

ORDINANCE NO. 3677

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON, ANNEXING APPROXIMATELY 5.1 ACRES COMMONLY KNOWN AS THE LITTLE MOUNTAIN PARK SOUTH ANNEXATION; DESCRIBING THE BOUNDARIES THEREOF; PROVIDING THAT THE PROPERTY WILL BE REQUIRED TO ASSUME EXISTING BONDED INDEBTEDNESS; DESCRIBING NOTICE REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND FIXING THE EFFECTIVE DATE OF SAID ANNEXATION.

WHEREAS, the City of Mount Vernon owns an approximate 5.1 acre parcel of property commonly known as the Little Mountain Park South Property, which is both contiguous with the City's boundaries and within the City's designated Urban Growth Area (UGA), and

WHEREAS, the Little Mountain Park South property is owned by the City and is intended to be used as part of the recreational facilities at the City's existing Little Mountain Park, which is deemed by the City Council as a municipal purpose and identified in the City's Comprehensive Plan and Little Mountain Master Plans adopted in their entirety by reference, and

WHEREAS, RCW 35A.14.300 authorizes the City to annex property to the City for municipal purposes, and

WHEREAS, the City Council has determined that the property should be annexed pursuant to RCW 35A.14.300, and

WHEREAS, the City Council has determined that the property should be required to assume existing City bonded indebtedness, and

WHEREAS, pursuant to RCW 35A.14.220 and RCW 36.93.090(1), annexations of contiguous City owned property for municipal purposes are not required to be submitted to the Boundary Review Board.

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Findings. The City Council hereby adopts the above recitals in support of the annexation of Little Mountain Park South to the City of Mount Vernon. The Council further finds that the best interests and general welfare of the City of Mount Vernon would be served by the proposed annexation.

SECTION 2. Annexation. That certain approximate 5.1 acres of property that is legally described on the attached Exhibit A and depicted on the map attached hereto as Exhibit B, both of which are incorporated herein by this reference as if set forth in full is hereby annexed and made a part of the City of Mount Vernon pursuant to RCW 35A.14.300.

SECTION 3. Zoning. Zoning for the annexation area initially shall be Single-Family Residential with a maximum density of 4.54 dwelling units per acre (R-1, 4.0) consistent with this properties existing Comprehensive Plan designation of Single-Family Residential Medium Density (SF-MED).

SECTION 4. Indebtedness. All property within the territory annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments for taxes and payment or any bonds issued or debts contracted prior to or existing as of the date of annexation and will be required to assume all or any portion of existing City indebtedness.

SECTION 5. Notice. Notice of annexation shall be provided as set forth in RCW 35A.14.700 and .801.

SECTION 6. Sanitation Service. In compliance with the provisions of State Law rural sanitation is hereby granted a ten (10) year permit to collect the garbage in the area annexed by this ordinance commencing on the effective date of this ordinance at which time the City will provide garbage collection in this area.

SECTION 7. Franchises & Public Utilities. Franchises for all other public utilities now existing in the annexed area, being provided by the same firms or municipal corporation as those which provide similar services in the City of Mount Vernon, are hereby extended and granted in common with and under the same terms as the existing franchises with said companies or municipal corporation as they exist within the limits of the City of Mount Vernon.

SECTION 8. Severability. 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 9. Effective Date. This Ordinance shall be effective five (5) days and after its passage, approval and publication as provided by law and sixty (60) days after notice is given pursuant to RCW 35A.14.801.

P29677 ANNEXATION DESCRIPTION

That portion of the South 880 feet of the East 495 feet of Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 33, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Southeast corner of said Southwest $\frac{1}{4}$;

thence North $01^{\circ}03'14''$ West 400.00 feet along the East line of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ to the True Point of Beginning;

thence continue North $01^{\circ}03'14''$ West 480.15 feet along said East line to the Northeast corner of said South 880 feet of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$;

thence North $90^{\circ}00'00''$ West 465.08 feet along the North line of said South 880 feet of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ to the East line of the West 30 feet of said East 495 feet of the South 880 feet of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and also the East line of a tract conveyed to the City of Mount Vernon for right of way street purposes by deed recorded April 18, 1939, under Auditor's File No. 312024, records of Skagit County, Washington;

thence South $01^{\circ}03'14''$ East 480.15 feet along said East line to a point that is North $01^{\circ}03'14''$ West 400 feet from the South line of said Southwest $\frac{1}{4}$;

thence South $90^{\circ}00'00''$ East 465.08 feet to the True Point of Beginning.

Situate in the County of Skagit, State of Washington