

ORDINANCE NO. 765

AN ORDINANCE OF THE TOWN OF DARRINGTON ANNEXING A PORTION OF THE PARCEL OF REAL ESTATE LOCATED AT 1224 AIRPORT WAY, DARRINGTON, WASHINGTON, 98241, TO THE TOWN OF DARRINGTON BY MEANS OF THE MUNICIPAL PURPOSE ANNEXATION PROCESS; ADOPTING URBAN INDUSTRIAL ZONING OF THE AREA; ADOPTING ZONING REGULATIONS FOR THE ANNEXATION AREA; ESTABLISHING AN EFFECTIVE DATE OF 10/13/2021; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Town of Darrington is the owner of real property located at 1224 airport way, Darrington, Washington, 98241 (Parcel ID Number: 32091400300200); and

WHEREAS, the parcel boundary has been adjusted per Snohomish County Boundary Line Adjustment number 21-109540 recorded under Snohomish County Auditors file number 202107130273; and

WHEREAS, the existing Town's limits follow the boundary of the parcel prior to the boundary line adjustment; and

WHEREAS, the parcel now consists of additional area of approximately 3.77 acres or 164,037 square feet which additional area is legally described in **EXHIBIT B** and depicted on **EXHIBIT C**; and

WHEREAS, the tract legally described in Exhibit B lies immediately adjacent to and east of the existing Town limits and lies 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, 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 of an access road for the Darrington Wood Innovation Center; 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 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, along with pertinent goals and policies, to guide the development of the annexation area over the next twenty years; and

WHEREAS, the Urban Industrial zoning of the property described in Exhibit B is consistent with the Town of Darrington's Comprehensive Land Use Plan designation as Urban 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 9/08/21, and, as a result thereof, finds:

1. The annexation area described in Exhibit B should be annexed to the Town of Darrington.
2. The annexation area described in Exhibit B should be zoned Urban 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, 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 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 13 day of Oct 2021.

TOWN OF DARRINGTON


Dan Rankin, Mayor

ATTEST:

By: Dianne Allen
Dianne Allen, Town Clerk-Treasurer

APPROVED AS TO FORM:

By: Grant Weed
Grant Weed, Town Attorney

Date of Publication: 10/16/2021
Effective Date: _____

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. 765 (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 10/13/21 and signed by the Mayor on 10/13/21, 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 13 day of Oct, 21.

TOWN OF DARRINGTON



Dianne Allen, Town Clerk-Treasurer

EXHIBIT B

LEGAL DESCRIPTION OF AREA TO BE ANNEXED

That portion of the Northwest quarter of the Southwest quarter of Section 14, Township 32 North, Range 9 East of the Willamette Meridian, in Snohomish County, Washington, more particularly described as follows:

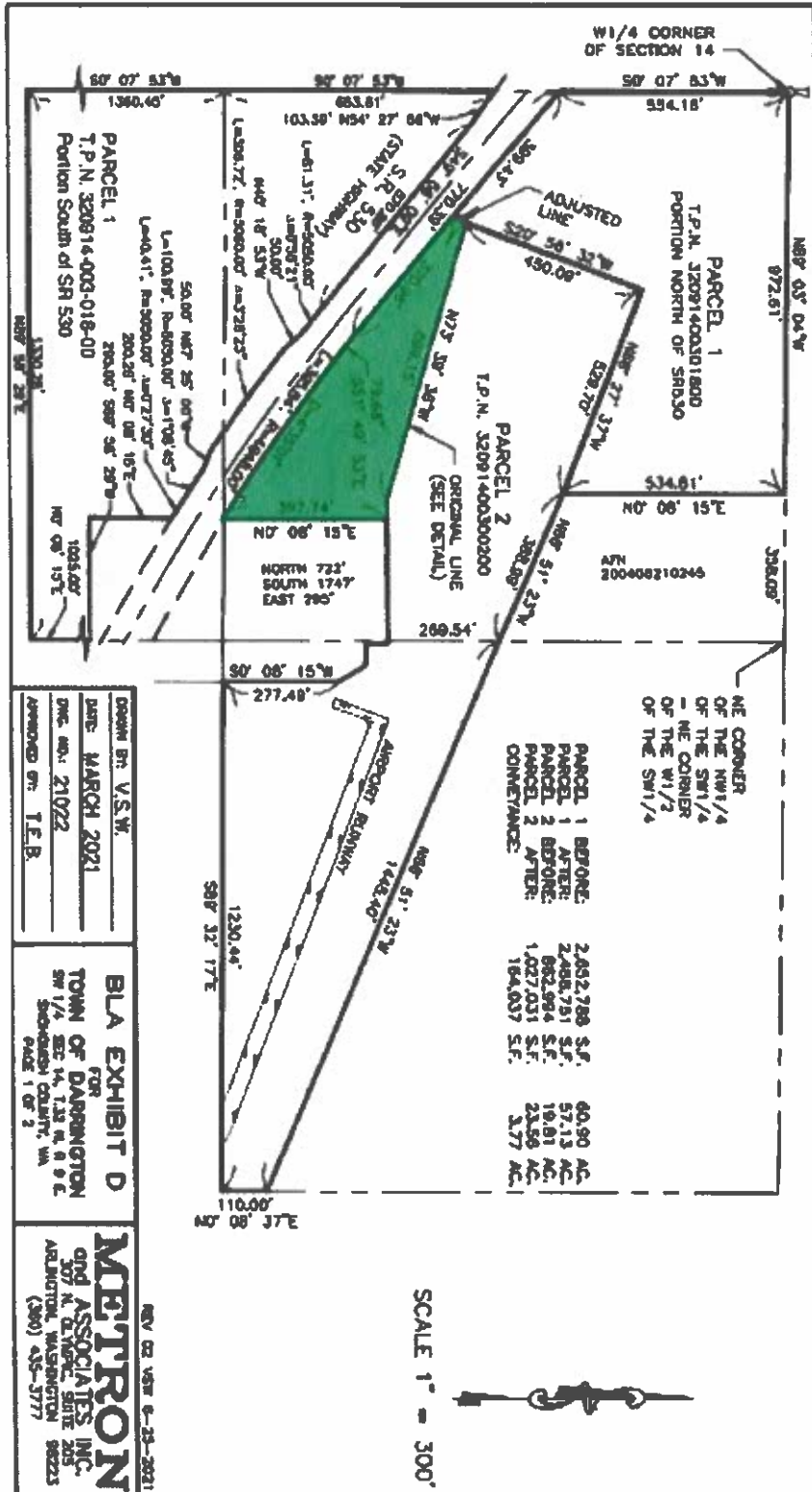
Commencing at the Northeast corner of said West half of the Southwest quarter; thence North $89^{\circ}03'04''$ West, along the North line of said Southwest quarter, a distance of 358.09 feet to the Northwest corner of that parcel deeded to the Town of Darrington by instrument recorded under Snohomish County Auditor's File No.: 200406210245; thence South $0^{\circ}08'15''$ West, along the West line of said parcel, a distance of 534.81 feet to a point on the North line of that certain parcel known as "Resultant Airport Parcel After Transfer to Town of Darrington," as described in instrument recorded under Snohomish County Auditor's File No.: 202002110447; thence North $68^{\circ}27'37''$ West, along the North line of said Resultant Airport Parcel, a distance of 529.70 feet to the Northwest corner of said Resultant Airport Parcel; thence South $20^{\circ}56'32''$ West, along the West line of said Resultant Airport Parcel, a distance of 450.09 feet to the Southwest corner of said Resultant Airport Parcel and the **True Point of Beginning**; thence continuing South $20^{\circ}56'32''$ West, along the Southwesterly projection of said West line, a distance of 36.89 feet to a point on the North margin of the State Route 530 Right of Way; thence South $49^{\circ}56'09''$ East, along said North margin, a distance of 370.96 feet; thence South $51^{\circ}49'53''$ East, continuing along said North margin, a distance of 79.68 feet; thence along said north margin, on a curve to the left, having a radius of 4948.00 feet, through a central angle of $4^{\circ}35'01''$, an arc distance of 395.84 feet; thence South $56^{\circ}24'54''$ East, continuing along said North margin, a distance of 72.38 feet to a point on the East 295 feet of said West half of Section 14; thence North $0^{\circ}08'15''$ East, along the West line of said East 295 feet, a distance of 397.74 feet to a point on the North line of the South 1747 feet of said West half of Section 14 said point is on the South line of said Resultant Airport Parcel; thence South $89^{\circ}58'29''$ West, along said South line, a distance of 44.36 feet to an angle point in said South line; thence North $73^{\circ}39'36''$ West, continuing along said South line, a distance of 699.15 feet to the **True Point of Beginning**.

The herein described tract as shown and described in Exhibit C of that certain Snohomish County Boundary Line Adjustment File No. 21-109540, as recorded under Auditors File No. 202107130273.

All containing 164,037 square feet, more or less.

Situate in the County of Snohomish, State of Washington.

**EXHIBIT C
MAP OF ANNEXATION AREA**



DRAWN BY: V.S.W.
 DATE: MARCH 2021
 Dwg. No.: 21022
 APPROVED BY: T.E.B.

BLA EXHIBIT D
 FOR
TOWN OF DARRINGTON
 SW 1/4 SEC 14, T13 N, R 9 E
 SHERBORN COUNTY, VA
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REV 02 USE 6-23-2021
METTRON
 and ASSOCIATES
 INC.
 307 N. G. WALKER, SUITE 205
 ARLINGTON, WASHINGTON 98225
 (360) 435-3777