

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2295

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON,
ANNEXING CERTAIN PUBLIC RIGHT OF WAY KNOWN AS “13TH
STREET AND AVENUE A”, AND ESTABLISHING THE EFFECTIVE
DATE OF SAID ANNEXATION**

WHEREAS, on October 6, 2015, pursuant to RCW 35A.14.295, the City Council passed Resolution 1316 stating the intent of the City to annex the unincorporated public right of way known as the “13th Street and Avenue A Annexation”, described in the attached Exhibit A legal description and as depicted on the attached Exhibit B map; and

WHEREAS, an annexation petition was not required because the annexation area is entirely within public right of way, is entirely contiguous to the corporate boundary of the City, and there are no voters residing within the said right of way; and

WHEREAS, on November 3, 2016, pursuant to RCW 35A.14.295, the City Council held a duly noticed public hearing regarding the annexation, and authorized the submittal of the proposed annexation to the Snohomish County Boundary Review Board; and

WHEREAS, on December 28, 2015, pursuant to RCW 36.93.110, the Chair of the Boundary Review Board for Snohomish County declared the Board’s review of the 13th Street and Avenue A Annexation is not necessary for the protection of the interest of the various parties and therefore waived jurisdiction over the annexation; and

WHEREAS, RCW 43.21C.222 categorically exempts annexations from review under the State Environmental Policy Act, RCW Chapter 43.21C; and

WHEREAS, the City Council finds that the land proposed for annexation is dedicated public right-of-way with no land use designation shown on the adopted Land Use Map and therefore no zoning designation is applicable for the purposes of the Zoning Code; and

WHEREAS, it is the City Council’s adopted policy to require annexing property to assume a proportionate share of the City’s existing bonded indebtedness; and

WHEREAS, since the land proposed for annexation is currently dedicated public right-of-way not subject to property taxation and, if vacated, would attach by law to properties currently subject to the City’s existing bonded indebtedness, the City Council finds that there is no utility and no benefit to the City and its taxpayers to require assumption of a proportionate share of the City’s existing bonded indebtedness;

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

Section 1. The 13th Street and Avenue A Annexation has been approved by the Boundary Review Board for Snohomish County without review. 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 public right of way known as the 13th Street and Avenue A Annexation situated in Snohomish County, Washington as contiguous, proximate, and within the present corporate limits of the City and as more particularly legally described in Exhibit A and depicted on Exhibit B, which are attached hereto and incorporated in full by this reference.

Section 2. The property shall be annexed as public right-of-way, as shown on the adopted Comprehensive Plan Land Use Map, and no zoning designation shall apply for the purposes of the Zoning Code, subject to future legislative action by the City Council.

Section 3. This ordinance shall take effect forty-five (45) days following passage. Following passage hereof, a summary of this ordinance shall be published along with the legal description of the annexation area and the effective date once each week for two weeks following the passage of this ordinance pursuant to RCW 35A.14.297.

Section 4. Pursuant to RCW 35A.14.297, this Ordinance shall be subject to referendum for forty-five days after passage.

Section 5. Upon passage of this ordinance a certified copy shall be filed with the Clerk of the Snohomish County Council and the Snohomish County Assessor.

ADOPTED AND PASSED by the City Council and **APPROVED** by the Mayor this _____ day of _____, 2016.

CITY OF SNOHOMISH

By _____
Karen Guzak, Mayor

Attest:

By _____
Pat Adams, City Clerk

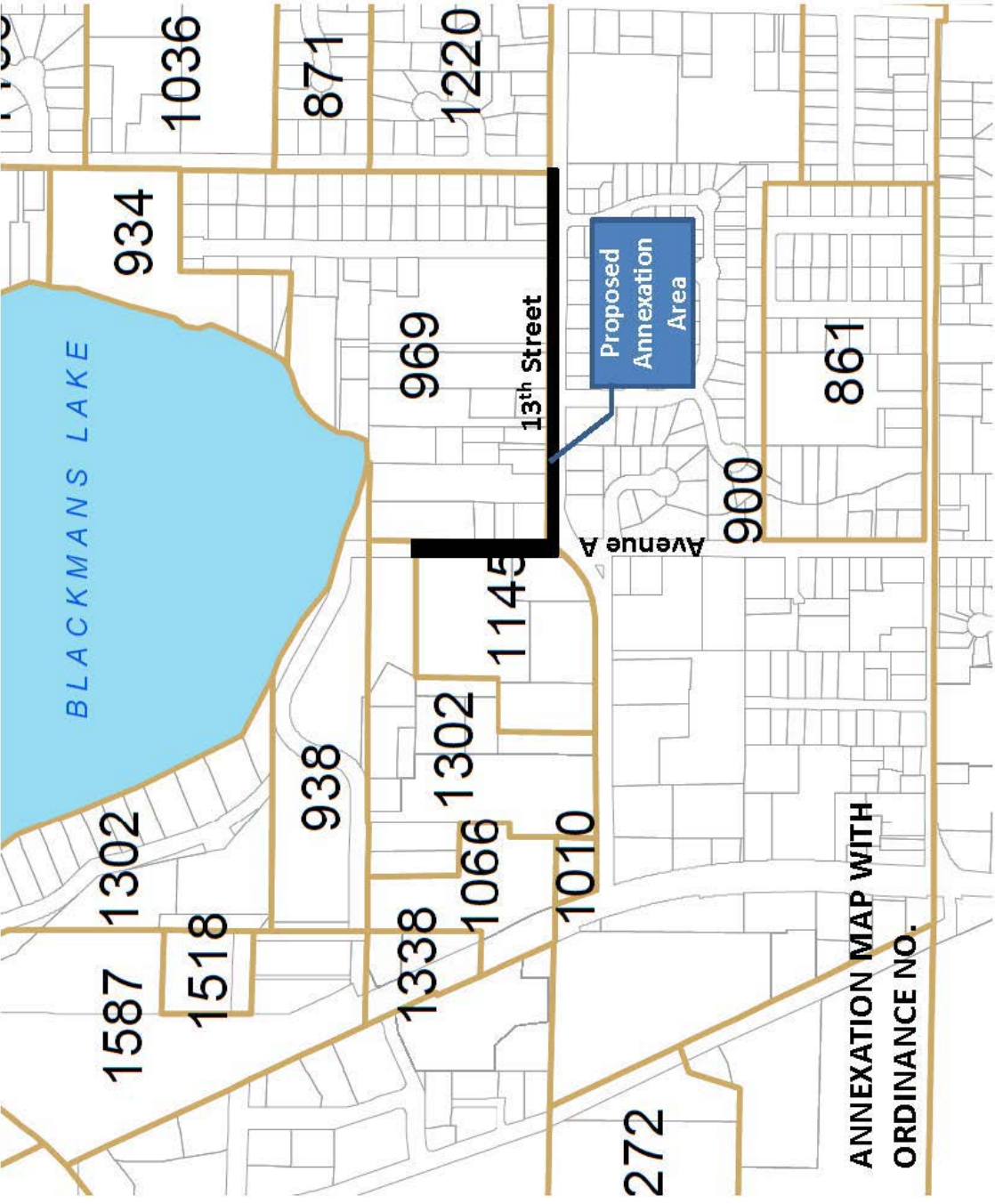
Approved as to form:

By _____
Grant K. Weed, City Attorney

EXHIBIT A
LEGAL DESCRIPTION FOR PROPOSED ANNEXATION TO THE CITY OF SNOHOMISH

THAT PORTION OF GOVERNMENT LOT 3 AND GOVERNMENT LOT 6, LOCATED IN SECTION 7, TOWNSHIP 28 NORTH, RANGE 6 EAST, W.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 6; THENCE WEST 30 FEET MORE OR LESS ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 6 TO THE POINT OF INTERSECTION WITH THE WEST LINE OF PARK AVENUE RIGHT OF WAY PROJECTED SOUTHERLY, AND THE TRUE POINT OF BEGINNING, SAID POINT BEING 30.00 FEET WEST OF THE EAST LINE OF SAID GOVERNMENT LOT 6 AS MEASURED PERPENDICULAR THERETO, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF PARCEL 3 OF THAT CERTAIN TRACT OF LAND ANNEXED TO THE CITY OF SNOHOMISH PER CITY OF SNOHOMISH ANNEXATION ORDINANCE No. 934, DATED JUNE 4, 1963; THENCE WEST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 6 A DISTANCE OF 1300 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 6; THENCE CONTINUE WEST ALONG THE SOUTH LINE OF AFOREMENTIONED GOVERNMENT LOT 3 A DISTANCE OF 60 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF AVENUE A RIGHT OF WAY, SAID POINT BEING 60.00 FEET WEST OF THE EAST LINE OF SAID GOVERNMENT LOT 3 AS MEASURED PERPENDICULAR THERETO; THENCE NORTH ALONG THE WEST LINE OF AVENUE A RIGHT OF WAY, PARALLEL WITH AND 60.00 FEET WEST OF SAID EAST LINE OF GOVERNMENT LOT 3 A DISTANCE OF 486 FEET MORE OR LESS TO THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED BY LOUIS KUIHBANK BY DEED RECORDED IN VOLUME 126 OF DEEDS, PAGE 525, UNDER RECORDING NUMBER 182013, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, SAID POINT BEING LOCATED ON THE SOUTH LINE OF THAT CERTAIN TRACT OF LAND ANNEXED TO THE CITY OF SNOHOMISH PER CITY OF SNOHOMISH ANNEXATION ORDINANCE No. 1302, DATED JANUARY 20, 1976; THENCE EAST ALONG THE SOUTH LINE OF SAID ANNEXATION AND PERPENDICULAR TO THE EAST LINE OF SAID GOVERNMENT LOT 3 A DISTANCE OF 60.00 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 3, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THAT CERTAIN TRACT ANNEXED TO THE CITY OF SNOHOMISH PER CITY OF SNOHOMISH ANNEXATION ORDINANCE No. 1302, DATED JANUARY 20, 1976; THENCE SOUTH ALONG THE EAST LINE OF SAID GOVERNMENT LOT 3 A DISTANCE OF 456 FEET MORE OR LESS TO A POINT ON THE NORTH LINE OF 13TH STREET RIGHT OF WAY, SAID POINT BEING 30.00 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOT 6 AS MEASURED PERPENDICULAR THERETO; THENCE EAST ALONG THE NORTH LINE OF 13TH STREET RIGHT OF WAY, PARALLEL WITH AND 30.00 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOT 6 A DISTANCE OF 1300 FEET MORE OR LESS TO A POINT ON

EXHIBIT B



ANNEXATION MAP WITH
ORDINANCE NO.