

CITY OF LYNNWOOD

ORDINANCE NO. 2878

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ANNEXING TO THE CITY OF LYNNWOOD THE APPROXIMATELY 4.7-ACRE AREA KNOWN AS PERRINVILLE, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

WHEREAS, RCW 35A.14.120 and 35A.14.140 authorize the City Council to resolve to annex into the City unincorporated territory contiguous to the City's boundary upon submittal of a petition for annexation, to conduct a public hearing on the annexation, and to provide by ordinance for the annexation; and

WHEREAS, pursuant to RCW 35A.14.140, the City Council considered annexation of an unincorporated County island by direct petition, consisting of approximately 4.7-acres located southeast of the intersection of Olympic View Drive and 76th Avenue West, and generally known as Perrinville (City File No. 2008-ANX-0002), which area is legally described on Exhibit A attached hereto and incorporated by this reference ("the Perrinville Annexation Area"); and

WHEREAS, the Perrinville Annexation Area meets the requirements of RCW 35A.14.120 and 35A.14.130; and

WHEREAS, the City Council is authorized, pursuant to RCW 35A.14.330 and 35A.14.340, to establish proposed zoning regulations to become effective upon the annexation of any area that might reasonably be expected to be annexed to the City at any future time; and

WHEREAS, the City's Community Development Department recommended certain pre-annexation zoning designations for the properties in the Perrinville Annexation Area, as shown on Exhibit B attached hereto and incorporated by this reference; and

WHEREAS, the City Council conducted a public hearing on the proposed Perrinville Annexation on September 13, 2010; and

WHEREAS, the City Council conducted public hearings on the proposed zoning regulations for the Perrinville Annexation Area on July 12, 2010 and September 13, 2010; and

WHEREAS, on September 24, 2007, the City Council approved a future land use designation of "Local Commercial" (LC) for the properties in Perrinville (on the Future Land Use Plan map in the City's Comprehensive Plan); and

WHEREAS, the City Council determined that the public interest is served best by annexing the Perrinville Annexation area, and on May 10, 2010, passed Resolution No. 2010-03 accepting the 10% Petition, and on September 13, 2010, passed Resolution No. 2010-11, stating

the City's intent to annex the Perrinville Annexation Area, and providing for submission of a Notice of Intent to Annex to the Snohomish County Boundary Review Board; and

WHEREAS, the City Council determined that the proposed zoning designations described on Exhibit B would be consistent with the City's Comprehensive Plan and with RCW 35A.14.330, and would be in the interest of the public health, safety, morals, and the general welfare, and on September 13, 2010, adopted Ordinance No. 2848, establishing pre-annexation zoning for the Perrinville Annexation Area; and

WHEREAS, on October 27, 2010, in accordance with Resolution No. 2010-11, the City filed a Notice of Intent to Annex the Perrinville Annexation Area with the Snohomish County Boundary Review Board; and

WHEREAS, on November 16, 2010, following approval of the legal description for the annexation area, the Board deemed the Notice of Intent to be legally sufficient with an effective filing date of October 31, 2010; and

WHEREAS, the Snohomish County Boundary Review Board did not invoke jurisdiction over the proposed Perrinville annexation; and

WHEREAS, all statutory requirements have been completed, including those set forth in RCW 35A.14.120 and 35A.14.340; now, therefore

THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The Perrinville Annexation Area, legally described on Exhibit A, is hereby annexed to the City of Lynnwood as of the effective date of this Ordinance.

Section 2. Upon annexation, the property in the Perrinville Annexation Area shall be assessed and taxed at the same rate and on the same basis as the other property in the City of Lynnwood.

Section 3. The City of Lynnwood's Comprehensive Plan shall be deemed to apply to the Perrinville Annexation Area from and after the effective date of this Ordinance.

Section 4. The Perrinville Annexation Area shall have the zoning designation and be subject to the City's zoning and other land use regulations as stated in Ordinance No. 2848, and as shown on Exhibit B to this Ordinance, from and after the effective date of this Ordinance. The Official Zoning Map of the City of Lynnwood shall be revised to include these designations as of the effective date of this Ordinance.

Section 5. This Ordinance shall take effect and the Perrinville Annexation Area shall become part of the City of Lynnwood forty-five (45) days from the date of passage of this Ordinance consistent with the requirements of RCW 35A.14.140 and 35A.14.150.

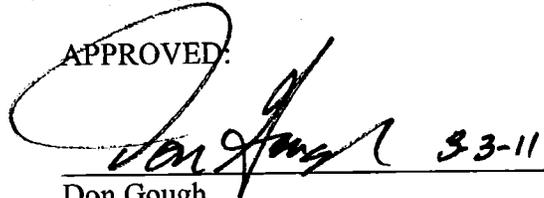
Section 6. A certified copy of this Ordinance shall be filed with the Snohomish County Council.

Section 7. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 8. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City. Notice of the proposed effective date of this Ordinance, together with a description of the property to be annexed and other matters required by statute, shall be published in accordance with RCW 35A.14.140.

PASSED BY THE CITY COUNCIL, the 28th day of February, 2011.

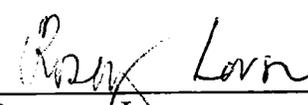
APPROVED:


Don Gough
Mayor

ATTEST/AUTHENTICATED:


Pat Dugan
Interim Finance Director

APPROVED AS TO FORM:


Rosemary Larson
City Attorney

PASSED BY THE CITY COUNCIL: 2-28-11

PUBLISHED: _____

EFFECTIVE DATE: _____

ORDINANCE NUMBER: 2878

EXHIBIT A

Perrinville Legal Description

THAT PORTION OF TRACTS 102, 104 AND 105, PLAT OF EDMONDS SEA VIEW TRACTS AS RECORDED IN VOLUME 3 OF PLATS, PAGES 75 AND 76, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, SAID TRACTS SITUATED IN A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 18, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M., OF SAID COUNTY, TOGETHER WITH ADJOINING PLATTED STREETS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SUBDIVISION, ALSO BEING THE SOUTHEAST CORNER OF SAID TRACT 101 AND THE POINT OF BEGINNING OF THE ANNEXATION DESCRIPTION DISCLOSED BY CITY OF LYNNWOOD ORDINANCE NO. 1776, PASSED JUNE 11, 1990; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SUBDIVISION AND SOUTH LINE OF SAID TRACT 101 AND ITS WESTERLY EXTENSION, ALSO BEING THE SOUTH LINE DESCRIBED BY SAID ORDINANCE TO THE CENTERLINE OF VALLEY ROAD, PLATTED 40 FEET IN WIDTH (NOW KNOWN AS 76TH AVENUE WEST, BEING 60 FEET IN WIDTH); THENCE NORTHERLY ALONG SAID CENTERLINE AND WEST LINE AS DESCRIBED BY SAID ORDINANCE TO THE INTERSECTION OF SAID CENTERLINE WITH THE WESTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 184 FEET OF SAID TRACT 102, ALSO BEING THE NORTHERLY LINE AS DESCRIBED BY SAID ORDINANCE, AND THE POINT OF BEGINNING; THENCE CONTINUING NORTHERLY ALONG SAID CENTERLINE TO THE INTERSECTION OF SAID CENTERLINE WITH THE CENTERLINE OF BEVERLY PARK TO EDMONDS ROAD AS SHOWN AND ESTABLISHED PER SNOHOMISH COUNTY PROPOSITION NO. 3, SURVEY NO. 640, DATED JANUARY, 1916 (NOW KNOWN AS OLYMPIC VIEW DRIVE, BEING 60 FEET IN WIDTH); THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF SAID BEVERLY PARK TO EDMONDS ROAD TO THE EASTERLY RIGHT OF WAY MARGIN OF SAID VALLEY ROAD AS SHOWN ON SAID PLAT; THENCE NORTHERLY ALONG SAID EASTERLY MARGIN TO THE NORTHERLY RIGHT OF WAY MARGIN OF SAID OLYMPIC VIEW DRIVE; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY MARGIN TO THE EAST LINE OF SAID SUBDIVISION, ALSO BEING THE EAST LINE OF SAID TRACT 104; THENCE SOUTHERLY ALONG SAID EAST LINE, ALSO BEING THE EAST LINES OF SAID TRACTS 102 AND 104 TO THE SOUTHEAST CORNER OF SAID TRACT 102 AND TO SAID NORTH ORDINANCE LINE; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID TRACT 102 AND NORTH ORDINANCE LINE TO THE EAST LINE OF THE WEST 200 FEET OF SAID TRACT 102; THENCE NORTHERLY ALONG SAID EAST LINE AND SAID NORTH ORDINANCE LINE TO THE NORTH LINE OF THE SOUTH 184 FEET OF SAID TRACT 102; THENCE WESTERLY ALONG SAID NORTH LINE AND ITS WESTERLY EXTENSION AND SAID NORTH ORDINANCE LINE TO THE POINT OF BEGINNING.

PERTEET, INC.
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Everett, WA 98201



6/26/08