning Map (Map 6) set forth in the City of Sumas Comprehensive Land-Use Plan.

Section 5. Should any provision of this Ordinance or its application to any person or circumstance be held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.

Section 6. This Ordinance shall take effect five days following the date of its publication.

PASSED by the City Council and approved by the Mayor of the City of Sumas, Washington, this 26th day of May, 2009.

CITY OF SUMAS, WASHINGTON

Robert Bromley, Mayor

Attested/Authenticated

Geri Lewis, City Clerk

Approved as to Form:

James J. Wright, City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION
CITY OF SUMAS
SKILLMAN ANNEXATION

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3 AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 40 NORTH, RANGE 4 EAST OF W.M., SAID TRACT TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3 AND THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE NO. 9, SAID POINT BEING 120 FEET EASTERLY OF WSDOT HES 780+82.86 AS PER THE MAP OF SAID HIGHWAY DATED SEPTEMBER 19, 2003; THENCE SOUTH 88° 22' 03" EAST ALONG THE NORTH LINE OF SAID SUBDIVISION A DISTANCE OF 527.78 FEET TO THE NORTHEAST CORNER OF SAID QUARTER, QUARTER, QUARTER; THENCE SOUTH 04° 06' 08" WEST A DISTANCE OF 229.57 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE ABANDONED CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD; THENCE SOUTH 24° 51' 18" EAST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 474.91 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE NORTH 88° 33' 50" WEST ALONG THE SOUTH LINE OF SAID QUARTER QUARTER QUARTER A DISTANCE OF 230.18 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3; THENCE NORTH 87° 08' 02" WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION A DISTANCE OF 720.42 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE NO. 9; THENCE NORTH 15° 34' 59" EAST ALONG SAID EASTERLY LINE A DISTANCE OF 291.19 FEET; THENCE NORTH 46° 32' 49" EAST ALONG SAID EASTERLY LINE A DISTANCE OF 116.62 FEET; THENCE NORTH 15° 34' 59" EAST ALONG SAID EASTERLY LINE A DISTANCE OF 282.86 FEET TO THE **POINT OF BEGINNING**.

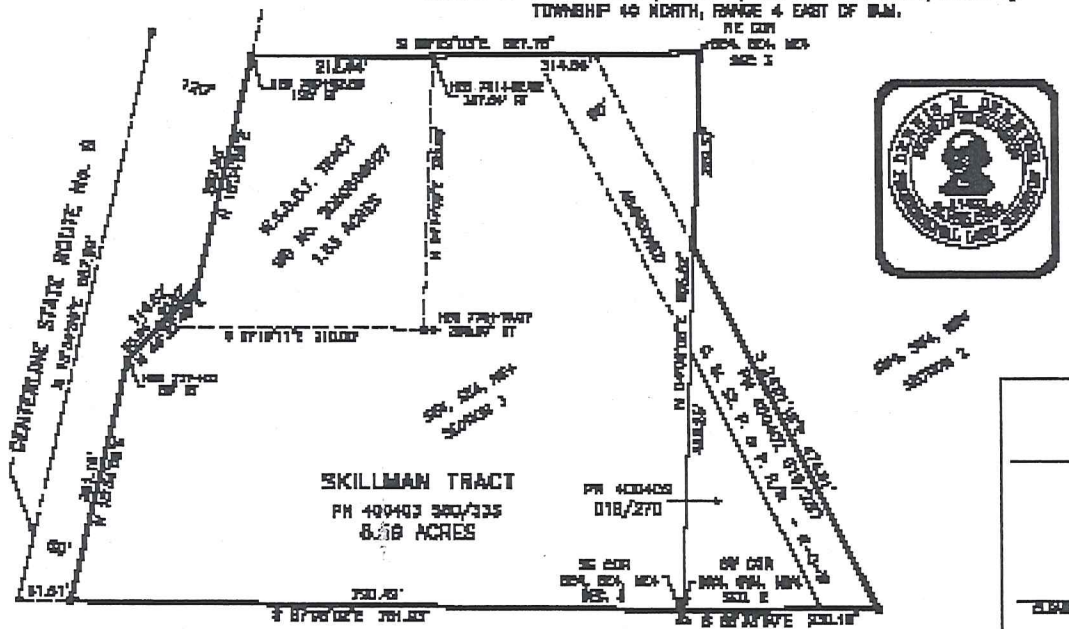
SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, COVENANTS, RESTRICTIONS AND/OR AGREEMENTS OF RECORD OR OTHERWISE.

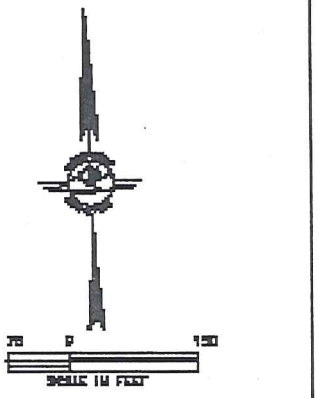
AS DEPICTED ON EXHIBIT "1", ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

EXHIBIT 1

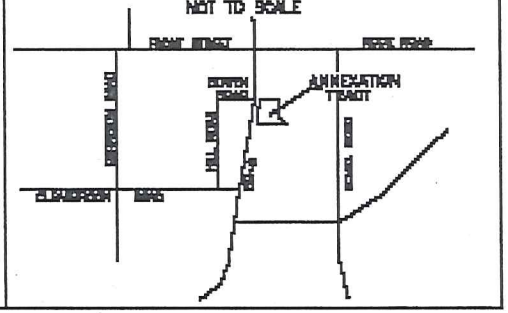
FOR PROPOSED ANNEXATION OF PARCEL No. 400403 560/335 AND
400402: 019/270 & 019/287
PORTION OF THE SE¼, NE¼ (SECTION 3) AND THE SW¼, NW¼ (SECTION 2)
TOWNSHIP 49 NORTH, RANGE 4 EAST OF B.M.





SCALE: 1 INCH = 150 FEET

VICINITY MAP
NOT TO SCALE



NORTHWEST SURVEYING & GPS, INC.