

**CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON**

ORDINANCE NO. 1094

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON ANNEXING APPROXIMATELY SIXTY (66) ACRES KNOWN AS THE “MACHIAS INDUSTRIAL ANNEXATION,” INTO THE CITY PURSUANT TO RCW 35A.14.120; ASSIGNING ZONING AND COMPREHENSIVE PLAN DESIGNATIONS UPON ANNEXATION IN CONFORMANCE WITH ORDINANCES 1073 AND 1074; REQUIRING ASSUMPTION OF A PROPORTIONATE SHARE OF CITY INDEBTEDNESS AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE AND PROVIDING FOR SUMMARY PUBLICATION BY ORDINANCE TITLE ONLY.

WHEREAS, The Lake Stevens City Council (Council) adopted Ordinance No. 937 establishing the 2015 – 2035 Comprehensive Plan that sets planning goals, policies and implementation strategies for the Lake Stevens Urban Growth Area (UGA) pursuant to Chapter 36.70A RCW; and

WHEREAS, the City of Lake Stevens (City) and Snohomish County entered an updated Interlocal Agreement related to Annexation and Urban Development in the Lake Stevens UGA recorded under Auditors File No. 200511100706 on November 10, 2005 that provides for the orderly transition of services from the County to City; and

WHEREAS, the City Council has reviewed the City’s annexation strategy to determine whether it is consistent with current practices, policies and procedures and thus, the City Council adopted Resolution 2016-21; and

WHEREAS, pursuant to RCW 35A.14.120 the City Council adopted resolution 2017-015 accepting a 10% petition, authorizing the circulation of a 60% petition for annexation and designating comprehensive plan and zoning for the proposed “Machias Industrial” annexation area; and

WHEREAS, the City Council reaffirmed its support of Resolution 2017-105 and accepted an updated 10% annexation on August 27, 2019, authorizing the circulation of a 60% petition for annexation and designating comprehensive plan and zoning for the proposed “Machias Industrial Annexation” pursuant to RCW 35A.14.120; and

WHEREAS, pursuant to RCW 35A.14.120, the petitioner obtained the signatures of property owners representing more than 60% of the current total assessed value of all parcels within the proposed annexation area in attached Exhibit A and depicted in attached Exhibit B; and

WHEREAS, pursuant to RCW 35A.01.040 the Snohomish County Assessor’s Office certified the 60% petition as sufficient on September 25, 2020; and

WHEREAS, the city adopted land use and zoning designations for its Urban Growth Area with the adoption of Ordinances 1073 and 1074 for its Urban Growth Area. These Ordinances designated the subject properties in the City’s Comprehensive Plan as GI (General Industrial) and the on the City’s Official Zoning Map as GI (General Industrial); and

WHEREAS, the annexation area being contiguous with the existing city limits, lies within unincorporated Snohomish County, and may generally be described as an area of approximately 66 acres and associated right-of-way as depicted in the map attached as Exhibit B. Said unincorporated annexation area is within the City's Urban Growth Area and includes the abutting right-of-way; and

WHEREAS on August 11, 2020 the City Council considered the Machias Industrial Annexation, and accepted the 60% Petitions and issued a Notice of Intent to Annex the area by passing Resolution 2020- 19; and

WHEREAS, on August 25, 2020 a properly noticed public hearing was held pursuant to RCW 35A.14.130 and all persons who wished to provide testimony were heard and City Council approved its intent to annex the proposed area; and

WHEREAS, on December 09, 2020 the City submitted a Notice of Intent to the Snohomish Boundary Review Board and the Board reviewed said Notice and associated materials and deemed said Notice of Intent complete issuing an effective filing date of December 30, 2020; and

WHEREAS, the 45-day review period for the Snohomish County Boundary Review Board expired on February 15, 2020 without a request for Board review; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Annexation. The property described in attached Exhibit A and depicted in attached Exhibit B is hereby annexed into the City of Lake Stevens on the effective date of this ordinance.

SECTION 2. The area legally described in attached Exhibit A and depicted in attached Exhibit B shall be required to assume it's proportionate share of the general indebtedness of the City of Lake Stevens at the time of the effective date of such annexation.

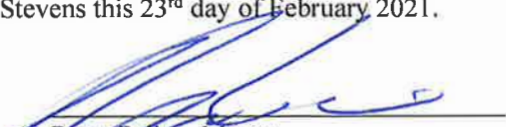
SECTION 3. The area shown and described in attached Exhibits A and B, shall be designated in the City's Comprehensive Plan as GI (General Industrial) and on the City's Official Zoning Map as GI (General Industrial) consistent with Ordinances 1073 and 1074.

SECTION 4. Severability. If any section, clause, phrase, or term of this ordinance is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance, and the remaining portions shall be in full force and effect.

SECTION 5. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in force five (5) days after the date of publication.

SECTION 6. Upon passage of this ordinance a certified copy shall be transmitted to the Clerk of the Snohomish County Council as required by RCW 35A.14.440.

PASSED by the City Council of the City of Lake Stevens this 23rd day of February 2021.


Brett Garley, Mayor

ATTEST:


Kelly Chelin, City Clerk

APPROVED AS TO FORM:

Greg Rubstello, City Attorney

First and Final Reading: February 23, 2021

Effective Date: 3/3/21

Publication Date: 2/26/21

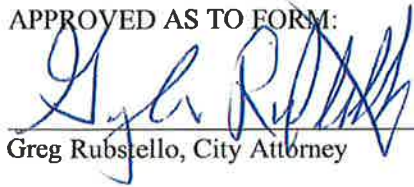
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Brett Gailey, Mayor

ATTEST:

Kelly Chelin, City Clerk

APPROVED AS TO FORM:



Greg Rubstello, City Attorney

First and Final Reading: February 23, 2021
Effective Date:

Exhibit A

**CITY OF LAKE STEVENS ANNEXATION LEGAL DESCRIPTION
MACHIAS AREA**

Those portions of the Southwest quarter of Section 04, the Southeast quarter of Section 5, the Northwest quarter and the Southwest quarter of Section 09, in Township 29 North, Range 6 East, W.M., in Snohomish County, Washington, described as follows:

Beginning at the Northwest corner of the Southwest quarter of said Section 4;

Thence Easterly, 10 feet plus or minus, to the easterly right of way of N Machias Road;

Thence southerly along said east right of way, 2,750 feet plus or minus, to the northerly right of way of 28th Street NE;

Thence Southeasterly, 52 feet plus or minus, to the Southerly right of way of 28th Street NE and it's intersection with the easterly right of way of N Machias Road;

Thence Southerly along the east right of way, 314 feet plus or minus, to the South line of the North 350 feet of the Northwest quarter of said Section 9;

Thence easterly along the south line of the North 350 feet of said Northwest quarter, 534 feet plus or minus, to the west line of the East 482 feet of the Northwest quarter of the Northwest quarter of said Section 9;

Thence southerly along the east line of the East 482 feet of the said Northwest quarter, 482 feet plus or minus, to the south line of the North 837.6 feet of the Northwest quarter of the Northwest quarter of said Section 9;

Thence easterly along the south line of the North 837.6 feet of the said Northwest quarter, 218 feet plus or minus, to the west line of the East 264 feet of the Northwest quarter of the Northwest quarter of said Section 9;

Thence southerly along the east line of the East 264 feet of the said Northwest quarter, 537 feet plus or minus, to the south line of the Northwest quarter of the Northwest quarter;

Thence easterly along the south line of the said Northwest quarter, 304 feet plus or minus to the east line of the Northwest quarter of the Northwest quarter of said Section 9;

Thence southerly along the east line of the Southwest quarter of the Northwest quarter of said Section 9, 80 feet plus or minus;

Thence east along a line, 80 feet south of the north line of the Southeast quarter of the Northwest quarter of said Section 9, 404 feet plus or minus, to the intersection with the westerly easement of the Bonneville Power Transmission Line;

Thence southerly along the said easement of the Bonneville Power Transmission Line, 1388 feet plus or minus, to the south line of the Northwest quarter of said Section 9;

Thence westerly along the said south line of the Northwest quarter, 235 feet plus or minus, to the east line of the Northwest quarter of the Southwest quarter of said Section 9;

Thence southerly along said east line of the Southwest quarter, 794 feet plus or minus, to the northerly right of way of N Machias Road;

Thence southeasterly along said northerly right of way, 143 feet plus or minus, to its intersection with the north line of the South 450 feet of the Northeast quarter of the Southwest quarter of said Section 9

Thence westerly along the north line of the South 450 feet of the said Northeast quarter, 55 feet plus or minus, to the westerly right of way of N Machias Road and the existing city limits of Lake Stevens according to the original incorporation effective November 21, 1960;

Thence northwesterly, northerly along the westerly right of way of N Machias Road and the said existing city limits; 3950 feet plus or minus, to the north line of said Section 9;

Thence westerly along the north line of said Section 9 and the said existing city limits, 251 feet plus or minus, to the Northwest corner of Section 9;

Thence easterly along the northerly right of way of 28th Street NE and the said existing city limits, 220 feet plus or minus, to it's intersection with the westerly right of way of N Machias Road and the existing city limits of Lake Stevens according to the Ordinance 268 effective October 9, 1985;

Thence northerly along the westerly right of way of said N Machias Road and the said existing city limits, 2675 feet plus or minus, to the north line of the Southeast quarter of said Section 5;

Thence easterly, 50 feet plus or minus, to the Northwest corner of the Southwest quarter of said Section 4 and the True Point of Beginning.

This legal description/exhibit was initiated by CHS Engineers, LLC and this deliverable was completed by David Evans and Associates, Inc. The licensed professional whose stamp is affixed hereto has continuously acted as the professional in responsible charge and prepared or directed all phases of the work and legal description/exhibit.



Exhibit B

