CITY OF SNOHOMISH
Snohomish, Washington

ORDINANCE 2170

AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY KNOWN AS THE "87TH AVENUE ANNEXATION," PROVIDING FOR THE PROPERTY'S ZONING DESIGNATIONS AND ASSUMPTION OF INDEBTEDNESS, AND ESTABLISHING THE ANNEXATION'S EFFECTIVE DATE

WHEREAS, on May 6, 2008, the City Council authorized the circulation of a petition for the annexation of the unincorporated property known as the "87th Avenue Annexation," as depicted on the attached Exhibit A map and described in the attached Exhibit B legal description, and specified that zoning shall be consistent with the adopted Land Use Map and that the petition include assumption of a pro rata share of the City's existing bonded indebtedness; and

WHEREAS, a legally sufficient annexation petition was submitted to the City, and on October 7, 2008, the City Council held a duly noticed public hearing regarding the annexation, passed Resolution 1214 stating the intent of the City to annex the property, and authorized the submittal of the proposed annexation to the Snohomish County Boundary Review Board; and

WHEREAS, the Boundary Review Board's forty-five day review period for the 87th Avenue Annexation ended on January 5, 2009, with no request for review having been filed; and

WHEREAS, the City Council finds that it is appropriate to designate the property Single Family, Low Density Residential, Commercial, and Business Park for the purposes of the Zoning Code, which are its current designations in the Urban Growth Area portion of the City's Land Use Map for the Comprehensive Plan, and that it is appropriate to require the property to assume a pro rata share of the City's current bonded indebtedness;

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

Section 1. There has been filed with the City Council of the City of Snohomish, Washington, certified petition results indicating sufficient majority was received approving the 87th Avenue Annexation to the City of Snohomish, and such annexation has been approved by the Boundary Review Board for Snohomish County. The City Council finds it to be in the best interest of the citizens of the City of Snohomish to annex, and does hereby annex the property known as the 87th Avenue Annexation situated in Snohomish County, Washington as contiguous, proximate, and adjacent to the present corporate limits of the City and as more particularly depicted on Exhibit A and legally described in Exhibit B, which are attached hereto and incorporated in full by this reference.

Section 2. Pursuant to the annexation petition and the City's current Land Use Map, the annexed property shall be subject to the City of Snohomish Comprehensive Plan and Zoning Code and shall be designated Single Family, Low Density Residential, Commercial, and Business Park, as shown on the adopted Comprehensive Plan Land Use Map, for the purposes of the Zoning Code.

Section 3. The annexed property shall be assessed and taxed at the same rate and on the same basis as property within the City of Snohomish, including assessments or taxes in payment of all of the outstanding indebtedness of the City contracted or incurred prior to, or existing on, the effective date of this ordinance.

Section 4. This ordinance shall take effect on June 1, 2009, said date being more than five (5) days after passage of this ordinance and publication of a summary and legal description of the annexation area.

ADOPTED by the City Council and **APPROVED** by the Mayor this 7th day of April, 2009.

CITY OF SNOHOMISH

By _____
Randy Hamlin, Mayor

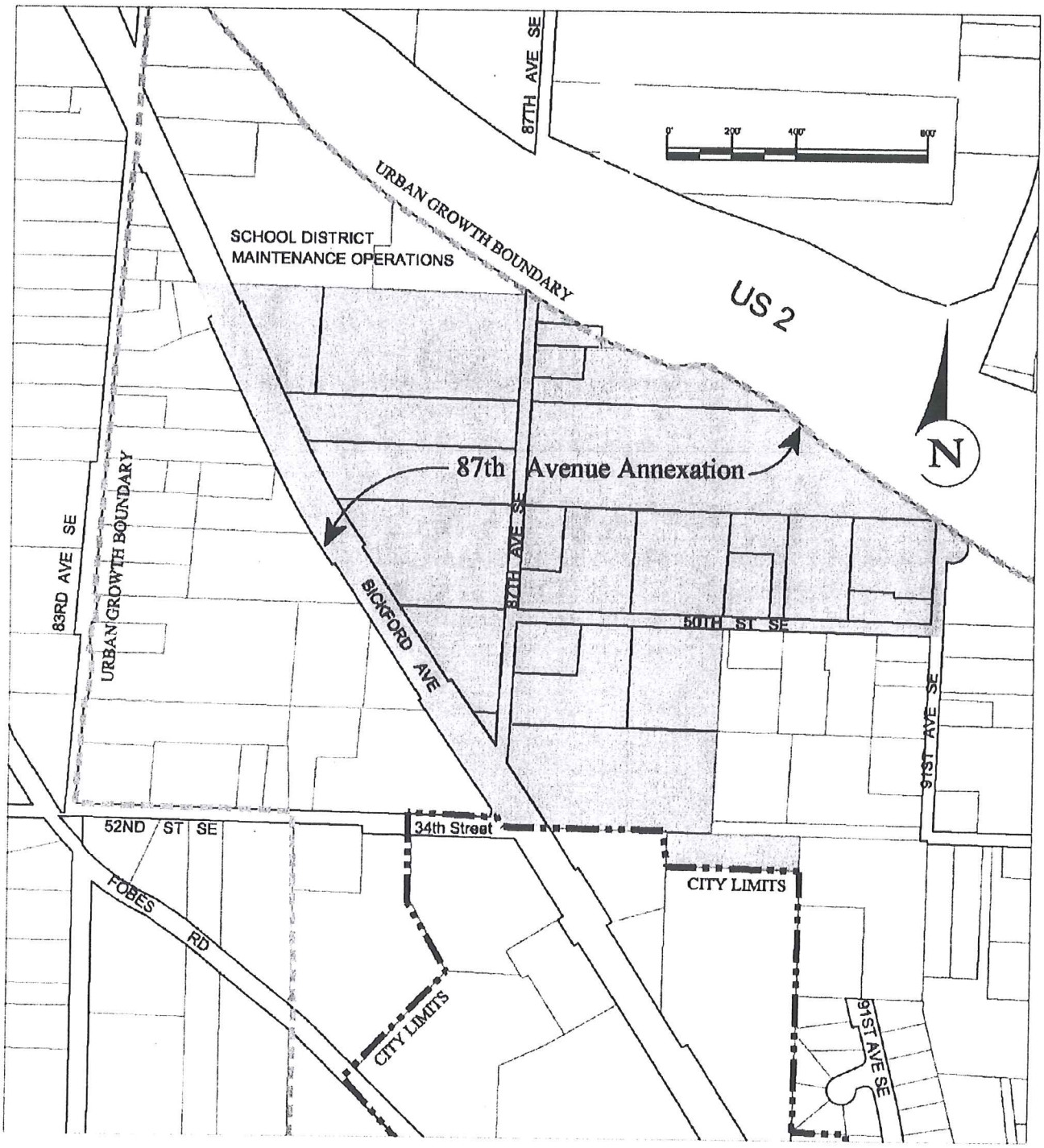
Attest:

By _____
Torchie Corey, City Clerk

Approved as to form:

By _____
Grant K. Weed, City Attorney

87TH AVENUE ANNEXATION
EXHIBIT A



87TH AVENUE ANNEXATION
EXHIBIT B

LEGAL DESCRIPTION:

THAT PORTION OF THE PLAT OF EVERETT VIEW ACREAGE TRACTS, DIVISION A, RECORDED UNDER A.F. NO 171096, LYING IN THE SOUTH HALF OF SECTION 36, TOWNSHIP 29 NORTH, RANGE 05 EAST AND OF THAT PORTION OF GOVERNMENT LOT 3, SECTION 1, TOWNSHIP 28 NORTH, RANGE 05 EAST, W.M DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 36;
THENCE WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36 TO A POINT WHICH LIES 910.8 FEET EAST OF THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 3, THE TRUE POINT OF BEGINNING;
THENCE SOUTH 100 FEET;
THENCE WEST 415.6 FEET;
THENCE NORTH 100 FEET TO THE NORTH LINE OF SAID GOVERNMENT LOT 3;
THENCE WEST ALONG SAID NORTH LINE OF GOVERNMENT LOT 3 TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF PRIMARY STATE HIGHWAY NUMBER 15 (BICKFORD AVENUE);
THENCE NORTHWESTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE INTERSECTION WITH THE NORTH LINE OF LOT 5 OF SAID PLAT OF EVERETT VIEW ACREAGE TRACTS, DIVISION A;
THENCE EAST ALONG SAID NORTH LINE AND THE NORTH LINE OF LOT 12 OF SAID PLAT OF EVERETT VIEW ACREAGE TRACTS, DIVISION A AND ITS EASTERLY EXTENSION TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SR 2 PER SHEET 5 OF THE RIGHT-OF-WAY PLANS TITLED FOBES HILL TO WESTWICK ROAD DATED JANUARY 14, 1971;
THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY PER SHEETS 5 AND 6 OF SAID RIGHT-OF-WAY PLANS TO THE EAST RIGHT OF WAY LINE OF TOM MARKS ROAD (91ST AVE SE);
THENCE SOUTHEASTERLY, SOUTHERLY, SOUTHWESTERLY, AND WESTERLY ALONG THE EASTERLY RIGHT-OF-WAY OF THE CUL-DE-SAC SHOWN ON SHEET 6 OF SAID RIGHT-OF-WAY PLANS TO THE EAST RIGHT-OF-WAY LINE OF TOM MARKS ROAD (91ST AVE SE);
THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO THE INTERSECTION WITH THE EASTERLY EXTENSION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF 50TH STREET SE;
THENCE WEST ALONG SAID EXTENSION AND SAID SOUTHERLY RIGHT-OF-WAY, SAID LINE BEING ALSO THE NORTH LINE OF LOT 19 OF SAID PLAT, TO THE NORTHEAST CORNER OF LOT 18 OF SAID PLAT;
THENCE SOUTH ALONG THE EAST LINE OF LOTS 18 AND 17 OF SAID PLAT, TO THE SOUTHEAST CORNER OF SAID LOT 17 OF SAID PLAT;
THENCE EAST ALONG THE SOUTH LINE OF LOT 20 OF SAID PLAT TO A POINT WHICH LIES 910.8 FEET EAST OF THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 3, THE TRUE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

CONTAINING 53 ACRES MORE OR LESS.