

CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 706

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING AND CORRECTING THE ERRORS IN THE LEGAL DESCRIPTION FOUND IN AND ATTACHED AS EXHIBIT "A" TO ORDINANCE 585, WHICH IN 1998 ANNEXED A SINGLE PARCEL OF APPROXIMATELY ONE ACRE, KNOWN AS THE "BUSSING ANNEXATION," INTO THE CITY OF LAKE STEVENS, AND PROVIDED FOR THE ASSUMPTION OF INDEBTEDNESS AND COMPREHENSIVE PLAN AND ZONING DESIGNATIONS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, following a public meeting with petitioning property owners, on September 8, 1997 the City Council adopted Resolution 1997-15 authorizing the circulation of a petition to annex approximately sixty acres at the extreme Northwest corner of the City, with conditions; and

WHEREAS, among the conditions listed in the Resolution and on the petition was the requirement that the property owners assume the indebtedness of the City of Lake Stevens, and that the Bussing parcel be designated on the City of Lake Stevens's Comprehensive Plan as Medium Density Residential and zoned on the City of Lake Stevens's Zoning Map as Suburban Residential; and

WHEREAS, this petition was returned on November 10, 1997 with signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, following two public hearings on November 24, 1997 and January 20, 1998, the City Council adopted Resolution 1998-03, authorizing submittal to the Snohomish County Boundary Review Board (BRB) of notices of the City's intention to annex approximately 37 acres of the original petition area; and

WHEREAS, three separate notices were subsequently submitted to the BRB, one for approximately twenty-seven acres known as the Holloway annexation, one for approximately nine acres for a future elementary school known as the Elementary Six Site annexation, and one for a single one-acre parcel, known as the Bussing annexation; and

WHEREAS, the BRB approved the Bussing annexation on March 16, 1998; and

WHEREAS, on June 15, 1998 with an effective date of June 29, 1998, the Lake Stevens City Council approved Ordinance 585 known as the "Bussing annexation" with Attachment to City of Lake Stevens Ordinance No. 585 EXHIBIT A "Legal Description for Annexation to the City of Lake Stevens" and Attachment to City of Lake Stevens Ordinance No. 585 EXHIBIT B "Proposed Annexation Area" Map.

WHEREAS, the Snohomish County Assessor's Office noticed an error in Attachment to City of Lake Stevens Ordinance No. 585, EXHIBIT A "Legal Description for Annexation to the City of Lake Stevens," that Exhibit A and Exhibit B "Proposed Annexation Area" Map are inconsistent and the intent of the ordinance being consistent with Exhibit B, proposed revisions to correct the error in the legal description in Exhibit A; and

WHEREAS, the City Council of Lake Stevens finds it is in the public interest to have a correct legal description of the "Bussing annexation" as annexed in Ordinance 585.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS DO
ORDAIN AS FOLLOWS:

Section 1. Affirm Ordinance 585. Ordinance 585 is affirmed and remains adopted on June 15, 1998 and effective June 29, 1998.

Section 2. Amendment of Attachment to City of Lake Stevens Ordinance No. 585 EXHIBIT A "Legal Description for Annexation to the City of Lake Stevens". City of Lake Stevens Ordinance No. 585, EXHIBIT A "Legal Description for Annexation to the City of Lake Stevens" is amended to correct the error in the legal description and to accurately reflect the true legal description of the "Bussing annexation" as set forth below:

The South half of the East half of all that portion of the Southeast quarter of Section 6, Township 29 North, Range 6 East, W.M., described as follows:

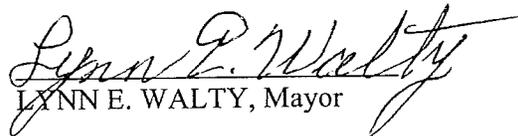
Commencing at the quarter section corner between Sections 5 and 6, Township 29 North, Range 6 East, W.M.; Thence South along line between said Sections 5 and 6, a distance of 1254.16 feet; Thence North 87°36' West 684.46 feet to the True Point of Beginning; Thence South 0°32' West 598.42 feet; Thence North 85°33' West 343.88 feet; Thence North 0°38' East 584.10 feet; Thence South 87°56' East 342.23 feet to the True Point of Beginning.

Situate in the County of Snohomish, State of Washington.

Section 3. Severability. If any provision or section of this Ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this Ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 4. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in force five (5) days after the date of publication.

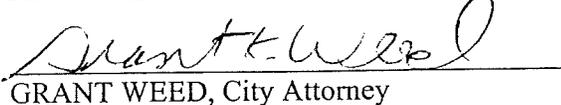
PASSED by the City Council of the City of Lake Stevens this 8th day of November, 2004.


LYNN E. WALTY, Mayor

ATTEST/AUTHENTICATION:


NORMA J. SCOTT, City Clerk/Admin. Asst.

APPROVED AS TO FORM:


GRANT WEED, City Attorney

First and Final Reading: November 8, 2004
Published: November 17, 2004
Effective Date: November 22, 2004