

ORDINANCE NO. 14-2857

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON, ANNEXING APPROXIMATELY 15 ACRES OF PROPERTY, KNOWN AS THE TOOR ANNEXATION, TO THE CITY OF BLAINE AND REQUIRING SAID PROPERTY BE ASSESSED A PROPORTIONAL SHARE OF THE CITY'S INDEBTEDNESS, AND BE ZONED MANUFACTURING, SUBZONE A.

WHEREAS, the Blaine City Council desires to annex 15 acres of land within the city Urban Growth Area near the intersection of Hughes Avenue and Odell Road as described in "Exhibit A"; and

WHEREAS, the City received a Notice of Intent to Annex pursuant to the so-called Direct Petition Method of RCW 35A.14.120, and the City Council accepted the proposal at the February 10, 2014, regular meeting; and

WHEREAS, the City received Petitions for Annexation which included signatures of the owners of record of more than 60% of the assessed value of the Annexation Territory on April 7, 2014; and

WHEREAS, the Whatcom County Assessor issued a determination of sufficiency on April 8, 2014; and

WHEREAS, in conformance with the "Interlocal Agreement Between the City of Blaine and Whatcom County Concerning Planning, Annexation and Development Within the Blaine UGA" the City provided notification to the County Director of Planning and Development Services and the County Director of Public Works; and

WHEREAS, the City provided public notice of the Petition and has provided an opportunity for comment thereon by all interested citizens at a duly called and noticed public meeting held on April 28, 2014; and

WHEREAS, at its regular meeting on April 28, 2014, the City Council approved Ordinance 14-2853 indicating intent to annex; and

WHEREAS, the City filed a certified true copy of this Ordinance, and a Notice of Intent, with the Whatcom County Boundary Review Board on June 10, 2014 (BRB# 2014-01); and

WHEREAS, the Boundary Review Board notice term expired on July 24, 2014, with no request to invoke jurisdiction; and

WHEREAS, the City Council finds this annexation will allow for the provision of services and facilities in a manner that will promote the public health, safety and welfare, and finds the annexation to be in the public's interest;

NOW THEREFORE, based on the foregoing Findings, the Blaine City Council do ordain as follows:

Section 1- Annexation. The following real properties, described by the Assessor's Parcel Number and current owner's name, including road and public utility rights-of-ways, are proposed for annexation and consist of approximately 15 acres (collectively the "Annexation Territory") area approved for annexation and the City intends to annex the area subject to final review and approval by the Boundary Review Board:

400105 033015	Toor and Sekhon
400105 058033	Singh, Toor and Sekhon
400105 033043	James and James

Section 2- Annexation of public right-of-way. Any federal, state, and local public right-of-way within or abutting the Annexation Territory not already annexed shall also be annexed and incorporated into the City of Blaine.

Section 3- Assessment and Taxation. Land within the Annexation Territory shall be assessed and taxed by the City in the same manner as similarly situated property within the City as of the effective date of the final annexation ordinance, and shall pay its fair share of any City indebtedness..

Section 4- Zoning. The Annexation Area shall be classified in the Manufacturing, subzone A zone pursuant to the Blaine Municipal Code, and shall be designated as Manufacturing in conformance with the City of Blaine Comprehensive Plan, and shall be subject to the conditions of these classifications.

Section 5- Severability. If any portion of this Ordinance is found to be invalid or unenforceable for any reason, such finding shall not affect the validity of enforceability of any other provision of this Ordinance.

Section 6- Contemporaneous Updates. The City's Comprehensive Plan, zoning maps, and development regulations shall be amended to conform to the annexation approved in the final annexation ordinance and the conditions set forth therein.

Section 7- Transmittal. The City shall:

1. Record a true copy of this ordinance with the Whatcom County Auditor
2. Provide notice of this annexation to the Office of Financial Management pursuant to RCW 35A.14.700

Section 8- Construction.

- (1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.
- (2) If provisions of this ordinance are found to be inconsistent with other provisions of the Blaine Municipal Code, then this ordinance and the provisions herein are deemed to control.

Section 9- Effective Date. This Ordinance shall take effect and be in force from and after its passage by the City Council and approval by the Mayor, if approved, otherwise, as provided by law and five days after the date of posting for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON on the 28th day of July, 2014, and approved by the Mayor.

CITY OF BLAINE

Harry Robinson, Mayor

ATTESTED:

Sheri Sanchez, City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF ENTIRE PARCEL TO BE ANNEXED:

A tract of land in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5, T40N, R1E, W.M, Whatcom County, Washington, described as follows:

Beginning at the SW corner of said Section 5;

Thence, N 02° 16' 32" E, 664.76 feet;

Thence, S 86° 56' 18" E, 985.23 feet;

Thence, S 01° 31' 53" W, 422.71 feet;

Thence continuing southerly, S 02° 36' 10" W, 273.71 feet,

Thence, N 86° 50' 50" W, 989.35 feet, to the Point of Beginning,
less roads.