

ORDINANCE #\_\_1509\_\_\_\_\_

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AN ORDINANCE ANNEXING APPROXIMATELY 45 ACRES OF PROPERTY AND THE SLATER ROAD RIGHT OF WAY, LOCATED SOUTH OF THE EXISTING FERNDALE CITY LIMITS, AT THE SOUTHWEST INTERSECTION OF SLATER ROAD AND INTERSTATE FIVE

WHEREAS, on August 7, 2007, the Ferndale City Council accepted a Notice of Intent to initiate annexation proceedings from various involved property owners who are the owners of parcels consisting of forty-five gross acres of property proposed for annexation.

WHEREAS, at that August 7, 2007, meeting, the Ferndale City Council determined that an initial petition would be accepted; that the City would require the annexed property to assume its pro rata share of the existing city indebtedness; and that simultaneous adoption of zoning regulations would be required; and

WHEREAS, the Ferndale Planning Commission reviewed a Petition to Annex at a public hearing during their regular meeting of October 8, 2008, and voted to recommend approval by the City Council, with a zoning designation of General Commercial for the entire annexation area, to take effect upon annexation of the area; and

WHEREAS, the proposed annexation area is located within the Urban Growth Area as identified in the City's Comprehensive Plan; and the Short Term Planning Area as identified in the Whatcom County Comprehensive Plan; and

WHEREAS, the City Council voted to approve the proposed annexation at a public hearing during their regular meeting of November 17, 2008, with a zoning designation of General Commercial for the entire annexation area, to take effect upon annexation of the area; and

WHEREAS, an Interlocal Agreement was amended with Whatcom County, and a mandatory Boundary Review Board of Whatcom County review concluded on December 5, 2008, without invoking jurisdiction; and

WHEREAS, the City of Ferndale, Whatcom County Fire District 8 and Whatcom County Fire District 7 have agreed in principle to transfer responsibility for fire protection from District 8 to District 7 at the time of annexation; and

WHEREAS, a portion of Slater Road, a County Road, and its right of way is located between the proponents properties and the existing City limits, and shall therefore be included in this annexation, with jurisdiction for maintenance, repair, and enforcement transferring from Whatcom County to the City of Ferndale upon annexation;

NOW, THEREFORE, the City Council of the City of Ferndale does ordain as follows:

- Section 1:** The zoning designation for these properties shall be GC, General Commercial.
- Section 2:** The annexed property shall assume its pro rata share of existing city indebtedness.
- Section 3:** The Ferndale City Council hereby annexes that property described and illustrated in Attachments A and B.
- Section 4:** This ordinance shall become effective on the January 1<sup>st</sup>, 2009, or the sixth day after publication, whichever is later, as set forth by state law.

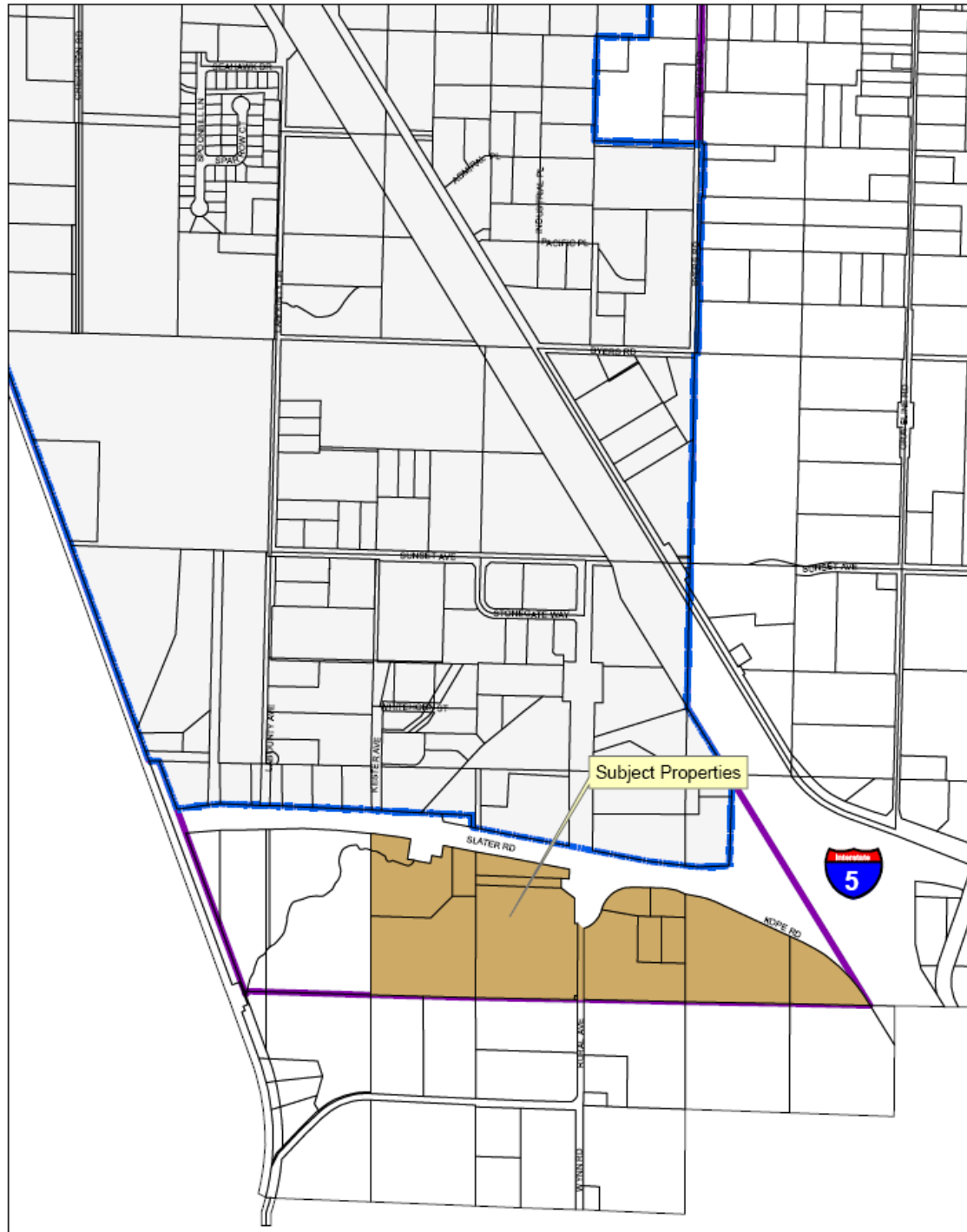
Approved by City Council and signed by the Mayor this \_\_\_\_\_ day of December, 2008.

\_\_\_\_\_  
Gary Jensen, Mayor

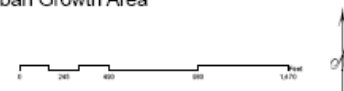
ATTEST:

\_\_\_\_\_  
Linda Knutson, City Clerk

\_\_\_\_\_  
Publication Date



Annexation Area
  Current City Limits
  Urban Growth Area



## East Slater Annexation Exhibit A

**DISCLAIMER**  
 USE OF THIS MAP IMPLIES THE USER'S AGREEMENT WITH THE CITY OF PORTLAND.  
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## **Exhibit B**

### **Legal Description**

#### **Parcel A**

A portion of Eldridge Rural Addition and all of the Amended Kope Short Plat as recorded in the Whatcom County Auditor's Office lying within the Northeast  $\frac{1}{4}$  of the Section 04, Township 38 North, Range 02 East of the Willamette Meridian, described as follows:

BEGINNING at the Northeast Corner of said section 04; thence Southerly along the Section line to an intersection with the Northeasterly Right of Way line of Slater Road SR 540 as shown on sheet 11 of 17 WSDOT Interstate Highway NO 5 Plan MP 265.53 to MP 262.43 dated May 14, 1970. Said point being the TRUE POINT OF BEGINNING.

Thence Southerly along the section line to the Southeast corner of Lot 18, Eldridge Rural Addition; thence Westerly along the Southerly line of Lots 18 and 20, said Eldridge Rural Addition and of Lot 3 of the Amended Kope Short Plat to the Southwest Corner of said Lot 3, thence Northerly along the West line of Lots 2 and 3 of said Amended Kope Short Plat and across the Slater Road to an intersection with the Northeasterly R/W line of the Slater Road SR 540 as shown on Sheet 6 of 6 SSH 1-Z (SR 540), Slater Road to junction P.S.H. No. 1 Plan approved June 21, 1955. Thence Southeasterly along said Northeasterly R/W line to the TRUE POINT OF BEGINNING.

Situate in Whatcom County, Washington

#### **Parcel B**

A portion of Eldridge Rural Addition as recorded in the Whatcom County Auditor's Office lying within the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 03, Township 38 North, Range 02 East of the Willamette Meridian and described as follows:

BEGINNING at the Northwest corner of said section 03; thence Southerly along the Section line to an intersection with the northeasterly Right of Way line of Kope Road SR 540 as shown on sheet 11 of 17 WSDOT Interstate Highway NO. 5 plan MP 265.53 to MP 262.43 dated May 14, 1970. Said point being the TRUE POINT OF BEGINNING.

Thence Southerly along the section line to the Southwest corner of Lot 16, Eldridge Rural Addition; Thence Easterly along the Southerly line of said Lots 16 and 14 to an intersection with the Northeasterly R/W of the Kope Road Frontage Road as described and recorded under Auditor's File No. 1496815 and as shown on Sheet 11 of 17 WSDOT Interstate Highway No.6 Plan MP 265.53 to MP 262.43 dated May 14, 1970; Thence Northwesterly along said Northeasterly R/W line to an intersection with the East line of Lot "D," Alpha Tech Lot Line Adjustment projected Southerly to intersect said Northeasterly R/W line of Slater Road SR 540; thence Northwesterly along said Northeasterly R/W line to the TRUE POINT OF BEGINNING.

Situate in Whatcom County, Washington