

**ORDINANCE NO. 3676**

**AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON, ANNEXING APPROXIMATELY 27.1 ACRES COMMONLY KNOWN AS THE LITTLE MOUNTAIN PARK NORTH 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 two parcels that total approximately 27.1 acres commonly known as the Little Mountain Park North Property, which is both contiguous with the City and within the City's designated Urban Growth Area (UGA), and

**WHEREAS**, the Little Mountain Park North 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 North 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 23.5 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 should be, and 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 of 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 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 until such terms have expired.

**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.

PASSED AND ADOPTED this 11<sup>th</sup> day of May, 2016.

SIGNED AND APPROVED THIS 11<sup>th</sup> day of May, 2016

  
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Jill Boudreau, Mayor

Approved as to Form:

  
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ALICIA D. HUSCHKA, Finance Director

  
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KEVIN ROGERSON, City Attorney

Published: June 4, 2016

**EXHIBIT A  
(LEGAL DESCRIPTION)**

That portion of the Southeast 1/4 of the Southwest 1/4 of Section 28, Township 34 North, Range 4 East, W.M., described as follows:

Commencing at the Southeast corner of said Southeast 1/4 of the Southwest 1/4 (South 1/4 corner) of said Section 28;

Thence South  $89^{\circ}36'26''$  West 30.00 feet along the South line of said subdivision to the East line of that certain tract conveyed to Wayland D. Hewitt and Lois P. Hewitt, his wife, by deed dated October 6, 1956 and recorded October 17, 1956, under Auditor's File No. 542996, records of Skagit County, Washington and the Point of Beginning;

Thence North  $15^{\circ}58'34''$  West along said East line 825.85 feet, to the Southwesterly margin of Little Mountain Road;

Thence North  $38^{\circ}03'30''$  West 394.71 feet along said margin of Little Mountain Road to a point of curvature of a centerline  $7^{\circ}30'$  curve to the right;

Thence along the arc of said curve, through a central angle of  $2^{\circ}42'30''$ , radius of 793.94 feet, for an arc distance of 37.53 feet to the North line of said Hewitt tract;

Thence South  $89^{\circ}36'26''$  West 717.64 feet along said North line to the East line of the West 35 feet of said Southeast 1/4 of the Southwest 1/4 and the East line of a deed to Skagit County recorded under Auditor's File No. 220900 in Volume 150 of Deeds, page 359;

Thence South  $01^{\circ}16'21''$  West 1138.66 feet along said East line to the South line of said Southeast 1/4 of the Southwest 1/4;

Thence North  $89^{\circ}36'26''$  East 1236.00 feet along said South line to the point of beginning.

Situate in the County of Skagit, State of Washington.

**EXHIBIT B  
(MAP)**

