

**RESOLUTION NO. 813**

**A RESOLUTION OF INTENT OF THE CITY OF LYNDEN TO APPROVE  
ANNEXATION #09-01, SOUTH KOK ROAD,  
TO THE CITY OF LYNDEN**

**WHEREAS**, The City of Lynden, on behalf of Philip and Coralie Ross and Terry and Delores Nearing et. al, hereinafter called the "Proponents," submitted a complete application to the City of Lynden, hereinafter called the "City," for the annexation of approximately 27.84 acres, described in EXHIBIT A, into the City for the purpose of receiving urban services; and

**WHEREAS**, the subject property is within the City's Urban Growth Boundary, identified in the Lynden Comprehensive Plan, and may be annexed under RCW 35A.14.110; and

**WHEREAS**, the application was endorsed by more than 60% of the assessed valuation in the proposed annexation area; and

**WHEREAS**, the City notified the Proponents of the application's completeness on October 6, 2009, and the legal notice of application and public hearing was published by the Lynden Tribune on October 21, 2009 and

**WHEREAS**, the Proponent's plans make appropriate provisions for public health, safety and general welfare; and

**WHEREAS**, the proposed annexation will not have an adverse effect on the finances, debt structure, or contractual obligations and rights of other governmental units, except for a small reduction in the Whatcom County tax base; and

**WHEREAS**, the proposed annexation shall be taxed or assessed to pay its share of any indebtedness of the City of Lynden, Washington, contracted prior to or existing at the date of this annexation, and

**WHEREAS**, the proposed annexation area will serve as a desirable location for future community facilities for which the City intends to plan, including without limitation, parks, walkways, and recreational facilities; and

**WHEREAS**, co-operation between the City's volunteer fire department with that of the County's District 3 has been established to serve this area as needed; and

**WHEREAS**, the City of Lynden will provide adequate police protection to the proposed annexation area on a twenty-four (24) hour basis and can more efficiently and effectively provide such service to the area than the Whatcom County Sheriff's Office; and

**WHEREAS**, the proposed annexation is logically served by the City of Lynden and will therefore preserve logical service areas; and

**WHEREAS**, the proposed annexation will concentrate urban development within the city limits and thereby reduce sprawl, consistent with objectives of the Growth Management Act; and

**WHEREAS**, adequate governmental services and controls in the proposed annexation area can be most efficiently provided by the City of Lynden; and

**WHEREAS**, the Council has reviewed the report of the Technical Review Committee and has determined that the findings are accurate and that its recommended conditions are appropriate conditions to place upon the annexation; and

**WHEREAS**, the public interest will be served by this annexation; and

**WHEREAS**, the above recitals are hereby adopted as findings of fact by the Lynden City Council in support of the proposed annexation; and


**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the City of Lynden hereby declare their intention to approve for annexation into the City of Lynden that property described in the attached "EXHIBIT A," being all of the property described in said petition,

subject to the conditions outlined in the Technical Review Committee Report: and said real property shall become part of the City of Lynden and shall be subject to any part of the Comprehensive Plan of the City hereinafter to be adopted with reference to said property, and shall be therein designated as, CSR (Regional Commercial Services) and RM-2 (Multi-family), as per the City of Lynden Zoning Map for said area for land purposes, until otherwise classified;

**PASSED BY THE LYNDEN CITY COUNCIL BY AN AFFIRMATIVE VOTE, 6  
IN FAVOR AND 0 AGAINST, AND SIGNED BY THE MAYOR THIS 21st  
DAY OF December, 2009.**

  
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MAYOR JACK LOUWS

ATTEST:

  
\_\_\_\_\_  
CITY CLERK WILLIAM VERWOLF

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY ROBERT CARMICHAEL

## EXHIBIT A

All that portion of Government Lot 2, also known as the northwest quarter of the northwest quarter, Section 30, Township 40 North, Range 3 East of W.M. lying southerly and easterly of the following described line:

Beginning at the northwest corner of said Government Lot 2, thence south along the west line of Government Lot 2, 422.16 feet to the point of beginning, thence north 85° 19' 55" east parallel to the north line of said Government Lot 2, 360.20 feet, thence south parallel to the west line of said Government Lot 2, 237.22 feet to a point, thence east 64 feet, thence southeasterly 295 feet to a point 473 feet east of the west line of said Government Lot 2, this being the end of the above described line and as such meets the centerline of Fish Trap Creek. Together with a parcel described as the north 150 feet of the west 120 feet of the northeast quarter of the northwest quarter of Section 30, Township 40 North, Range 3 East of W.M. less road. Thence continuing south 80 feet to a point, thence heading northeast to a point 20 feet south of the southeastern corner of the above described property, thence heading north to the southeast corner of the above described property thence west to the point of beginning.

Including all of the southerly 905.39 feet of the Guide Meridian Road right-of-way in Section 25, Township 40 North, Range 2 East and Section 30, Township 40 Range 3 East.

All situate in Whatcom County Washington.

Commonly Described as: 7986, 7990, 8022, 8038, and 8064 Guide Meridian Road together with 0, 1899, 1915, 1927, and 1931 Kok Road in Lynden

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