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Return to: City of Mount Vernon
Post Office Box 809
Mount Vernon, Washington 98273

DOCUMENT TITLE: Ordinance No. 3291

GRANTORS: City of Mount Vernon

GRANTEES: Skagit County

ABBREVIATED LEGAL DESCRIPTION: Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 29,
Township 34 North, Range 4 East, W.M.

COMPLETE LEGAL DESCRIPTION ON PAGES: 1

ASSESSOR'S PARCEL/TAX ID NUMBER: P28758

ORDINANCE NO. 3291

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON, ANNEXING APPROXIMATELY 15 ACRES COMMONLY KNOWN AS THE BARSNESS ANNEXATION, AND REQUIRING THE PROEPRTY TO BE ASESED AND TAXED AT THE SAME RATE AND ON THE SAME BASIS AS OTHER PROPERTY WITHIN THE CITY, AND ZONING THE PROPERTY SINGLE-FAMILY RESIDENTIAL WITH A 9,600 SQUARE FOOT LOT SIZE (R-1,9.6).

WHEREAS, on February 3, 2005, the City of Mount Vernon received a Notice of Intention to annex certain real property commonly known as the Barsness Annexation; and

WHEREAS, the Notice of Intention was signed by the owners of the property representing at least 10% of the assessed value of the property described in Exhibit A attached hereto; and

WHEREAS, on March 9, 2005 the City Council met with the initiators of the annexation, accepted the Notice of Intention subject to certain conditions and authorized circulation of an annexation petition; and

WHEREAS, the Notice of Intention was filed with the County Boundary Review Board which did not invoke jurisdiction within 45 days of the submittal of the Notice of Intention; and

WHEREAS, petitions for annexation have been presented to the City Council of the City of Mount Vernon in compliance with the provisions of RCW 35A.01.040, where certified as sufficient with signatures by the owners of not less than sixty percent (60%) of the assessed value of the property for which annexation is petitioned and a date was fixed for a public hearing thereon with notice of the hearing caused to be published in one or more issue of a newspaper of general circulation in the City and posted in three or more public places within the territory proposed for annexation; and

WHEREAS, the City Council held a public hearing on the proposed annexation on October 12, 2005, and at the conclusion of said hearing , determined the property should be annexed as proposed, subject to the requirement that the property be assessed and taxed at the same rate as other property within the City; now therefore,

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

Section 1. Annexation. That certain approximate 15 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 to and made a part of the City of Mount Vernon.

Section 2. Zoning. Zoning for the annexation area shall be Single-Family Residential with a minimum 9,600 square foot lot size (R-1, 9.6) in conformance with the Comprehensive Plan designations and pre-annexation zoning for the area.

Section 3. Indebtedness. Pursuant to the terms of the annexation petition, all property within the territory annexed shall be assessed and taxed at the same rate and on the same basis as other property



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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.

Section 4. Duties of the City Clerk. The City Clerk is hereby directed to file a certified copy of this ordinance, together with the attached Exhibits A and B, with the Skagit County Commissioners. In addition, the Clerk is authorized and directed to file the annexation certificate provided for in RCW 35A.14.700 with the Office of Financial Management within the thirty (30) day of the effective date of the annexation.

Section 5. Sanitation Service. In compliance with the provisions of RCW 35A.14.900 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 6. Challenges to RCW 35A.14.900. In the event that RCW 35A.14.900 is found by a State or Federal Appellant Court to be unconditional or invalid then said permit shall be automatically revoked and the City will assume responsibility for the garbage collection service in this area.

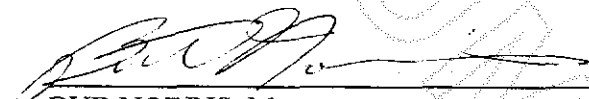
Section 7. Franchises & Public Utilities. Franchises for all other public utilities now existing in the annexed area, being provided by the same firms or municipal corporation as those which provide similar services in the City of Mount Vernon, are hereby extended and granted in common with and under 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. Effective Date. This Ordinance, being an exercise of a power specifically delegated to the City legislative body shall be deemed annexed to the City (5) five days and after its passage, approval and publication as provided by law.

PASSED AND ADOPTED this 12th day of October, 2005.

SIGNED AND APPROVED THIS 16th day of Oct., 2005


ALICIA D. HUSCHKA, Finance Director


BUD NORRIS, Mayor

Approved as to form:


KEVIN ROGERSON, City Attorney

Published November 1, 2005



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

Begin at the Northwest corner of said subdivision; thence South 0 degrees 25' 28" West, a distance of 1,270.15 feet to the North line of the County road right-of-way known as the Anderson Road said point being also the Southwest corner of Tract "A" of Skagit County Short Plat No. 39-83; thence continuing South 0 degrees 25' 28" West a distance of 30.01 feet to the South line of said subdivision; thence South 87 degrees 58' 00" East along said South line, a distance of 255.78 feet; thence North 30 feet, more or less, to the Southeast corner of said Tract "A" on the North line of said Anderson Road; thence North 0 degrees 23' 15" East, a distance of 256.14 feet; thence along a curve to the right having a radius of 435.63 feet, bearing South 87 degrees 58' 00" East, through an arc of 38 degrees 0' 0", an arc distance of 150.00 feet; thence North 38 degrees 23' 15" East, a distance of 940.04 feet to the North line of said subdivision; thence North 88 degrees 50' 45" West, a distance of 926.04 feet to the Point of Beginning.

All of said premises being also known as Tract "A" of Skagit County Short Plat No. 39-83, approved November 14, 1983 and recorded November 14, 1983 as Auditor's File No. 8311140026, Together With that portion of Anderson Road appurtenant thereto.



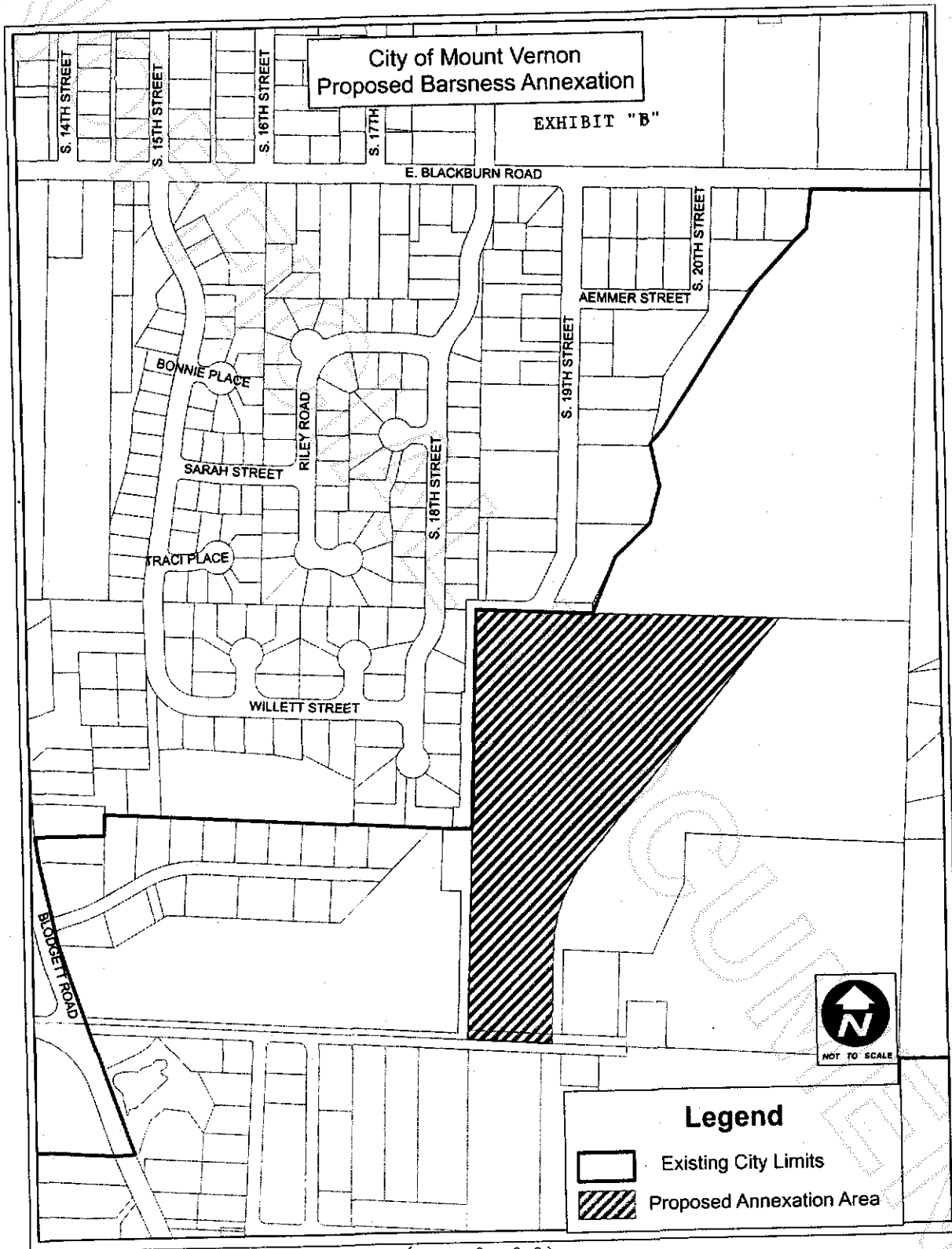
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