



ORDINANCE NO. 3506-16

AN ORDINANCE Annexing Property Located East of the Existing City Limits, South of 12th St NE and West of Union Slough, Known as the Smith Island Municipal Annexation

WHEREAS, pursuant to RCW 35.13.180, the City of Everett is annexing certain city-owned property for municipal purposes; and

WHEREAS, the Snohomish County Council adopted Ordinance 14-131 effective July 2, 2015 that adopted map amendments that extended the Urban Growth Boundary to include the area of this proposed annexation within the Municipal Urban Growth Area of the City of Everett; and

WHEREAS, the property is owned by the City of Everett, and is contiguous to the existing city limits of the City of Everett; and

WHEREAS, the property will be used for municipal purposes; and

WHEREAS, the annexation of City owned property contiguous to the City for municipal purposes is exempt from review by the Snohomish County Boundary Review Board; and

WHEREAS, on July 29, 2015 City Council passed Resolution 6882 stating the Council's intent to annex to Everett unincorporated Snohomish County Territory on Smith Island and City Council did conduct a public hearing on September 9, 2015, for the proposed annexation, for which proper notice of hearing was provided; and

WHEREAS, the City Council finds that the proposed annexation is in the best interests of the citizens of Everett;

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN THAT:

Section 1. The property identified in Exhibit "A" and as legally described below is hereby annexed to the City of Everett:

SMITH ISLAND ANNEXATION: LEGAL DESCRIPTION

IT IS THE INTENT OF THIS LEGAL DESCRIPTION TO FOLLOW THE EXISTING CORPORATE CITY LIMITS OF EVERETT. REFERENCES HEREIN ARE MEANT TO CONVEY THAT ALTHOUGH PRESENT RIGHTS OF WAY BOUNDARIES MAY BE DIFFERENT, THE RIGHTS OF WAY BOUNDARIES AT THE TIME OF THE ORIGINAL INCORPORATION AND SUBSEQUENTLY ADOPTED ORDINANCES ARE INTENDED TO BE FOLLOWED SO THAT NO GAP OR OVERLAP EXISTS BETWEEN THIS ANNEXATION AND THE EXISTING CITY LIMITS OF EVERETT.

All that portion of the West Half of the NW Quarter of Section 15, Township 29 North, Range 5 East, W.M. lying west of the MID-CHANNEL of UNION SLOUGH.

Situate in County of Snohomish, State of Washington.

Being an area of approximately 27.35 Acres.

Section 2: Notice to Snohomish County. The City Clerk of the City of Everett is hereby directed upon passage of this ordinance of annexation to deliver and to file with the Snohomish County Council, the Snohomish County Auditor, and the State of Washington, a certified copy of this ordinance of annexation.

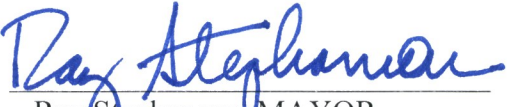
Section 3: Severability. Should any section, paragraph, clause or phrase of this Ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulations, this shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4: Conflict. In the event there is a conflict between the provisions of this Ordinance and any other City ordinance, the provisions of this Ordinance shall control.


Section 5: Corrections. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection number and any references thereto.

Section 6: General Duty. It is expressly the purpose of this Ordinance to provide for and promote the health safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Ordinance. It is the specific intent of this Ordinance that no provisions or any term used in this Ordinance is intended to impose any duty whatsoever

upon the City or any of its officers or employees. Nothing contained in this Ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this Ordinance by its officers, employees or agents.


Ray Stephanson, MAYOR

ATTEST:


Sharon Fuller, CITY CLERK

Passed: 08-10-16

Valid: 08-15-16

Published: 08-18-16

Effective Date: 08-30-16

**Exhibit A
Smith Island Municipal Annexation**

