

ORDINANCE NO. 764

AN ORDINANCE OF THE TOWN OF DARRINGTON ANNEXING THREE PARCELS OF PROPERTY LEGALLY DESCRIBED ON EXHIBIT B, TO THE TOWN OF DARRINGTON BY MEANS OF THE MUNICIPAL PURPOSE ANNEXATION PROCESS; ADOPTING URBAN INDUSTRIAL AND LIGHT INDUSTRIAL ZONING OF THE AREA; ADOPTING ZONING REGULATIONS FOR THE ANNEXATION AREA; ESTABLISHING AN EFFECTIVE DATE OF MARCH 30, 2021; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Town of Darrington is the owner of real property consisting of approximately 93.6 Acres (Parcel ID Number: 32091400200300) legally described as Parcel 1 in Exhibit B, which is immediately adjacent to and east of the existing Town limits and within the Town's Urban Growth Area; and

WHEREAS, the Town of Darrington is the owner of real property consisting of approximately 5 Acres (Parcel ID Number: 32091400302300) legally described as Parcel 2 in Exhibit B, which is immediately adjacent to and east of Parcel 1; and

WHEREAS, the Town of Darrington is the owner of real property consisting of approximately 8.71 Acres conveyed from Parcel ID Number 32091400301800 by quit claim deed and combined with Parcel ID Number 32091400300200 by Corrected Boundary Line Adjustment recorded February 11, 2020 under AFN #202002110447, legally described as Parcel 3 in Exhibit B; and

WHEREAS, it is the intent of the Town of Darrington that this property, as described in Exhibit B, will be used for municipal purposes for the establishment a public road, creation of recreation areas, establishment of an education center, construction of a storage facility for Town archives, and establishment of a rental revenue generating business facility; and

WHEREAS, the Revised Code of Washington provides for the annexation of territory outside of its limits for any municipal purpose, by majority vote of the Council if the territory is owned by the municipality, or all of the owners of the real property in the territory give their written consent to the annexation (RCW 35.13.180); and

WHEREAS, pursuant to RCW 43.21C.222, annexations of territory by a city or town are SEPA exempt; and

WHEREAS, the property described in Exhibit B to be annexed is within the Town of Darrington's Urban Growth Area as established by Snohomish County and included in the Comprehensive Plan of the Town of Darrington; and

WHEREAS, the property described in Exhibit B is currently designated as Heavy Industrial on the Snohomish County Zoning Map; and

WHEREAS, the Town of Darrington's Comprehensive Plan, adopted in 2015, established a future land use map designation for this property as Urban Industrial for Parcel 1 and Light Industrial for Parcel 2 and Parcel 3, along with pertinent goals and policies, to guide the development of the annexation area over the next twenty years; and

WHEREAS, the Urban Industrial (Parcel 1) and Light Industrial (Parcel 2 and Parcel 3) zoning of the property described in Exhibit B is consistent with the Town of Darrington's Comprehensive Land Use Plan designations as Urban Industrial and Light Industrial respectively, which zoning is shown on the map attached hereto as Exhibit "D"; and

WHEREAS, pursuant to duly provided legal notice, the Town Council held a public hearing on said annexation on March 25, 2021, and, as a result thereof, finds:

1. The annexation area described in Exhibit A should be annexed to the Town of Darrington.
2. Parcel 1 should be zoned Urban Industrial, Parcel 2 and Parcel 3 should be zone Light Industrial, pursuant to the Town of Darrington Future Land Use Zoning Map and that such zoning and classification is in accord with the Town of Darrington Comprehensive Plan, the General Plan of the Town of Darrington.
3. If applicable, the owners of the real property within the annexation area should be required to assume existing indebtedness of the Town of Darrington.
4. The needs of the Town and community do require the hereinafter set forth zoning classification, and the highest and best use for said property is as hereinafter determined.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DARRINGTON, WASHINGTON:

Section 1. The findings 1-4 above are here hereby incorporated by this reference and made a part of this Ordinance.

Section 2. The property legally described in Exhibit "B" and identified on the map attached hereto as Exhibit "C", with zoning designations as shown on Exhibit "D" is hereby annexed to the Town of Darrington, Washington.

Section 3. The annexation area is hereby zoned as Urban Industrial (Parcel 1) and Light Industrial (Parcel 2 and Parcel 3) as depicted on the Future Land Use zoning map, which map is incorporated herein by reference.

Section 4. If applicable, the owners of the real property within the annexation area shall be required to assume existing indebtedness of the Town of Darrington.

Section 5. The next regularly amended Zoning District Map prepared by and for the Town of Darrington shall show the annexation area zoned Urban Industrial (Parcel 1) and Light Industrial (Parcel 2 and Parcel 3) and within the jurisdiction of the Town of Darrington.

Section 6. The Town Clerk is hereby authorized and directed to file a certified copy of this ordinance with the County Auditor of Snohomish County and with the Board of County Commissioners of Snohomish County, Washington.

Section 7. The Town Clerk is hereby authorized and directed to provide, as required by RCW 35.13.270, notification by certified mail that includes a list of the Assessor's Tax Parcel numbers of all properties within the annexation, to the Snohomish County Treasurer and Assessor at least thirty days before the effective date of the annexation.

Section 8. This ordinance shall be in full force and effect 5 days following passage and publication of this Ordinance.

Section 9. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

PASSED AND APPROVED by the Darrington Town Council this 25 day of MARCH 2020.

TOWN OF DARRINGTON


Dan Rankin, Mayor

ATTEST:

By: Deanne Allen
Dianne Allen, Town Clerk-Treasurer

APPROVED AS TO FORM:

By: _____
Grant Weed, Town Attorney

Date of Publication: _____

Effective Date: 3/30/2021

**EXHIBIT A
CERTIFICATION**

I, the undersigned, Clerk of the Town of Darrington, Washington (the "Town"), hereby certify as follows:

1. The attached copy of Ordinance No. 764 (the "Ordinance") is a full, true and correct copy of an ordinance duly passed at a regular meeting of the Town Council of the Town held at the regular meeting place thereof on 3/25/21 and signed by the Mayor on 3/26/2021, as that ordinance appears on the minute book of the Town; and the Ordinance will be in full force and effect five (5) days after publication in the Town's official newspaper; and

2. A quorum of the members of the Town Council was present throughout the meeting and a majority of those members present voted in the proper manner for the passage of the Ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand this 26 day of MARCH, 2021

TOWN OF DARRINGTON

Dianne Allen
Dianne Allen, Town Clerk-Treasurer

EXHIBIT B
LEGAL DESCRIPTION

Parcel 1 – Grandy Lakes Parcel
Tax Parcel 320914-002-003-00
Chicago Title Preliminary Commitment 500087341

The East half of the Northwest quarter;

Except Burlington Northern right of way;

And the Northeast quarter of Southwest quarter;

Except therefrom rights of way of Burlington Northern Railroad Company;

And except portions of said Northeast quarter of Southwest quarter lying South of a line that begins at a point 110 feet North of Southeast corner thereof and runs North 66°30'00" West 1460 feet, more or less, to West line thereof.

All in Section 14, Township 32 North, Range 9 East of the Willamette Meridian.

Situate in the County of Snohomish, State of Washington

Parcel 2 – Cemetery Property
Tax Parcel 320914-003-032-00
Quit Claim Deed 200406210245

A parcel of land located in the NW ¼ of the SW ¼ of Section 14, T32N, R9E Willamette Meridian, Snohomish County, Washington, more particularly described as follows,

Beginning at the NE corner of the NW ¼ of the SW ¼ of said Section 14, with all bearings contained herein relative to that survey recorded June 13, 1997 in Volume 50 of Surveys at Page 29, under Auditor's File No. 9706135001, Records of Snohomish County, Thence N89°03'04W along the north line of said NW ¼ of the SW ¼ a distance of 358.09 feet, Thence S0°08'15"W parallel with the east line of said SW ¼ of the NW ¼ a distance of 534.81 feet; Thence S66°51'23"E a distance of 388.99 feet to the NW corner of Parcel "A" as shown on that survey recorded September 30, 1991, in Book 36 of Surveys at Pages 59 & 60, under Auditor's File No. 9109305001, Records of Snohomish County, Thence N0°08'15"E along the east line of the NW ¼ of the SW ¼ of said Section 14 a distance of 681.77 feet to the Point of Beginning.

Parcel 3 – Airport Safety Area
Portion of Tax parcel 320914-003-018-00
Quit Claim Deed 201107080025 (with correction)

A parcel of land located in the NW ¼ of the SW ¼ of Section 14, T32N, R9E Willamette Meridian, Snohomish County, Washington, more particularly described as follows;

Beginning at the NE corner of the NW ¼ of the SW ¼ of said Section 14 with all bearings contained herein relative to that survey recorded June 13, 1997 in Volume 50 of Surveys at Page 29, under Auditor's File No. 9706135001, Records of Snohomish County; Thence N89°03'04"W along the north line of the NW ¼ of the SW ¼ a distance of 358.09 feet; Thence S0°08'15"W parallel with the east line of said NW ¼ of the SW ¼ a distance of 534.81 feet to the TRUE POINT OF BEGINNING;

Thence N68°27'37"W a distance of 529.70 feet; Thence S20°56'32"W a distance of 450.09 feet; Thence S73°39'36"E a distance of 699.15 feet; Thence N89°58'29"E a distance of 339.71 feet; Thence N0°08'15"E a distance of 269.54 feet; Thence N66°51'23"W a distance of 388.99 feet to THE TRUE POINT OF BEGINNING.

Contains 8.71 Acres more or less.

EXHIBIT C MAP OF ANNEXATION AREA

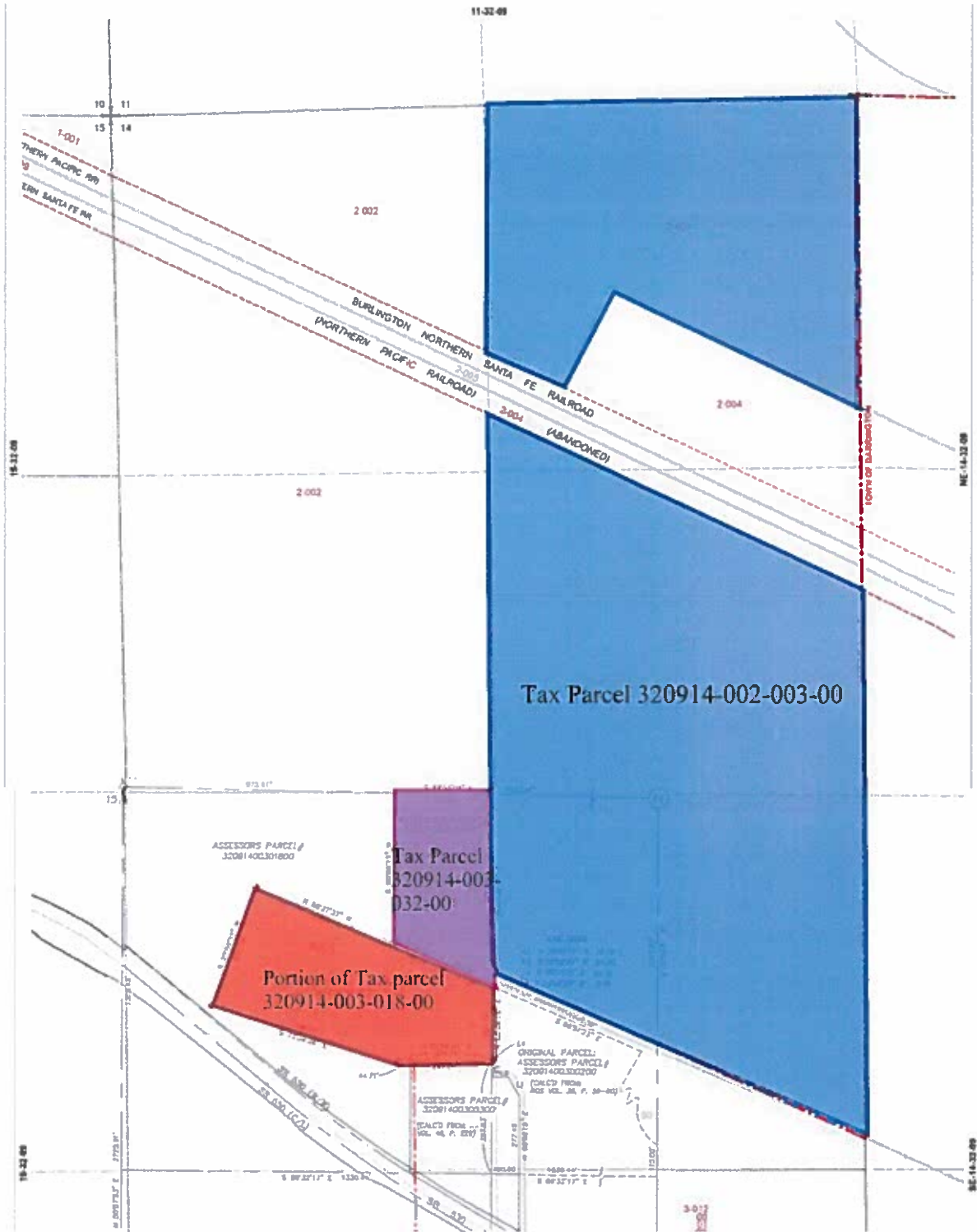


EXHIBIT D ZONING MAP

