

CITY OF ARLINGTON, WASHINGTON

ORDINANCE NO. 1465

AN ORDINANCE CORRECTING THE LEGAL DESCRIPTION OF ORDINANCE 1458,
EFFECTING THE ANNEXATION COMMONLY KNOWN AS THE ISLAND CROSSING
ANNEXATION

WHEREAS, the matter of the passage of this ordinance came before the City Council this day; and

WHEREAS, the City Council previously approved the annexation of what is commonly known as the Island Crossing annexation by Ordinance 1458, adopted on November 17, 2008, which ordinance was upheld by decision of the Snohomish County Superior Court under Snohomish County Superior Court case #08-2-10251-1; and

WHEREAS, the City and Snohomish County have determined that the legal description used in Ordinance 1458 and that contained in Ordinance 1464, which amended the legal description on March 16, 2009, contained a minor error as a result of right of way overlapping; and

WHEREAS, the City wishes to correct the error in legal description;

NOW THEREFORE, THE CITY COUNCIL OF ARLINGTON, WASHINGTON DO HEREBY ORDAIN AS FOLLOWS:

Section 1. The legal description attached hereto as Exhibit "A" shall be substituted for the legal description used in Ordinance 1464, and said property shall be annexed to and included within the corporate limits of the City of Arlington as though fully set forth therein, said property to be assessed and taxed at the same general rate and on the same general basis as the property in the City of Arlington is assessed and taxed to pay for any presently outstanding indebtedness of the City of Arlington which has been contracted prior hereto, or exists at the date of the annexation.

Section 2. The resident population of the annexed area shall be determined by, or under the direction of the Mayor, and the certificate shall be submitted, all in accordance with RCW 35A.14.700; the City Clerk shall submit five certified copies of this ordinance to the County Council of Snohomish County, through the Snohomish County Boundary Review Board; the City Clerk shall submit a certified copy of this ordinance to the Washington Survey and Rating Bureau; and the City Clerk shall take such other action as is required by law as a result of this annexation.

Section 3. If any provision, section, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. This ordinance shall be effective five days after its passage and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor, at a regular meeting of the City Council called on the 6th day of April, 2009.

CITY OF ARLINGTON

Margaret Larson
Margaret Larson, Mayor

ATTEST:

Kathy Peterson
Kathy Peterson, City Clerk

APPROVED AS TO FORM:

Steven J. Pfeiffer
Steven J. Pfeiffer, WSBA #14704
City Attorney

WASHINGTON STATE
BOUNDARY REVIEW BOARD
FOR SNOHOMISH COUNTY
FILE NO. 20-2003
ORD NO. 1465
ADOPTED BY CITY 4/6/2009
BRB SIG. Mansha Carlson
DATE 5/21/2009