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Skagit County Auditor

11/21/2003 Page 1 of 8 3:00PM

COVER SHEET FOR RECORDING DOCUMENTS**RETURN TO:**

City of Mount Vernon
P.O. Box 809
Mount Vernon, WA 98273

DOCUMENT TITLE:

Ordinance No. 3149

GRANTOR:

City of Mount Vernon

GRANTEE:

Public

ABBREVIATED LEGAL DESCRIPTION:

SECTION 1 The tracts located at 1103 Cleveland P26495
P26496

SECTION 2 The tracts located at 1213 N. 15th St. P25703
P25704

SECTION 3 The tracts located at 101 E. Section St. &
100 E. Kincaid St.
P53373P53374, P53375, P53376, P53377, P53378,
P54114, P54115 P54413, P54415, P54122, P54120,
P54119, P54118, P54117 P54116, P53433, P53430, P53428,
P103224, P110634, P26886, P26788

SECTION 4 The tracts located at 1311 & 1315 E. Division St. P26926

SECTION 5 The tract located at 3517 E. College Way P25000

SECTION 6 The tract located at 1704 S. 18th St. P28516

COMPLETE LEGAL DESCRIPTION: Pages 1,2,3,4,5,6,7

ORDINANCE NO. 3149

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON, PURSUANT TO CHAPTER 17.111 OF THE MOUNT VERNON MUNICIPAL CODE, REZONING CERTAIN AREAS

WHEREAS, a City-Initiated Rezone has been submitted to the Hearings Examiner in compliance with Chapter 17.111 of the Mount Vernon Municipal Code, and said rezone requests a classification of the below mentioned areas in Sections 1 through 6 from the existing land use designations to the requested land use designations and,

WHEREAS, all requirements provided in Chapter 17.111 of the Mount Vernon Municipal Code for reclassification of property within the City Limits have been met; and

WHEREAS, the City Hearings Examiner has recommended that such areas be reclassified as per petitioners' request;

NOW, THEREFORE,

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

SECTION 1. The following tracts located at 1103 Cleveland Avenue (P26495 and P 26496) are hereby rezoned from M-1 (Commercial and Light Manufacturing) to C-1 (Central Business District):

LEGAL DESCRIPTION:

Parcel 1:

The North 100 feet of the following described tract:

Beginning at a point on the South line of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 19, Township 34 North, Range 4 East, W.M., which point is 210 feet East of the intersection of the East line of First Street in the City of Mount Vernon, with the said South line of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, thence North 20 deg. East to the South line of Milwaukee Street; thence East along the South line of Milwaukee Street to intersect with the West line of Cleveland Avenue; thence South along the West line of Cleveland Avenue to a point East of the point of beginning; thence West to the point of beginning.

Parcel 2:

That portion of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 19, Township 34 North, Range 4 East, W.M., described as follows: Beginning at a point on the South line of Milwaukee Street that is 210 feet East of the East line of First Street; as both of said streets are laid out and established in the City of Mount Vernon; thence South 20° West



160 feet; thence West 30 feet; thence North to a point on the South line of Milwaukee Street that is 80 feet West of the point of beginning; thence East 80 feet to the point of beginning.

SECTION 2. The following tracts located at 1213 N 15th Street (P25703 and P25704) are hereby rezoned from R-1, 13.5 (Single-Family Residential) to R-1, 7.6 (Single-Family Residential):

LEGAL DESCRIPTION:

Parcel 1:

That portion of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 17, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point 998.25 feet North of the South $\frac{1}{4}$ corner of said Section 17; thence East parallel with the Section line 166.32 feet to the true point of beginning; thence continue East parallel with said section line 166.32 feet; thence North 195 feet; thence West parallel to the section line, 166.32 feet; thence South 195 feet to the true point of beginning.

Also, a strip of land 10 feet in width being 5 feet on each side of a line described as follows:

Beginning at a point 1153.32 feet North and 166.32 feet East of the South $\frac{1}{4}$ corner of Section 17, Township 34 North, Range 4 East, W.M.; thence West 136.32 feet to 14th Street and the terminal point of said line.

Parcel 2:

That portion of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 17, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point 998.25 feet North of the South $\frac{1}{4}$ corner of said Section 17; thence East 332.64 feet parallel to the Section line of aforesaid Section; thence North 332.75 feet parallel to the North and South center line of the aforesaid Section; thence West 332.64 feet; thence South to the point of beginning.

EXCEPT the North 10 feet as conveyed to the City of Mount Vernon under Quit Claim Deed recorded February 27, 1959 under Auditor's File No. 577086;

ALSO EXCEPT that portion of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 17, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point 998.25 feet North of the South $\frac{1}{4}$ corner of Said Section 17, thence East parallel with the Section line 166.32 feet to the true point of beginning; thence continue East parallel with said Section line 166.32 feet; thence North 195 feet; thence West parallel to the Section line 166.32 feet; thence South 195 feet to the true point of beginning;

ALSO EXCEPT a strip of land 10 feet in width being 5 feet on each side of a line described as follows:



200311210152

Skagit County Auditor

Beginning at a point 1153.32 feet North and 166.32 feet East of the South ¼ corner of Section 17, Township 34 North, Range 4 East, W.M.; thence West 136.32 feet to 14th Street and the terminal point of said line;

TOGETHER WITH an easement as reserved by Glenn Lindberg under Statutory Warranty Deed recorded May 24, 1963, under Auditor's File No. 636442 for road purposes over and across the aforescribed 10 foot strip to be used as an appurtenance to the remaining land of the grantor (as described in Auditor's File No. 413887 in Volume 224 of Deeds, page 49; EXCEPT that portion thereof conveyed by this Deed).

SECTION 3. The following tracts located at 101 E. Section Street and 100 E. Kincaid Street (P26788, P26886, P53373, P53374, P53375, P53376, P53377, P53378, P54114, P54415, P54413, P54415, P54122, P54120, P54119, P54118, P54117, P54116, P53433, P53430, P53428, P103224, P110634) are hereby rezoned from M-1 (Commercial and Light Manufacturing), M-2 (Industrial), and R-3 (Multi-Family Residential) to C-2 (General Commercial):

LEGAL DESCRIPTION:

Parcel 1:

Lots 1 to 4 and Lot 6, Block 2, KINCAIDS ADDITION to MT VERNON, as per plat recorded in Volume 2 of Plats, Page 84, records of Skagit County, Washington. Situate in Skagit County, State of Washington.

Parcel 2:

Lot 5, Block 2, KINCAID'S ADDITION to MT. VERNON, as per plat recorded in Volume 2 of Plats, Page 84, records of Skagit County, Washington. Situate in the City of Mount Vernon, County of Skagit, State of Washington.

Parcel 3:

Lots 1 to 8, Block 1, "PICKENS ADDITION TO THE TOWN OF MT. VERNON", as per plat recorded in Volume 2 of Plats, page 105, records of Skagit County, Washington. Situate in City of Mount Vernon, County of Skagit, State of Washington.

Parcel 4:

Lots 9 to 15, Block 2, "PICKENS ADDITION TO THE TOWN OF MT. VERNON", as per plat recorded in Volume 2 of Plats, page 105, records of Skagit County, Washington. Situate in City of Mount Vernon, County of Skagit, State of Washington.

EXCEPT that portion deeded to the State of Washington for highway purposes by deed dated September 1, 1972 and recorded October 27, 1972 under Auditor's File No. 775979.

Parcel 5:

Lot 16, Block 2, "PICKENS ADDITION TO THE TOWN OF MT. VERNON", as per plat recorded in Volume 2 of Plats, page 105, records of Skagit County, Washington, EXCEPT that portion thereof conveyed to the State of Washington for Primary State Highway No. 1 by Deeds recorded April 17, 1953 and July 17, 1972, under Auditor's



File No. 487248 and 771195. Situate in City of Mount Vernon, County of Skagit, State of Washington

Parcel 6:

Lot 1, less the East 25 feet thereof, the East 50 feet of Lot 2, and Lot 5, Block 1, McLEAN'S ADDITION TO THE TOWN OF MT. VERNON, SKAGIT COUNTY, WASHINGTON', as per plat record in Volume 3 of Plats, page 65, records of Skagit County, Washington. Situate in the City of Mount Vernon, County of Skagit, State of Washington.

Parcel 7 (P26788):

Those portions of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 20, Township 34 North, Range 4 East, W.M., described as follows:

Commencing at a point in the west line of said southwest $\frac{1}{4}$ of the southwest $\frac{1}{4}$ of Section 20, distant 975.26 feet southerly of the northwest corner thereof, thence easterly perpendicular to said west line for 65 feet, more or less, to a point perpendicularly distant 54 feet east from the center line of the main track of the railway of the Great Northern Railway Company as now located and constructed and the place of beginning; thence easterly along a production of last described course 150 feet, more or less, to a point in the southeasterly boundary of that certain tract of land conveyed to the Seattle and Montana Railway Company by James F. McElroy by warranty deed dated March 17, 1891; thence southwesterly along said southeasterly boundary to a point perpendicularly distant 100 feet south from the last described course; thence westerly perpendicular to said west line 111 feet, more or less, to a point perpendicularly distant 54 feet easterly of said center line of main track; thence northerly parallel with said center line of main track 100 feet to the place of beginning.

Parcel 8 (P26886):

That portion of the West $\frac{1}{2}$ of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 20, Township 34 North, Range 4 East, W.M., Skagit County, Washington, described as follows:

Beginning at the intersection of the South right-of-way line of Kincaid Street, according to the recorded plat of the Town of Mount Vernon, Washington, and a line drawn parallel with and distant 54.0 feet Easterly of, as measured at right angles to, Burlington Northern Railroad Company's (formerly Great Northern Railway Company's) Main Track centerline, as originally located and constructed; thence Southerly parallel with said Main Track centerline a distance of 429.0 feet; thence Easterly at right angles to the last described course a distance of said 215.0 feet; thence Northerly at right angles to the last described course a distance 300.0 feet; thence Westerly at right angles to the last described course a distance of 30.0 feet; thence Northerly at right angles to the last described course a distance of 129.0 feet to the point of intersection with said South right-of-way line of Kincaid Street a distance of 185.0 feet to the point of beginning.

EXCEPT those portions thereof, if any, lying East of the East lines of those properties conveyed to the Seattle and Montana Railway Company by deeds recorded in Volume 15 of Deeds, page 411, and in Volume 18 of Deeds, page 537.



ALSO EXCEPT that portion conveyed to the State of Washington by deed recorded as Auditor's File #9803170090.

ALSO FUTHER EXCEPT that portion conveyed to the City of Mount Vernon by deed recorded as Auditor's File #200005080050.

Parcel 9:

All that portion of the Southwest quarter of the Southwest quarter of Section 20, Township 34 North, Range 4 East, Willamette Meridian, Skagit County, Washington described as follows:

Commencing at a point on the West line of said southwest $\frac{1}{4}$ of the southwest $\frac{1}{4}$ of distant 1,075.26 feet Southerly of the Northwest corner of said southwest $\frac{1}{4}$ of said southwest $\frac{1}{4}$; thence Easterly at right angles to said West line a distance of 65 feet to a point of intersection drawn parallel with and distant 54.0 feet Easterly of measured at right angles Burlington Northern Railroad Company's (formerly Great Northern Railway Company) Main Track centerline, as now located and constructed, and being the Point of Beginning; thence continuing Easterly at right angles to said Railroad Company's Main Track centerline along the Southerly boundary of that certain tract of land conveyed to Libby, McNeil and Libby, by that certain deed dated May 8, 1955 and recorded under Skagit County Auditor's File No. 526435 a distance of 111.0 feet to the Westerly boundary of Block 3, McLean's Addition to the City of Mt. Vernon; thence Southwesterly along said Westerly boundary of said Block 3 to the North line of Section Street, according to the recorded plat thereof; thence Westerly along the North line of Section Street to the point of intersection of a line drawn parallel with and distant 54.0 feet Easterly of measured at right angled to said Railroad Company's Main Track centerline; thence Northerly parallel to said Main Track centerline to the point of beginning.

SUBJECT, however, to all existing interests, including but not limited to all reservation, rights-of-way, and easements of record.

Parcel 10:

A portion of the property conveyed to the City of Mount Vernon by Burlington Northern Railroad Company by Quit Claim Deed dated December 30, 1996, and recorded under Auditor's File No. 9701100078, records of Skagit County, Washington, situated in Section 20, Township 34 North, Range 4 East of the Willamette Meridian, in Skagit County, Washington.

More particularly described as follows:

All that portion of said property that lies southerly of a line drawn parallel with and 45 feet southerly of, as measured at right angles to the K Line, Survey Line of SR 5, Mount Vernon: Blackburn Road to Skagit River. The specific details of said K Line are shown on that certain map of definite location now of record and on file in the Office of the Secretary of Transportation at Olympia, and bearing the Date of Approval, February 25, 1971, revised November 22, 1996.

EXCEPT the West 5.6 feet thereof,



TOGETHER WITH a right of ingress and egress to Kincaid Street over, across and through, that portion of the street right of way lying northerly of the above-mentioned parcel.

Said parcel contains 8,990 square feet, more or less.

SUBJECT, however, to all existing interests, including but not limited to all reservation, rights-of-way, and easements of record.

SECTION 4. The following tracts located at 1311 and 1315 E. Division Street (P26926) are hereby rezoned from R-1, 6.0 (Single-Family Residential) to P-O (Professional Office):

LEGAL DESCRIPTION:

Parcel 1:

The West 132 feet of the East 198 feet of the South 200 feet of the Southeast Quarter of the Northwest Quarter of Section 20, Township 34 North, Range 4 East, W.M.

Except the South 30 feet thereof.

Parcel 2:

The East 66 feet of the South 250.77 feet of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 20, Township 34 North, Range 4 East, W.M.

Except that portion thereof lying within Division Street.

Situate in the county of Skagit, State of Washington

(Legal description is based on recorded documents recorded under Auditors file numbers 200203060146 and 200203060145).

SECTION 5. The following tract located at 3517 East College Way is hereby rezoned from R-A (Residential Agricultural) to R-1, 9.6 (Single-Family Residential):

LEGAL DESCRIPTION:

Tract D of Short Plat No. MV-14-77, approved August 1, 1977 and recorded August 1, 1977 under Auditor's File No. 869791 in Volume 2 of Short Plats, page 94, records of Skagit County, being a portion of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 16, Township 34 North, Range 4 East, W.M.

EXCEPT that portion conveyed to the State of Washington for Highway purposes by Deed recorded August 14, 1986 under Auditor's File No. 8608140044.

SECTION 6. The following tract located at 1704 S 18th Street (P28516) is hereby rezoned from R-1 R-1, 9.6 (Single-Family Residential) to R-1 7.6 (Single-Family Residential).

LEGAL DESCRIPTION:

That portion of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 29, Township 34 North, Range 4 East, W.M., described as follows:

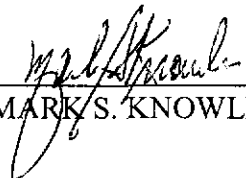


200311210152


Skagit County Auditor

Beginning at a point on the East line of the Burch Road 830 feet North of the North line of the County Road running along the South line of said subdivision;
Thence North along the East line of the Burch Road, 200 feet;
Thence East parallel with the South line of said subdivision, 691.43 feet;
Thence South 200 feet to the Northeast corner of a tract conveyed to George W. Gearhart by deed dated October 1, 1953 and filed October 2, 1953, under Auditor's File No. 493557;
Thence West along the North line of said Gearhart Tract to the point of beginning.
Situate in the County of Skagit, State of Washington.

PASSED AND ADOPTED THIS 10th day of September, 2003.


MARK S. KNOWLES, Finance Director

SIGNED AND APPROVED this 10th day of September, 2003.


SKYE RICHENDRFER, Mayor

Approved as to form:


Scott Thomas, City Attorney

Published Summary 9/27/03

