

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

**ORDINANCE NO. 854**

**AN ORDINANCE ADOPTED PURSUANT TO RCW 35A.14.900  
PROVIDING FOR A FRANCHISE TO WASTE MANAGEMENT  
OF WASHINGTON, INC. ALLOWING IT TO COLLECT SOLID  
WASTE FOR TEN (10) YEARS IN AREAS ANNEXED INTO THE  
CITY**

WHEREAS, certain areas have been annexed from time to time into the City of Lake Stevens as set out in the Attachment A spreadsheet, Attachment B listing of ordinances and Attachment C Map depicting annexation areas by location, ordinance and effective date (the “annexation area(s)”);

Whereas Waste Management of Washington, Inc. provides solid waste collection in the annexation areas;

NOW, THEREFORE, the City Council of the City of Lake Stevens does ordain as follows:

**Section 1. Franchise conferred; duration:** Waste Management of Washington, Inc., hereinafter identified as “Grantee”, shall hereby have an exclusive right during the term of the franchise granted and recognized by this ordinance, on the terms set out and agreed to in the Franchise Agreement attached hereto as Attachment D to collect and haul for hire over the streets and alleys of the City all solid waste collected from private customers located within the corporate limits of the City which were annexed into the City of Lake Stevens as detailed in Attachments A, B and C. “Solid waste”, as used herein, shall be interpreted to mean and include all garbage, refuse, solid waste, animal and vegetable matter, rubbish, trash, debris, ashes, tin cans and other waste materials, including recyclable materials customarily hauled away, dumped, disposed of, or recycled. The franchise conferred by this Section 1 shall continue for a period of ten years from the commencement date set out in the Franchise Agreement.

**Section 2. Nondiscrimination:** Grantee shall furnish collection services to any person or organization, public or private, within the annexation area(s) after receipt of a written request for services. Grantee shall not be required to furnish service to any household, residence, dwelling, business establishment, or building where adequate access has not been provided, nor where the person or organization has failed to pay for services rendered by grantee.

**Section 3. Collection rates:** Grantee’s collection rates inside the City shall be the same as set out under Grantee’s tariffs as established with the Washington Utility and Transportation Commission for County residents, provided that if the Commission stops

setting rates for the Grantee, then City and grantee will negotiate in good faith to set collection rates that are sufficient to cover the cost of collection and disposal and a reasonable profit. Any rate changes shall only become effective upon the giving of notice to customers as required by law.

**Section 4. Exclusive:** The City shall not, except as allowed in the Franchise Agreement, directly or by contract, without the permission of Grantee, collect and dispose of solid waste in the annexation area(s), unless Grantee shall refuse or be unable to provide the service. In that case, the City may provide the service and terminate this franchise.

**Section 5. Notice to WUTC:** Upon this Ordinance becoming effective, a copy of this Ordinance shall be provided to the Washington Utilities and Transportation Commission to advise the Commission of the commencement of the transition period prescribed by RCW 35A.14.900.

**Section 6. Other annexations:** Nothing herein shall be construed as affecting the rights of any party with respect to any other areas annexed previously, or after the date of the annexed areas identified in Attachments A, B and C, and respecting an area not referenced in this Ordinance.

**Section 7. Severability:** In the event any provision, phrase or section of this Ordinance shall be declared unlawful, the remainder of this Ordinance shall remain in full force and effect.

PASSED by the City Council and approved by the Mayor this 25<sup>th</sup> day of April, 2011.

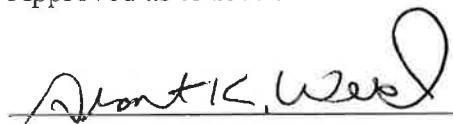
CITY OF LAKE STEVENS

By:   
Vern Little, Mayor

Attest:

  
Norma Scott, City Clerk

Approved as to form:

  
Grant Weed, City Attorney

Published: May 4, 2011  
Effective: May 9, 2011

Ord.WM Franchise.033111 ls-11-016  
Ordinance No. 854

ACCEPTANCE

Grantee hereby accepts the franchise conferred for the duration provided and agrees to provide services in accordance with the provisions of this Ordinance.

DATED April \_\_\_\_\_, 2011.

WASTE MANAGEMENT OF  
WASHINGTON, INC.

By: \_\_\_\_\_

  
Dean Kattler, Area Vice President  
(Name/Title)

Attachment "A" to Ordinance No. 854

Ordinance Number	Annexation Name	Effective Date
585	Bussing Annexation	6/29/1998
586	Elementary Six Site Annexation	6/29/1998
589	Holloway Annexation	7/18/1998
681	Eagle Ridge Annexation	11/10/2003
701	Canell Annexation	2/28/2005
702	The Three Stars, North Star and de Jong Annexation	5/9/2005
703	Rasband Annexation	2/28/2005
706	Bussing Annex legal description correction - effective date of annexation remains as stated above	6/29/1998
715	Crews Annexation	12/19/2005
716	Pacific Ridge Annexation	9/26/2005
719	Greenspace-CAM West Annexation	1/18/2006
722	Sunnyside Wastewater Treatment Property	5/29/2006
729	Frontier Village Annexation	12/20/2006
742	Soper Hill Annexation	5/31/2007
745	Fire District Annexation	9/5/2007
768	Corniche Annexation	4/8/2008
801	Southwest Annexation	12/31/2009

CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 585

AN ORDINANCE ANNEXING A SINGLE PARCEL OF APPROXIMATELY ONE ACRE, KNOWN AS THE "BUSSING ANNEXATION", INTO THE CITY OF LAKE STEVENS, AND PROVIDING FOR THE ASSUMPTION OF INDEBTEDNESS AND COMPREHENSIVE PLAN AND ZONING DESIGNATIONS

WHEREAS, The City Council, following a public meeting with petitioning property owners on September 8, 1997, adopted Resolution 1997-15, authorizing the circulation of a petition to annex approximately sixty acres at the extreme Northwest corner of the City, with conditions; and

WHEREAS, among the conditions listed in the Resolution and on the petition was the requirement that the property owners assume the indebtedness of the City of Lake Stevens, and that the Bussing parcel be designated on the City of Lake Stevens' Comprehensive Plan as Medium Density Residential and zoned on the City of Lake Stevens' Zoning Map as Suburban Residential; and

WHEREAS, this petition was returned on November 10, 1997 with the signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, following two public hearings on November 24, 1997 and January 20, 1998, the City Council adopted Resolution 1998-03, authorizing submittal to the Snohomish County Boundary Review Board (BRB) notices of the City's intention to annex approximately 37 acres of the original petition area; and

WHEREAS, three separate notices were subsequently submitted to the BRB, one for approximately twenty-seven acres known as the Holloway annexation, one for approximately nine acres for a future elementary school known as the Elementary Six Site annexation, and one for a single one-acre parcel, known as the Bussing annexation; and

WHEREAS, the BRB approved the Bussing annexation on March 16, 1998.

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

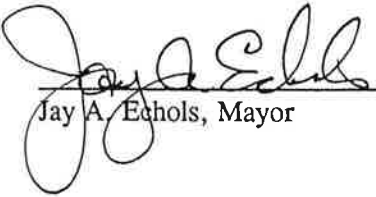
Section 1 Annexation. The property legally described in the attached Exhibit A and mapped on the attached Exhibit B, and both made part hereof as though fully set forth, is hereby annexed into the City of Lake Stevens pursuant to Chapter 35A.14 RCW.

Section 2 Indebtedness. The property described above shall assume its proportionate share of any and all indebtedness of the City of Lake Stevens.

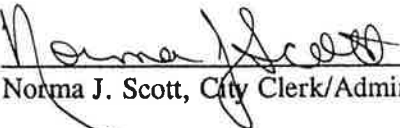
Section 3 Comprehensive Plan and Zoning Ordinance Designations. Said annexed property shall be subject to the City of Lake Stevens Comprehensive Plan and Zoning Ordinance and shall be designated in the Plan as Medium Density Residential and on the Official Zoning Map as Suburban Residential.

Section 4. Effective Date and Publication. 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.

PASSED by the City Council of the City of Lake Stevens this 15<sup>th</sup> day of June, 1998.

  
Jay A. Echols, Mayor

ATTEST/AUTHENTICATION:

  
Norma J. Scott, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

  
Lisa Marshall, City Attorney

First Reading: June 15, 1998  
Second Reading: June 15, 1998  
Third Reading: June 15, 1998  
Published: June 24, 1998  
Effective Date: June 29, 1998

**Attachment to City of Lake Stevens Ordinance No. 585**  
**EXHIBIT A**

**Legal Description for Annexation to the City of Lake Stevens**

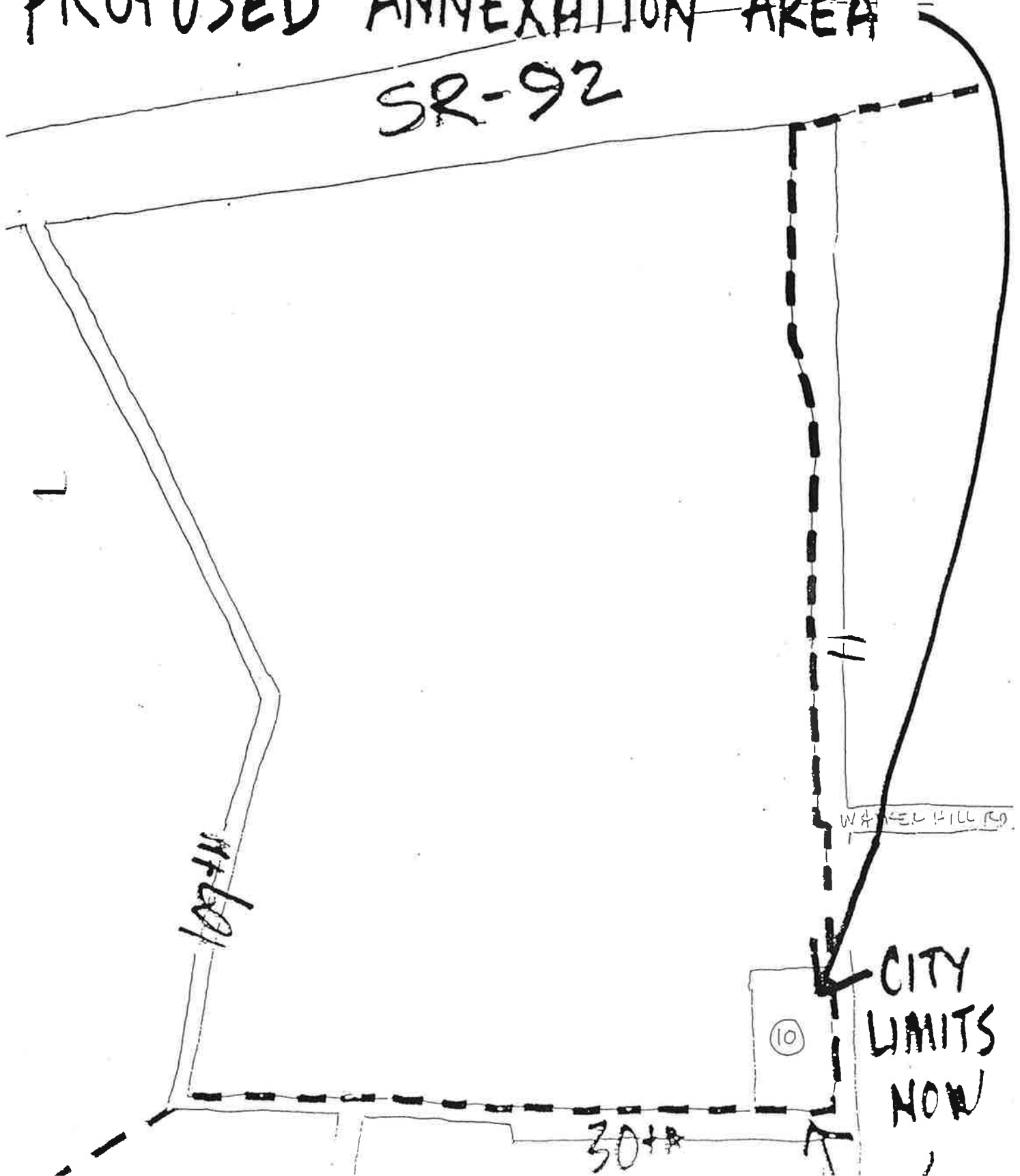
That portion of the South half of the East half of the Southeast quarter of Section 6, Township 29 North, Range 6 East, W.M. in Snohomish County, Washington, described as follows:

Commencing at the quarter-section corner between sections 5 and 6; thence South along the line between said sections 5 and 6 a distance of 1,254.16 feet; thence N87-36-00W 684.46 feet to the TRUE POINT OF BEGINNING; thence S00-32-00W 598.42 feet; thence N85-33-00W 343.88 feet; thence N00-38-00E 584.10 feet; thence S87-56-00E 342.23 feet to the true point of beginning.

Attachment to City of Lake Stevens Ordinance No. 585  
EXHIBIT B

# PROPOSED ANNEXATION AREA

SR-92





CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 586

AN ORDINANCE ANNEXING A SINGLE PARCEL OF APPROXIMATELY NINE ACRES, KNOWN AS THE "ELEMENTARY SIX SITE ANNEXATION", INTO THE CITY OF LAKE STEVENS, AND PROVIDING FOR COMPREHENSIVE PLAN AND ZONING DESIGNATIONS

WHEREAS, The City Council, following a public meeting with petitioning property owners on September 8, 1997, adopted Resolution 1997-15, authorizing the circulation of a petition to annex approximately sixty acres at the extreme Northwest corner of the City, with conditions; and

WHEREAS, among the conditions listed in the Resolution and on the petition was the requirement that the Elementary Six Site parcel be designated on the City of Lake Stevens' Comprehensive Plan and zoned on the City of Lake Stevens' Zoning Map as Public/Semi-public; and

WHEREAS, this petition was returned on November 10, 1997 with the signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, following two public hearings on November 24, 1997 and January 20, 1998, the City Council adopted Resolution 1998-03, authorizing submittal to the Snohomish County Boundary Review Board (BRB) notices of the City's intention to annex approximately 37 acres of the original petition area; and

WHEREAS, three separate notices were subsequently submitted to the BRB, one for approximately twenty-seven acres known as the Holloway annexation, one for approximately nine acres for a future elementary school known as the Elementary Six Site annexation, and one for a single one-acre parcel, known as the Bussing annexation; and

WHEREAS, following a public hearing on May 6, 1998 requested by not less than five percent of the registered voters residing within one-quarter mile of the proposed annexation, the BRB approved the Elementary Six Site annexation and findings on May 27, 1998.


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

Section 1 Annexation. The property legally described in the attached Exhibit A and mapped on the attached Exhibit B, and both made part hereof as though fully set forth, is hereby annexed into the City of Lake Stevens pursuant to Chapter 35A.14 RCW.


Section 2 Comprehensive Plan and Zoning Ordinance Designations. Said annexed property shall be subject to the City of Lake Stevens Comprehensive Plan and Zoning Ordinance and shall be designated in the Plan and on the Official Zoning Map as Public/Semi-public.

Section 4. Effective Date and Publication. 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.


PASSED by the City Council of the City of Lake Stevens this 15th day of June, 1998.

  
\_\_\_\_\_  
Jay A. Echols, Mayor

ATTEST/AUTHENTICATION:

  
\_\_\_\_\_  
Norma J. Scott, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Lisa Marshall, City Attorney

First Reading: June 15, 1998  
Second Reading: June 15, 1998  
Third Reading: June 15, 1998  
Published: June 24, 1998  
Effective Date: June 29, 1998

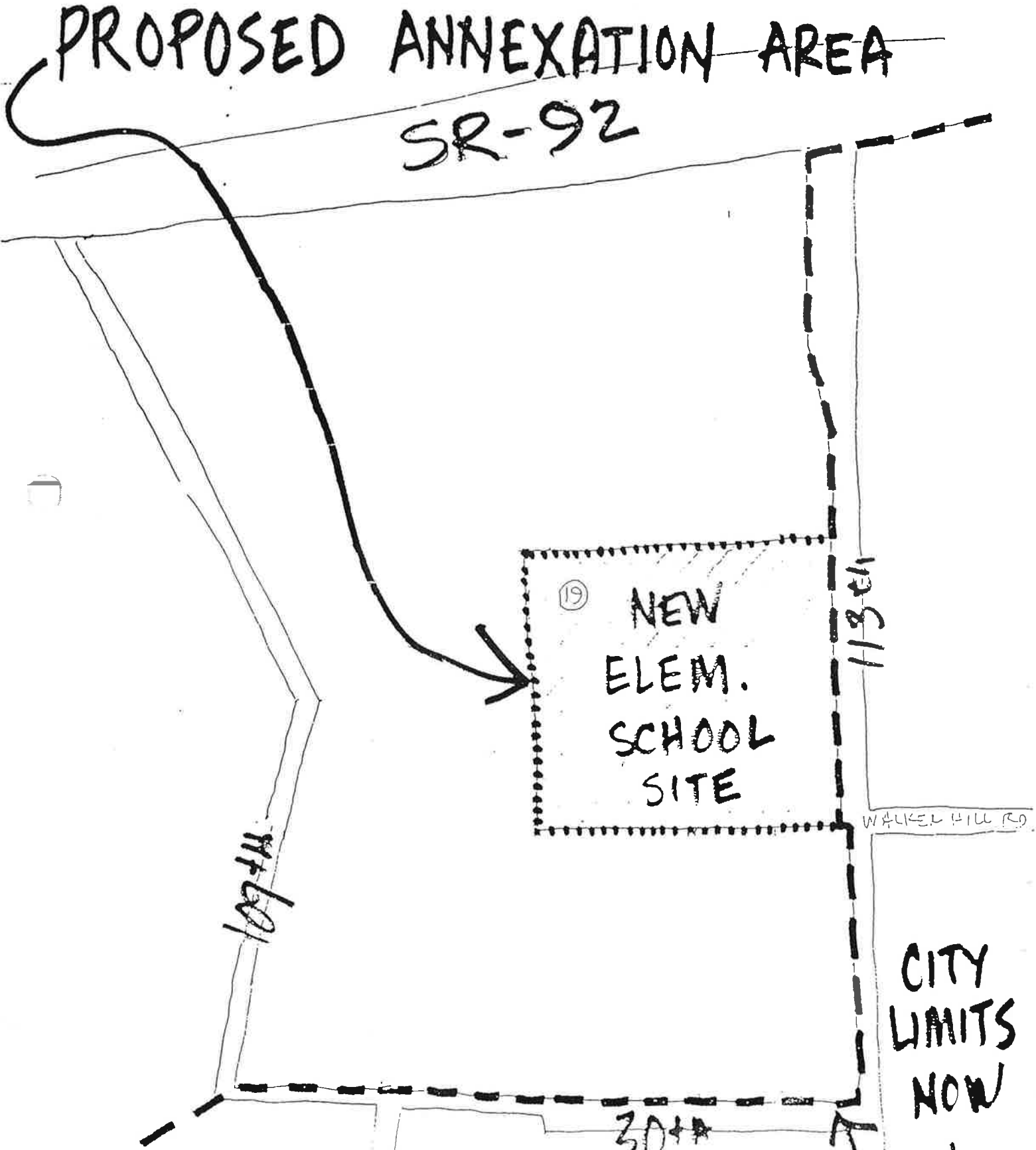
**Attachment to City of Lake Stevens Ordinance No. 586**  
**EXHIBIT A**

**Legal Description for Annexation to the City of Lake Stevens**

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

Commencing at the quarter corner between sections 5 and 6; thence S00-32-00W 1264.16 feet; thence N87-55-57W 704.46 feet to the TRUE POINT OF BEGINNING of this description; thence N87-55-57W 664.46 feet; thence N00-43033W 570.52 feet; thence N89-41-30E 662.90 feet; thence S00-32-17W 598.80 feet to the true point of beginning.

Attachment to City of Lake Stevens Ordinance No. 586  
EXHIBIT B



CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 589

AN ORDINANCE ANNEXING TWELVE PARCELS TOTALLING APPROXIMATELY TWENTY-SIX ACRE, KNOWN AS THE "HOLLOWAY ANNEXATION", INTO THE CITY OF LAKE STEVENS, AND PROVIDING FOR THE ASSUMPTION OF INDEBTEDNESS AND COMPREHENSIVE PLAN AND ZONING DESIGNATIONS

WHEREAS, The City Council, following a public meeting with petitioning property owners on September 8, 1997, adopted Resolution 1997-15, authorizing the circulation of a petition to annex approximately sixty acres at the extreme Northwest corner of the City, with conditions; and

WHEREAS, among the conditions listed in the Resolution and on the petition was the requirement that the property owners assume the indebtedness of the City of Lake Stevens, and that the Holloway parcels be designated on the City of Lake Stevens' Comprehensive Plan as Medium Density Residential and zoned on the City of Lake Stevens' Zoning Map as Suburban Residential; and

WHEREAS, this petition was returned on November 10, 1997 with the signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, following two public hearings on November 24, 1997 and January 20, 1998, the City Council adopted Resolution 1998-03, authorizing submittal to the Snohomish County Boundary Review Board (BRB) notices of the City's intention to annex approximately 37 acres of the original petition area; and

WHEREAS, three separate notices were subsequently submitted to the BRB, one for approximately twenty-seven acres known as the Holloway annexation, one for approximately nine acres for a future elementary school known as the Elementary Six Site annexation, and one for a single one-acre parcel, known as the Bussing annexation; and

WHEREAS, the BRB approved the Holloway annexation following a public hearing on May 19 and June 9, 1998, and adopted their Findings and Decision on June 18, 1998.

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

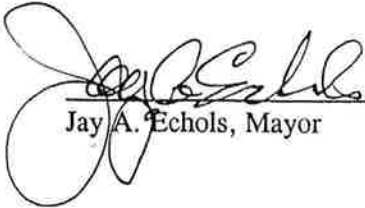
Section 1 Annexation. The property legally described in the attached Exhibit A and mapped on the attached Exhibit B, and both made part hereof as though fully set forth, is hereby annexed into the City of Lake Stevens pursuant to Chapter 35A.14 RCW.

Section 2 Indebtedness. The property described above shall assume its proportionate share of any and all indebtedness of the City of Lake Stevens.

Section 3 Comprehensive Plan and Zoning Ordinance Designations. Said annexed property shall be subject to the City of Lake Stevens Comprehensive Plan and Zoning Ordinance and shall be designated in the Plan as Medium Density Residential and on the Official Zoning Map as Suburban Residential.

Section 4. Effective Date and Publication. 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 on July 18, 1998.


PASSED by the City Council of the City of Lake Stevens this 22nd day of June, 1998.

  
Jay A. Echols, Mayor

ATTEST/AUTHENTICATION:

  
Norma J. Scott, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

  
Lisa Marshall, City Attorney

First Reading: June 22, 1998  
Second Reading: June 22, 1998  
Third Reading: June 22, 1998  
Published: July 1, 1998  
Effective Date: July 18, 1998

# Exhibit A

## Legal Description for Annexation to the City of Lake Stevens

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

Commencing at the Northeast corner of the Southeast quarter of said Section 6; thence westerly along the North line of said subdivision 710 feet more or less to the westerly right-of-way line of 113th Avenue N.E. and the TRUE POINT OF BEGINNING of this description; thence northerly along said westerly right-of-way line and its northerly extension 370 feet more or less to the northerly right-of-way line of Secondary State Highway No. 92 (15-A); thence westerly along said northerly right-of-way line 1840 feet more or less to the westerly right-of-way line of 109th Avenue N.E.; thence southeasterly 170 feet more or less to the intersection of the southerly right-of-way line of said Secondary State Highway with the westerly right-of-way line of said 109th Avenue N.E.; thence southeasterly along said westerly right-of-way line 974 feet more or less to a point opposite the extension of the north line of lot 72 of the Rucker Bros Unrecorded Plat in Section 6, thence N89-41-30E across the right-of-way of 109th Avenue N.E. and along said northerly boundary and continuing along the northerly boundary of lot 48 of said unrecorded plat 1308 feet more or less to the westerly right-of-way line of 113th Avenue N.E.; thence northerly along said westerly right-of-way line 684 feet more or less to the true point of beginning.

**BEFORE THE WASHINGTON STATE  
BOUNDARY REVIEW BOARD  
FOR SNOHOMISH COUNTY**

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CITY OF LAKE STEVENS	)	( FILE NO. 4-98
PROPOSED ANNEXATION	)	( FINDINGS AND DECISION OF
OF HOLLOWAY PROPERTY	)	( BOUNDARY REVIEW BOARD

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**I. PUBLIC HEARING**

A Notice of Intention was filed effectively with the Washington State Boundary Review Board for Snohomish County by the City of Lake Stevens on January 29, 1998, to annex approximately 27.6 acres of partially developed land which is located within the City of Lake Stevens Urban Growth Boundary. The proposal is contiguous to the City of Lake Stevens on the east at 113th Avenue, bounded on the north by SR-92, on the west by unimproved right of way of 109th Avenue NE and on the south by property lines.

On March 9, 1998, a request for a public hearing was filed by not less than five (5) per cent of the registered voters residing within one-quarter mile of the proposed annexation pursuant to RCW 36.93.100(4).

After notice duly given, a Public Hearing was held at 7:00 p.m. on Tuesday, May 19, 1998, in the Ginni Stevens Hearing Room, First Floor, Snohomish County Administration Building, 3000 Rockefeller Avenue, Everett, Washington. The hearing was continued to June 9, 1998, for the Board's decision.

At the conclusion of the Public Hearing on June 9, 1998, the Board voted 4-0 to APPROVE the proposal as submitted. Since that time proposed Findings and Decision have been prepared under the direction of the Board's Assistant Clerk. The Board has reviewed these Findings and Decision.

Now the Board, on the basis of the facts, testimony and exhibits offered at said hearing and material contained in said File No. 4-98 and based upon the Factors listed in RCW 36.93.170 and



Objectives stated in RCW 36.93.180 APPROVES THE PROPOSAL AS SUBMITTED and enters the following:

## II. FINDINGS

### A. Factors Affecting this Proposal

In reaching its decision, the Board considered all factors listed in RCW 36.93.170. The following factors have been given particular attention.

**1. Comprehensive Use Plans.** The County and Lake Stevens have both adopted comprehensive plans under the authority of RCW 36.70A, the Growth Management Act. Both the county and the city plans designate the area as single-family residential consistent with a density of 4-6 dwelling units per acre. The comprehensive plan and zoning designations for the subject annexation by the City of Lake Stevens are consistent with the designations and provisions of Snohomish County's adopted GMA comprehensive plan.

**2. Location and Most Desirable Future Location of Community Facilities.** The proposal is located close to proposed and existing schools and their facilities which are provided to the community.

**3. The Likelihood of Significant Growth in the Area in the Next Ten Years.** This factor is certainly relevant now. The area is in the urban growth boundary for the City of Lake Stevens and has been planned for urban density and residential development for more than 20 years.

**4. Need for Municipal Services.** Municipal services should be provided within the urban growth boundary of the City of Lake Stevens and that area is planned to receive all municipal services at the urban services level. The County is not a full municipal service provider. The City of Lake Stevens is a more capable municipal service provider and can more adequately provide the necessary urban services to this area. RCW 36.70A.110(4) and 36.115.070 both state that it is the legislature's intent that cities are to be the primary provider of urban services and that counties are the unit of government most appropriate to provide regional governmental services.

**5. Probable Future Needs for Such Services and Controls.** The city and the county have undertaken a joint planning program for this area and other land surrounding the city to accommodate the growth that will occur in the next ten years.

## **B. Objectives**

Having made a comprehensive review of all of the objectives identified in RCW 36.93.180, the Board finds that, on the whole, the objectives would be advanced by the proposed annexation. The Board's analysis of each objective is summarized as follows:

**1. Preservation of natural neighborhoods and communities.** The Board found that this objective would be furthered by the annexation proposal as it does serve to preserve the neighborhood.

**2. Use of physical boundaries, including but not limited to bodies of water, highways and land contours.** The Board found this objective would be furthered by the annexation as SR-92, the city limits and 109th are definite physical boundaries.

**3. Creation and preservation of logical service area.** The Board found this objective to be furthered by the proposal as the city has documented its ability to provide services to the area and the city is the only reasonable provider for municipal services. It is the intent of the Growth Management Act that cities be the primary provider of services.

**4. Prevention of abnormally irregular boundaries.** The Board found this objective did not apply. One board member found it to be not as relevant as objectives one through three.

**5. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated area.** The Board found this objective did not apply to the proposal.

**6. Dissolution of inactive special purpose district.** The Board found this objective did not apply to the proposal.

**7. Adjustment of impractical boundaries.** The Board found this objective did not apply to the proposal.

**8. Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character.** Three board members found this objective did not apply to the proposal. One member looked at it from a different view as it's entirely within the urban growth area for the City of

Lake Stevens and designated by the county's comprehensive plan as an urban growth area so this objective would be furthered by approval.

**9. Protection of agricultural and rural lands which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority.**

The Board found this objective did not apply to the proposal.

**III. DECISION**

Based on the above findings and having weighed the statutory objectives that would be advanced by the proposed annexation against those that would be hindered by the proposed annexation, the Board concludes that, on the whole, the objectives would be advanced by annexation. Therefore, the Washington State Boundary Review Board for Snohomish County hereby APPROVES the annexation described in the City of Lake Stevens Notice of Intention on file in BRB File No. 4-98.

ADOPTED by the Washington State Boundary Review Board for Snohomish County by a vote of 4 in favor to 0 against this 18<sup>th</sup> day of June, 1998.

WASHINGTON STATE BOUNDARY REVIEW BOARD  
FOR SNOHOMISH COUNTY

  
\_\_\_\_\_  
Mary Hale, Chairperson

FILED this 18<sup>th</sup> day of June, 1998

  
\_\_\_\_\_  
Vivian A. Cernich, Assistant Clerk

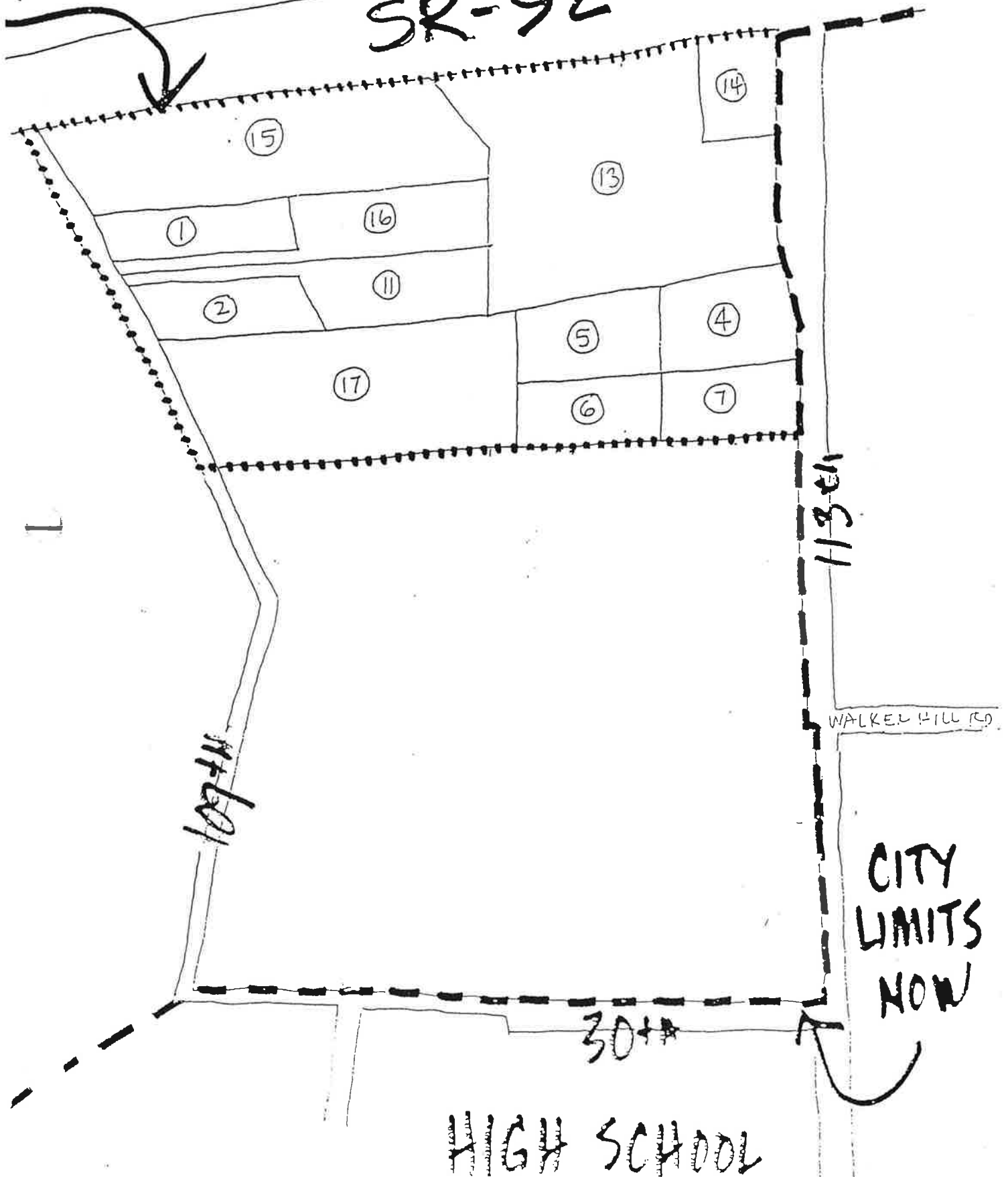
NOTICE

Pursuant to RCW 36.93.160(5), this decision shall be final and conclusive unless within thirty (30) days from the date of this decision a governmental unit affected by the decision or any person owning real property or residing in the area affected by the decision files a notice of appeal in Snohomish County Superior Court.

Exhibit B

# PROPOSED ANNEXATION AREA

## SR-92



CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 681

AN ORDINANCE ANNEXING 20.26 ACRES OF PROPERTY FOR MUNICIPAL PURPOSES, KNOWN AS THE "EAGLE RIDGE ANNEXATION," INTO THE CITY OF LAKE STEVENS, AND PROVIDING FOR COMPREHENSIVE PLAN AND ZONING DESIGNATIONS

WHEREAS, pursuant to Council Resolution No. 2003-10 the City has filed an notice of intent to annex property with the Snohomish County Boundary Review Board to annex 20.26 acres of city owned property; and

WHEREAS, the property to be annexed is not contiguous with the City of Lake Stevens and is located within the Lake Stevens Urban Growth Area; and

WHEREAS, the City of Lake Stevens is a RCW 35A Code City; and

WHEREAS, RCW 35A.14.300 authorizes Code Cities to annex non-contiguous land for municipal purposes; and

WHEREAS, the property to be annexed is owned by the City and is designated for the municipal purposes of parks, recreation and open space; and

WHEREAS, the Snohomish County comprehensive plan designates 15.47 acres of the annexation area to public use and 4.79 acres to urban residential low density (6 du/acre); and

WHEREAS, sewer service is not available to support residential development on the 4.79 acre residentially designated parcel; and

WHEREAS, a Notice of Intent to annex was filed with the Snohomish County Boundary Review Board on August 12, 2003 and the BRB review period ended on September 26, 2003; and

WHEREAS, the Lake Stevens Planning Commission conducted a duly noticed public hearing on September 3, 2003; and

WHEREAS, the Lake Stevens City Council conducted duly noticed public hearings on September 22 and October 27, 2003.


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

1. The City Council approves the annexation of the lands shown on Exhibit A and legally described on Exhibit B.
2. The City Council designates the lands shown on Exhibit A and legally described on Exhibit B as Public/Semi-Public on the Lake Stevens

Comprehensive Plan and rezones it to the Public/Semi-Public (P/SP) zone district.

Effective Date and Publication. 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.

PASSED by the City Council of the City of Lake Stevens this 27<sup>th</sup> day of October, 2003.

  
\_\_\_\_\_  
Lynn E. Walty, Mayor

ATTEST/AUTHENTICATION:

  
\_\_\_\_\_  
Norma J. Scott, City Clerk/Admin. Asst.

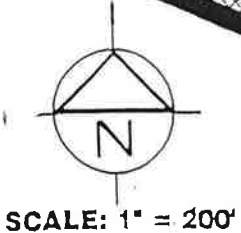
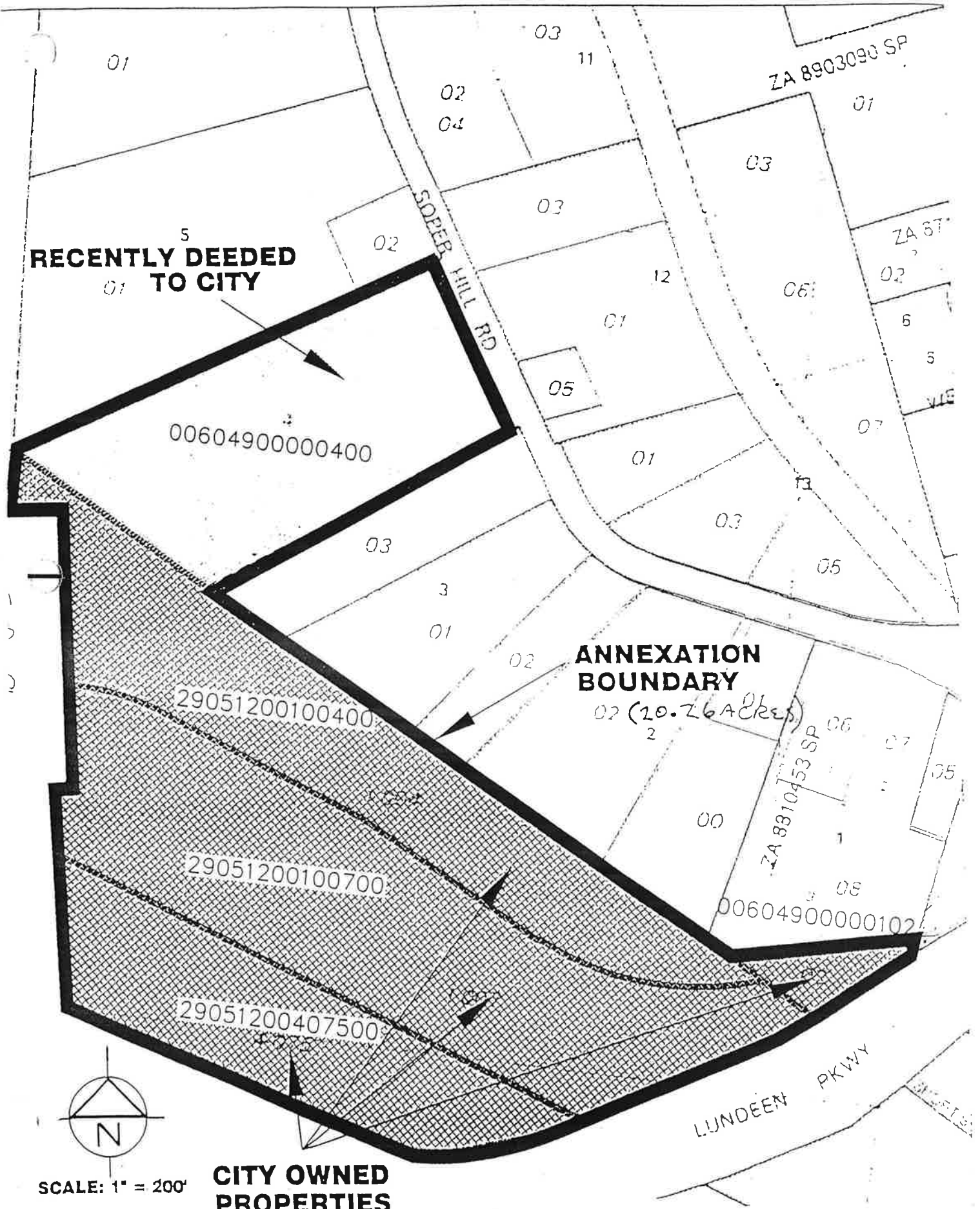
APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jeffrey Goodwin, City Attorney

First Reading: September 22, 2003  
Second Reading: October 27, 2003  
Published: November 5, 2003  
Effective Date: November 10, 2003

# EXHIBIT A

## A PORTION OF NE1/4, SEC. 12, TWP. 29N, R. 5E, WM



**CITY OWNED PROPERTIES**

Parcels involved

00604900000400  
00604900000102  
29051200100400  
29051200100700  
29051200407500

**Annexation Legal Description**

That portion of the east half of Section 12, Township 29 North, Range 5 East Willamette Meridian described as follows:

Commencing at the most westerly corner of Lot 4 of the plat of Vernon Park recorded under Auditor file number 216027 records of Snohomish County, Washington; thence northeasterly along the north line of said Lot 4 to the west margin of Soper Hill Road; thence southeasterly along the west margin of Soper Hill Road to the southeasterly line of said Lot 4; thence southwesterly along the southeasterly line of Lot 4 to the southwest corner of said Lot 4; thence southeasterly along the south lines of Lots 3, 2 and 1 to a point on the south line of Lot 1 that lies 212.5 feet north and  $S 78^{\circ} 37' W$  318 feet from the southeast corner of said Lot 1; thence northeasterly to a point 212.5 feet north of the southeast corner of said Lot 1; thence south on the easterly line of said Lot 1 to the northwest margin of Lundeen Parkway; thence westerly along the north margin of Lundeen Parkway to an intersection with the east margin of S. R. 9; thence north along the east margin of S. R. 9 to the point of beginning.

**EXHIBIT B**



CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 701

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ANNEXING THREE PARCELS OF APPROXIMATELY THREE AND SIX-TENTHS (3.6) ACRES) AND UNOPENED PUBLIC RIGHT-OF-WAY OF APPROXIMATELY TWO-TENTHS (0.2) OF AN ACRE, KNOWN AS THE "CANELL ANNEXATION," INTO THE CITY AND PROVIDING FOR THE ASSUMPTION OF INDEBTEDNESS AND COMPREHENSIVE PLAN AND ZONING DESIGNATIONS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, following a public meeting with petitioning property owners, on July 26, 2004 the City Council authorized by motion the circulation of a petition to annex approximately three and eight-tenths acres at the southeast corner of the city, with conditions; and

WHEREAS, among the conditions identified in the motion is the requirement that the property be zoned by the City at the time of annexation; and

WHEREAS, this petition was returned to the City on with signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, on October 11, 2004, the City Council reviewed the 60% petition and scheduled a public hearing for November 8, 2004; and

WHEREAS, following a public hearing on November 3, 2004, the Lake Stevens Planning Commission forwarded a recommendation for approval of the annexation, plan and zoning adoption; and

WHEREAS, following a public hearing on November 8, 2004, the City Council approved the first reading of this Ordinance No. 701, and authorized it to be submitted to the Snohomish County Boundary Review Board (BRB) as notice of the City's intention to annex the area in question; and

WHEREAS, public notice was provided for the November 8, 2004 public hearing by posting the annexation site in three conspicuous locations, advertising in the Lake Stevens Journal and mailing to property owners within 150 foot of the site; and

WHEREAS, a SEPA threshold determination of non-significance was issued on October 18, 2004; and

WHEREAS, the BRB 45-day review period ended on January 20, 2005 and their jurisdiction was not invoked; and

WHEREAS, the City Council conducted a second duly noticed public hearing on February 14, 2005.

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

Section 1. Annexation. The property mapped on the attached Exhibit 1 and legally described in the attached Exhibit 2 are hereby annexed into the City of Lake Stevens.

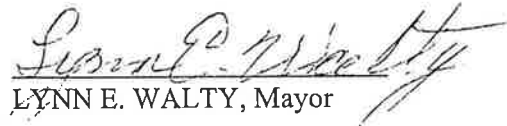
Section 2. Indebtedness. There are no existing separately taxed bondedness for the annexation area to assume and the annexed properties shall be assessed and taxed at the same rate and on the same basis as property in the City of Lake Stevens to pay for outstanding indebtedness at the date of annexation.

Section 3. Comprehensive Plan and Zoning Ordinance Designations. Said annexed property shall be subject to the City of Lake Stevens Comprehensive Plan and Land Use Regulations (Title 14 LSMC) and shall be designated in the Plan as Medium Density Residential and on the Official Zoning Map as Suburban Residential.

Section 4. Severability. If any provision or section of this Ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this Ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 5. Effective Date and Publication. 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.

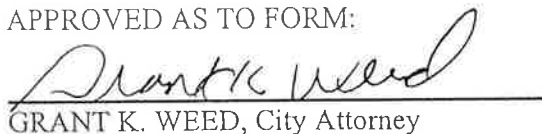
PASSED by the City Council of the City of Lake Stevens this 14th day of February, 2005.

  
LYNN E. WALTY, Mayor

ATTEST/AUTHENTICATION:

  
NORMA J. SCOTT, City Clerk/Admin. Asst.



APPROVED AS TO FORM:

  
GRANT K. WEED, City Attorney

First Reading:	November 8, 2004
Second and Final Reading:	February 14, 2005
Published:	February 23, 2005
Effective Date:	February 28, 2005



**Legend**

-  Lake Stevens City Limits
-  Canell Annexation Area

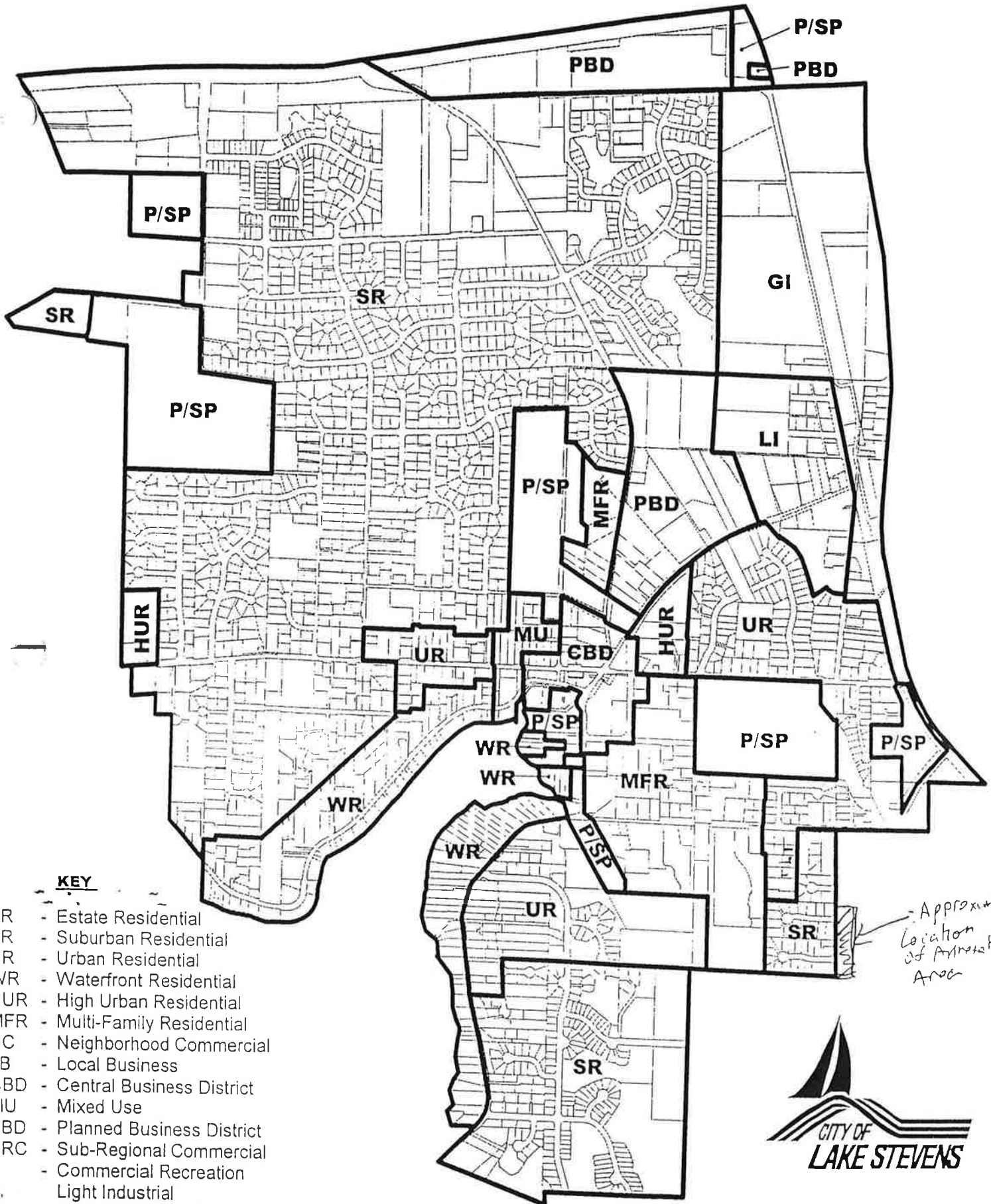


Canell Annexation - Exhibit 1

Exhibit 2: Canell Annexation  
Legal Description

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 29 NORTH, RANGE 6 EAST, W.M. THENCE EAST 30 FEET TO THE EAST MARGIN OF 131<sup>ST</sup> AVENUE N.E.; THENCE NORTH 627 FEET, MORE OR LESS TO THE NORTH LINE OF THE SOUTH 627 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE EASTERLY ON THE NORTH LINE OF THE SOUTH 627 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION TO THE EAST LINE OF THE WEST 293 FEET OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH ON SAID EAST LINE TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE WEST ON THE SOUTH LINE OF SAID SUBDIVISION TO THE POINT OF BEGINNING.

# ZONING MAP



**KEY**

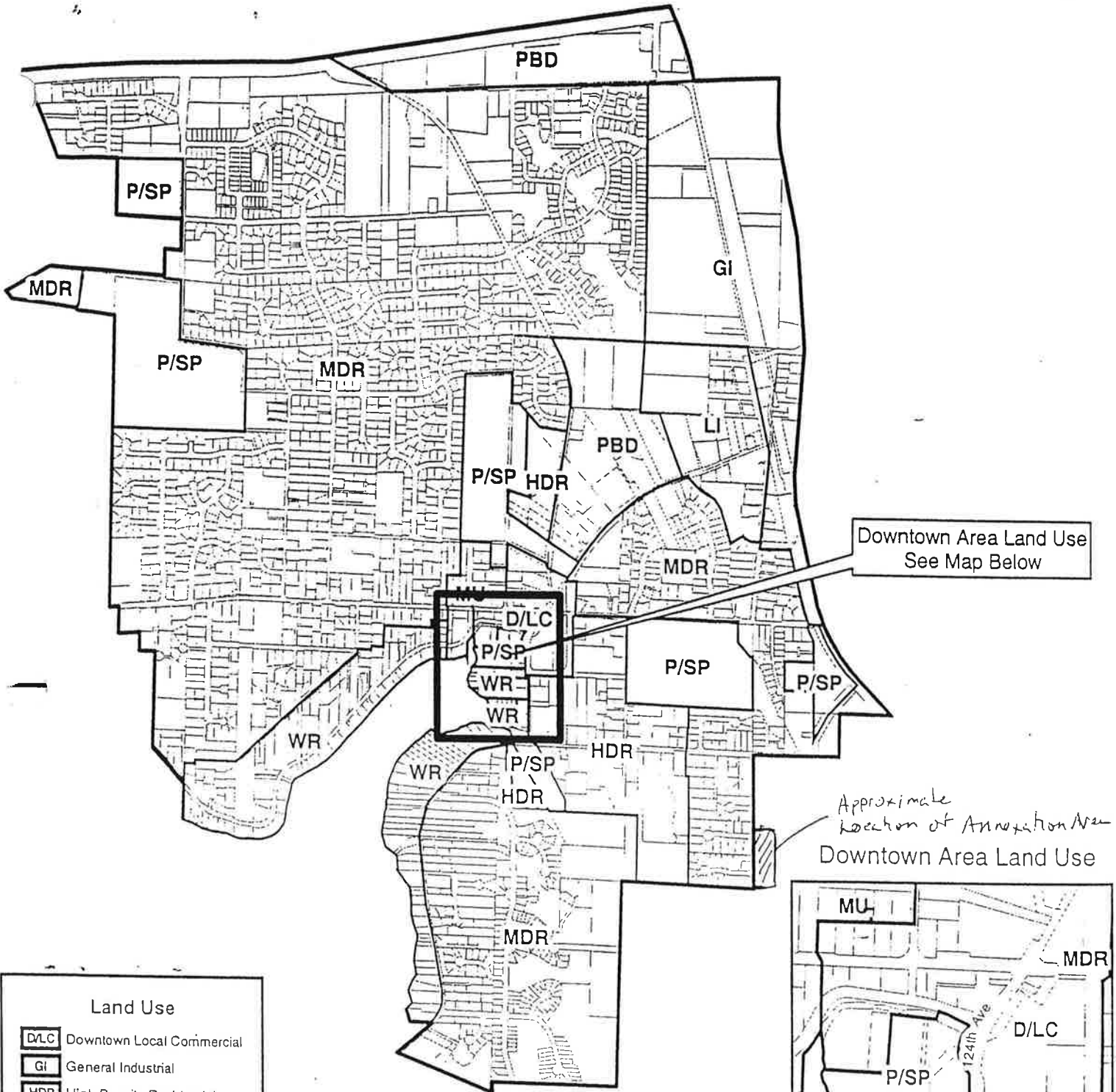
- ER - Estate Residential
- SR - Suburban Residential
- UR - Urban Residential
- WR - Waterfront Residential
- HUR - High Urban Residential
- MFR - Multi-Family Residential
- NC - Neighborhood Commercial
- LB - Local Business
- CBD - Central Business District
- MU - Mixed Use
- PBD - Planned Business District
- SR - Sub-Regional Commercial
- CR - Commercial Recreation
- LI - Light Industrial
- GI - General Industrial
- P/SP - Public / Semi-Public
- SA - Suburban Agriculture

0 0.1 0.2 0.3 0.4 0.5 Miles

- Approximate  
Location  
of  
Proposed  
Area



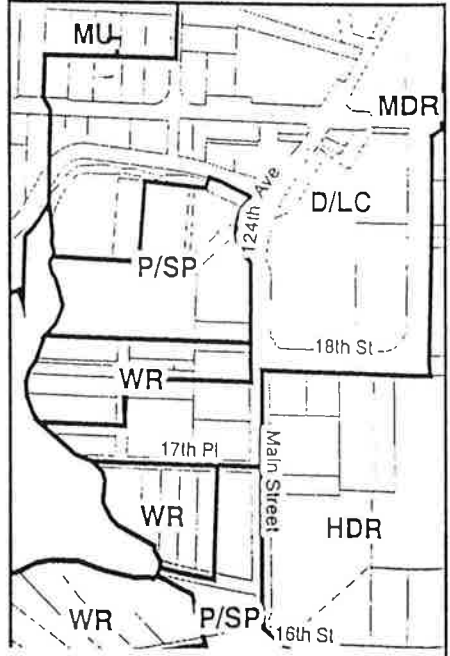
# LAND USE MAP



Downtown Area Land Use  
See Map Below

Approximate location of Annexation Area  
Downtown Area Land Use

Land Use	
<b>D/LC</b>	Downtown Local Commercial
<b>GI</b>	General Industrial
<b>HDR</b>	High Density Residential
<b>LI</b>	Light Industrial
<b>MDR</b>	Medium Density Residential
<b>MU</b>	Mixed Use
<b>P/SP</b>	Public/Semi Public
<b>PBD</b>	Planned Business District
<b>WR</b>	Waterfront Residential



LAKE STEVENS LAND USE MAP (Ord. 656, effective December 31, 2001)  
 This map is for demonstration only. It is not a legal document.  
 For exact zone information, contact the Department of Planning and Community Development.



CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 702

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ANNEXING FIVE PARCELS, KNOWN AS THE THREE STARS, NORTH STAR AND de JONG ANNEXATIONS OF APPROXIMATELY TWELVE AND TWENTY EIGHT HUNDRETHS (12.28) ACRES INTO THE CITY AND PROVIDING FOR THE ASSUMPTION OF INDEBTEDNESS AND COMPREHENSIVE PLAN AND ZONING DESIGNATIONS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, following a public meeting with petitioning property owners, on August 9, 2004 the City Council authorized by motion the circulation of a petition to annex approximately one and two one hundredths acres located at 11203 30<sup>th</sup> Street NE; and

WHEREAS, among the conditions identified in the motion is the requirement that the property be zoned by the City at the time of annexation; and

WHEREAS, this petition was returned to the City on with signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, on October 11, 2004, the City Council reviewed the 60% petition and scheduled a public hearing for November 8, 2004; and

WHEREAS, following a public hearing on November 3, 2004, the Lake Stevens Planning Commission forwarded a recommendation for approval of the annexation, plan and zoning adoption; and

WHEREAS, following a public hearing on November 8, 2004, the City Council approved the first reading of this Ordinance No. 702, and authorized it to be submitted to the Snohomish County Boundary Review Board (BRB) as notice of the City's intention to annex the area in question; and

WHEREAS, public notice was provided for the November 8, 2004 public hearing by posting the annexation site in three conspicuous locations, advertising in the Lake Stevens Journal and mailing to property owners within 150 feet of the site; and

WHEREAS, the Washington State Boundary Review Board invoked jurisdiction and following a public hearing held on March 15, 2005, the Snohomish County Council modified the annexation boundary to include four adjacent parcels formerly known as the deJong and North Star annexations; and

WHEREAS, the City Council conducted a final duly noticed public hearing on April 25, 2005;

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

Section 1. Annexation. The property mapped on the attached Exhibit 1 and legally described in the attached Exhibit 2 are hereby annexed into the City of Lake Stevens.

Section 2. Indebtedness. There is no existing separately taxed bondedness for the annexation area to assume and the annexed properties shall be assessed and taxed at the same rate and on the same basis as property in the City of Lake Stevens to pay for outstanding indebtedness at the date of annexation.

Section 3. Comprehensive Plan and Zoning Ordinance Designations. Said annexed property shall be subject to the City of Lake Stevens Comprehensive Plan and Land Use Regulations (Title 14 LSMC) and shall be designated in the Plan as Medium Density Residential and on the Official Zoning Map as Urban Residential.

Section 4. Severability. If any provision or section of this Ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this Ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 5. Effective Date and Publication. 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.

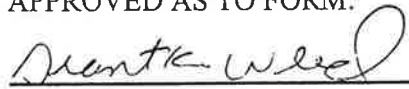
PASSED by the City Council of the City of Lake Stevens this 25th day of April, 2005.

  
LYNN E. WALTY, Mayor

ATTEST/AUTHENTICATION:

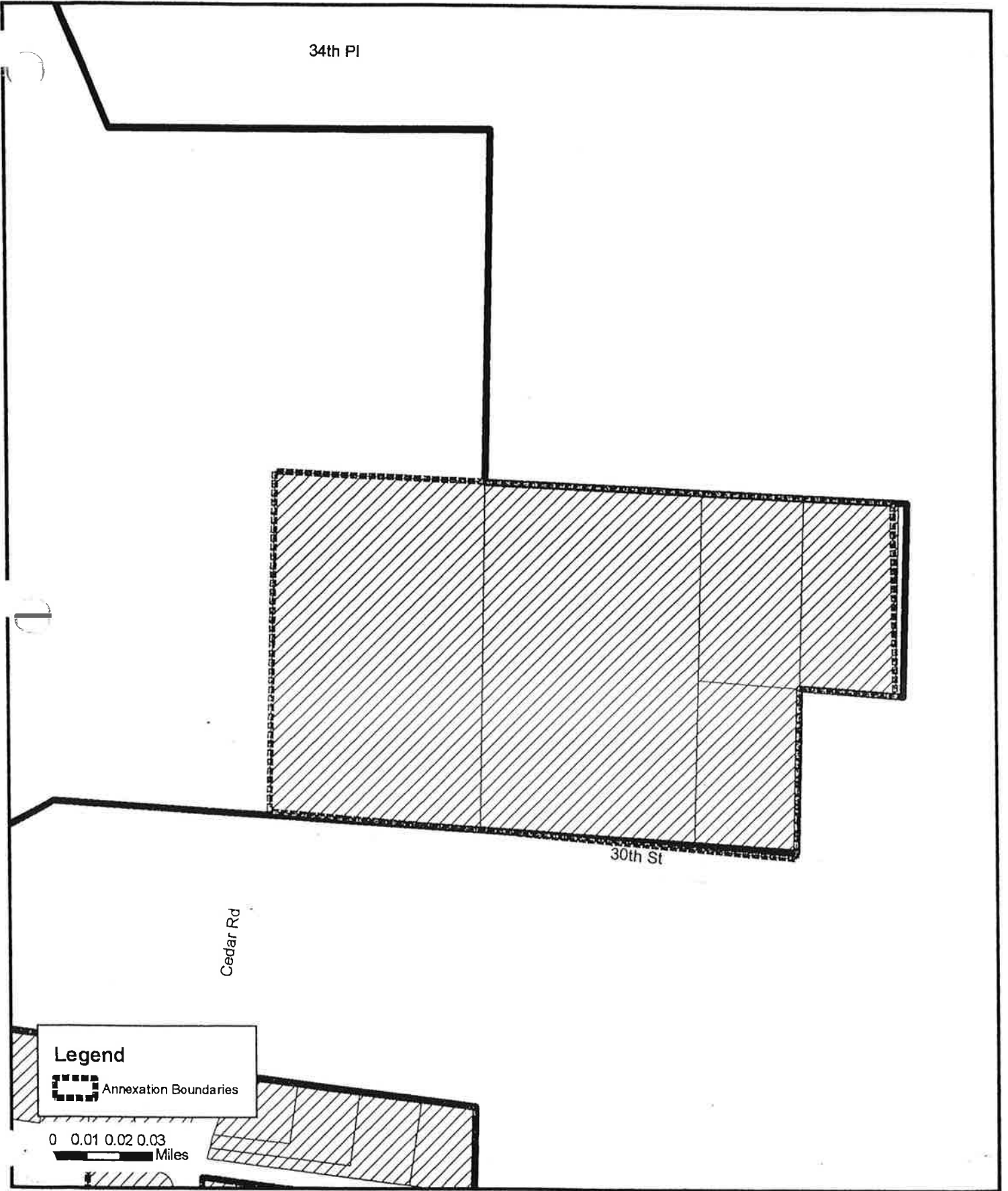
  
NORMA J. SCOTT, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

  
GRANT WEED, City Attorney

First Reading: November 8, 2004  
Second and Final Reading: April 25, 2005  
Published: May 4, 2005  
Effective Date: May 9, 2005





Three Stars Annexation Legal Description (Revised)

COMMENCING AT THE QUARTER CORNER OF THE EAST BOUNDARY LINE OF SECTION 6, TOWNSHIP 29 NORTH, RANGE 6 EAST, W.M., SNOHOMISH COUNTY, WASHINGTON;

THENCE SOUTH ALONG THE SECTION LINE 1254.16 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 6;

THENCE N87\*56'W ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION TO THE WEST MARGIN OF 113<sup>TH</sup> AVENUE NORTHEAST AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING N87\*56'W ALONG SAID NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER, BEING ALSO THE NORTH LINES OF TRACTS 53, 54 AND 55 OF THE UNRECORDED RUCKER BROTHERS PLAT, 1025.81 FEET MORE OR LESS TO THE NORTHWEST CORNER OF SAID TRACT 55;

THENCE SOUTH S00\*49'W ALONG THE WEST LINE OF SAID TRACT 55 TO THE NORTH MARGIN OF 30<sup>TH</sup> STREET NORTHEAST;

THENCE S85\*33'E ALONG THE NORTH MARGIN OF 30<sup>TH</sup> STREET NORTHEAST 859.26 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF THAT PARCEL DESCRIBED IN ANNEXATION ORDINANCE 706 EFFECTIVE NOVEMBER 22, 2004, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE EAST HALF OF TRACT 53 OF SAID UNRECORDED PLAT;

THENCE NORTH 295.63 FEET MORE OR LESS TO THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE EAST HALF OF TRACT 53 OF SAID UNRECORDED PLAT;

THENCE EAST ALONG THE NORTH LINE OF SOUTH HALF OF SAID TRACT 53 TO THE WEST MARGIN OF 113<sup>TH</sup> AVENUE NORTHEAST;

THENCE NORTH ALONG SAID WEST MARGIN TO THE TRUE POINT OF BEGINNING.

RECEIVED

CITY OF LAKE STEVEN

CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 703

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ANNEXING ONE PARCEL OF APPROXIMATELY ONE AND SIXTY FOUR -ONE HUNDREDTHS (1.64) ACRES, KNOWN AS THE "RASBAND ANNEXATION," INTO THE CITY AND PROVIDING FOR THE ASSUMPTION OF INDEBTEDNESS AND COMPREHENSIVE PLAN AND ZONING DESIGNATIONS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, following a public meeting with petitioning property owners, on August 9, 2004 the City Council authorized by motion the circulation of a petition to annex approximately one and sixty four one hundredths (1.64) acres located at 2215 Cedar Road; and

WHEREAS, among the conditions identified in the motion is the requirement that the property be zoned by the City at the time of annexation; and

WHEREAS, this petition was returned to the City on with signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, on October 11, 2004, the City Council reviewed the 60% petition and scheduled a public hearing for November 8, 2004; and

WHEREAS, following a public hearing on November 3, 2004, the Lake Stevens Planning Commission forwarded a recommendation for approval of the annexation, plan and zoning adoption; and

WHEREAS, following a public hearing on November 8, 2004, the City Council approved the first reading of this Ordinance No. 703, and authorized it to be submitted to the Snohomish County Boundary Review Board (BRB) as notice of the City's intention to annex the area in question; and

WHEREAS, public notice was provided for the November 8, 2004 public hearing by posting the annexation site in three conspicuous locations, advertising in the Lake Stevens Journal and mailing to property owners within 150 feet of the site; and

WHEREAS, a SEPA threshold determination of non-significance was issued on October 18, 2004; and

WHEREAS, the BRB 45-day review period ended on January 20, 2005 and their jurisdiction was not invoked; and

WHEREAS, the City Council conducted a second duly noticed public hearing on February 14, 2005.

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

Section 1. Annexation. The property mapped on the attached Exhibit 1 and legally described in the attached Exhibit 2 are hereby annexed into the City of Lake Stevens.

Section 2. Indebtedness. There are no existing separately taxed bondedness for the annexation

area to assume and the annexed properties shall be assessed and taxed at the same rate and on the same basis as property in the City of Lake Stevens to pay for outstanding indebtedness at the date of annexation.

Section 3. Comprehensive Plan and Zoning Ordinance Designations. Said annexed property shall be subject to the City of Lake Stevens Comprehensive Plan and Land Use Regulations (Title 14 LSMC) and shall be designated in the Plan as Medium Density Residential and on the Official Zoning Map as Urban Residential.

Section 4. Severability. If any provision or section of this Ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this Ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 5. Effective Date and Publication. 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.

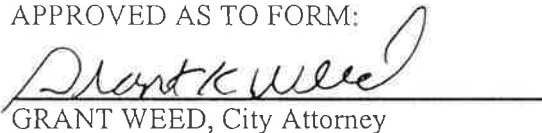
PASSED by the City Council of the City of Lake Stevens this 14th day of February, 2005.

  
LYNN E. WALTY, Mayor

ATTEST/AUTHENTICATION:

  
NORMA J. SCOTT, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

  
GRANT WEED, City Attorney

First Reading:	November 8, 2004
Second and Final Reading:	February 14, 2005
Published:	February 23, 2005
Effective Date:	February 28, 2005



Rasband Annexation - Exhibit 1

## Exhibit 2 - Rasband Annexation Legal Description

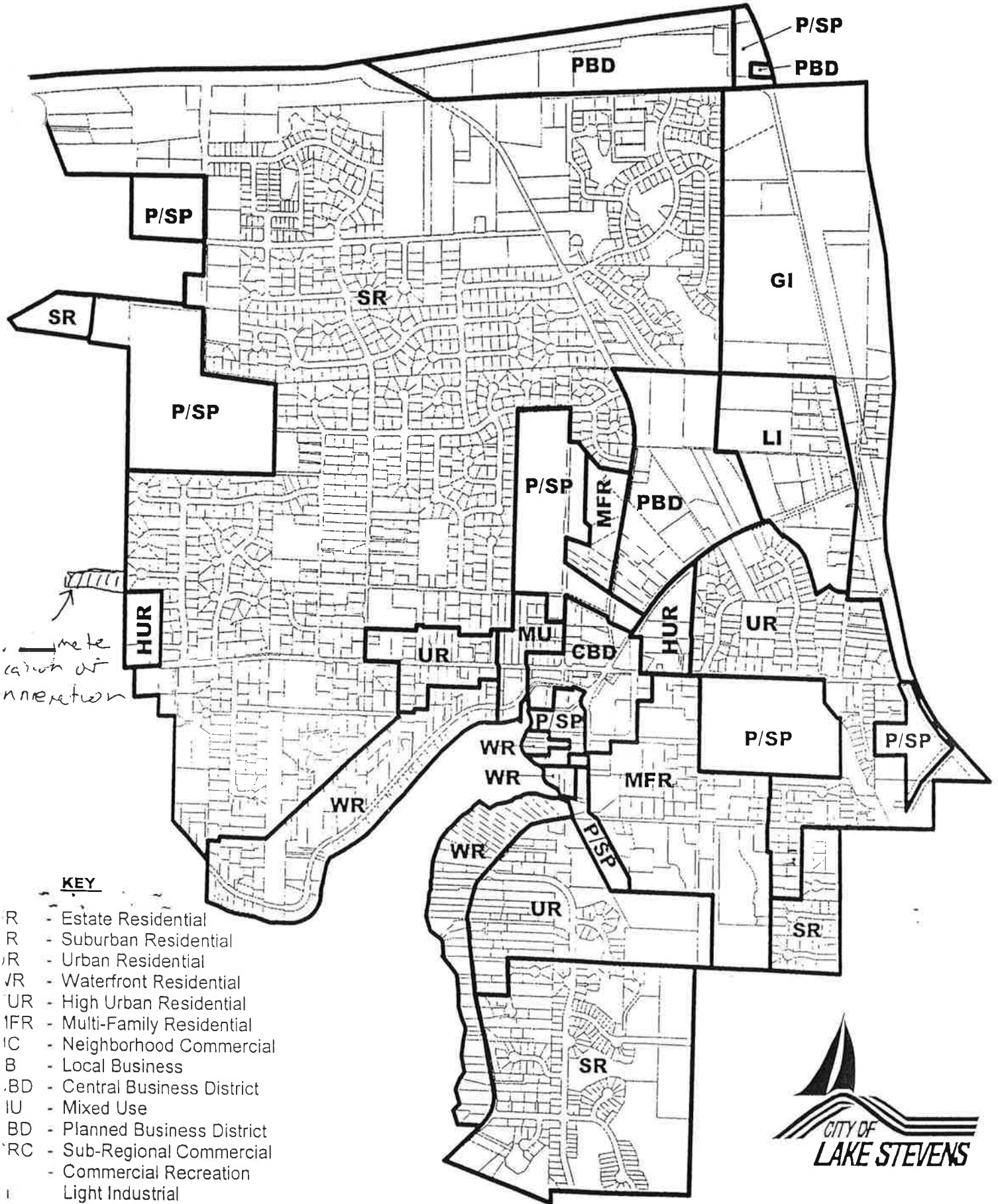
A PORTION OF LAND IN THE NORTHEAST QUARTER OF SECTION 7,  
TOWNSHIP 29 NORTH, RANGE 6 EAST, W.M., SNOHOMISH COUNTY,  
WASHINGTON DESCRIBED AS FOLLOWS:

PARCEL 1 OF SNOHOMISH COUNTY BOUNDARY LINE ADJUSTMENT  
NUMBER 99-109316 BA, FILED UNDER AUDITOR'S FILE NUMBER  
199908055003, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

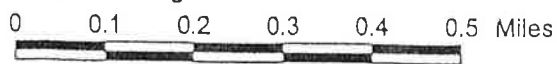
BEGINNING AT THE NORTHWEST CORNER OF LOT 3, BLOCK 1, BAILY'S  
FIRST ADDITION TO LAKE STEVENS SANDY BEACH TRACTS ACCORDING  
TO THE PLAT THEREOF RECORDED IN VOLUME 10 OF PLATS, PAGE 55,  
RECORDS OF SNOHOMISH COUNTY, WASHINGTON; THENCE ALONG THE  
NORTH LINE OF SAID LOT 3 S-85-54-25E 500.37 FEET TO THE NORTHEAST  
CORNER OF SAID LOT 3; THENCE ALONG THE EAST LINE OF LOTS 2 AND  
3 OF SAID PLAT S00-13-17E 200.12 FEET TO THE SOUTHEAST CORNER  
OF SAID LOT 2; THENCE ALONG THE SOUTH LINE OF SAID LOT 2 N85-51-  
38W 241.52 FEET; THENCE N00-11-15W 99.96 FEET TO THE NORTH LINE  
OF SAID LOT 2; THENCE ALONG SAID NORTH LINE N85-53-02W 110.36  
FEET; THENCE N00-00-29E 28.34 FEET; THENCE N89-29-59W 38.12 FEET;  
THENCE S80-41-10W 111.37 FEET TO THE WEST CORNER COMMON TO  
SAID LOTS 2 AND 3; THENCE ALONG THE WEST LINE OF SAID LOT 3 N00-  
19-35W 99.87 FEET TO THE POINT OF BEGINNING.



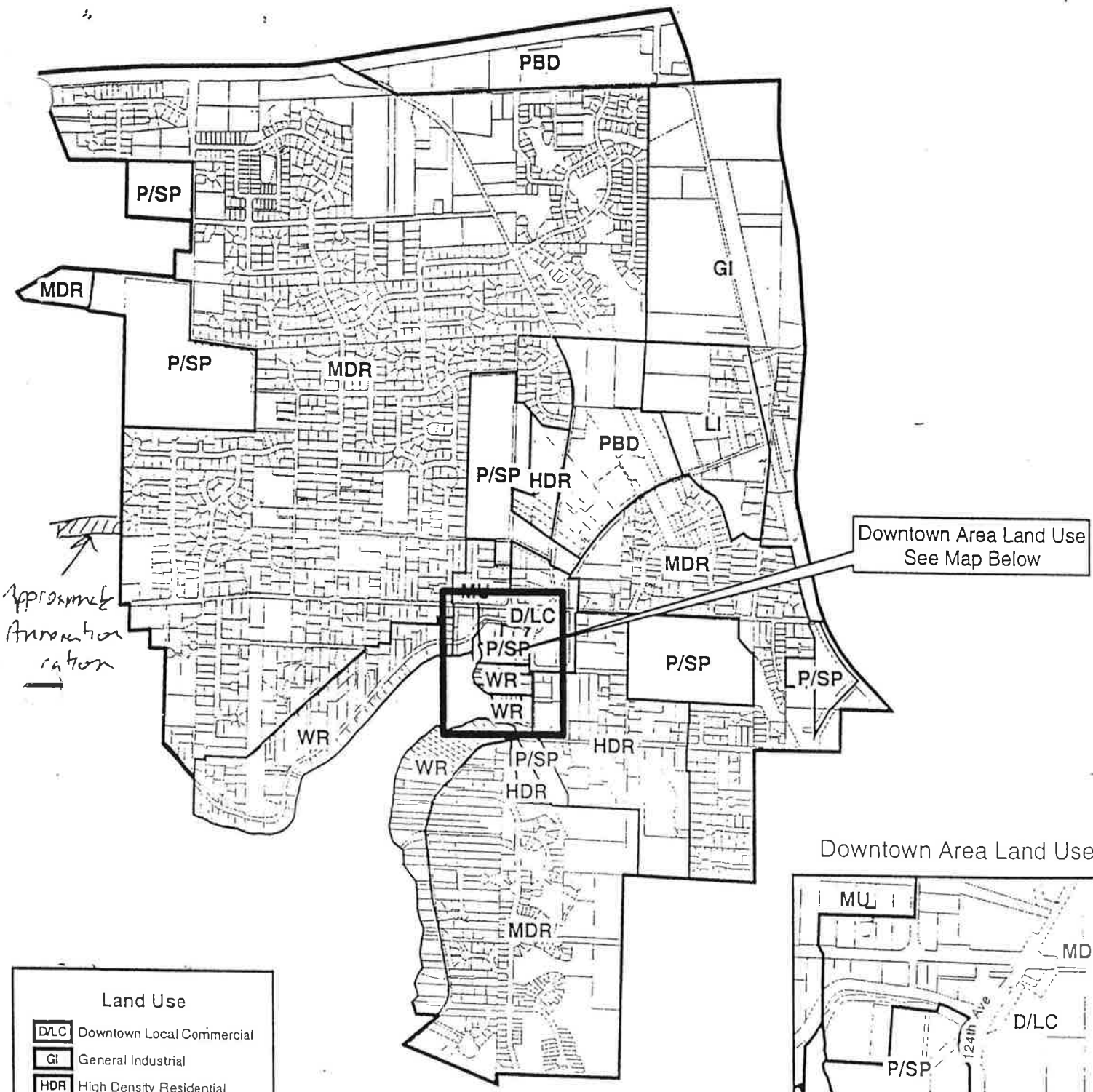
# ZONING MAP



- KEY**
- R - Estate Residential
  - R - Suburban Residential
  - UR - Urban Residential
  - WR - Waterfront Residential
  - UR - High Urban Residential
  - MFR - Multi-Family Residential
  - IC - Neighborhood Commercial
  - B - Local Business
  - BD - Central Business District
  - IU - Mixed Use
  - BD - Planned Business District
  - RC - Sub-Regional Commercial
  - CR - Commercial Recreation
  - LI - Light Industrial
  - GI - General Industrial
  - P/SP - Public / Semi-Public
  - A - Suburban Agriculture



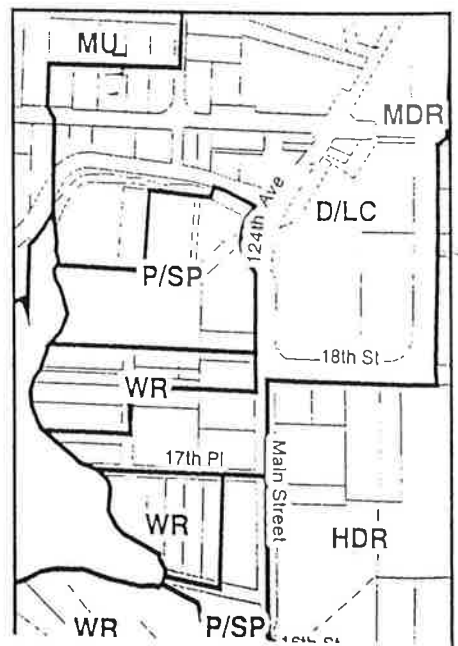
# LAND USE MAP



Downtown Area Land Use  
See Map Below

Approximate  
Annexation  
ation

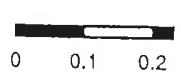
Downtown Area Land Use



Land Use	
<b>D/LC</b>	Downtown Local Commercial
<b>GI</b>	General Industrial
<b>HDR</b>	High Density Residential
<b>LI</b>	Light Industrial
<b>MDR</b>	Medium Density Residential
<b>MU</b>	Mixed Use
<b>P/SP</b>	Public/Semi Public
<b>PBD</b>	Planned Business District
<b>WR</b>	Waterfront Residential



LAKE STEVENS LAND USE MAP (Ord. 656, effective December 31, 2001)  
 This map is for demonstration only. It is not a legal document.  
 For exact zone information, contact the Department of Planning  
 and Community Development.



## ATTACHMENT 3



CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 706

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, AMENDING AND CORRECTING THE ERRORS IN THE LEGAL DESCRIPTION FOUND IN AND ATTACHED AS EXHIBIT "A" TO ORDINANCE 585, WHICH IN 1998 ANNEXED A SINGLE PARCEL OF APPROXIMATELY ONE ACRE, KNOWN AS THE "BUSSING ANNEXATION," INTO THE CITY OF LAKE STEVENS, AND PROVIDED FOR THE ASSUMPTION OF INDEBTEDNESS AND COMPREHENSIVE PLAN AND ZONING DESIGNATIONS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, following a public meeting with petitioning property owners, on September 8, 1997 the City Council adopted Resolution 1997-15 authorizing the circulation of a petition to annex approximately sixty acres at the extreme Northwest corner of the City, with conditions; and

WHEREAS, among the conditions listed in the Resolution and on the petition was the requirement that the property owners assume the indebtedness of the City of Lake Stevens, and that the Bussing parcel be designated on the City of Lake Stevens's Comprehensive Plan as Medium Density Residential and zoned on the City of Lake Stevens's Zoning Map as Suburban Residential; and

WHEREAS, this petition was returned on November 10, 1997 with signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, following two public hearings on November 24, 1997 and January 20, 1998, the City Council adopted Resolution 1998-03, authorizing submittal to the Snohomish County Boundary Review Board (BRB) of notices of the City's intention to annex approximately 37 acres of the original petition area; and

WHEREAS, three separate notices were subsequently submitted to the BRB, one for approximately twenty-seven acres known as the Holloway annexation, one for approximately nine acres for a future elementary school known as the Elementary Six Site annexation, and one for a single one-acre parcel, known as the Bussing annexation; and

WHEREAS, the BRB approved the Bussing annexation on March 16, 1998; and

WHEREAS, on June 15, 1998 with an effective date of June 29, 1998, the Lake Stevens City Council approved Ordinance 585 known as the "Bussing annexation" with Attachment to City of Lake Stevens Ordinance No. 585 EXHIBIT A "Legal Description for Annexation to the City of Lake Stevens" and Attachment to City of Lake Stevens Ordinance No. 585 EXHIBIT B "Proposed Annexation Area" Map.

WHEREAS, the Snohomish County Assessor's Office noticed an error in Attachment to City of Lake Stevens Ordinance No. 585, EXHIBIT A "Legal Description for Annexation to the City of Lake Stevens," that Exhibit A and Exhibit B "Proposed Annexation Area" Map are inconsistent and the intent of the ordinance being consistent with Exhibit B, proposed revisions to correct the error in the legal description in Exhibit A; and

WHEREAS, the City Council of Lake Stevens finds it is in the public interest to have a correct legal description of the "Bussing annexation" as annexed in Ordinance 585.

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

Section 1. Affirm Ordinance 585. Ordinance 585 is affirmed and remains adopted on June 15, 1998 and effective June 29, 1998.

Section 2. Amendment of Attachment to City of Lake Stevens Ordinance No. 585 EXHIBIT A "Legal Description for Annexation to the City of Lake Stevens". City of Lake Stevens Ordinance No. 585, EXHIBIT A "Legal Description for Annexation to the City of Lake Stevens" is amended to correct the error in the legal description and to accurately reflect the true legal description of the "Bussing annexation" as set forth below:

The South half of the East half of all that portion of the Southeast quarter of Section 6, Township 29 North, Range 6 East, W.M., described as follows:

Commencing at the quarter section corner between Sections 5 and 6, Township 29 North, Range 6 East, W.M.; Thence South along line between said Sections 5 and 6, a distance of 1254.16 feet; Thence North 87°36' West 684.46 feet to the True Point of Beginning; Thence South 0°32' West 598.42 feet; Thence North 85°33' West 343.88 feet; Thence North 0°38' East 584.10 feet; Thence South 87°56' East 342.23 feet to the True Point of Beginning.

Situate in the County of Snohomish, State of Washington.

Section 3. Severability. If any provision or section of this Ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this Ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 4. Effective Date and Publication. 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.

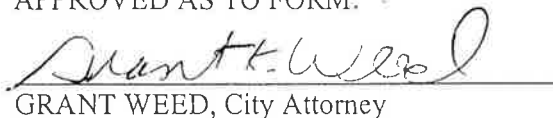
PASSED by the City Council of the City of Lake Stevens this 8th day of November, 2004.

  
LYNN E. WALTY, Mayor

ATTEST/AUTHENTICATION:

  
NORMA J. SCOTT, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

  
GRANT WEED, City Attorney

First and Final Reading: November 8, 2004  
Published: November 17, 2004  
Effective Date: November 22, 2004

**CITY OF LAKE STEVENS**  
**LAKE STEVENS, WASHINGTON**  
ORDINANCE NO. 715

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ANNEXING 45 PARCELS OF APPROXIMATELY TWENTY SIX POINT FIVE SEVEN (26.57) ACRES, KNOWN AS THE "CREWS ANNEXATION," INTO THE CITY AND PROVIDING FOR THE ASSUMPTION OF INDEBTEDNESS AND COMPREHENSIVE PLAN AND ZONING DESIGNATIONS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, following a public meeting with petitioning property owners, on January 10<sup>th</sup> 2005 the City Council authorized by motion the circulation of a petition to annex approximately six and four tenths (6.4) acres located along 28<sup>th</sup> Street and the intersection of Cedar Road; and

WHEREAS, among the conditions identified in the motion is the requirement that the property be zoned by the City at the time of annexation; and

WHEREAS, this petition was returned to the City with signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, on May 9<sup>th</sup> 2005, the City Council reviewed the 60% petition and scheduled a public hearing for June 13<sup>th</sup> 2005; and

WHEREAS, following a public hearing on June 1<sup>st</sup> 2005, the Lake Stevens Planning Commission forwarded a recommendation for approval of the annexation, comprehensive plan and zoning adoption; and

WHEREAS, following a public hearing on June 13<sup>th</sup> 2005, the City Council approved the first reading of this Ordinance No. 715, and authorized it to be submitted to the Snohomish County Boundary Review Board (BRB) as notice of the City's intention to annex the area in question; and

WHEREAS, public notice was provided for the June 13<sup>th</sup> 2005, public hearing by posting the annexation site in three conspicuous locations, advertising in the Lake Stevens Journal and mailing to property owners within 150 feet of the site; and

WHEREAS, the Washington State Boundary Review Board invoked jurisdiction and following a public hearing held September 27<sup>th</sup> 2005, the Snohomish County Council modified the annexation boundary to include 27 additional parcels; and

WHEREAS, the City Council conducted a public hearing on the rezone on December 5, 2005 and adopted the land use and zoning recommended by Planning Commission for the Crews annexation; and

WHEREAS, the City Council conducted a second duly noticed public meeting on December 5<sup>th</sup> 2005.

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

Section 1. Annexation. The property mapped on the attached Exhibit 1 and legally described in the attached Exhibit 2 are hereby annexed into the City of Lake Stevens.

Section 2. Indebtedness. There are no existing separately taxed bondedness for the annexation area to assume and the annexed properties shall be assessed and taxed at the same rate and on the same basis as property in the City of Lake Stevens to pay for outstanding indebtedness at the date of annexation.

Section 3. Comprehensive Plan and Zoning Ordinance Designations. Said annexed property shall be subject to the City of Lake Stevens Comprehensive Plan and Land Use Regulations (Title 14 LSMC) and shall be designated in the Plan as Medium Density Residential and on the Official Zoning Map as Suburban Residential.


Section 4. Severability. If any provision or section of this Ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this Ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 5. Effective Date and Publication. 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.

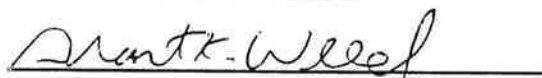
PASSED by the City Council of the City of Lake Stevens this 5<sup>th</sup> day of December, 2005.

  
LYNN E. WALTY, Mayor

ATTEST/AUTHENTICATION:

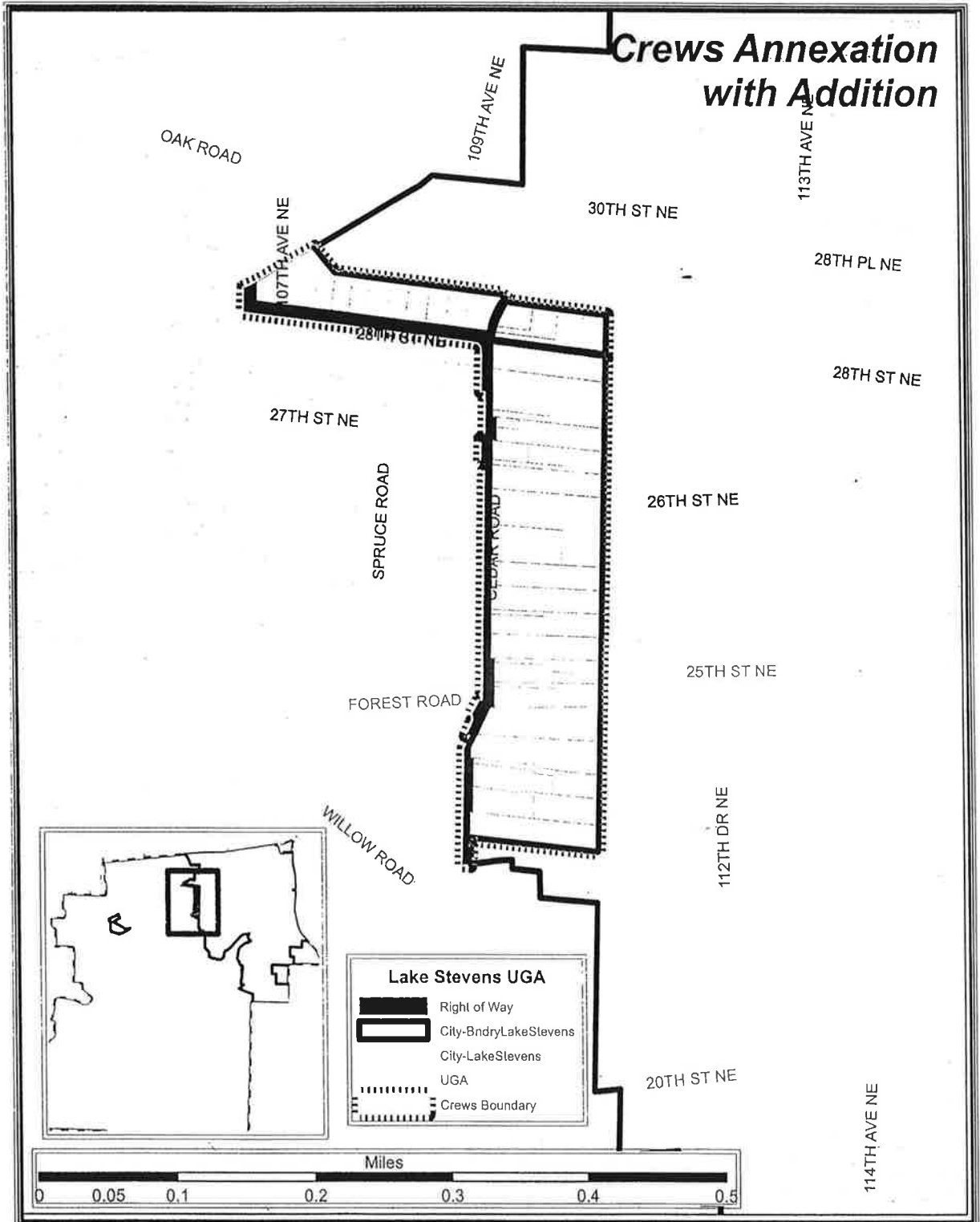
  
NORMA J. SCOTT, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

  
GRANT K. WEED, City Attorney

First Reading: June 13<sup>th</sup> 2005  
Second and Final Reading: December 5<sup>th</sup> 2005  
Published: December 14<sup>th</sup> 2005  
Effective Date: December 19<sup>th</sup> 2005

EXHIBIT ONE



**EXHIBIT TWO  
LEGAL DESCRIPTION  
Crews Annexation**

**BEGINNING** AT THE SOUTH ONE-QUARTER CORNER OF SECTION 6, TOWNSHIP 29 NORTH, RANGE 6 EAST, W.M.;

**THENCE** NORTH 00°03'16" EAST, ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 6, A DISTANCE OF FEET 76.42 FEET;

**THENCE** NORTH 58°25'29" EAST, 23.49 FEET TO THE EAST MARGIN OF 107<sup>TH</sup> AVENUE NORTHEAST AND THE **TRUE POINT OF BEGINNING**;

**THENCE** CONTINUING NORTH 58°25'29" EAST, 278.69 FEET TO THE SOUTH LINE OF THE PLAT OF CEDAR ROAD, AS RECORDED UNDER AUDITOR'S-FILE NUMBER 200410225010, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

**THENCE** SOUTH 41°17'04" EAST, ALONG SAID SOUTH LINE, 121.35 FEET;

**THENCE** SOUTH 84°18'34" EAST, ALONG SAID SOUTH LINE, 648.45 FEET TO THE WESTERLY MARGIN OF CEDAR ROAD;

**THENCE** SOUTH 81°28'00" EAST, 40.89 FEET TO THE EASTERLY MARGIN OF CEDAR ROAD;

**THENCE** SOUTH 84°10'45" EAST, 372.35 FEET, TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6;

**THENCE** SOUTH 00°19'59" EAST, 160.01 FEET, TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 6;

**THENCE** CONTINUING ALONG THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 29 NORTH, RANGE 6 EAST, W.M. TO THE NORTH LINE OF LOT 3, BLOCK "I" OF THE PLAT OF BAILY'S FIRST ADDITION TO LAKE STEVENS SANDY BEACH TRACTS, AS RECORDED UNDER AUDITOR'S FILE NUMBER 327865, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

**THENCE** WEST ALONG THE NORTH LINE OF SAID LOT 3 AND ITS WESTERLY PROJECTION TO THE WEST MARGIN OF CEDAR ROAD;

**THENCE** NORTH ALONG SAID WEST MARGIN TO THE SOUTH MARGIN OF 28<sup>TH</sup> STREET NORTHEAST;

**THENCE** WEST ALONG THE SOUTH MARGIN OF 28<sup>TH</sup> STREET NORTHEAST TO AN INTERSECTION WITH THE SOUTHERLY PROJECTED EAST MARGIN OF 107<sup>TH</sup> AVENUE NORTHEAST;

**THENCE** NORTH ALONG SAID PROJECTION AND EAST MARGIN TO THE **TRUE POINT OF BEGINNING**.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

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

**ORDINANCE NO. 716**

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ANNEXING 12 PARCELS OF APPROXIMATELY 72.2 ACRES, KNOWN AS THE, "**PACIFIC RIDGE ANNEXATION**" INTO THE CITY AND PROVIDING FOR THE ASSUMPTION OF INDEBTEDNESS AND COMPREHENSIVE PLAN AND ZONING DESIGNATIONS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, following a public meeting with petitioning property owners, on April 25<sup>th</sup> 2005 the City Council authorized by motion the circulation of a petition to annex approximately seventy two and two tenths (72.2) acres located on the south-southeast boundary of the City and is bounded on the south by 4<sup>th</sup> ST NE and 131<sup>st</sup> AVE NE on the east ; and

WHEREAS, among the conditions identified in the motion is the requirement that the property be zoned by the City at the time of annexation; and

WHEREAS, this petition was returned to the City with signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, on May 9<sup>th</sup>, the City Council reviewed the 60% petition and scheduled a public hearing for June 13<sup>th</sup> 2005; and

WHEREAS, following a public hearing on June 1<sup>st</sup> 2005, the Lake Stevens Planning Commission forwarded a recommendation for approval of the annexation, comprehensive plan and zoning adoption; and

WHEREAS, following a public hearing on June 13<sup>th</sup> 2005, the City Council approved the first reading of this Ordinance No. 716 and authorized it to be submitted to the Snohomish County Boundary Review Board (BRB) as notice of the City's intention to annex the area in question; and

WHEREAS, public notice was provided for the June 13<sup>th</sup> 2005 public hearing by posting the annexation site in three conspicuous locations, advertising in the Lake Stevens Journal and mailing to property owners within 150 feet of the site; and

WHEREAS, the Boundary Review Board 45-day review period ended on August 19<sup>th</sup> 2005, and their jurisdiction was not invoked; and

WHEREAS, the City Council conducted a second duly noticed public hearing on Sept. 12<sup>th</sup> 2005

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

Section 1. Annexation. The property mapped on the attached Exhibit 1 and legally described in the attached Exhibit 2 are hereby annexed into the City of Lake Stevens.

Section 2. Indebtedness. There are no existing separately taxed bondedness for the annexation area to assume and the annexed properties shall be assessed and taxed at the same rate and on the same basis as property in the City of Lake Stevens to pay for outstanding indebtedness at the date of annexation.

Section 3. Comprehensive Plan and Zoning Ordinance Designations. Said annexed property shall be subject to the City of Lake Stevens Comprehensive Plan and Land Use Regulations (Title 14 LSMC) and shall be designated in the Plan as Medium Density Residential and on the Official Zoning Map as Urban Residential.

Section 4. Severability. If any provision or section of this Ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this Ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 5. Effective Date and Publication. 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.

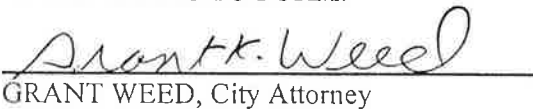
PASSED by the City Council of the City of Lake Stevens this 12<sup>th</sup> day of September, 2005.

  
LYNN E. WALTY, Mayor

ATTEST/AUTHENTICATION:

  
NORMA J. SCOTT, City Clerk/Admin. Asst.

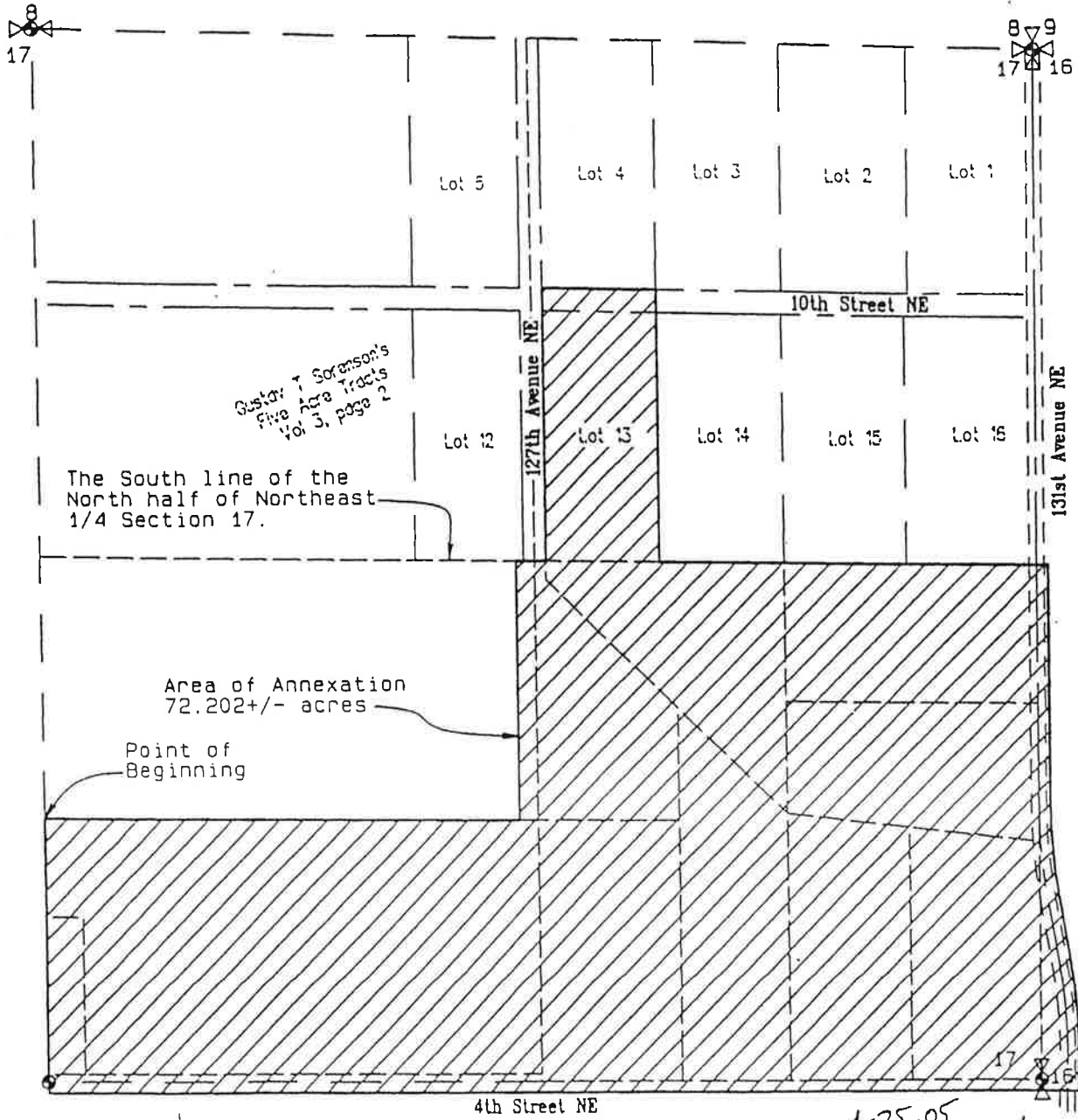
APPROVED AS TO FORM:

  
GRANT WEED, City Attorney

First Reading: June 13<sup>th</sup> 2005  
Second and Final Reading: Sept. 12<sup>th</sup> 2005  
Published: Sept. 21<sup>st</sup> 2005  
Effective Date: Sept. 26<sup>th</sup> 2005



# Pacific Ridge Exhibit 1



not to scale



**Pacific Ridge**  
**Exhibit 2**  
**City of Lake Stevens**  
**Proposed Annexation**

Being a portion of Sections 17 and 16, Township 29 North, Range 6 East of the Willamette Meridian more particularly described as follows:

**BEGINNING** at the Northwest corner of the South half of the Southwest quarter of the Northeast quarter of said Section 17;  
thence South  $00^{\circ}41'12''$  West, along the West line of said subdivision, said line also being an existing boundary line of the City of Lake Stevens, a distance of 724.85 feet to a point on a line 30 feet Southerly of and parallel to the South line of the Northeast quarter of said Section 17;  
thence South  $89^{\circ}43'25''$  East, along said South line, a distance of 2659.75 feet to the East line of said section 17;  
thence South  $88^{\circ}46'20''$  East, along a line being 30 feet South of and parallel to the South line of the Northwest quarter of said Section 16, a distance of 97.76 feet to a point on a line 30 feet East of and parallel to the centerline of 131st Avenue Northeast, as the right of way was established by Order filed in Volume 255 at page 592 records of Snohomish County, Washington;  
thence North  $01^{\circ}37'18''$  East, along said parallel line, a distance of 80.64 feet to the beginning of a curve tangent to said line;  
thence continuing along said parallel line Northerly, a distance of 266.30 feet along the curve concave to the West, having a radius of 1462.39 feet and a central angle of  $10^{\circ}26'00''$ ;  
thence continuing along said parallel line North  $08^{\circ}48'42''$  West, tangent to said curve, a distance of 179.28 feet to the beginning of a curve tangent to said line;  
thence continuing along said parallel line Northerly, a distance of 232.73 feet along the curve concave to the East, having a radius of 1402.39 feet and a central angle of  $9^{\circ}30'30''$ ;  
thence continuing along said parallel line North  $00^{\circ}41'48''$  East, tangent to said curve, a distance of 639.76 feet to the South line of the North half of the Northwest quarter of said Section 16;  
thence North  $89^{\circ}14'14''$  West, along said South line, a distance of 30.00 feet to the Southeast corner of the North half of the Northeast quarter of said Section 17;  
thence North  $89^{\circ}09'09''$  West, South line of the North half of the Northeast quarter of said Section 17, a distance of 997.89 feet to the Southeast corner of Lot 13 of Gustav T. Sorenson's Five Acre Tracts as recorded in Volume 3, of Plats, page 2, records of Snohomish County, Washington;  
thence North  $00^{\circ}41'35''$  East, along the East line of said Lot 13 and it's Northerly projection, a distance of 716.56 feet to the North margin of 10th Street Northeast (Prospect Street);

thence North 88°52'01" West, along said North margin, a distance of 302.24 feet to the East margin of 127th Avenue Northeast (Meadow Street) and the East Boundary Line of the City of Lake Stevens;  
thence South 00°41'30" West, along said East margin and said City Boundary Line, a distance of 718.07 feet to the South line of the North half of the Northeast quarter said Section 17 and the South boundary line of the City of Lake Stevens;  
thence North 89°09'09" West, along said South line and City Boundary Line, a distance of 81.49 feet to the West line of the East 51.49 feet of the North half of the Southwest quarter of the Northeast quarter of said Section 17 and the East line of the City of Lake Stevens;  
thence South 00°41'30" West, along said West line and said City Boundary Line, a distance of 688.47 feet to the North line of the South half of the Southwest quarter of the Northeast quarter of said Section 17 and the South boundary line of the City of Lake Stevens;  
thence North 89°26'17" West, along said North line and said City Boundary Line, a distance of 1278.55 feet to the **Point of Beginning**.

ALL SITUATE in County of Snohomish and State of Washington.

Containing 72.202 ACRES, more or less.



CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 719

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ANNEXING 1014 PARCELS OF APPROXIMATELY *EIGHT HUNDRED FIFTY FIVE (855)* ACRES, KNOWN AS THE "*Greenspace - CAM West* ANNEXATION," INTO THE CITY AND PROVIDING FOR THE ASSUMPTION OF INDEBTEDNESS AND COMPREHENSIVE PLAN AND ZONING DESIGNATIONS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, following a public meeting with petitioning property owners, on *May 9<sup>th</sup> 2005* the City Council authorized by motion the circulation of a petition to annex approximately *one hundred twenty six and fifty eight one hundredths (126.58) acres* located along the west boundary of the City of Lake Stevens from State Route 92 south on either side of Callow Road until about the 2500 block of Callow Road; and

WHEREAS, among the conditions identified in the motion is the requirement that the property be zoned by the City at the time of annexation; and

WHEREAS, this petition was returned to the City on *Sept 12<sup>th</sup> 2005* with signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, on *September 26<sup>th</sup> 2005*, the City Council reviewed the 60% petition and scheduled a public hearing for *October 10<sup>th</sup>, 2005*; and

WHEREAS, following a public meeting on *October 5<sup>th</sup> 2005*, the Lake Stevens Planning Commission forwarded a recommendation for approval of the annexation, plan and zoning adoption; and

WHEREAS, following a public hearing on *October 10<sup>th</sup> and October 17<sup>th</sup> 2005* the City Council approved on *October 17<sup>th</sup>* the first reading of this Ordinance No. 719, and authorized it to be submitted to the Snohomish County Boundary Review Board (BRB) as notice of the City's intention to annex the area in question; and

WHEREAS, public notice was provided for the *October 10<sup>th</sup> 2005 and October 17<sup>th</sup> 2005* public hearing by posting the annexation site in three conspicuous locations, advertising in the Lake Stevens Journal, and Everett Herald respectively, and mailing to property owners within 150 feet of the site; and

WHEREAS, the Washington State Boundary Review Board (BRB) invoked jurisdiction and following a public hearing held *December 6<sup>th</sup> 2005*, the Snohomish County Council modified the annexation boundary to include an additional 728.4 acres as shown on map noted as Exhibit 1; and

WHEREAS, the City Council conducted a duly noticed public hearing on December 27<sup>th</sup> 2005 regarding Land Use designations and Zoning for the BRB revised Greenspace annexation, and adopted Land Use designations and Zoning; and

WHEREAS, the City Council conducted a second duly noticed public meeting on December 27<sup>th</sup> 2005; and

WHEREAS, the City Council conducted a duly noticed public meeting on January 12<sup>th</sup> 2006 for final reading and adoption

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

Section 1. Annexation. The properties mapped on the attached Exhibit 1 and legally described in the attached Exhibit 2 are hereby annexed into the City of Lake Stevens.

Section 2. Indebtedness. There are no existing separately taxed bondedness for the annexation area to assume and the annexed properties shall be assessed and taxed at the same rate and on the same basis as property in the City of Lake Stevens to pay for outstanding indebtedness at the date of annexation.

Section 3. Comprehensive Plan and Zoning Ordinance Designations. Said annexed property shall be subject to the City of Lake Stevens Comprehensive Plan, Land Use Regulations (Title 14 LSMC), Land Use Designations, Official Zoning Map, and conditions as adopted in Council Motion at the December 27<sup>th</sup>, 2005 public hearing and as set forth in attached Exhibit 3, adopting Exhibit A of the Staff Report (the Planning Commission recommendations of December 13, 2005) as amended by the City Council on December 27, 2005 and as amended by the City Council by motion on January 12, 2006.

Section 4. Severability. If any provision or section of this Ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this Ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 5. Effective Date and Publication. 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.

PASSED by the City Council of the City of Lake Stevens this 12<sup>th</sup> day of *January*, 2006.

  
LYNN E. WALTY, Mayor

ATTEST/AUTHENTICATION:

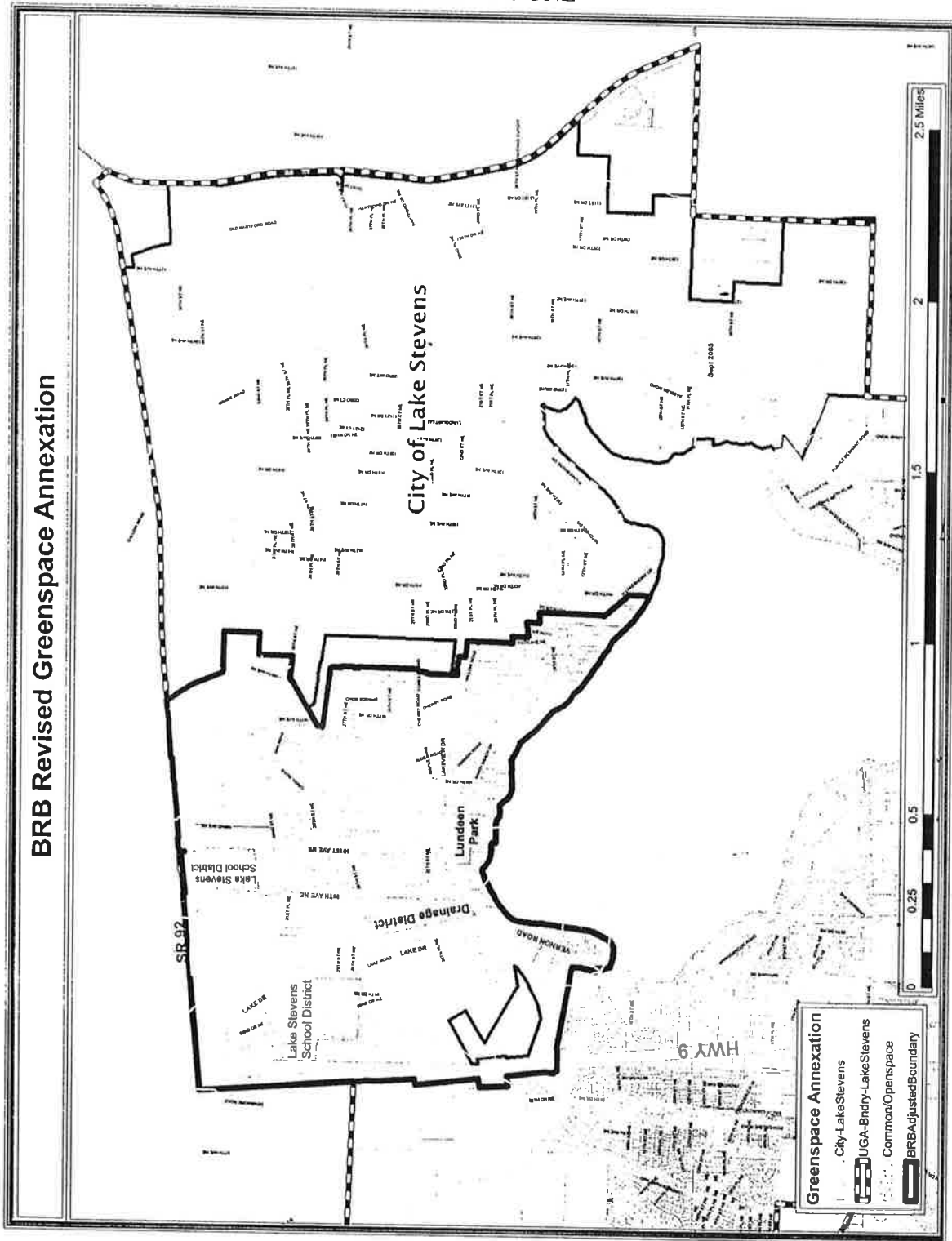
  
NORMA J. SCOTT, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
GRANT K. WEED, City Attorney

First Reading:	<i>October 17<sup>th</sup> 2005</i>
Second Reading:	<i>December 27<sup>th</sup> 200</i>
Final Reading:	<i>January 12<sup>th</sup> 2006</i>
Published:	<i>January 13<sup>th</sup> 2006</i>
Effective Date:	<i>January 18<sup>th</sup> 2006</i>

EXHIBIT ONE



**EXHIBIT TWO**

ANNEXATION BOUNDARY FOR GREENSPACE/CAM WEST (FINAL REVISION)

THOSE PORTIONS OF SECTIONS 6 AND 7, TOWNSHIP 29 NORTH, RANGE 6 EAST, W.M., AND THOSE PORTIONS OF SECTIONS 1 AND 12, TOWNSHIP 29 NORTH, RANGE 5 EAST, W. M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTH QUARTER CORNER OF SAID SECTION 6, THENCE NORTH 00°03'16" EAST, ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 6, A DISTANCE OF 76.42 FEET;

**THENCE** NORTH 58°25'29" EAST, 23.49 FEET TO THE EAST MARGIN OF 107<sup>TH</sup> AVENUE NORTHEAST AND THE **TRUE POINT OF BEGINNING**;

**THENCE** CONTINUING NORTH 58°25'29" EAST, 278.69 FEET TO THE SOUTH LINE OF THE PLAT OF CEDAR ROAD, ACCORDING TO THE PLAT THEREOF RECORDED UNDER AUDITORS FILE NUMBER 200410225010, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, SAID POINT BEING A POINT ON THE NOW EXISTING CITY LIMITS OF THE CITY OF LAKE STEVENS ACCORDING TO ORDINANCE 341 EFFECTIVE OCTOBER 9, 1989;

**THENCE** CONTINUING ALONG THE WEST LINE OF SAID PLAT OF CEDAR ROAD AND THE EXISTING CITY LIMITS TO THE SOUTH LINE OF 30<sup>TH</sup> STREET NORTHEAST;

**THENCE** NORTHEASTERLY ALONG THE EXISTING CITY LIMITS TO THE INTERSECTION OF THE NORTH MARGIN OF 30<sup>TH</sup> STREET NORTHEAST AND THE EAST MARGIN OF 109<sup>TH</sup> AVENUE NORTHEAST;

**THENCE** EAST ALONG THE NORTH MARGIN OF 30<sup>TH</sup> STREET NORTHEAST AND THE EXISTING CITY LIMITS TO 343.43 FEET MORE OR LESS TO THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6 SAID POINT ALSO BEING THE EAST LINE OF TRACT 56 OF THE UNRECORDED RUCKER BROTHERS PLAT;

**THENCE** NORTH ALONG THE AFOREMENTIONED EAST LINE TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6;

**THENCE** EAST ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND A POINT ON THE EXISTING CITY LIMITS OF LAKE STEVENS ACCORDING TO ORDINANCE 586 EFFECTIVE JUNE 29, 1998;

**THENCE** NORTH ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE



SOUTHEAST QUARTER OF SAID SECTION 6 AND THE EXISTING CITY LIMITS TO THE SOUTH MARGIN OF THE PLAT OF MALIA HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED UNDER AUDITORS FILE NUMBER 200305055003, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, SAID POINT BEING A POINT ON THE NOW EXISTING CITY LIMITS OF THE CITY OF LAKE STEVENS ACCORDING TO ORDINANCE 589 EFFECTIVE JULY 18, 1998;

**THENCE** WEST ALONG THE SOUTH LINE OF SAID MALIA ESTATES AND ITS WESTERLY EXTENSION TO THE WEST MARGIN OF 109<sup>TH</sup> AVENUE NORTHEAST;

**THENCE** NORTH ALONG SAID WEST MARGIN AND ITS NORTHERLY EXTENSION TO THE NORTH MARGIN OF SR 92;

**THENCE** SOUTHWESTERLY ALONG THE NORTH MARGIN OF SR 92 AND ITS WESTERLY EXTENSION TO THE WEST MARGIN OF SR 9;

**THENCE** SOUTHERLY ALONG SAID WEST MARGIN AND ITS SOUTHERLY PROJECTION A DISTANCE OF 2,400 FEET MORE OR LESS TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 12;

**THENCE** CONTINUING SOUTHERLY ALONG SAID PROJECTION AND WEST MARGIN A DISTANCE OF 2,700 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 12;

**THENCE** CONTINUING SOUTHERLY ALONG SAID WEST MARGIN A DISTANCE OF 450 FEET MORE OR LESS TO AN INTERSECTION WITH THE WESTERLY PROJECTION OF THAT PART OF THE SOUTHERLY MARGIN OF THE LUNDEEN PARKWAY ABUTTING THE EASTERLY MARGIN OF SAID SR 9 IN THE SOUTHEAST QUARTER OF SAID SECTION 12;

**THENCE** EASTERLY ALONG SAID WESTERLY PROJECTION A DISTANCE OF 330 FEET MORE OR LESS TO THE EASTERLY MARGIN OF SR 9;

**THENCE** SOUTHERLY ALONG SAID EASTERLY MARGIN TO THE NORTHEASTERLY LINE OF THE PLAT OF STEVENS COVE, AS RECORDED IN VOLUME 63 OF PLATS, PAGES 138-147, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

**THENCE** SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 1290 FEET MORE OR LESS TO THE NORTHEASTERLY CORNER OF SAID PLAT;

**THENCE** SOUTH 01° 28' 44" EAST ALONG THE EASTERLY LINE OF TRACT 502 OF SAID PLAT A DISTANCE OF 126.28 FEET TO AN ANGLE POINT;

**THENCE** SOUTH 16° 04' 28" WEST ALONG SAID EASTERLY LINE A DISTANCE OF 100.88 FEET TO AN INTERSECTION WITH THE WESTERLY PROJECTION OF THE NORTHERLY

LINE OF TRACT 999 OF SAID PLAT;

**THENCE** SOUTH 86° 47' 00" EAST ALONG SAID WESTERLY PROJECTION A DISTANCE OF 11.11 FEET TO THE WESTERLY LINE OF SAID TRACT 999;

**THENCE** SOUTH 16° 31' 21" WEST ALONG SAID WESTERLY LINE AND ITS SOUTHERLY EXTENSION A DISTANCE OF 136.09 FEET TO THE SOUTHWESTERLY CORNER OF A 20-FOOT ACCESS ROAD AS SHOWN ON SAID PLAT;

**THENCE** SOUTH 71° 08' 39" EAST ALONG THE SOUTHERLY MARGIN OF SAID ACCESS ROAD A DISTANCE OF 35.01 FEET TO AN ANGLE POINT;

**THENCE** NORTH 16° 31' 21" EAST ALONG THE EASTERLY MARGIN OF SAID ACCESS ROAD A DISTANCE OF 2.01 FEET TO THE SOUTHERLY LINE OF A PUMP STATION PROPERTY OWNED BY THE LAKE STEVENS SEWER DISTRICT;

**THENCE** SOUTH 73° 28' 39" EAST ALONG SAID SOUTHERLY LINE A DISTANCE OF 40.00 FEET TO THE SOUTHEAST CORNER OF SAID PUMP STATION PROPERTY;

**THENCE** SOUTH 37° 05' 14" EAST A DISTANCE OF 12 FEET MORE OR LESS TO THE NORTHWESTERLY MARGIN OF VERNON ROAD;

**THENCE** SOUTHERLY TO THE INTERSECTION OF THE SOUTHEASTERLY MARGIN OF VERNON ROAD WITH THE NORTHEASTERLY MARGIN OF TRACT 501 OF SAID PLAT OF STEVENS COVE;

**THENCE** SOUTHEASTERLY ALONG SAID NORTHEASTERLY MARGIN, AND ALONG THE NORTHEASTERLY MARGIN OF THE SECOND CLASS SHORLANDS, AS CONVEYED BY THE STATE OF WASHINGTON, SITUATE IN FRONT OF, ADJACENT TO OR ABUTTING SAID TRACT 501, TO THE NAVIGABLE BOUNDARY OF SAID SHORELANDS;

**THENCE** EASTERLY AND NORTHERLY ALONG SAID NAVIGABLE BOUNDARY ADJACENT TO AND ABUTTING THE SOUTHEAST AND NORTHEAST QUARTERS OF SAID SECTION 12 TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 12;

**THENCE** EASTERLY ALONG SAID NAVIGABLE BOUNDARY A DISTANCE OF 2800 FEET MORE OR LESS TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7;

**THENCE** SOUTHEASTERLY ALONG SAID NAVIGABLE BOUNDARY A DISTANCE OF 2750 FEET MORE OR LESS TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE WEST 80 FEET OF THE EAST 536.15 FEET MORE OR LESS OF THAT PORTION OF GOVERNMENT LOT 5 LYING SOUTH OF VERNON ROAD;

**THENCE** NORTH ALONG SAID SOUTHERLY EXTENSION AND SAID WEST LINE A DISTANCE OF 300 FEET MORE OR LESS TO THE SOUTHWESTERLY MARGIN OF VERNON ROAD;

**THENCE** NORTHWESTERLY ALONG SAID SOUTHWESTERLY MARGIN A DISTANCE OF 480 FEET MORE OR LESS TO AN INTERSECTION WITH THE SOUTHERLY PROJECTION OF THE WEST LINE OF LOT 1 OF CHERRY ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN VOLUME 28 OF PLATS, PAGE 85, RECORDS OF SNOHOMISH COUNTY;

**THENCE** NORTH AND PARALLEL WITH THE EAST LINE OF SAID GOVERNMENT LOT 5, ALONG SAID SOUTHERLY PROJECTION AND SAID WEST LINE, TO THE NORTHWEST CORNER OF SAID LOT 1;

**THENCE** CONTINUING NORTH AND PARALLEL WITH SAID EAST LINE TO THE SOUTHEAST CORNER OF LOT 4 OF SHORT PLAT NO. 4(1-84) AS RECORDED UNDER RECORDING NUMBER 8507090228, RECORDS OF SNOHOMISH COUNTY;

**THENCE** CONTINUING NORTH ALONG THE EAST LINE OF SAID LOT AND SAID SHORT PLAT TO THE NORTHEAST CORNER OF LOT 2 OF SAID SHORT PLAT;

**THENCE** WEST ALONG THE NORTH LINE OF SAID LOT 2, AND ALONG THE NORTH LINE OF LOT 1 OF SAID SHORT PLAT, TO THE NORTHWEST CORNER OF SAID LOT 1, SAID CORNER ALSO LYING ON THE EAST LINE OF LAKEVIEW TERRACE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 24 OF PLATS, PAGE 102, RECORDS OF SNOHOMISH COUNTY;

**THENCE** NORTH ALONG THE EAST LINE OF SAID PLAT OF LAKEVIEW TERRACE TO THE NORTHEAST CORNER THEREOF;

**THENCE** WEST ALONG THE NORTH LINE OF SAID PLAT OF LAKEVIEW TERRACE TO AN INTERSECTION WITH A LINE LYING 100 FEET EAST OF THE WEST LINE OF GOVERNMENT LOT 5, AS MEASURED ALONG THE NORTH LINE THEREOF;

**THENCE** NORTH AND PARALLEL WITH THE WEST LINE OF SAID GOVERNMENT LOT 5 A DISTANCE OF 250 FEET MORE OR LESS TO THE SOUTH MARGIN OF 20<sup>TH</sup> STREET NORTHEAST;

**THENCE** WESTERLY ALONG SAID SOUTH MARGIN 100 FEET MORE OR LESS TO AN INTERSECTION WITH THE WEST LINE OF SAID GOVERNMENT LOT 5;

**THENCE** NORTH ALONG SAID WEST LINE 20 FEET MORE OR LESS TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 5, BEING ALSO THE SOUTHEAST

CORNER OF BAILY'S FIRST ADDITION TO LAKE STEVENS SANDY BEACH TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 10 OF PLATS, PAGE 55, RECORDS OF SNOHOMISH COUNTY;

**THENCE** NORTH ALONG THE EAST LINE OF SAID PLAT TO THE NORTHEAST CORNER OF LOT 1, BLOCK "I" OF SAID PLAT;

**THENCE** WESTERLY ALONG SAID NORTH LINE TO A POINT LYING SOUTH 85° 55' 12" EAST A DISTANCE OF 258.72 FEET FROM THE NORTHWEST CORNER THEREOF;

**THENCE** NORTH 00° 13' 25" WEST A DISTANCE OF 100.00 FEET TO AN INTERSECTION WITH THE NORTH LINE OF LOT 2, BLOCK "I" OF SAID PLAT;

**THENCE** NORTH 85° 55' 12" WEST ALONG SAID NORTH LINE A DISTANCE OF 110.36 FEET;

**THENCE** NORTH 00° 06' 39" EAST A DISTANCE OF 27.98 FEET;

**THENCE** NORTH 89° 23' 49" WEST A DISTANCE OF 38.12 FEET;

**THENCE** SOUTH 80° 47' 20" WEST A DISTANCE OF 111.37 FEET TO THE NORTHWEST CORNER OF SAID LOT 2;

**THENCE** NORTHERLY ALONG THE WEST LINE OF LOT 3, BLOCK "I" TO THE NORTHWEST CORNER OF SAID LOT 3;

**THENCE** WESTERLY ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 3, BLOCK "I" TO THE WEST MARGIN OF CEDAR ROAD;

**THENCE** NORTHERLY ALONG SAID WESTERLY MARGIN TO A POINT OF CURVATURE IN THE INTERSECTION OF SAID WESTERLY MARGIN WITH THE SOUTHERLY MARGIN OF 28<sup>TH</sup> STREET NORTHEAST;

**THENCE** NORTHWESTERLY AND WESTERLY ALONG SAID CURVE AND SOUTHERLY MARGIN TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST MARGIN OF 107<sup>TH</sup> AVENUE NORTHEAST;

**THENCE** NORTHERLY ALONG SAID EXTENSION AND EAST MARGIN TO THE **POINT OF BEGINNING**.

**EXCEPTING** THERE FROM THE FOLLOWING DESCRIBED PARCEL ANNEXED UNDER ORDINANCE 681, EFFECTIVE NOVEMBER 10, 2003, TO WIT:

THAT PORTION OF THE EAST HALF OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 5 EAST WILLAMETTE MERIDIAN DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE MOST WESTERLY CORNER OF LOT 4 OF THE PLAT OF VERNON PARK RECORDED UNDER AUDITOR FILE NUMBER 216027 RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

**THENCE** NORTHEASTERLY ALONG THE NORTH LINE OF SAID LOT 4 TO THE WEST MARGIN OF SOPER HILL ROAD;

**THENCE** SOUTHEASTERLY ALONG THE WEST MARGIN OF SOPER HILL ROAD TO THE SOUTHEASTERLY LINE OF SAID LOT 4;

**THENCE** SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF LOT 4 TO THE SOUTHWEST CORNER OF SAID LOT 4;

**THENCE** SOUTHEASTERLY ALONG THE SOUTH LINES OF LOTS 3, 2 AND 1 TO A POINT ON THE SOUTH LINE OF LOT 1 THAT LIES 212.5 FEET NORTH AND SOUTH  $78^{\circ} 37'$  WEST 318 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 1;

**THENCE** NORTHEASTERLY TO A POINT 212.5 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 1;

**THENCE** SOUTH ON THE EASTERLY LINE OF SAID LOT 1 TO THE NORTHWEST MARGIN OF LUNDEEN PARKWAY;

**THENCE** WESTERLY ALONG THE NORTH MARGIN OF LUNDEEN PARKWAY TO AN INTERSECTION WITH THE EAST MARGIN OF SR 9;

**THENCE** NORTH ALONG THE EAST MARGIN OF S.R. 9 TO THE **POINT OF BEGINNING.**

**EXHIBIT THREE**

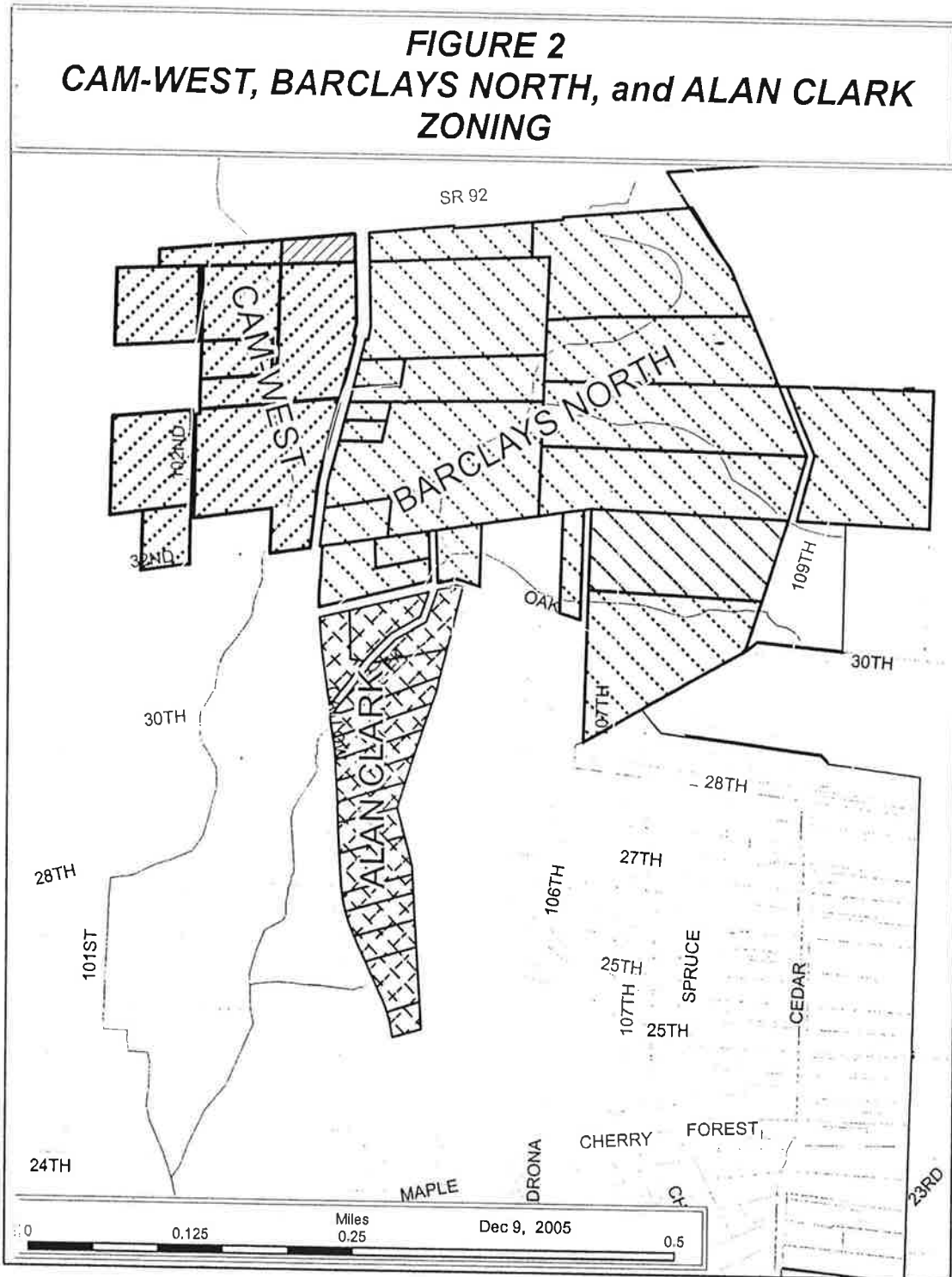
**Planning Commission Recommendations  
Amended by City Council at a Public Hearing  
Amended by City Council at City Council Meeting 3<sup>rd</sup> and final reading**

**December 13, 2005  
December 27, 2005  
January 12, 2006**

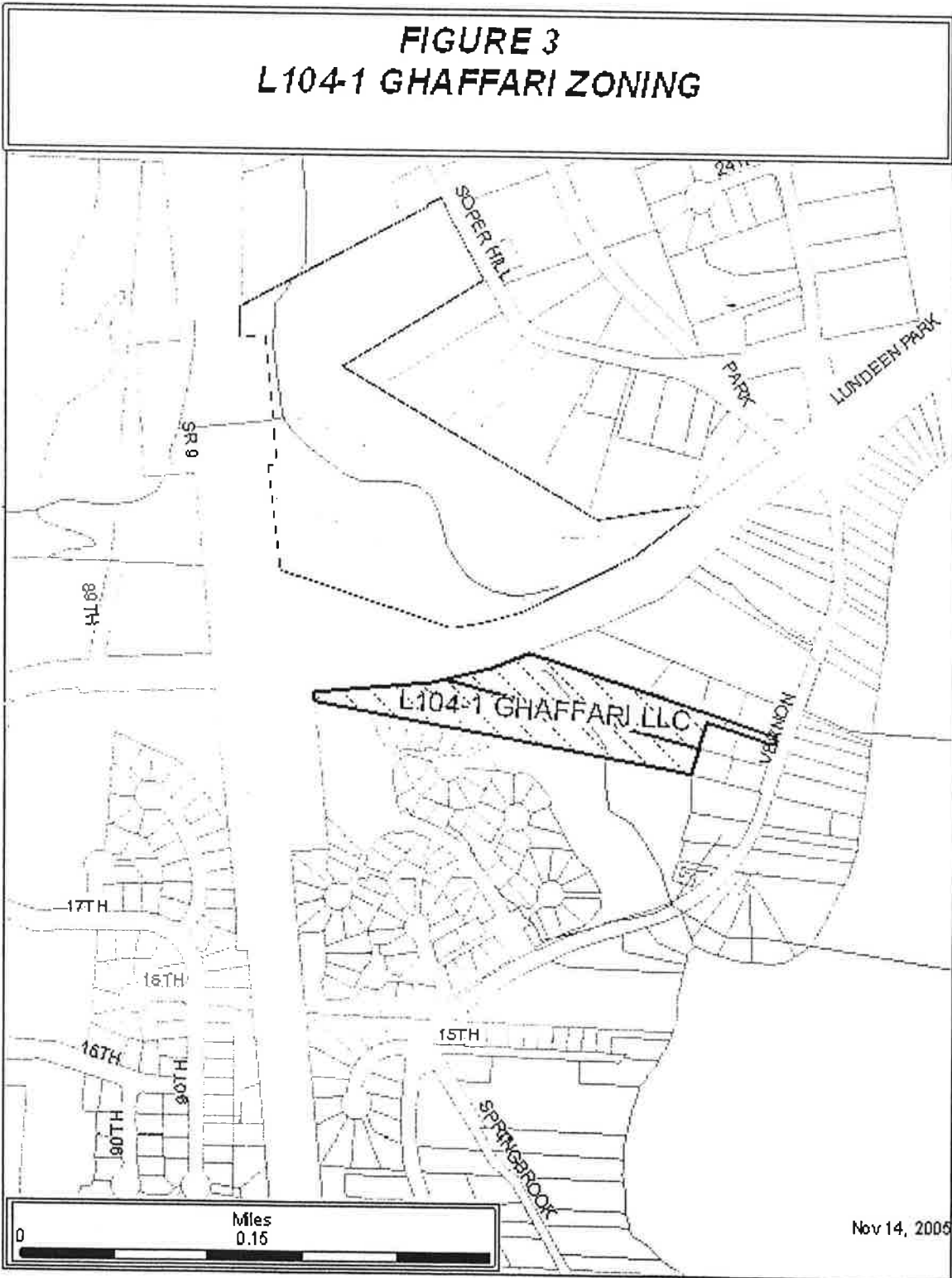
The Lake Stevens Planning Commission recommends to the Lake Stevens City Council that the following comprehensive plan designations be approved for the proposed Greenspace, Lake Drive, and Wood's Annexations.

1. That those properties designated Urban Low Density Residential (4 D.U. per acre) (ULDR 4) on the County's comprehensive plan be designated as Medium Density Residential (MDR). Implementing zoning is recommended for Suburban Residential.
2. That those properties designated Urban Low Density Residential (6 D.U. per acre) (ULDR 6) on the County's comprehensive plan be designated as Medium Density Residential (MDR). Implementing zoning is recommended for Urban Residential.
3. That those properties designated Urban Medium Density Residential (6-12 D.U. per acre) (UMDR 6-12) on the County's comprehensive plan be designated as Medium Density Residential (MDR). Implementing zoning is recommended for High Urban Residential.
4. That those properties designated Urban High Density Residential (12-24 D.U. per acre) (UHDR 12-24) on the County's comprehensive plan be designated as High Density Residential (HDR). Implementing zoning is recommended for Multiple Family Residential.
5. That those properties designated Urban Commercial (UCOM) on the County's comprehensive plan be designated as Local Commercial. Implementing zoning is recommended for Local Business
6. That properties identified as CamWest on Figure 2 of this recommendation currently designated as R-9600 (DPO) on the County Plan be designated as Medium Density Residential (MDR). The implementing zoning is recommended for High Urban Residential.
7. That properties identified as Barclays North on Figure 2, currently designated as UHDR 12-24, UMDR 6-12, UIDR-4 and ULDR-6 on the comprehensive plan, be designated as High Density Residential. The implementing zoning is recommended for "Multiple Family Residential with Contract". Conditions of the implementing zoning are recommended to be as follows:
  - (a) The development will be reviewed as a Planned Residential Development through the Conditional Use process.
  - (b) Dwellings will be single family, duplex and/or townhouse units. Conventional apartments would not be allowed.

- (c) The City will review the critical areas, transportation concurrency, design review and SEPA according to its local standards and regulations, and any conditions deemed necessary by the City in order for the development to comply with said standards and regulations will be incorporated in a development agreement pursuant to RCW 36.70B.170.
  - (d) Development adjacent to single family zones will be designed to a High Urban Residential density standard to provide transition buffering between dwelling types. These will be single family detached homes.
8. That properties identified as Alan Clark on Figure 2, currently designated as ULDR 4, be designated as High Density Residential. The zoning is recommended for High Urban Residential.
9. That property identified as "Ghaffari" on Figure 3, currently pending a UMDR designation on the County comprehensive plan be designated High Urban Residential. The zoning is recommended for Multi-Family with Contract.







CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON  
ORDINANCE NO. 722

AN ORDINANCE ANNEXING 10.98 ACRES OF PROPERTY FOR MUNICIPAL PURPOSES, KNOWN AS THE "**SUNNYSIDE WASTE WATER TREATMENT PROPERTY (SUNNYSIDE WWTP)**" INTO THE CITY OF LAKE STEVENS, AND PROVIDING FOR COMPREHENSIVE PLAN AND ZONING DESIGNATIONS

WHEREAS, the property to be annexed is not contiguous with the City of Lake Stevens and is located within the Lake Stevens Urban Growth Area; and

WHEREAS, the City of Lake Stevens is a RCW 35A Code City; and

WHEREAS, RCW 35A.14.300 authorizes Code Cities to annex non-contiguous land for municipal purposes; and

WHEREAS, the property to be annexed is owned or shall be owned by the City prior to the effective date of this ordinance, said property is intended to be used for the municipal purposes of public sewer service; and

WHEREAS, a Notice of Intent to annex was filed with the Snohomish County Boundary Review Board on March 23, 2006, and the BRB review period ended on May 8, 2006; and their jurisdiction was not invoked; and

WHEREAS, a SEPA threshold determination of non-significance was issued on April 26, 2006 and no comments were received; and

WHEREAS, the Snohomish County comprehensive plan designates to 10.98 acres of the annexation area to public use; and

WHEREAS, the Lake Stevens *Planning Commission* conducted a duly noticed public hearing on April 12, 2006, regarding land use and zoning; and

WHEREAS, the Lake Stevens *City Council* conducted duly noticed public hearings on May 22, 2006, regarding land use and zoning.

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

1. The City Council approves the annexation of the lands shown on Exhibit A and legally described on Exhibit B for municipal purposes namely for public sewer utility purposes.

2. The City Council designates the lands shown on Exhibit A and legally described on Exhibit B as Public/Semi-Public on the Lake Stevens Comprehensive Plan and rezones it to the Public/Semi-Public (P/SP) zone district.

Effective Date and Publication. 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.

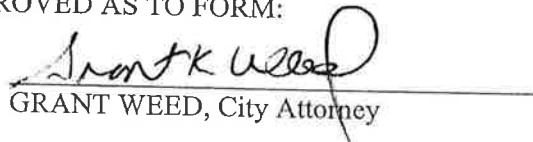
PASSED by the City Council of the City of Lake Stevens this 22nd day of May, 2006.

  
LYNN E. WALTY, Mayor

ATTEST/AUTHENTICATION:

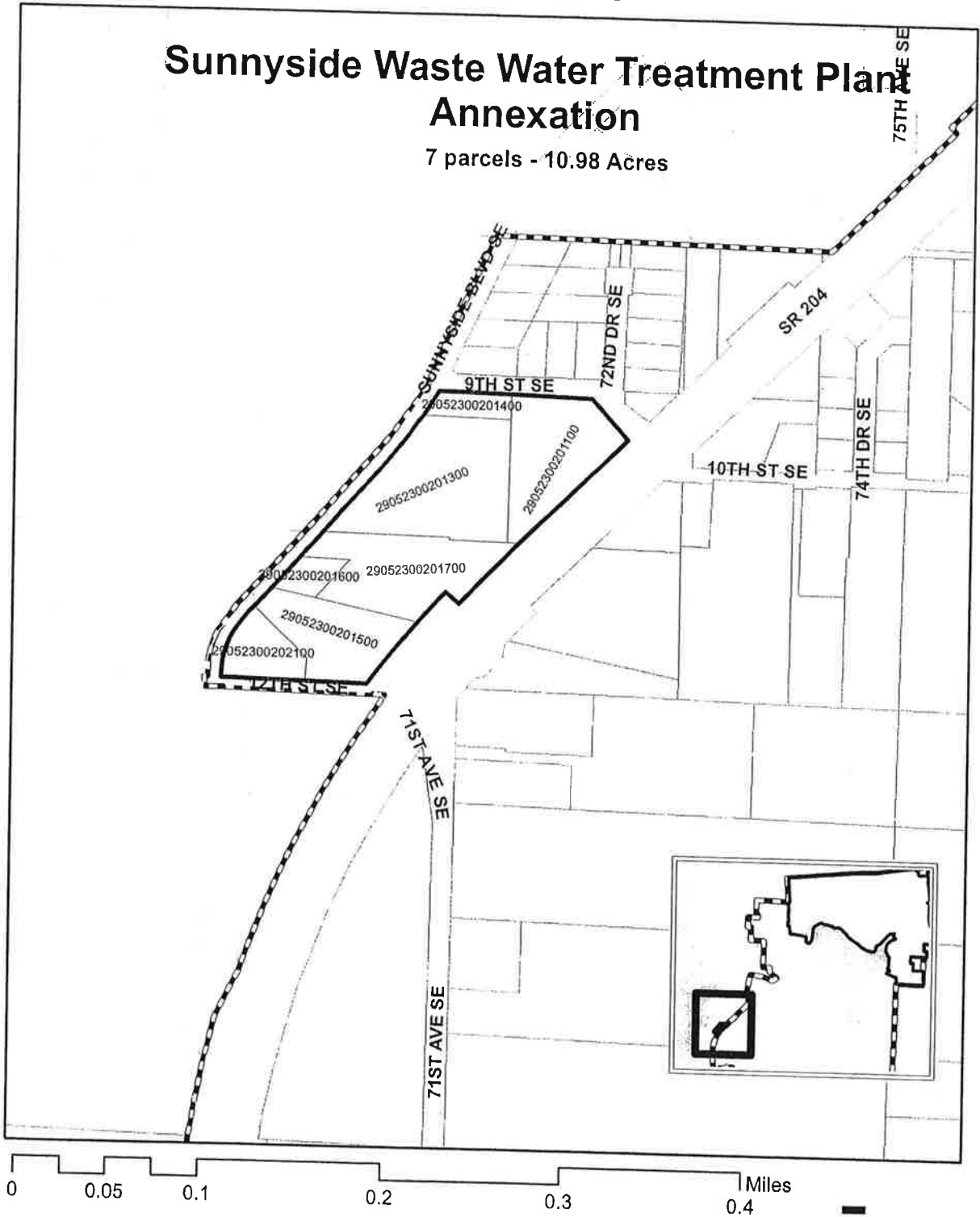
  
NORMA J. SCOTT, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

  
GRANT WEED, City Attorney

First Reading:	February 27, 2006
Second Reading:	May 22, 2006
Published:	May 24, 2006
Effective Date:	May 29, 2006

EXHIBIT A  
MAP of PROPERTIES



**EXHIBIT B**  
**LEGAL DESCRIPTION**  
**SUNNYSIDE WASTE WATER TREATMENT PROPERTY**

That portion of the Northwest quarter of Section 23, Township 29 North, Range 5 East, Willamette Meridian described as follows:

Beginning at the intersection of the west margin of S.R. 204 and the south line of the northwest quarter of said Section 23; thence West along the south line of said northwest quarter to the east margin of Sunnyside Boulevard Southeast; thence northerly along the east margin of Sunnyside Boulevard Southeast to an intersection with the south margin of 9<sup>th</sup> Street Southeast; thence easterly along the south margin of 9<sup>th</sup> Street Southeast to the west margin of S.R. 204; thence southwesterly along said west margin to the point of beginning.

CITY OF LAKE STEVENS  
ORDINANCE NO 729

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ANNEXING APPROXIMATELY **SEVEN HUNDRED EIGHT POINT TWELVE (708.12) ACRES**, KNOWN AS THE "**FRONTIER VILLAGE ANNEXATION**," INTO THE CITY; PROVIDING FOR THE ASSUMPTION OF INDEBTEDNESS AND ESTABLISHING COMPREHENSIVE PLAN AND ZONING DESIGNATIONS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, following a public meeting with petitioning property owners, on *March 13<sup>th</sup> 2006* the City Council authorized by motion the circulation of a petition to annex approximately *seven hundred eight and twelve tenths (708.12)* acres located between the west side of Lake Stevens and the City's westerly UGA boundary, bounded on the north by the Lundeen Parkway Extension from the southwest corner of the City and bounded on the south by Chapel hill road and the properties along Market Place; as depicted in **EXHIBIT ONE** and legally described in **EXHIBIT TWO**, each of which are attached hereto; and

WHEREAS, among the conditions identified in the motion is the requirement that a zoning designation be established for the property by the City at the time of annexation pursuant to RCW 35A.14.330 and .340; and

WHEREAS, this petition was returned to the City with signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, by letter dated *September 7<sup>th</sup> 2006*, the County Assessor certified that signatures representing sixty five point one three (65.13%) percent of the assessed value of the area had been submitted; and

WHEREAS, on *Sept 11<sup>th</sup> 2006*, at a public meeting, the City Council approved the first reading of this Ordinance No. 729, and authorized it to be submitted to the Snohomish County Boundary Review Board (BRB) as notice of the City's intention to annex the area in question; and

WHEREAS, public notice was provided for a public hearing held on *October 3<sup>rd</sup> 2006* for the purpose of hearing public testimony on the annexation and proposed zoning and comprehensive plan amendments by posting the annexation site in at least three conspicuous locations, advertising in the Everett Herald and Lake Stevens Journal and mailing to property owners within 150 feet of the site; and

WHEREAS, following a public hearing on *October 3<sup>rd</sup> 2006* the Lake Stevens Planning Commission forwarded a recommendation for approval of the annexation, comprehensive plan and zoning adoption; and

WHEREAS, public notice was provided for a public hearing held on *October 23<sup>rd</sup> 2006* for the purpose of hearing public testimony on the annexation and proposed zoning and comprehensive plan amendments by posting the annexation site in at least three conspicuous locations, advertising in the Everett Herald and Lake Stevens Journal and mailing to property owners within 150 feet of the site; and

WHEREAS, the Boundary Review Board 45-day review period ended on *November 2<sup>nd</sup> 2006* and their jurisdiction was not invoked; and

WHEREAS, following notice as required by law the City Council conducted a duly noticed public hearing on *November 27<sup>th</sup> 2006 and December 4<sup>th</sup> 2006* for the purpose of hearing public testimony on the annexation and proposed zoning and comprehensive plan amendments.

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

Section 1. Annexation. The property depicted on the attached *Exhibit One* map and legally described in the attached *Exhibit Two* are hereby annexed into the City of Lake Stevens.

Section 2. Indebtedness. There are no existing separately assessed or taxed bonded indebtedness for the annexation area to assume and the annexed properties shall be assessed and taxed at the same rate and on the same basis as property in the City of Lake Stevens to pay for outstanding indebtedness at the date of annexation.

Section 3. Comprehensive Plan and Zoning Ordinance Designations. The City of Lake Stevens Comprehensive Plan, Land Use Regulations (Title 14 LSMC), Land Use Designations, Official Zoning Map, and conditions are hereby amended in accordance with the designation set forth on *EXHIBIT THREE* and as adopted by Council Motion at its *Dec 4<sup>th</sup> 2006* hearing.

Section 4. Severability. If any provision or section of this Ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this Ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 5. Effective Date and Publication. 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.


PASSED by the City Council of the City of Lake Stevens this 4<sup>th</sup> day of *December*, 2006.

  
STEVE BROOKS, Mayor Pro-Tem

ATTEST/AUTHENTICATION:

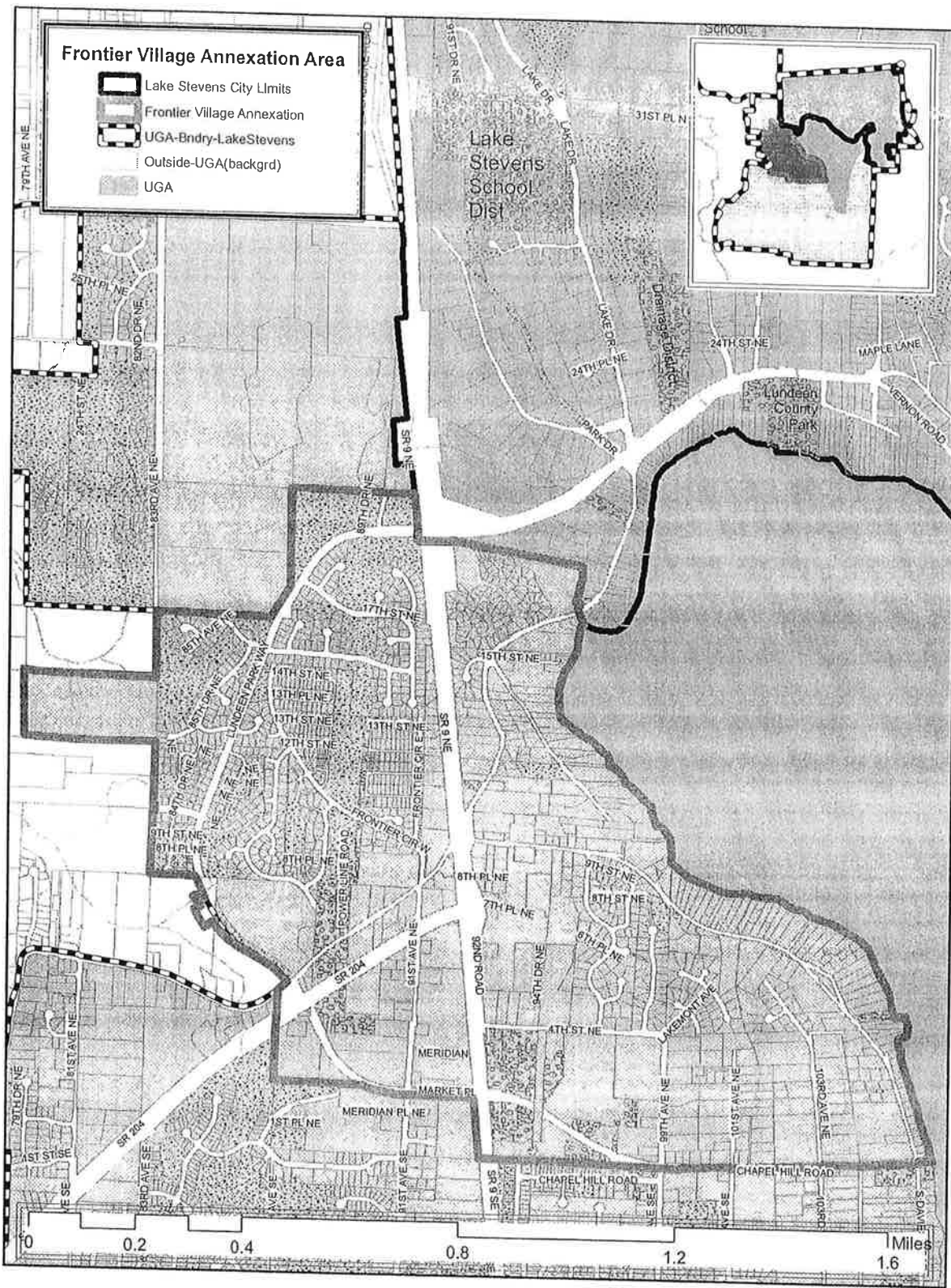
  
NORMA J. SCOTT, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

  
GRANT WEED, City Attorney

First Reading:	<i>September 11<sup>th</sup> 2006</i>
Second Reading:	<i>October 23<sup>rd</sup> 2006</i>
Third Reading:	<i>November 27<sup>th</sup> 2006</i>
Fourth and Final Reading:	<i>December 4<sup>th</sup> 2006</i>
Published:	<i>December 15<sup>th</sup> 2006</i>
Effective Date:	<i>December 20<sup>th</sup> 2006</i>

EXHIBIT ONE





## EXHIBIT TWO Annexation Boundary Frontier Village Area

THOSE PORTIONS OF SECTIONS 11, 12, 13 TOWNSHIP 29 NORTH, RANGE 5 EAST, W.M., AND THOSE PORTIONS OF SECTION 18, TOWNSHIP 29 NORTH, RANGE 6 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SOUTHWEST QUARTER SECTION 12, TOWN 29 NORTH, RANGE 5 EAST AND THE WEST MARGIN OF SR 9;

THENCE SOUTHERLY ALONG SAID WEST MARGIN A DISTANCE OF 450 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE WESTERLY PROJECTION OF THE SOUTHERLY MARGIN OF LUNDEEN PARKWAY AND THE WESTERLY MARGIN OF SAID SR 9 IN THE SOUTHEAST QUARTER OF SAID SECTION 12;

THENCE EASTERLY ALONG SAID WESTERLY PROJECTION A DISTANCE OF 330 FEET MORE OR LESS TO THE EASTERLY MARGIN OF SR 9 AND THE SOUTHERLY MARGIN OF LUNDEEN PARKWAY;

THENCE SOUTHERLY ALONG SAID EASTERLY MARGIN TO THE NORTHWEST CORNER OF THE PLAT OF STEVENS COVE, AS RECORDED IN VOLUME 63 OF PLATS, PAGES 138-147, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

THENCE SOUTHEASTERLY ALONG THE NORTHERLY LINE OF SAID PLAT, A DISTANCE OF 1290 FEET, MORE OR LESS, TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 01° 28'44" EAST ALONG THE EASTERLY LINE OF TRACT 502 OF SAID PLAT A DISTANCE OF 126.28 FEET TO AN ANGLE POINT;

THENCE SOUTH 16° 04' 28" WEST ALONG SAID EASTERLY LINE A DISTANCE OF 100.88 FEET TO AN INTERSECTION WITH THE WESTERLY PROJECTION OF THE NORTHERLY LINE OF TRACT 999 OF SAID PLAT;

THENCE SOUTH 86° 47'00" EAST ALONG SAID WESTERLY PROJECTION A DISTANCE OF 11.11 FEET TO THE WESTERLY LINE OF SAID TRACT 999;

THENCE SOUTH 16° 31' 21" WEST ALONG SAID WESTERLY LINE AND ITS SOUTHERLY EXTENSION A DISTANCE OF 136.03 FEET TO THE SOUTHWESTERLY CORNER OF A 20-FOOT ACCESS ROAD AS SHOWN ON SAID PLAT;

THENCE SOUTH 71° 08' 39" EAST ALONG THE SOUTHERLY MARGIN OF SAID ACCESS ROAD A DISTANCE OF 35.01 FEET TO AN ANGLE POINT;

THENCE NORTH 16° 31'21" EAST ALONG THE WESTERLY MARGIN OF SAID ACCESS ROAD A DISTANCE OF 2.01 FEET TO THE SOUTHERLY LINE OF A PUMP STATION PROPERTY OWNED BY THE LAKE STEVENS SEWER DISTRICT;

THENCE SOUTH 73° 28'39" EAST ALONG SAID SOUTHERLY LINE A DISTANCE OF 40.00 FEET TO THE SOUTHEAST CORNER OF SAID PUMP STATION PROPERTY;

THENCE SOUTH 37° 05'14" EAST A DISTANCE OF 12 FEET MORE OR LESS TO THE NORTHWESTERLY MARGIN OF VERNON ROAD;

THENCE SOUTHERLY TO THE INTERSECTION OF THE SOUTHEASTERLY MARGIN OF VERNON ROAD WITH THE NORTHEASTERLY MARGIN OF TRACT 501 OF SAID PLAT OF STEVENS COVE;

THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY MARGIN, AND ALONG THE NORTHEASTERLY MARGIN OF THE SECOND CLASS SHORELANDS, AS CONVEYED BY THE STATE OF WASHINGTON, SITUATE IN FRONT OF, ADJACENT TO OR ABUTTING SAID TRACT 501, TO THE NAVIGABLE BOUNDARY OF SAID SHORELANDS;

THENCE SOUTHERLY ALONG SAID NAVIGABLE BOUNDARY IN THE SOUTHEAST QUARTER OF SAID SECTION 12 TO AN INTERSECTION WITH THE NORTH LINE OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 5 EAST;

THENCE CONTINUING SOUTHEASTERLY ALONG SAID NAVIGABLE BOUNDARY IN THE NORTHEAST QUARTER OF SAID SECTION 13 TO AN INTERSECTION WITH THE WEST LINE OF SECTION 18, TOWNSHIP 29 NORTH, RANGE 6 EAST;

THENCE CONTINUING SOUTHEASTERLY ALONG SAID NAVIGABLE BOUNDARY IN THE NORTH WEST QUARTER OF SAID SECTION 18 TO AN INTERSECTION WITH THE EASTERLY EXTENSION OF SOUTH LINE OF LOT 17, BLOCK 1, LAKE STEVENS SUMMER HOME TRACTS; ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7, OF PLATS, PAGE 34, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

THENCE WESTERLY ALONG SAID SOUTH LINE OF SAID LOT 17, BLOCK 1 TO THE SOUTHWEST CORNER THEREOF AND A POINT ON THE EAST MARGIN OF NORTH DAVIES ROAD;

THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY MARGIN AND CONTINUING ALONG THE EAST MARGIN OF SOUTH DAVIES ROAD TO THE INTERSECTION OF THE WEST MARGIN OF SOUTH DAVIES ROAD AND THE EASTERLY EXTENSION OF THE SOUTHERLY MARGIN OF CHAPEL HILL ROAD;

THENCE WESTERLY ALONG SAID EXTENSION AND THE SOUTHERLY MARGIN OF CHAPEL HILL ROAD TO AN INTERSECTION WITH THE EASTERLY MARGIN OF 99<sup>TH</sup> AVENUE SE;

THENCE WESTERLY TO THE SOUTHERLY MARGIN OF MARKET PLACE;

THENCE NORTHWESTERLY ALONG SAID SOUTHERLY MARGIN TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER SECTION 13, TOWNSHIP 29 NORTH, RANGE 5 EAST;

THENCE WESTERLY ALONG SAID NORTH LINE TO THE INTERSECTION WITH THE WESTERN BOUNDARY OF SR 9;

THENCE NORTH ALONG SAID WESTERLY MARGIN OF SR 9 TO THE INTERSECTION WITH SOUTHERN MARGIN OF MARKET PLACE;

THENCE WEST ALONG SAID SOUTHERLY MARGIN OF MARKET PLACE TO AN INTERSECTION WITH THE EASTERLY PROJECTION OF THE NORTH LINE OF SOMERSET VILLAGE CONDOMINIUM, AS RECORDED UNDER AUDITORS FILE NUMBER 200211155003;

Ordinance No. 729

THENCE WESTERLY ALONG SAID EASTERLY PROJECTION AND ALONG THE NORTHERN LINE OF SAID SOMERSET VILLAGE CONDOMINIUM TO THE NORTHWEST CORNER THEREOF AND THE EAST LINE OF GLENACRES DIVISION 1 PLAT, AS RECORDED IN VOLUME 56 OF PLATS, PAGES 220-229, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

THENCE NORTHERLY ALONG SAID EASTERLY LINE AND THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 05 EAST TO AN INTERSECTION OF THE NORTHERLY MARGIN OF VERNON ROAD;

THENCE NORTHEASTERLY ALONG SAID NORTHERN BOUNDARY OF VERNON ROAD TO THE INTERSECTION OF THE SOUTHERLY MARGIN LUNDEEN PARKWAY EXTENSION;

THENCE NORTHWESTERLY ALONG SAID SOUTHERLY AND WESTERLY MARGIN OF SAID LUNDEEN PARKWAY EXTENSION RIGHT OF WAY TO THE SOUTHERLY LINE OF HELEENA HILLS, AS RECORDED UNDER AUDITORS FILE NUMBER 200203135006;

THENCE WESTERLY ALONG SAID SOUTHERLY LINE TO AN INTERSECTION WITH THE WEST LINE OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 5 EAST;

THENCE NORTHERLY ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID SECTION;

THENCE WESTERLY ALONG THE SOUTH LINE OF SECTION 11, TOWNSHIP 29 NORTH, RANGE 5 EAST TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 29 NORTH, RANGE 5 EAST;

THENCE NORTHERLY ALONG SAID EAST LINE TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 29 NORTH, RANGE 5 EAST;

THENCE EASTERLY ALONG SAID NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER TO THE EAST LINE OF SECTION 11, TOWNSHIP 29 NORTH, RANGE 5 EAST;

THENCE NORTHERLY ALONG SAID EAST LINE TO THE SOUTHWEST CORNER OF THE OF NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 5 EAST;

THENCE EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION TO THE NORTHERLY MARGIN OF LUNDEEN PARKWAY;

THENCE NORTHEASTERLY ALONG THE NORTHERN BOUNDARY OF LUNDEEN PARKWAY TO THE INSECTION OF THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER;

THENCE NORTHERLY ALONG SAID WEST LINE TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 5 EAST;

THENCE EAST ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

**EXHIBIT THREE  
LANDUSE - ZONING**

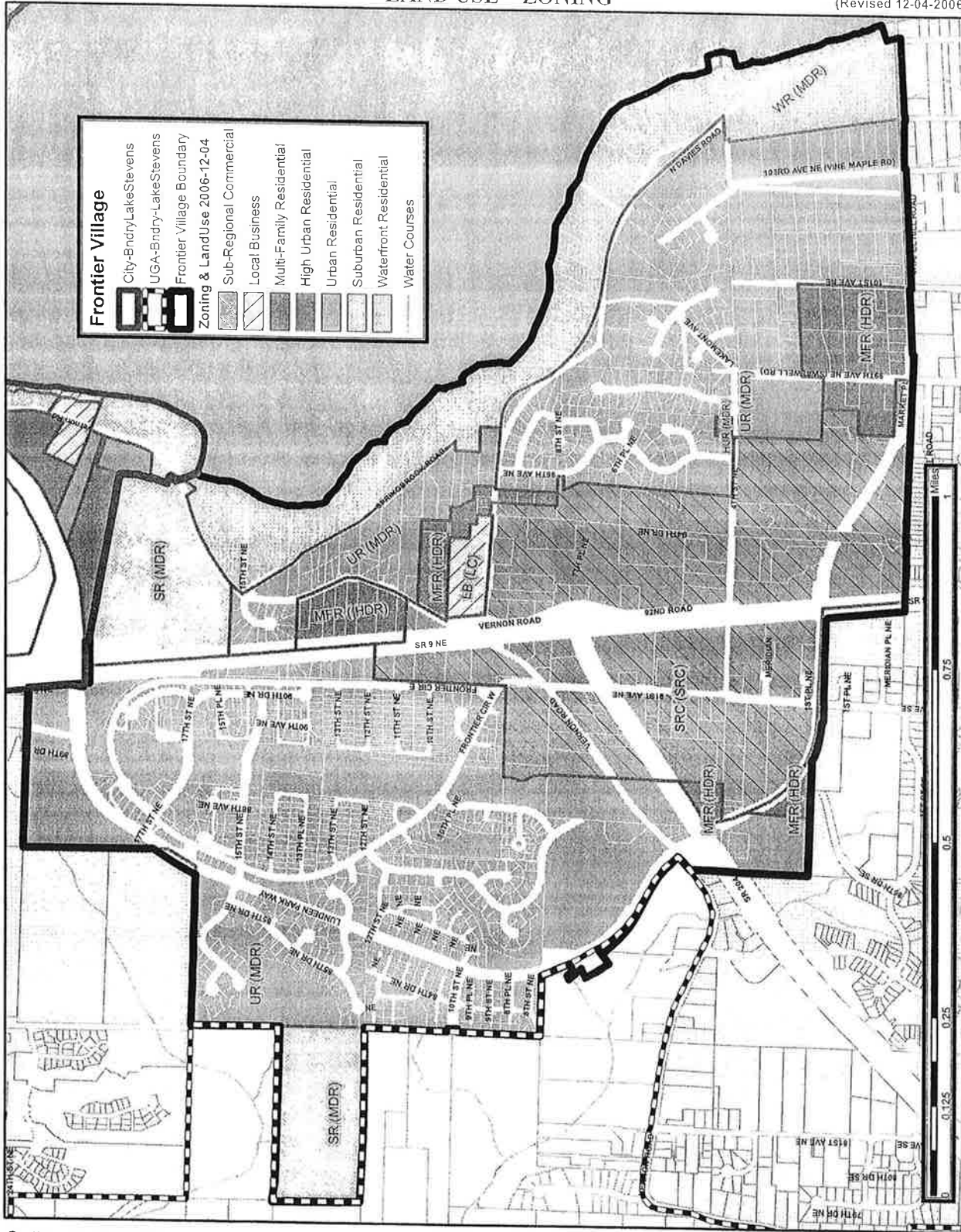
SNOHOMISH COUNTY COMPREHENSIVE PLAN DESIGNATIONS	LAKE STEVENS COMPREHENSIVE PLAN DESIGNATIONS	LAKE STEVENS ZONING DESIGNATIONS	SNOHOMISH COUNTY ZONING DESIGNATION
<b>Residential</b>			
<p><b>Urban Medium Density Residential (UMDR).</b> This designation allows a combination of detached homes on small lots, townhouses, and apartments in medium density, multi-family residential developments. Implementing zones: <b>LDMR, PRD-LDMR, Townhouse, R-7,200, PRD-7,200 and WFB.</b></p> <p><b>Lake Stevens Urban Low Density Residential - Limited (ULDR-L (6)):</b> 6 dwelling units per acre. The ULDR-L (6) designation allows mostly detached housing development on larger lot sizes. It is applied to most of the non-constrained ULDR land in the Lake Stevens UGA. Land in this category may be developed at a density of six dwelling units per acre. Implementing zones: include <b>R-7,200 and PRD-7,200.</b></p>	<p><b>Medium Density Residential</b> allows single and two-family residential development with gross density of 4 to 12 units per acre. This includes detached, attached, conversion, accessory apartments, townhouses, condominiums, duplexes, tourist homes, special service homes and some manufactured/mobile structures. It also allows limited public/semi-public, community, recreational, and neighborhood commercial uses.</p>	<p><b>The Suburban Residential (SR-4) and Urban Residential (UR)</b> districts are designed primarily to accommodate single-family detached residential uses at medium densities in areas served by public water and sewer facilities. Some types of two family residences are allowed in these districts on larger lots.</p>	<p>Single Family Residential. The intent and function of single family residential zones is to provide for predominantly single family residential development that achieves a minimum net density of four dwelling units per net acre. These zones may be used as holding zones for properties that are designated urban medium-density residential, urban high-density residential, urban commercial, urban industrial, public/institutional use (P/IU), or other land uses in the comprehensive plan. The official Snohomish County zoning maps prepared pursuant to SCC 30.21.030 shall use the suffix "P/IU" to indicate all areas in which these zones implement the P/IU designation (e.g., R-7,200-P/IU). Single family residential zones consist of the following: (i) <b>Residential 7,200 sq. ft. (R-7,200);</b> (ii) <b>Residential 8,400 sq. ft. (R-8,400);</b> and (iii) <b>Residential 9,600 sq. ft. (R-9,600).</b></p>
<p><b>Urban High Density Residential (UHDR).</b> This designation allows high density residential land uses such as townhouses and apartments generally near other high intensity land uses. Implementing zones: MR, PRD-MR, LDMR, and PRD-LDMR.</p> <p><b>Lake Stevens Urban Low Density Residential - Limited (ULDR-L (4)):</b> 4 dwelling units per acre. Like the ULDR designation, the ULDR-L (4) designation allows mostly detached housing development on larger lot sizes in the Lake Stevens UGA. This designation is applied in a portion of the Sunnyside area, around Lake Stevens and southeast of the City that are confined to the lowest density urban zone because of environmental constraints and difficulties in service provision. Implementing zones: include <b>R-9,600 and R-20,000.</b></p>	<p><b>High Density Residential</b> allows any form of single-family, two-family, and multi-family residential uses with no density limits. It also allows limited public/semi-public, community, recreational, and commercial uses.</p> <p><b>Waterfront Residential</b> allows single-family (1 du/lot) residential uses with a gross density of 4 units per acre. It includes detached, tourist homes, and special service homes. It also allows limited public/semi-public, community, and recreational uses.</p>	<p><b>The Multi-Family Residential district (MFR)</b> is designed primarily to accommodate higher density multi-family developments.</p> <p><b>The Waterfront Residential District (WR-4)</b> is designed primarily to accommodate single family detached residential uses at medium densities in areas adjacent to Lake Stevens and served by public water and sewer facilities.</p>	<p><b>Multiple Residential (MR).</b> The intent and function of the multiple residential zone is to provide for high-density development, including townhouses and multifamily structures generally near other high-intensity land uses.</p> <p><b>Residential 9,600 sq. ft. (R-9,600).</b></p>

**EXHIBIT THREE  
LANDUSE - ZONING**

<b>Commercial</b>			
<p><b>Urban Commercial (UC).</b> This designation identifies commercial designations within the UGA which allow a wide range of commercial as well as residential uses.</p> <p>Implementing zones: Neighborhood Business, Planned Community Business, Community Business, General Commercial, Freeway Service and Business Park. In the Lake Stevens UGA, the implementing zoning shall be limited to Neighborhood Business, Community Business and Planned Community Business. In the Southwest County UGA, no rezones to General Commercial shall be approved outside of the State Route 99 corridor.</p>	<p><b>Downtown/Local Commercial:</b> This is high intensity land use including the Central Business District and other dense arrangements of professional offices and retail stores. This designation discourages uses that are land consumptive (i.e., warehouses) or generate high traffic volumes (i.e., drive-through businesses or gas stations). It allows mixed-use development.</p>	<p>The <b>Local Business (LB)</b> zone is designed to accommodate commercial development generally similar to the types permissible in a Central Business District, except that it is intended that this zone be placed along arterials to cater to commuters, or as a transition in some areas between a Sub-Regional Commercial zone and a residential zone, or may provide for a smaller scale shopping center that primarily serves one neighborhood or area of the city (as opposed to a sub-regional or regional shopping center).</p>	<p><b>Community Business (CB).</b> The intent and function of the community business zone is to provide for businesses and services designed to serve the needs of several neighborhoods;</p>
<p><b>Urban Commercial (UC).</b> This designation identifies commercial designations within the UGA which allow a wide range of commercial as well as residential uses.</p> <p>Implementing zones: Neighborhood Business, Planned Community Business, Community Business, General Commercial, Freeway Service and Business Park. In the Lake Stevens UGA, the implementing zoning shall be limited to Neighborhood Business, Community Business and Planned Community Business. In the Southwest County UGA, no rezones to General Commercial shall be approved outside of the State Route 99 corridor.</p>	<p><b>Sub-Regional Commercial:</b> Allows high intensity, automobile-oriented commercial uses, including dense arrangements of retail stores, services, and professional offices which are used not only by local residents but by those of other communities. It also allows limited public/semi-public, community, and recreational uses. The City looks to these areas to potentially allow a theater, a hotel and restaurants.</p>	<p>The <b>Sub-Regional Commercial zone (SRC)</b> is designed to accommodate the widest range of commercial activities.</p>	<p><b>Planned Community Business (PCB).</b> The intent and function of the planned community business zone is to provide for community business enterprises in areas desirable for business but having highly sensitive elements of vehicular circulation, or natural site and environmental conditions while minimizing impacts upon these elements through the establishment of performance criteria. Performance criteria for this zone are intended to control external as well as internal effects of commercial development. It is the goal of this zone to discourage "piecemeal" and strip development by encouraging development under unified control. Urban centers implemented under chapter 30.34A SCC Urban Centers Demonstration Program are only permitted within the Planned Community Business (PCB) zone;</p>

ORDINANCE 729  
 EXHIBIT THREE  
 LAND USE - ZONING

(Revised 12-04-2006)



Ordinance No. 729

CITY OF LAKE STEVENS  
ORDINANCE NO 742

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ANNEXING APPROXIMATELY **TWO HUNDRED NINETY TWO (292) ACRES**, KNOWN AS THE "**SOPER HILL ANNEXATION**," INTO THE CITY; PROVIDING FOR THE ASSUMPTION OF INDEBTEDNESS AND ESTABLISHING COMPREHENSIVE PLAN AND ZONING DESIGNATIONS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, following a public meeting with petitioning property owners, on **August 28, 2006**, the City Council authorized by motion the circulation of a petition to annex approximately **two hundred ninety two (292)** acres located west of SR 9 and generally between Lundeen Parkway extension and Soper Hill Road and the City's westerly UGA boundary; as depicted in **EXHIBIT ONE** and legally described in **EXHIBIT TWO**, each of which are attached hereto; and

WHEREAS, among the conditions identified in the motion is the requirement that a zoning designation be established for the property by the City at the time of annexation pursuant to RCW 35A.14.330 and .340; and

WHEREAS, this petition was returned to the City with signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, by letter dated **February 15, 2007**, the County Assessor certified that signatures representing sixty eight point seven (68.7) percent of the assessed value of the area had been submitted; and

WHEREAS, on **February 26, 2007** at a public meeting, the City Council approved the first reading of this Ordinance No. 742, and authorized it to be submitted to the Snohomish County Boundary Review Board (BRB) as notice of the City's intention to annex the area in question; and

WHEREAS, public notice was provided for a public hearing held on **March 21, 2007** for the purpose of hearing public testimony on the annexation and proposed zoning and comprehensive plan amendments by posting the annexation site in at least three conspicuous locations, advertising in the Everett Herald and Lake Stevens Journal and mailing to property owners within 150 feet of the site; and

WHEREAS, following a public hearing on **March 21, 2007** public hearing the Lake Stevens Planning Commission forwarded a recommendation for approval of the annexation, comprehensive plan and zoning adoption; and

WHEREAS, public notice was provided for public hearings held on **April 9, 2007 and May 14, 2007** for the purpose of hearing public testimony on the annexation and proposed zoning and comprehensive plan amendments by posting the annexation site in at least three conspicuous locations, advertising in the Everett Herald and Lake Stevens Journal and mailing to property owners within 150 feet of the site; and

WHEREAS, the Boundary Review Board 45-day review period ended on **May 7, 2007**

ORDINANCE 742

and their jurisdiction was not invoked; and

WHEREAS, following notice as required by law the City Council conducted a duly noticed public hearing on **April 9, 2007 and May 14, 2007** for the purpose of hearing public testimony on the annexation and proposed zoning and comprehensive plan amendments.

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

Section 1. Annexation. The property depicted on the attached **Exhibit One** map and legally described in the attached **Exhibit Two** are hereby annexed into the City of Lake Stevens.

Section 2. Indebtedness. There are no existing separately assessed or taxed bonded indebtedness for the annexation area to assume and the annexed properties shall be assessed and taxed at the same rate and on the same basis as property in the City of Lake Stevens to pay for outstanding indebtedness at the date of annexation.

Section 3. Comprehensive Plan and Zoning Ordinance Designations. The City of Lake Stevens Comprehensive Plan, Land Use Regulations (Title 14 LSMC), Land Use Designations, Official Zoning Map, and conditions are hereby amended in accordance with the designation set forth on **Exhibit Three** and as adopted by Council Motion at its **May 14, 2007** hearing.

Section 4. Severability. If any provision or section of this Ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this Ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 5. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect on May 31, 2007.

PASSED by the City Council of the City of Lake Stevens this **14th** day of **May, 2007**.

  
VERN LITTLE, Mayor

ATTEST/AUTHENTICATION:

  
NORMA J. SCOTT, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

  
GRANT WEED, City Attorney

First Reading: February 26, 2007  
Second Reading and Final Reading: May 14, 2007  
Published: May 23, 2007  
Effective Date May 31, 2007



ORDINANCE 742

EXHIBIT ONE

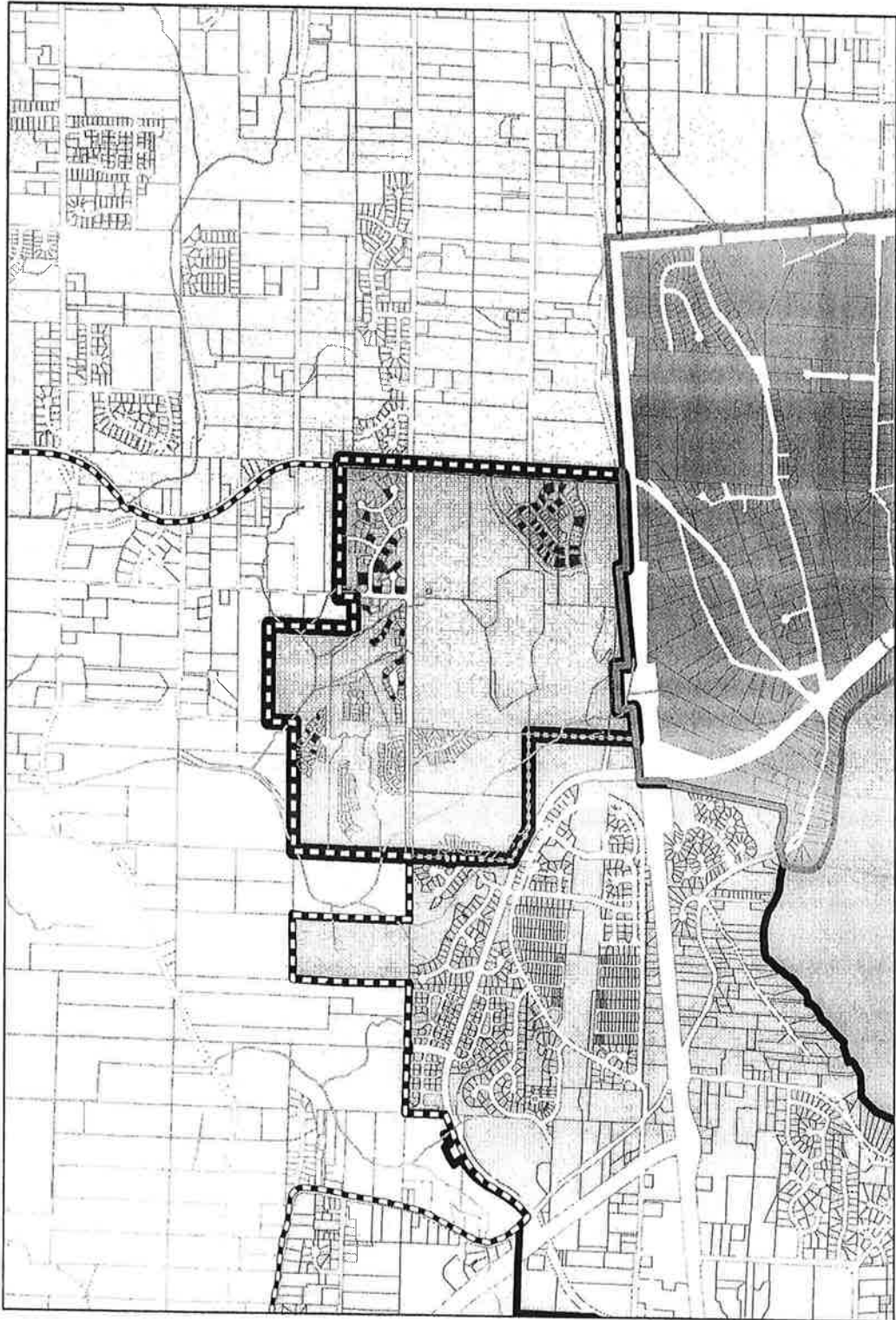




EXHIBIT TWO  
Annexation Boundary  
Soper Hill Area

THOSE PORTIONS OF SECTIONS 1, 2, 11 AND 12 TOWNSHIP 29 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER SECTION 12, TOWNSHIP 29 NORTH, RANGE 5 EAST AND THE WESTERN MARGIN OF SR 9;

THENCE NORTHERLY ALONG SAID WESTERN MARGIN TO AN INTERSECTION WITH THE EASTERLY PROJECTION OF THE NORTHERN MARGIN OF SOPER HILL ROAD;

THENCE WESTERLY ALONG SAID NORTHERN MARGIN OF SOPER HILL ROAD TO THE NORTHERLY PROJECTION OF THE EAST LINE OF THE WEST 495 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER SECTION 11, TOWNSHIP 29 NORTH, RANGE 5 EAST, W.M.;

THENCE SOUTHERLY ALONG SAID NORTHERLY PROJECTION AND ALONG SAID EAST LINE TO THE SOUTHERN MARGIN OF 24<sup>TH</sup> STREET NE;

THENCE EASTERLY ALONG SAID SOUTHERN MARGIN TO THE EAST LINE OF WEST 660 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER SECTION 11, TOWNSHIP 29 NORTH, RANGE 5 EAST, W.M.;

THENCE SOUTHERLY ALONG SAID EAST LINE TO THE NORTH LINE OF THE SOUTH 990 FEET OF THE NORTHEAST QUARTER OF SAID SECTION;

THENCE WESTERLY ALONG SAID NORTH LINE TO THE EAST LINE OF THE WEST 990 FEET OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SAID SECTION;

THENCE SOUTHERLY ALONG SAID EAST LINE TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION;

THENCE EASTERLY ALONG SAID SOUTH LINE TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTH EAST QUARTER, SAID SECTION;

THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, SAID SECTION;

THENCE EAST ALONG SAID SOUTH LINE AND THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 12 TO THE NORTHWESTERLY MARGIN OF LUNDEEN PARKWAY;

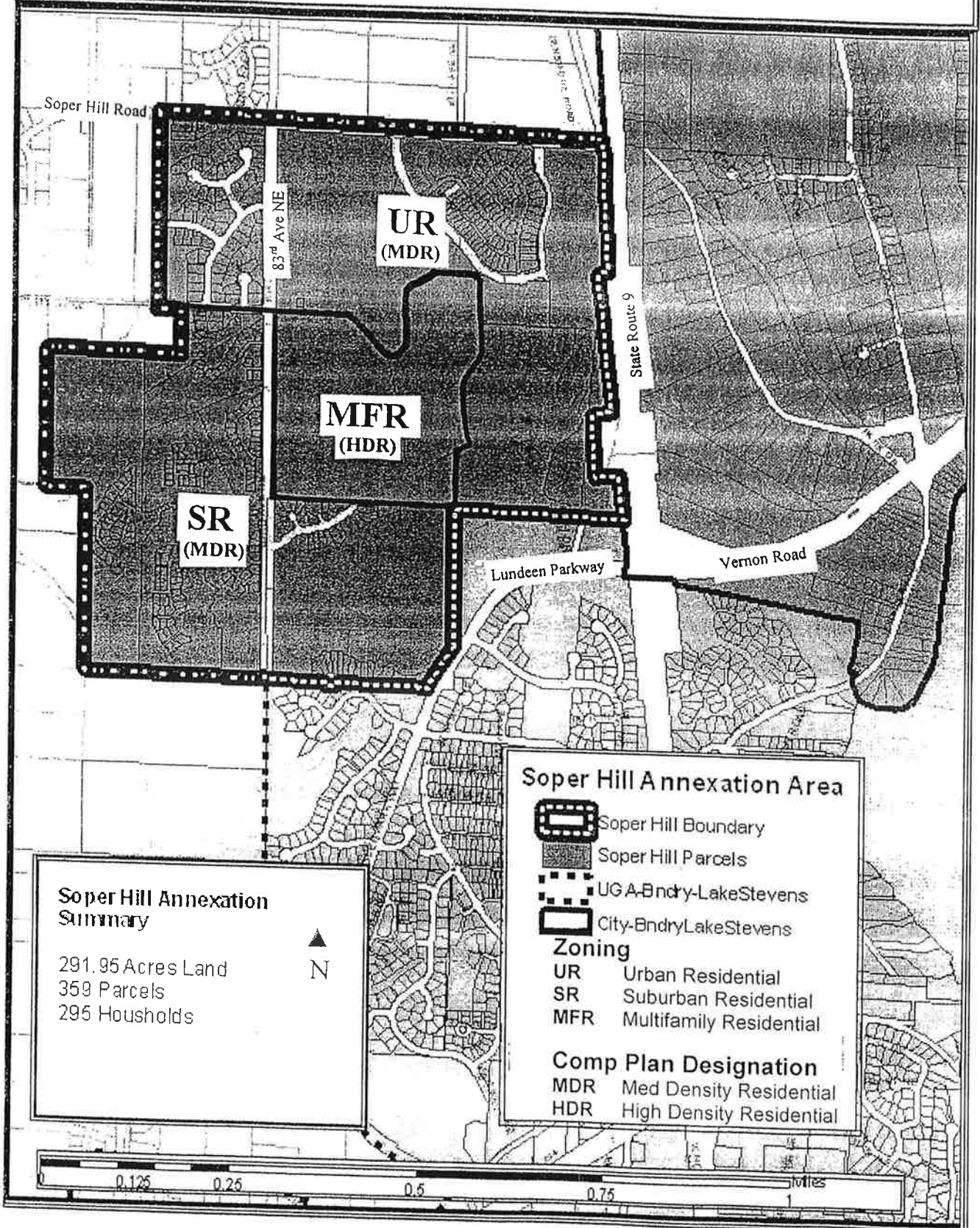
THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY MARGIN OF LUNDEEN PARKWAY TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER;

THENCE NORTHERLY ALONG SAID WEST LINE TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 5 EAST;

THENCE EAST ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

ORDINANCE 742  
 EXHIBIT THREE  
 LAND USE - ZONING

*Exhibit One - Soper Hill Annexation Area*



**CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON  
ORDINANCE NO. 745**

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ANNEXING ONE PARCEL OF APPROXIMATELY ONE (1) ACRE, KNOWN AS THE "FIRE DISTRICT ANNEXATION," INTO THE CITY AND PROVIDING FOR THE ASSUMPTION OF INDEBTEDNESS AND COMPREHENSIVE PLAN AND ZONING DESIGNATIONS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, following a public meeting with petitioning property owners, on May 29<sup>th</sup> 2007, the City Council authorized by motion the circulation of a petition to annex on parcel containing the Lake Stevens Fire Station and administrative offices on approximately one (1) acre located at the southwest corner of Market Place/Chapel Hill Road and 99<sup>th</sup> Street Ave NE plus the street frontage right-of-way of 99<sup>th</sup> Ave NE directly east of the parcel; and

WHEREAS, among the conditions identified in the motion is the requirement that the property be zoned by the City at the time of annexation; and

WHEREAS, this petition was returned to the City with signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, on June 18<sup>th</sup> 2007, the City Council reviewed the 60% petition and scheduled a public hearing for June 25<sup>th</sup>, 2007; and

WHEREAS, public notice was provided for public hearings by posting the annexation site in three conspicuous locations, advertising in the Lake Stevens Journal and mailing to property owners within 300 feet of the site; and

WHEREAS, following a public hearing on June 25, 2007, the City Council approved the first reading of this Ordinance No. 745, and authorized it to be submitted to the Snohomish County Boundary Review Board (BRB) as notice of the City's intention to annex the area in question; and

WHEREAS, on June 28, 2007, the Department of Planning and Community Development requested a waiver of the 45-day review from the Washington State Boundary Review Board because the annexation is one parcel with an existing fire station; and

WHEREAS, following a public hearing on July 18, 2007, the Lake Stevens Planning Commission forwarded a recommendation for approval of the annexation, comprehensive plan and zoning adoption; and

WHEREAS, on July 23, 2007, the Washington State Boundary Review Board granted the City a waiver of the 45-day review pursuant to RCW 36.93.110; and

WHEREAS, on July 23, the City Council held a second duly noticed public hearing to review land use and zoning designations for adoption concurrent with the annexation; and

WHEREAS, on August 27, pursuant to RCW 35A.14.340, the City Council conducted a third and final duly noticed public hearing to review land use and zoning designations for adoption concurrent with the annexation.

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

Section 1. Annexation. The property mapped on the attached Exhibit 1 and legally described in the attached Exhibit 2 is hereby annexed into the City of Lake Stevens.

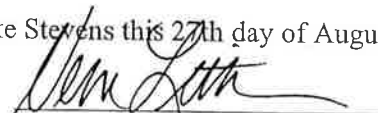
Section 2. Indebtedness. There is no existing separately taxed bondedness for the annexation area to assume and the annexed properties shall be assessed and taxed at the same rate and on the same basis as property in the City of Lake Stevens to pay for outstanding indebtedness at the date of annexation.

Section 3. Comprehensive Plan and Zoning Ordinance Designations. Said annexed property shall be subject to the City of Lake Stevens Comprehensive Plan and Land Use Regulations (Title 14 LSMC) and shall be designated in the Plan as Public/Semi-Public and on the Official Zoning Map as Public/Semi-Public.

Section 4. Severability. If any provision or section of this Ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this Ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 5. Effective Date and Publication. 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.

PASSED by the City Council of the City of Lake Stevens this 27th day of August, 2007.

  
VERN LITTLE, Mayor

ATTEST/AUTHENTICATION:

  
NORMA J. SCOTT, City Clerk/Admin. Asst.




APPROVED AS TO FORM:

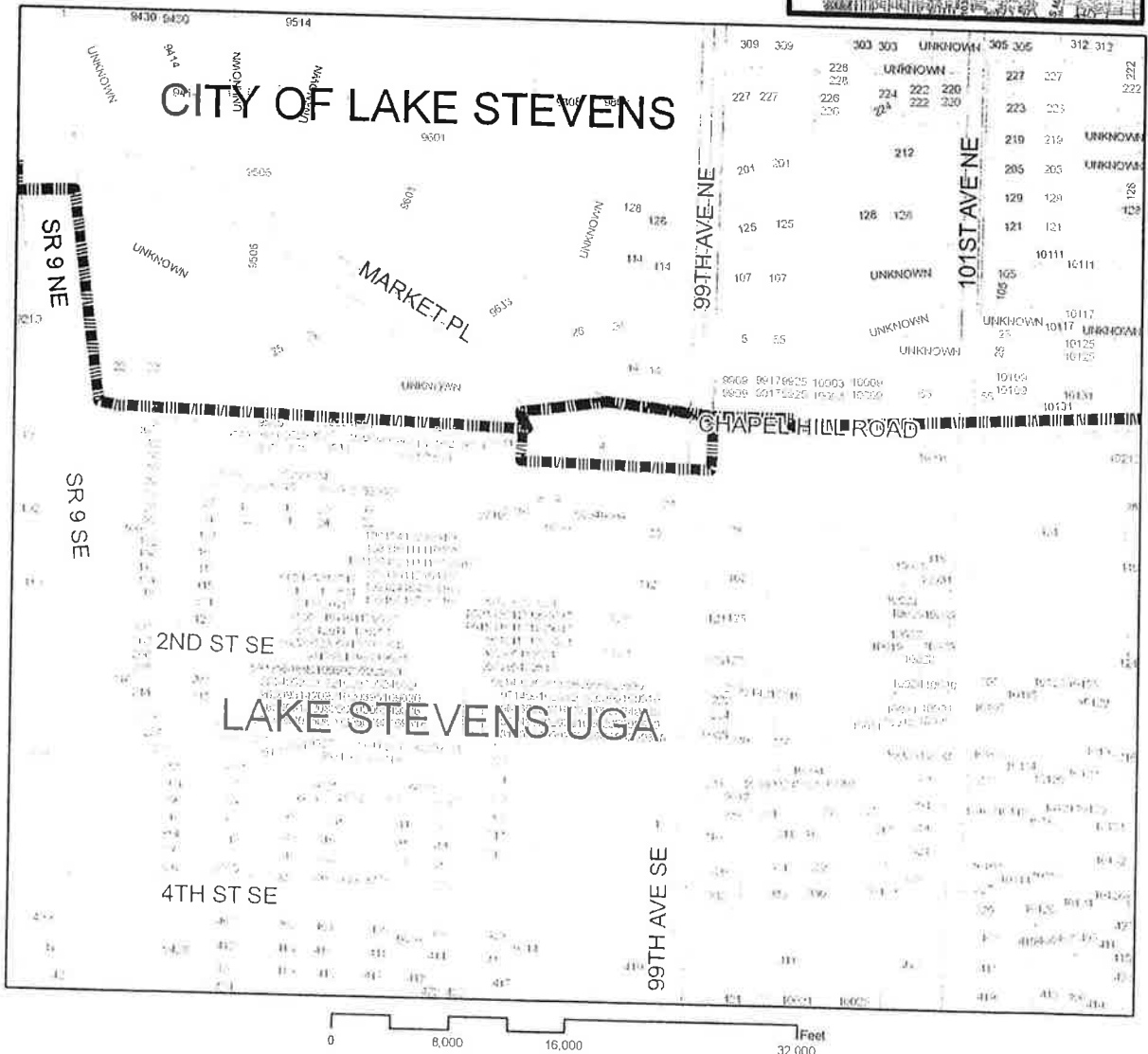
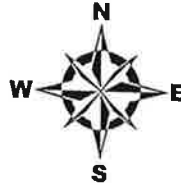
  
GRANT WEED, City Attorney

First Reading:	June 25, 2007
Second Reading:	July 23, 2007
Third and Final Reading:	August 27, 2007
Published:	August 31, 2007
Effective Date:	September 5, 2007

# EXHIBIT 1 MAP OF ANNEXATION AREA FIRE DISTRICT 8

**Legend**

-  Sno Fire 8 Annexation
-  City-LakeStevens
-  UGA



**EXHIBIT TWO**  
**LEGAL DESCRIPTION**  
**Fire District Annexation**

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 5 EAST WILLAMETTE MERIDIAN AND THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 29 NORTH, RANGE 6 EAST WILLAMETTE MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH MARGIN OF CHAPEL HILL ROAD AND THE EAST MARGIN OF 99TH AVENUE NORTHEAST, SAID POINT BEING ON THE CITY LIMITS OF LAKE STEVENS BY ORDINANCE 729, EFFECTIVE DECEMBER 20, 2006;

THENCE WEST ALONG THE SOUTH MARGIN OF CHAPEL HILL ROAD, MARKET PLACE AND THE EXISTING CITY LIMITS TO THE WEST LINE OF THE EAST 480 FEET OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTH LINE OF THE NORTH 100 FEET OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE EAST ALONG SAID SOUTH LINE AND ITS EASTERLY PROJECTION TO THE EAST MARGIN OF 99TH AVENUE NORTHEAST;

THENCE NORTH ALONG SAID MARGIN TO THE POINT OF BEGINNING.

**CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON  
ORDINANCE NO. 768**

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ANNEXING ONE PARCEL OF APPROXIMATELY TWO POINT NINE ONE (2.91) ACRES, KNOWN AS THE "CORNICHE ANNEXATION," INTO THE CITY AND PROVIDING FOR THE ASSUMPTION OF INDEBTEDNESS AND COMPREHENSIVE PLAN AND ZONING DESIGNATIONS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, following a public meeting with petitioning property owners, on January 14<sup>th</sup> 2008, the City Council authorized by motion the circulation of a petition to annex one parcel on approximately two point nine one (2.91) acres located at the southwest corner of Market Place and 91<sup>st</sup> Ave NE plus the street frontage right of way of 91st Ave NE on the east side of the parcel; and

WHEREAS, among the conditions identified in the motion is the requirement that the property be zoned by the City at the time of annexation; and

WHEREAS, this petition was returned to the City with signatures of property owners representing more than sixty percent of the assessed value of the area; and

WHEREAS, on January 28<sup>th</sup>, 2008, the City Council accepted the 60% petition; and

WHEREAS, following a public hearing on March 5<sup>th</sup>, 2008, the Lake Stevens Planning Commission forwarded a recommendation for approval of the annexation, comprehensive plan and zoning adoption; and

WHEREAS, following a public hearing on January 28<sup>th</sup>, 2008, the City Council approved the first reading of this Ordinance No. 768, and authorized it to be submitted to the Snohomish County Boundary Review Board (BRB) as notice of the City's intention to annex the area in question; and

WHEREAS, public notice was provided for the January 28<sup>th</sup>, 2008, public hearing by posting the annexation site in three conspicuous locations, advertising in the Lake Stevens Journal, Everett Herald and mailing to property owners within 300 feet of the site; and

WHEREAS, on February 11<sup>th</sup>, 2008, the Department of Planning and Community Development requested a waiver of the 45-day review from the Washington State Boundary Review Board because the annexation is one parcel; and

WHEREAS, on March 25<sup>th</sup>, 2008, the Washington State Boundary Review Board granted the City a waiver of the 45-day review; and

WHEREAS, the City Council conducted a second duly noticed public meeting on March 24<sup>th</sup>, 2008, to hear the second reading of this Ordinance No. 768, and



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

Section 1. Annexation. The property mapped on the attached Exhibit 1 and legally described in the attached Exhibit 2 is hereby annexed into the City of Lake Stevens.


Section 2. Indebtedness. There is no existing separately taxed bondedness for the annexation area to assume and the annexed properties shall be assessed and taxed at the same rate and on the same basis as property in the City of Lake Stevens to pay for outstanding indebtedness at the date of annexation.

Section 3. Comprehensive Plan and Zoning Ordinance Designations. Said annexed property shall be subject to the City of Lake Stevens Comprehensive Plan and Land Use Regulations (Title 14 LSMC) and shall be designated in the Plan as Sub-Regional Commercial and on the Official Zoning Map as Sub-Regional Commercial.

Section 4. Severability. If any provision or section of this Ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this Ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 5. Effective Date and Publication. 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.


PASSED by the City Council of the City of Lake Stevens this 31st day of March, 2008.

  
VERN LITTLE, Mayor

ATTEST/AUTHENTICATION:

  
NORMA J. SCOTT, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

  
GRANT K. WEED, City Attorney

First Reading: January 28, 2008  
Second Reading: March 24, 2008  
Third and Final Reading: March 31, 2008  
Published: April 3, 2008  
Effective Date: April 8, 2008

# EXHIBIT 1

Ordinance No. 768

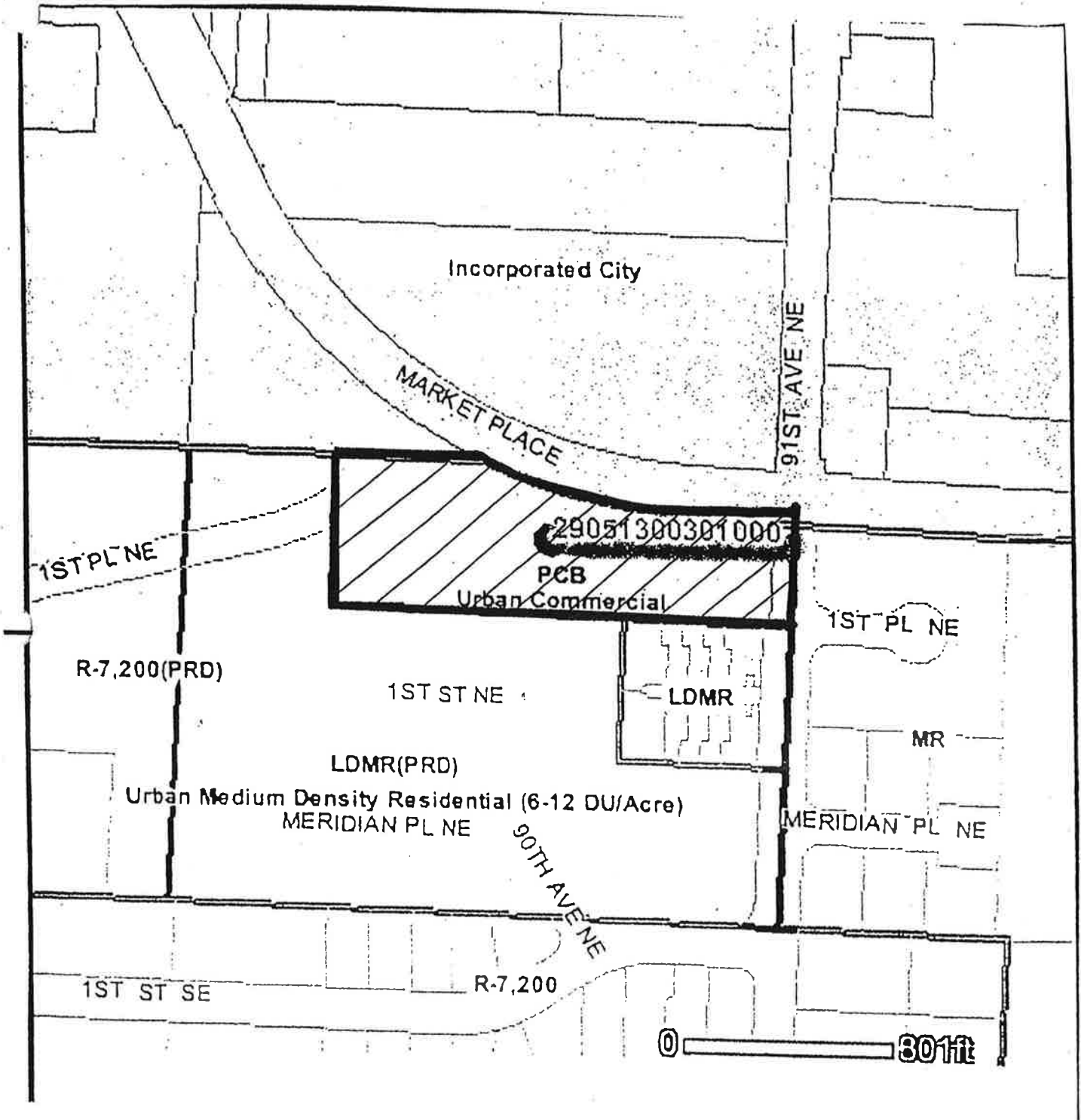


Exhibit 2 – Ordinance No. 768

Legal Description for Corniche Annexation

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH HALF OF THE NORTHEAST QUARTER, OF THE SOUTHWEST QUARTER OF SECTION 13;

THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER TO THE SOUTH LINE OF THE NORTH 220 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13;

THENCE WESTERLY ALONG SAID SOUTH LINE TO THE WESTERLY MARGIN OF 91<sup>ST</sup> AVENUE NE AND THE TRUE POINT OF BEGINNING;

THENCE WESTERLY ALONG SAID SOUTH LINE TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13;

THENCE NORTHERLY ALONG SAID WEST LINE TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13;

THENCE EASTERLY ALONG SAID NORTH LINE TO THE INTERSECTION WITH THE SOUTHERLY MARGIN OF MARKET PLACE RIGHT-OF WAY;

THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY TO THE WEST MARGIN OF 91<sup>ST</sup> AVENUE NE;

THENCE SOUTHERLY ALONG SAID WEST MARGIN TO THE TRUE POINT OF BEGINNING;

CITY OF LAKE STEVENS  
LAKE STEVENS, WASHINGTON

CORRECTED ORDINANCE NO. 801

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON, ANNEXING APPROXIMATELY 2,374 ACRES, KNOWN AS THE "SOUTHWEST ANNEXATION," INTO THE CITY; AND ADOPTING THE LAND USE AND ZONING DESIGNATIONS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, as a code city in Snohomish County, the City of Lake Stevens is subject to the annexation process requirements of Ch. 35A.14 RCW and is subject to the land use planning requirements of the Growth Management Act, Ch. 36.70A RCW; and

WHEREAS, in 2005, the City adopted a six-year annexation strategy to annex the Lake Stevens Urban Growth Area (UGA); and

WHEREAS, the City Council has determined that the best interests and general welfare of the City would be served by annexing certain property lying south of the existing City of Lake Stevens corporate boundary, as shown in Exhibit A and as described in Exhibit B, which Exhibits are attached hereto and incorporated herein by this reference (Southwest Annexation Area); and

WHEREAS, the City Council desired to commence said annexation by using the election method of annexation pursuant to RCW 35A.14.015; and

WHEREAS, the City Council has determined that there is a public benefit to commencing annexation by December 31, 2009 in order to secure the Sales Tax Incentive offered by the State of Washington to pay for additional public services created as a result of the annexation; and

WHEREAS, on February 23, 2009 the City Council passed Resolution 2009-1 commencing the annexation by calling for an election pursuant to Ch. 35A.14 RCW on the question of annexation to the city of an area contiguous to the city referred to as the Southwest Annexation Area and simultaneous adoption of proposed Comprehensive Plan land use designations and zoning classifications; and

WHEREAS, among the conditions identified in the resolution is the requirement that the property be designated and zoned by the City at the time of annexation; and

WHEREAS, the City of Lake Stevens prepared a State Environmental Policy Act (SEPA) determination of non-significance (DNS) and adoption of the Snohomish County 2005 Comprehensive Plan Ten-Year Update Final Environmental Impact Statement and Addendum No. 3 to the City of Lake Stevens Comprehensive Plan Final Environmental

Impact Statement and County FEIS for adoption of the pre-annexation comprehensive plan land use and zoning on February 27, 2009; and

WHEREAS, in taking the actions set forth in this ordinance, the City has complied with the requirements of the State Environmental Policy Act, Ch. 43.21C RCW; and

WHEREAS, pursuant to RCW 36.70A.106, a notice of the intent to adopt proposed Land Use and Zoning for the Southwest Annexation area, was transmitted to the Washington State Department of Community, Trade, and Economic Development on February 28, 2009; and

WHEREAS, public notice was provided for the SEPA DNS, March 18, 2009 Planning Commission public hearing and March 23, 2009 City Council public hearing by mailing to over 4,000 property owners within the annexation area and within 300 feet of the annexation area on February 26, 2009, published in the Lake Stevens Journal on March 4 and 11, 2009 and by posting the annexation site in nineteen conspicuous locations; and

WHEREAS, following a public hearing on March 18, 2009, the Lake Stevens Planning Commission forwarded a recommendation for approval of the comprehensive plan and zoning adoption; and

WHEREAS, the City Council held a public hearing on March 23, 2009, and passed Resolution 2009-4, stating the intent to adopt the proposed Pre-Annexation Land Use and Zoning designations upon approval of the annexation; and

WHEREAS, On March 25, 2009, the City filed a Notice of intent to annex the Southwest Annexation area and invoked jurisdiction, with the Snohomish County Boundary Review Board; and

WHEREAS, on July 27, 2009, Council passed Resolution 2009-7 amending Resolution 2009-1 and Resolution 2009-4, with the corrected legal description and Comprehensive Plan land use map correction for two parcels to Local Commercial; and

WHEREAS, the Snohomish County Canvassing Board on November 24, 2009 certified that the proposition to annex to the city of an area contiguous to the city referred to as the Southwest Annexation Area, as presented on the November 3, General Election, was approved for annexation; and

WHEREAS, the City Council conducted a final duly noticed public meeting on November 30, 2009 for a first and final reading of the annexation including the adoptions of the Land Use and Zoning designations; and

WHEREAS, following the final hearing and reading of Ordinance 801 on November 30, 2009, it was found that minor corrections were needed.

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

Section 1. Annexation. The property mapped on the attached Exhibit A and legally described in the attached Exhibit B is hereby annexed into the City of Lake Stevens.

Section 2. Indebtedness. There is no existing separately taxed bonded indebtedness for the annexation area to assume and the annexed properties shall be assessed and taxed at the same rate and on the same basis as property in the City of Lake Stevens at the date of annexation.

Section 3. Comprehensive Plan Land Use and Zoning Ordinance Designations. Said annexed property shall be subject to the City of Lake Stevens GMA Comprehensive Plan and Zoning Regulations (Title 14 LSMC) and shall be designated on the Land Use and Zoning Maps as shown in Exhibit C and C1 .

Section 4. Severability. If any provision or section of this Ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this Ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 5. Effective Date and Publication. 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 December 31, 2009.

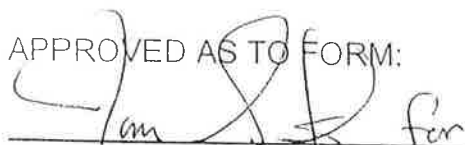
PASSED by the City Council of the City of Lake Stevens this 7th day of December, 2009.

  
VERN LITTLE, Mayor

ATTEST/AUTHENTICATION:

  
NORMA J. SCOTT, City Clerk/Admin. Asst.

APPROVED AS TO FORM:

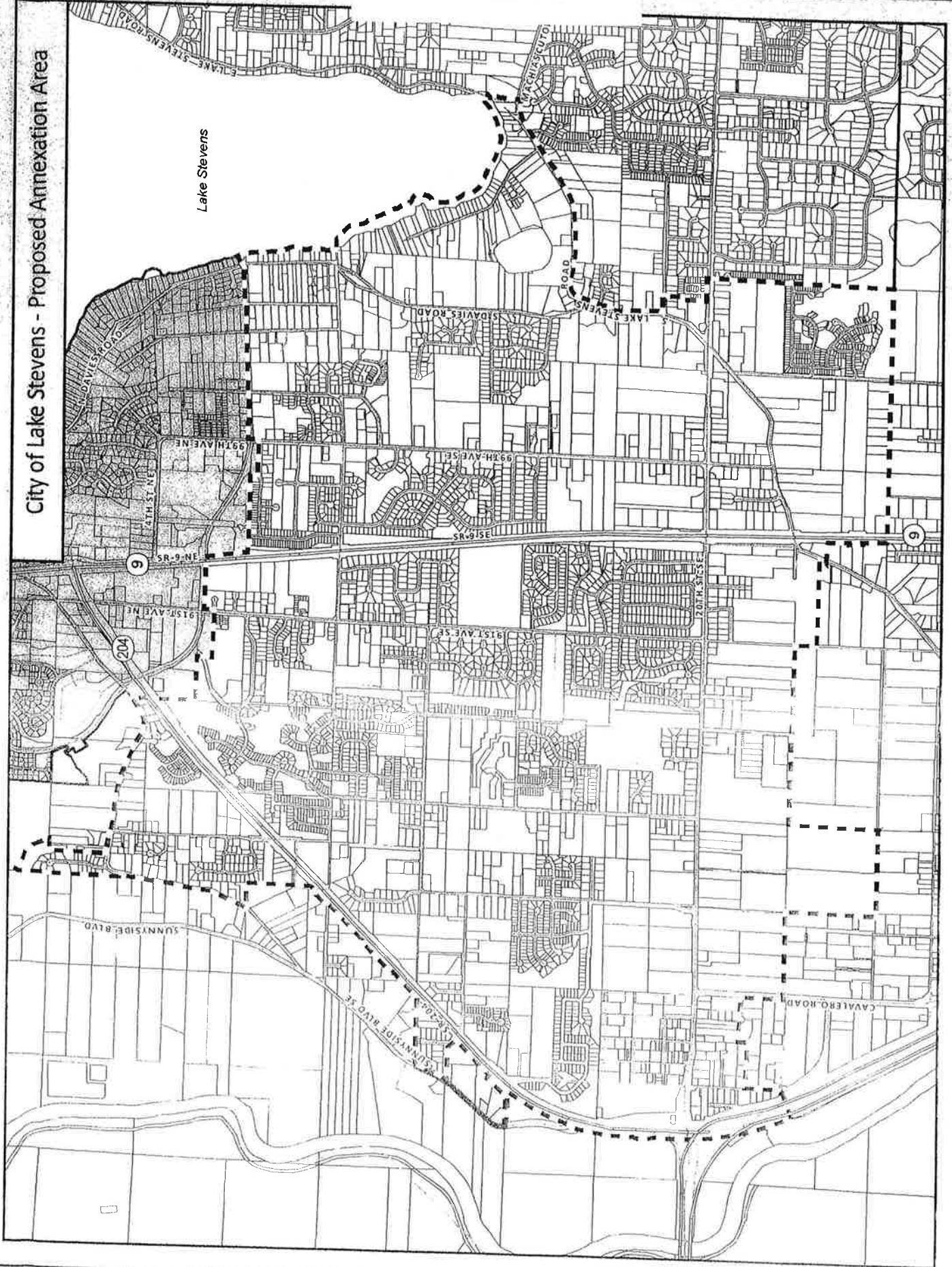
  
GRANT WEED, City Attorney

First and Final Reading: December 7, 2009  
Published: December 16, 2009  
Effective Date: December 31, 2009

EXHIBIT A

City of Lake Stevens - Proposed Annexation Area

Lake Stevens



**EXHIBIT B**

**SOUTHWEST ANNEXATION AREA LEGAL DESCRIPTION**

THOSE PORTIONS OF SECTIONS 13, 14, 23, 24, 25 AND 26, TOWNSHIP 29 NORTH, RANGE 5 EAST, W. M., AND THOSE PORTIONS OF SECTIONS 18, 19, AND 30, TOWNSHIP 29 NORTH, RANGE 6 EAST, W. M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 5 EAST, W. M., AT A POINT OF INTERSECTION WITH THE NORTHERLY MARGIN OF VERNON ROAD, AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE SOUTHWESTERLY AND NORTHWESTERLY ALONG SAID NORTHERLY MARGIN OF VERNON ROAD TO THE SOUTHEAST CORNER OF LOT 1 OF VERNON ROAD ESTATES, RECORDED UNDER AUDITOR'S FILE NO. 200307305001, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

THENCE NORTHERLY ALONG THE EAST BOUNDARY OF SAID VERNON ROAD ESTATES TO THE MOST SOUTHERLY NORTHEAST CORNER THEREOF;

THENCE EASTERLY ALONG THE MOST SOUTHERLY NORTHEAST LINE THEREOF TO THE SOUTHEAST CORNER OF TRACT 999;

THENCE NORTHWESTERLY AND SOUTHWESTERLY ALONG THE NORTHERLY BOUNDARY OF SAID TRACT 999 TO THE MOST SOUTHERLY NORTHWEST CORNER THEREOF AND THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 29 NORTH, RANGE 5 EAST, W. M.;

THENCE SOUTHERLY ALONG SAID WEST LINE AND THE WESTERLY BOUNDARY



OF SAID VERNON ROAD ESTATES TO THE SOUTH CORNER OF TRACT 997 AND THE WESTERLY MARGIN OF VERNON ROAD;

THENCE SOUTHWESTERLY ALONG SAID WESTERLY MARGIN OF VERNON ROAD TO THE NORTHEAST CORNER OF LOT 5A, CITY VIEW ADDITION, RECORDED IN VOLUME 11 OF PLATS, PAGE 103, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

THENCE EASTERLY ALONG THE EASTERLY PROJECTION OF THE NORTH LINE OF SAID LOT 5A TO THE NORTHWEST CORNER OF LOT 4, SAID PLAT OF CITY VIEW ADDITION;

THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 4 TO THE NORTHEAST CORNER THEREOF AND THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 29 NORTH, RANGE 5 EAST, W. M.;

THENCE SOUTHERLY ALONG SAID WEST LINE TO A POINT OF INTERSECTION WITH THE NORTHERLY MARGIN OF STATE ROUTE 204;

THENCE SOUTHWESTERLY ALONG SAID NORTHERLY MARGIN OF SAID STATE ROUTE 204 TO THE MOST SOUTHERLY SOUTHEAST CORNER OF PARCEL A OF THAT ALTERATION TO SHORT PLAT SP 413 (8-78) RECORDED UNDER AUDITOR'S FILE NUMBER 200804255141;

THENCE NORTHERLY ALONG THE MOST WESTERLY SOUTHEAST LINE OF SAID PARCEL A TO THE MOST WESTERLY SOUTHEAST CORNER OF SAID PARCEL A AND THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 5 EAST, W. M.;

THENCE WESTERLY ALONG SAID SOUTH LINE TO THE NORTHWEST CORNER

OF HOWARD ESTATES, RECORDED IN VOLUME 20 OF PLATS, PAGE 21,  
RECORDS OF SNOHOMISH COUNTY, WASHINGTON, AND THE EASTERLY  
MARGIN OF SUNNYSIDE BOULEVARD SE;

THENCE SOUTHERLY ALONG THE EASTERLY MARGIN OF SUNNYSIDE  
BOULEVARD SE TO A POINT OF INTERSECTION WITH THE SOUTHERLY MARGIN  
OF 9<sup>TH</sup> STREET SE;

THENCE EASTERLY AND SOUTHEASTERLY ALONG SAID SOUTHERLY MARGIN  
OF 9<sup>TH</sup> STREET SE TO A POINT OF INTERSECTION WITH THE WESTERLY  
MARGIN OF STATE ROUTE 204;

THENCE SOUTHWESTERLY ALONG SAID WESTERLY MARGIN OF STATE ROUTE  
204 TO A POINT OF INTERSECTION WITH THE NORTHERLY MARGIN OF 12<sup>TH</sup>  
STREET SE;

THENCE WESTERLY ALONG SAID NORTHERLY MARGIN TO THE EASTERLY  
MARGIN OF SUNNYSIDE BOULEVARD SE;

THENCE SOUTHEASTERLY TO A POINT OF INTERSECTION WITH SAID  
EASTERLY MARGIN OF SUNNYSIDE BOULEVARD SE AND THE SOUTHERLY  
MARGIN OF SAID 12<sup>TH</sup> STREET SE;

THENCE EASTERLY ALONG SAID SOUTHERLY MARGIN OF 12<sup>TH</sup> STREET SE TO  
A POINT OF INTERSECTION WITH THE WESTERLY MARGIN OF SAID STATE  
ROUTE 204;

THENCE SOUTHWESTERLY ALONG SAID WESTERLY MARGIN OF STATE ROUTE  
204 TO THE INTERSECTION WITH A LINE THAT IS PERPENDICULAR TO THE  
EASTERLY MARGIN, OF SAID STATE ROUTE 204, SAID LINE BEGINNING AT THE  
NORTH CORNER OF TRACT 999 OF CAVALERO RIDGE, RECORDED UNDER

AUDITOR'S FILE NO. 200712195004;

THENCE SOUTHEASTERLY ALONG SAID PERPENDICULAR LINE TO THE NORTH CORNER OF SAID TRACT 999 AND THE EASTERLY MARGIN OF SAID STATE ROUTE 204;

THENCE SOUTHERLY ALONG SAID EASTERLY MARGIN OF STATE ROUTE 204 TO A POINT OF INTERSECTION WITH THE NORTHERLY MARGIN OF 20<sup>TH</sup> STREET SE (HEWITT AVENUE);

THENCE SOUTHWESTERLY TO A POINT OF INTERSECTION WITH THE EASTERLY MARGIN OF STATE ROUTE 2 AND THE SOUTHERLY MARGIN OF SAID 20<sup>TH</sup> STREET SE (HEWITT AVENUE);

THENCE CONTINUING SOUTHERLY ALONG THE EASTERLY MARGIN OF STATE ROUTE 2 TO A POINT OF INTERSECTION WITH THE NORTHWESTERLY MARGIN OF 26<sup>TH</sup> STREET SE AND THE WESTERLY MARGIN OF 71<sup>ST</sup> AVENUE SE;

THENCE EASTERLY ALONG THE SOUTHERLY MARGIN OF SAID 71<sup>ST</sup> AVENUE SE TO THE EASTERLY MARGIN THEREOF;

THENCE NORTHERLY ALONG SAID EASTERLY MARGIN OF 71<sup>ST</sup> AVENUE SE TO THE MOST WESTERLY NORTHWEST CORNER OF THAT SHORT PLAT RECORDED UNDER AUDITOR'S FILE NO. 9808265003;

THENCE EASTERLY, NORTHERLY, AND EASTERLY ALONG THE NORTHERLY BOUNDARY OF SAID SHORT PLAT TO THE MOST EASTERLY NORTHEAST CORNER THEREOF AND THE WESTERLY MARGIN OF CAVALERO ROAD;

THENCE SOUTHERLY ALONG SAID WESTERLY MARGIN OF CAVALERO ROAD, ALSO BEING THE WEST LINE OF THE NORTHWEST QUARTER OF THE

NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 29 NORTH, RANGE 5 EAST, W. M., TO THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER;

THENCE EASTERLY ALONG SAID SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 29 NORTH, RANGE 5 EAST, W. M.;

THENCE SOUTHERLY ALONG SAID WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 29 NORTH, RANGE 5 EAST, W. M.;

THENCE EASTERLY ALONG SAID SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 5 EAST, W. M.;

THENCE NORTHERLY ALONG SAID WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER TO THE SOUTHERLY MARGIN OF 24<sup>TH</sup> STREET SE;

THENCE EASTERLY ALONG SAID SOUTHERLY MARGIN OF SAID 24<sup>TH</sup> STREET SE TO A POINT OF INTERSECTION WITH THE WESTERLY MARGIN OF 91<sup>ST</sup> AVENUE SE AND THE NORTHEAST CORNER OF LOT 41, GLENWOOD DIVISION A, RECORDED IN VOLUME 7 OF PLATS, PAGE 46, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

THENCE SOUTHERLY ALONG SAID WESTERLY MARGIN OF 91<sup>ST</sup> AVENUE SE TO THE SOUTHEAST CORNER OF SAID LOT 41;

THENCE EASTERLY ALONG THE EASTERLY PROJECTION OF THE SOUTH LINE OF SAID LOT 41 TO THE SOUTHWEST CORNER OF LOT 33 OF SAID GLENWOOD DIVISION A;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 33 TO THE SOUTHEAST CORNER OF SAID LOT 33 AND THE WESTERLY MARGIN OF SOUTH LAKE STEVENS ROAD;

THENCE SOUTHERLY ALONG SAID WESTERLY MARGIN OF SOUTH LAKE STEVENS ROAD TO THE INTERSECTION WITH A LINE THAT IS PERPENDICULAR TO THE EASTERLY MARGIN, OF SAID SOUTH LAKE STEVENS ROAD, SAID LINE BEGINNING AT A POINT WHICH IS 477.10 FEET SOUTH OF THE NORTHEAST CORNER OF TRACT 51, GLENWOOD DIVISION B, RECORDED IN VOLUME 7 OF PLATS, PAGE 47, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, AND NORTH 87°13'08" WEST 323.70 DISTANT THEREOF TO THE EASTERLY MARGIN OF SOUTH LAKE STEVENS ROAD;

THENCE SOUTHEASTERLY ALONG SAID PERPENDICULAR LINE TO SAID POINT AND SAID EASTERLY MARGIN OF SOUTH LAKE STEVENS ROAD;

THENCE SOUTH 87°13'08" EAST TO THE WESTERLY MARGIN OF STATE ROUTE 9 SE;

THENCE SOUTHERLY ALONG SAID WESTERLY MARGIN OF STATE ROUTE 9 SE TO THE INTERSECTION WITH A LINE THAT IS PERPENDICULAR TO THE EASTERLY MARGIN, OF SAID STATE ROUTE 9 SE, SAID LINE BEGINNING AT THE SOUTHWEST CORNER OF TRACT 998 OF HIGHWAY 9 BUSINESS CENTER, A CONDOMINIUM, RECORDED UNDER AUDITOR'S FILE NO. 200212115004;

THENCE EASTERLY ALONG SAID PERPENDICULAR LINE TO SAID SOUTHWEST

CORNER OF TRACT 998 AND SAID EASTERLY MARGIN OF STATE ROUTE 9 SE;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID TRACT 998 TO THE SOUTHEAST CORNER THEREOF;

THENCE NORTHERLY ALONG THE EAST LINE OF TRACT 998 TO THE NORTHEAST CORNER THEREOF AND THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 5 EAST, W. M.;

THENCE EASTERLY ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER TO THE SOUTHEAST CORNER THEREOF;

THENCE EASTERLY ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 29 NORTH, RANGE 6 EAST, W. M. TO THE SOUTHEAST CORNER THEREOF;

THENCE NORTHERLY ALONG THE EAST LINE OF SAID NORTHWEST QUARTER TO THE NORTH LINE THEREOF;

THENCE NORTHERLY ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 29 NORTH, RANGE 6 EAST, W. M. TO THE SOUTHEAST CORNER OF SILVER LEAF, A SINGLE FAMILY CONDOMINIUM, RECORDED UNDER AUDITOR'S FILE NO. 200510175207, AND THE NORTHERLY MARGIN OF 20<sup>TH</sup> STREET SE (HEWITT AVENUE);

THENCE WESTERLY ALONG THE SOUTHERLY BOUNDARY OF SAID CONDOMINIUM PLAT TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTHERLY ALONG THE MOST WESTERLY WEST BOUNDARY OF SAID CONDOMINIUM PLAT TO THE MOST WESTERLY NORTHWEST CORNER THEREOF;

THENCE EASTERLY ALONG THE MOST SOUTHERLY NORTH BOUNDARY OF SAID CONDOMINIUM PLAT TO THE MOST SOUTHERLY NORTHWEST CORNER THEREOF;

THENCE NORTHERLY ALONG THE MOST EASTERLY WEST BOUNDARY OF SAID CONDOMINIUM PLAT TO THE NORTHWEST CORNER THEREOF;

THENCE WESTERLY ALONG THE SOUTH LINE OF THE NORTH 187.00 FEET OF TRACT 2 OF IDEAL GARDEN TRACTS, RECORDED IN VOLUME 7 OF PLATS, PAGE 33, RECORDS OF SNOHOMISH COUNTY, TO THE EAST LINE OF THE WEST 75.00 FEET OF THE EAST 375.00 FEET OF SAID TRACT 2;

THENCE NORTHERLY ALONG SAID EAST LINE OF THE WEST 75.00 FEET OF THE EAST 375.00 FEET TO THE SOUTH MARGIN OF 18<sup>TH</sup> STREET SE;

THENCE NORTHERLY ALONG THE NORTHERLY PROJECTION OF SAID EAST LINE OF THE WEST 75.00 FEET OF THE EAST 375.00 FEET TO THE NORTHERLY MARGIN OF SAID 18<sup>TH</sup> STREET SE (PELLERIN ROAD);

THENCE WESTERLY ALONG SAID NORTH MARGIN OF 18<sup>TH</sup> STREET SE (PELLERIN ROAD) TO A POINT OF INTERSECTION WITH THE EASTERLY MARGIN OF SOUTH LAKE STEVENS ROAD;

THENCE NORTHERLY AND NORTHEASTERLY ALONG SAID EASTERLY MARGIN OF SOUTH LAKE STEVENS ROAD TO THE NORTHWEST CORNER OF VISTA PARK, RECORDED IN VOLUME 23 OF PLATS, PAGE 45, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, AND THE SOUTH MARGIN OF MACHIAS CUT-OFF;

THENCE EASTERLY ALONG THE SOUTH MARGIN OF SAID MACHIAS CUTOFF TO

THE EAST LINE OF SECTION 19, TOWNSHIP 29 NORTH, RANGE 6 E, W. M.;

THENCE NORTHERLY ALONG SAID EAST LINE TO A POINT WHICH IS 660.00 FEET NORTH OF THE EAST QUARTER CORNER OF SAID SECTION 19 AND THE BEGINNING OF LINE "X";

THENCE WEST ALONG LINE "X" TO THE EAST MARGIN OF THE RIGHT OF WAY EASEMENT FOR SOUTH LAKE STEVENS ROAD AS SHOWN ON THE RIGHT OF WAY PLAN TITLED S. LAKE STEVENS BRIDGE #200, AT MACHIAS CUTOFF, PLAN/PROFILE, SURVEY NUMBER 3171, SHEET 10 OF 29 ON FILE WITH SNOHOMISH COUNTY PUBLIC WORKS;

THENCE SOUTHERLY ALONG THE EAST MARGIN OF SAID EASEMENT AND RIGHT OF WAY OF SOUTH LAKE STEVENS ROAD TO A POINT OPPOSITE OF AND PERPENDICULAR TO THE SURVEY LINE OF SAID RIGHT OF WAY PLAN AT STATION 12 + 85.77;

THENCE NORTHWESTERLY TO A POINT ON THE WEST MARGIN OF SOUTH LAKE STEVENS ROAD AT STATION 12 + 85.77;

THENCE NORTHEASTERLY ALONG THE EAST MARGIN OF SAID RIGHT OF WAY AND RIGHT OF WAY EASEMENT TO THE INTERSECTION WITH THE WESTERLY EXTENSION OF SAID LINE "X";

THENCE WESTERLY TO THE SECOND CLASS SHORELANDS OF LAKE STEVENS;

THENCE SOUTHWESTERLY AND NORTHWESTERLY ALONG SAID SECOND CLASS SHORELANDS TO THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT1, BLOCK 2, LAKE STEVENS SUMMER HOME TRACTS, RECORDED IN VOLUME 7 OF PLATS, PAGE 34, RECORDS OF SNOHOMISH COUNTY WASHINGTON;



THENCE WESTERLY ALONG THE EASTERLY EXTENSION AND NORTH LINE OF SAID LOT 1, BLOCK 2 TO THE NORTHWEST CORNER THEREOF;

THENCE SOUTHWESTERLY TO THE INTERSECTION OF THE WEST MARGIN OF SOUTH DAVIES ROAD AND THE SOUTHERLY MARGIN OF CHAPEL HILL ROAD;

THENCE WESTERLY ALONG THE SOUTHERLY MARGIN OF CHAPEL HILL ROAD TO AN INTERSECTION WITH THE EASTERLY MARGIN OF 99<sup>TH</sup> AVENUE SE;

THENCE SOUTHERLY ALONG THE EASTERLY MARGIN OF SAID 99<sup>TH</sup> AVENUE SE TO THE EASTERLY PROJECTION OF THE SOUTH LINE OF THE NORTH 100.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 5 EAST, W. M.;

THENCE WESTERLY ALONG SAID SOUTH LINE OF THE NORTH 100.00 FEET TO THE WEST LINE OF THE EAST 480.00 FEET OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE NORTHERLY ALONG SAID WEST LINE OF THE EAST 480.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY MARGIN OF MARKET PLACE AND THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 13;

THENCE WESTERLY ALONG SAID NORTH LINE TO A POINT OF INTERSECTION WITH THE WESTERLY MARGIN OF STATE ROUTE 9;

THENCE NORTHERLY ALONG SAID WESTERLY MARGIN OF STATE ROUTE 9 TO A POINT OF INTERSECTION WITH SOUTHERLY MARGIN OF MARKET PLACE;

THENCE WESTERLY ALONG SAID SOUTHERLY MARGIN OF MARKET PLACE TO

THE WESTERLY MARGIN OF 91<sup>ST</sup> AVENUE NE;

THENCE SOUTHERLY ALONG SAID WESTERLY MARGIN OF 91<sup>ST</sup> AVENUE NE TO THE SOUTH LINE OF THE NORTH 200 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 29 NORTH, RANGE 5 EAST, W. M.;

THENCE WESTERLY ALONG SAID SOUTH LINE TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13;

THENCE NORTHERLY ALONG SAID WEST LINE TO THE NORTHEAST CORNER OF SOMERSET VILLAGE CONDOMINIUM PHASE 1, AS RECORDED UNDER AUDITOR'S FILE NUMBER 200211155003, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

THENCE WESTERLY ALONG THE NORTH LINE OF SAID SOMERSET VILLAGE CONDOMINIUM TO THE NORTHWEST CORNER THEREOF AND A POINT ON THE EAST LINE OF GLENACRES DIVISION 1, AS RECORDED IN VOLUME 56 OF PLATS, PAGES 220-229, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

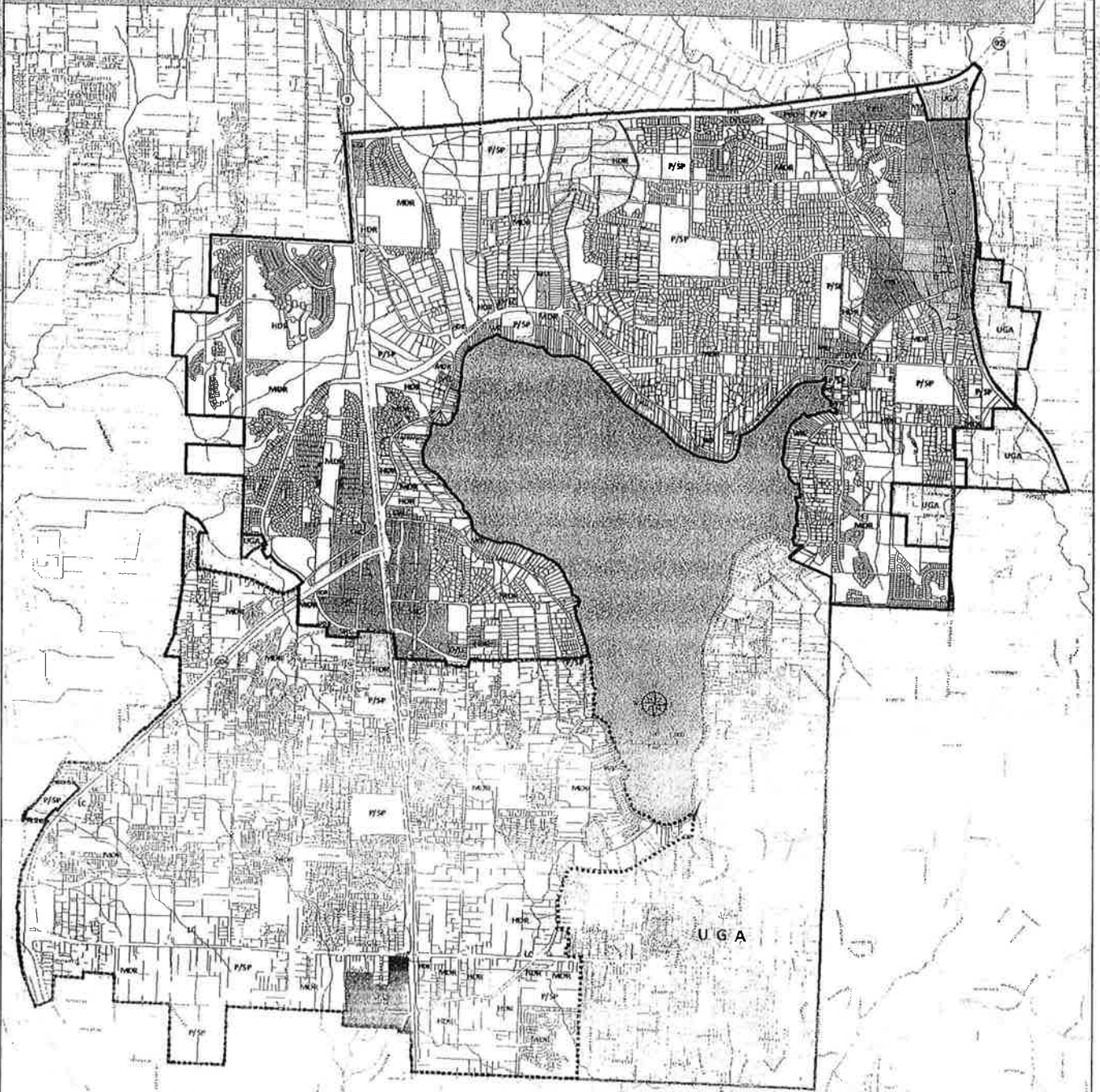
THENCE NORTHERLY ALONG SAID EAST LINE AND THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13;

THENCE CONTINUING NORTHERLY ALONG SAID WEST LINE TO A POINT OF INTERSECTION OF THE NORTHERLY MARGIN OF VERNON ROAD TO THE POINT OF BEGINNING OF THIS DESCRIPTION;

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

# EXHIBIT C

## City of Lake Stevens - Southwest Pre-Annexation Comprehensive Plan Land Use



### LEGEND

#### LAND USE

- |                                 |                                    |                                    |                 |
|---------------------------------|------------------------------------|------------------------------------|-----------------|
| Mixed Density Residential (MDR) | Mixed Use (MU)                     | General Industrial (GI)            | Stream          |
| Waterfront Residential (WR)     | Downtown / Local Commercial (DL/C) | Office Development Agreement (ODA) | Waterbody       |
| High Density Residential (HDR)  | Planned Business District (PBD)    | RALE / Semi-Rural (R/S)            | Parcel boundary |
| MF Development Agreement (MFDN) | Sub-Agri-Cultural (SAC)            | Urban Growth Area (UGA)            | City Boundary   |
| Local Commercial (LC)           | Light Industrial (LI)              | Southwest Annexation               | UGA Boundary    |

All data, information, and maps are provided for informational purposes only. The City of Lake Stevens is not responsible for any errors or omissions. The City of Lake Stevens is not responsible for any errors or omissions. The City of Lake Stevens is not responsible for any errors or omissions.

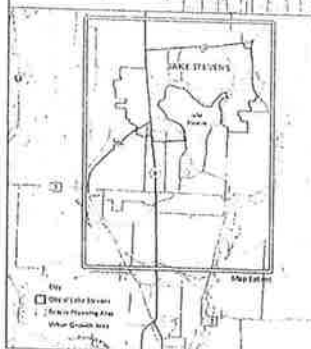
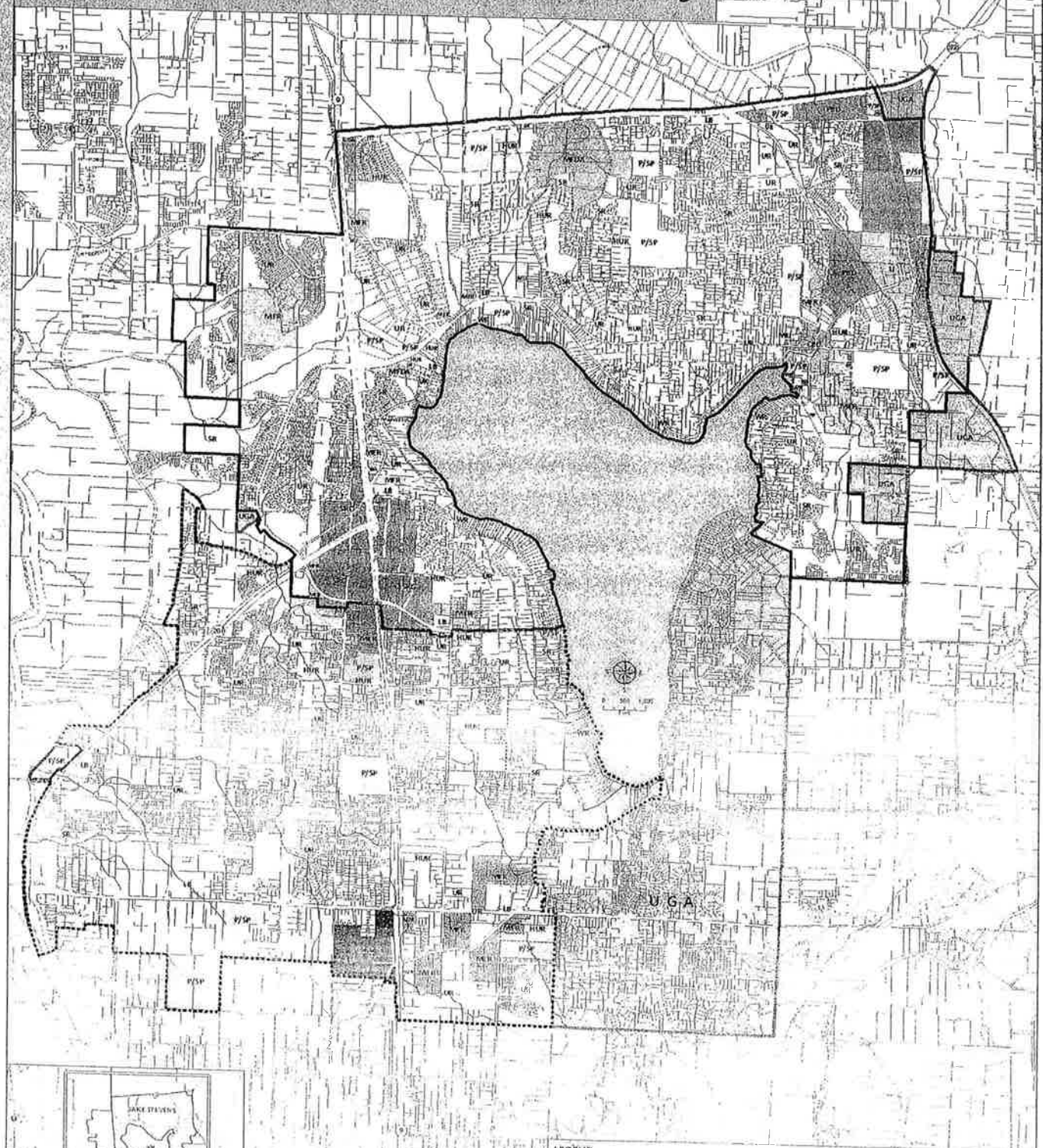
City Source: Snohomish County GIS, City of Lake Stevens, Parcel Inc.

Revision Date: February 2008

City  
City of Lake Stevens  
Future Planning Area  
Urban Growth Area

# EXHIBIT C1

## City of Lake Stevens - Southwest Pre-Annexation Zoning



### LEGEND

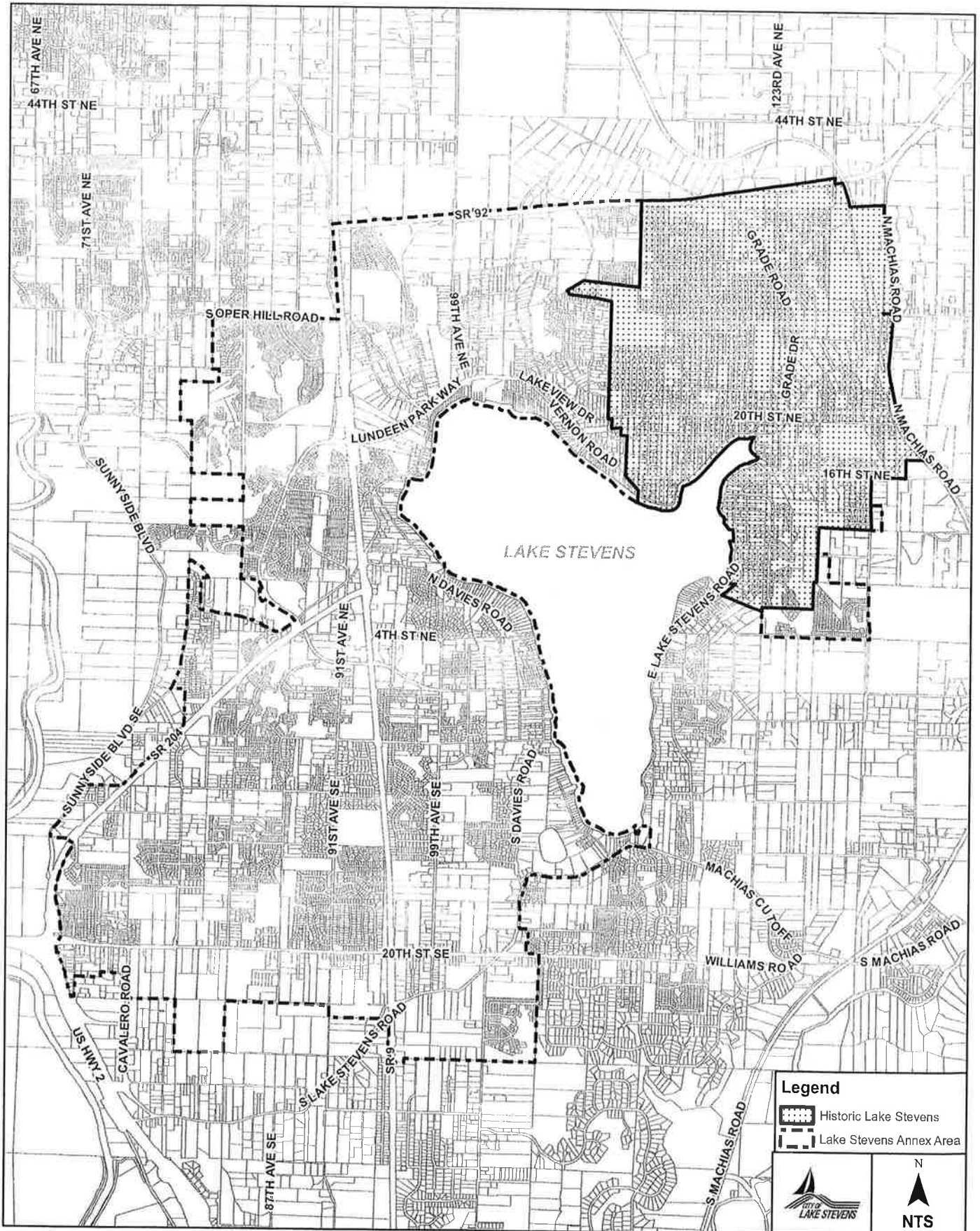
ZONING			
Suburban Residential (SR)	Local Business (LB)	General Industrial (GI)	Township
Urban Residential (UR)	Central Business District (CBD)	Office Development Agreement (ODA)	City Boundary
High Urban Residential (HUR)	Planned Business District (PBD)	Public / Semi-Public (PSP)	Lot Boundary
Waterfront Residential (WR)	Sub Regional Commercial (SRC)	Urban Growth Area (UGA)	Map Boundary
Multi-Family Residential (MFR)	Light Industrial (LI)	Waterbody	Pre-Annexation
MP Development Agreement (MPDA)			

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# ATTACHMENT C

Ordinance No. 854



**SOLID WASTE COLLECTION  
FRANCHISE AGREEMENT**

THIS FRANCHISE AGREEMENT ("Agreement") is made as of the 17<sup>th</sup> day of May, 2011, by and between the City of Lake Stevens, a municipal corporation ("City of Lake Stevens" or "City"), and Waste Management of Washington, Inc. ("Waste Management"):

Whereas, certain areas have been annexed from time to time into the City of Lake Stevens as set out in the Attachment A spreadsheet, Attachment B listing of ordinances and Attachment C Map depicting annexation areas by location, ordinance and effective date (the "Annexation Area(s)");

Whereas Waste Management has heretofore performed solid waste collection under its certificate of public convenience and necessity (G-237) issued to it by the State of Washington under authority of the Washington Utilities and Transportation Commission ("WUTC") to collect and dispose of solid waste in the Annexation Area(s); and

WHEREAS RCW 35A.14.900 provides that if a city annexes part of a WUTC-certificated territory, the city is required to grant a franchise to continue solid waste collection services with the annexed territory for a term of not less than seven years, and also provides for measurable damages caused by the City's annexation; and

WHEREAS Waste Management, subject to the terms and conditions herein, is willing to accept this Agreement with the City for solid waste collection services within the Annexation Area(s) in lieu of its claims under RCW 35A.14.900 for a franchise and for measurable damages resulting from the cancellation of Waste Management's certificate rights by the City's assertion of jurisdiction over solid waste collection in the Annexation Area(s).

NOW, THEREFORE, the City of Lake Stevens and Waste Management, for and in consideration of the mutual promises, covenants and conditions set forth in this Agreement, agree as follows:

Section 1 – Exclusive Rights. Waste Management is hereby granted an exclusive franchise to engage in the business of collection and disposal of solid waste in the Annexation Area(s), and shall have an exclusive right during the term of this Agreement, on the terms set out and agreed to herein, to collect and haul for hire over the streets and alleys of the City all solid waste collected from private customers located within the Annexation Area(s). The City shall not, except as allowed in this Agreement, directly or by contract, without the permission of Waste Management, collect and dispose of solid waste in the Annexation Area(s), unless Waste Management shall refuse or be unable to provide the service. In that case, the City may provide the service and terminate this Agreement.

1.1 “Solid waste”, as used herein, means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, and recyclable materials, except for recyclable materials collected from commercial, industrial, or institutional customers.

1.2 Waste Management hereby grants permission for the City, either directly or by contract, to collect and dispose of solid waste in the Annexation Area(s) for a one-time annual spring cleanup event; provided, however, that Waste Management reserves the right to revoke this permission at any time if it instead is willing to perform the annual spring cleanup collection services itself.

Section 2 – Term. The term of this Agreement is ten (10) years, starting April 1, 2011, and expiring March 31, 2021. The term of this Agreement shall not be affected or changed despite (1) its signature at a later date, or (2) the adoption of Ordinance 854 at a date later than April 1, 2011.

Section 3 – Waiver of Claims. This Agreement is in lieu of a franchise as provided in RCW 35A.14.900. Unless Waste Management elects a shorter term, the opportunity to provide service in accordance with these conditions has been established specifically to satisfy Waste Management’s rights to a franchise and measureable damages under the state statute. Except for the rights conferred by this Franchise Agreement and Ordinance 854, Waste Management hereby expressly waives and releases its right to claim any other franchise, damages or compensation from the City, its officers, agents, or assigns arising out of the cancellation of any pre-existing certificate right held by Waste Management.

Section 4 - Assignment. This Agreement may not be assigned either voluntarily or by operation of law without the approval of the City Council, which approval shall not be unreasonably withheld; provided, however, that intracompany transfers, such as transfers between different subsidiaries or branches of the parent corporation of Waste Management, or transfers to corporations, limited partnerships, or any other entity owned or controlled by Waste Management upon the effective date of this contract shall not constitute a change in control for which the City’s approval is necessary.

Section 7 – Services Performed. Services performed under this Agreement shall be in accordance with rules and regulations established by the WUTC, and Waste Management’s collection rates inside the City shall be the same as set out under its then-effective tariffs applicable to service in the unincorporated Snohomish County immediately adjacent to the City. If the Commission stops setting rates for Waste Management, the parties will negotiate in good faith to establish rates that are sufficient to cover cost of collection and disposal and a reasonable profit. Any rate changes shall only become effective upon the giving of notice to customers as required by law.

Section 9 - Nondiscrimination. Waste Management shall furnish collection services to any person or organization, public or private, within the annexation area(s) after receipt of a written request for services. Waste Management shall not be required to

furnish service to any household, residence, dwelling, business establishment, or building where adequate access has not been provided, nor where the person or organization has failed to pay for services rendered by Waste Management, and may otherwise discontinue service or assess charges in accordance with the rules and regulations of the WUTC and Waste Management's then-effective tariff.

Section 10 – Indemnification. Waste Management shall indemnify and hold the City and its agents, employees, and/or officers harmless from and shall process and defend at its own expense any and all claims, demands, suits, at law or equity, actions, penalties, loss, damages, or costs, of whatsoever kind or nature, brought against the City arising out of, or in connection with or incident to, this Agreement and/or Waste Management's performance or failure to perform any aspect of this Agreement; provided however, if such claims are caused by or result from the concurrent negligence of the City, its agents, employees, and/or officers, this indemnity provision shall be valid and enforceable only to the extent of the negligence of Waste Management, and, provided further, that nothing herein shall require Waste Management to hold harmless or defend the City, its agents, employees, and/or officers for damages or loss caused by the City's sole negligence. The provisions of this Section shall survive the expiration or termination of this Agreement.

Section 11 - Insurance. Waste Management shall procure and maintain, for the duration of the license, insurance against claims for injuries to persons or damage to property that may arise from or in connections with the performance of the services provided under this Agreement by Waste Management, its agents, representatives, employees or subcontractors. At the outset of this Agreement and annually upon request by the City, Waste Management shall furnish the City with certificates of insurance evidencing coverages in the following amounts: (1) automobile liability insurance with a minimum combined single limit for bodily injury and property damage of \$3,000,000.00 per accident; (2) commercial general liability insurance of not less than \$3,000,000.00 each occurrence, and \$5,000,000.00 general aggregate; and (3) workers' compensation as required by the laws of the State of Washington. The cost of all such insurance shall be paid by Waste Management. With respect to each insurance policy, Waste Management shall name the City of Lake Stevens as an additional named insured.

Section 12 – Business license; Utility Tax. Waste Management shall obtain and maintain a City of Lake Stevens business license. Waste Management acknowledges that the City of Lake Stevens does not currently impose and collect a utility or business and occupation tax on the business of collection and disposal of solid waste. Nothing in this Franchise Agreement shall prevent the City of Lake Stevens from imposing and collecting a utility or business and occupation tax on the business of collection disposal of solid waste.

Section 13 – Notice and other communication. For the purpose of any official communication between the City of Lake Stevens and Waste Management, the parties agree that notice may be given by first class mail, postage prepaid and addressed as follows:



To the City of Lake Stevens:

To Waste Management of Washington, Inc.:

City Administrator  
1812 Main Street  
Lake Stevens, WA 98258

~~Municipal Contracts Manager~~ *Public Sector Services Director*  
~~801 2<sup>nd</sup> Avenue, Suite 614~~ *720 4<sup>th</sup> Avenue, Suite 400*  
~~Seattle, WA 98104~~ *Kirkland, WA 98033-8136*

Such notice shall be deemed effective on the fourth (4<sup>th</sup>) day after mailing.

From time to time, it may be necessary for the City of Lake Stevens and Waste Management to communicate about street closures, route changes, adverse weather conditions or other unforeseen circumstances. The contact for the City of Lake Stevens for such communications, unless changed by notice, shall be the City Clerk. The contact for Waste Management for such communications, unless changed by notice, shall be the Municipal Contracts Manager.

Dated as of the day and year first written above.

CITY OF LAKE STEVENS

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED TO FORM:

  
\_\_\_\_\_  
City Attorney

WASTE MANAGEMENT OF  
WASHINGTON, INC.

  
\_\_\_\_\_  
Name: *Dean Kattler*  
Title: *Area Vice President, Pacific Northwest*