ORDINANCE NO. 26-3053

AN ORDINANCE OF THE CITY COUNCIL OF BLAINE, WASHINGTON TO DEFINE THE CITY CORPORATE LIMITS AND TO REMOVE CERTAIN TERRITORY THAT WAS APPROVED FOR DE-ANNEXATION BY THE VOTERS IN PROPOSITION 2025-07.

WHEREAS, the City Council of the City of Blaine (the "City") adopted Resolution No. 1982-25 concerning removal of rural East Blaine land (the "Territory") from City corporate limits;

WHEREAS, the Territory is not, and has not, been served with infrastructure that is urban in nature, such as City water and sewer, and has not developed to urban levels since it was annexed by the City in 1996;

WHEREAS, Chapter 35A.16 of the Revised Code of Washington ("RCW") authorizes the reduction of city limits pursuant to a prescribed statutory process, and references to de-annexation herein refer to this statutory process;

WHEREAS, on April 28, 2025, the City Council approved Resolution 1972-25 directing staff to develop a proposal to de-annex the Territory in the context of the City's Comprehensive Plan update;

WHEREAS, on July 14, 2025, the City Council passed Resolution No. 1982-25, which resolved that in November 2025, the de-annexation question would be brought to the voters in a ballot proposition;

WHEREAS, in November 2025, the City brought Proposition 2025-07 to the voters to remove 573 acres more or less of undeveloped land from the City corporate limits;

WHEREAS, Proposition 2025-07 was approved by more than three-fifths (3/5) of the voters, authorizing removal of the Territory from the City corporate limits and authorizing the City Council to adopt an ordinance removing said Territory;

WHEREAS, as required by Ch. 36.93 RCW, the City issued a Notice of Intention to de-annex approximately 573 acres of land to the Whatcom County Boundary Review Board (the BRB") on December 10, 2025;

WHEREAS, on January 21, 2026, Whatcom County (the "County") filed a Request for Review of the Respondent's Notice of Intention to de-annex approximately 573 acres (the "Request for Review") based on issues related to alleged deferred road maintenance and related costs on H Street Road within the proposed de-annexation area;

WHEREAS, the City's Comprehensive Plan Update, which incorporated the de-annexation of the Territory was approved by the City Council on September 28, 2026, passed by the Whatcom County Council on October 6, 2026, and executed on October 6, 2026 under Whatcom County Contract No. 202610008;

WHEREAS, no other person or entity invoked the jurisdiction of the BRB;

WHEREAS, the City and County resolved the issues raised in the Request for Review by entering into a cooperative interlocal agreement (the "ILA"); and

WHEREAS, the BRB determined via letter on October 14, 2026 that the Notice of Intention to de-annex approximately 573 acres from the City limits, as described in BRB File No. 2025-02, was deemed approved pursuant to RCW 36.93.100.

NOW, THEREFORE, the City Council of the City of Blaine ordains as follows:

Section 1 – Findings. The City Council adopts the above recitals as findings in support of this Ordinance.

Section 2 – De-Annexation. Following voter approval of the de-annexation, the City Council hereby approves de-annexation of the Territory and adopts the new City limits as described in ***Exhibit A***.

Section 3 – Territory Described. Pursuant to Chapter 35A.16 RCW, the Territory depicted in ***Exhibit B*** and described in ***Exhibit C*** of this Ordinance is hereby excluded from the City corporate limits and declared no longer a part of the City and, upon such exclusion, the City corporate limits are hereby defined and fixed as shown on Exhibit A of this Ordinance.

Section 4 – Recording. A certified copy of this Ordinance, including its exhibits, shall be filed and recorded in the office of the Whatcom County Auditor and, thereupon, the City boundaries shall be as set forth herein.

Section 5 – Implementation and Administrative Acts. The City Manager is hereby authorized and directed to take any and all necessary administrative and ministerial actions to effectuate the provisions of this Ordinance. This authorization includes, but is not limited to, the preparation, execution, recording, and filing of all legal instruments with Whatcom County and Washington State agencies, as may be required by law.

Section 6 – Severability. If any provision of this Ordinance is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this Ordinance and shall in no way affect the validity of the other provisions of this Ordinance or of any other ordinance.

Section 7 – Effective Date. This Ordinance shall take effect no earlier than five (5) days after the date of its publication and immediately upon its recording in the office of the Whatcom County Auditor.

Passed by majority vote of the City of Blaine City Council in open meeting this 26th day of October, 2026.

****Signatures to Follow on Subsequent Page****

CITY OF BLAINE COUNCIL

Mary Lou Steward

Mary Lou Steward, Mayor

ATTEST/AUTHENTICATE:

Samuel Crawford, City Clerk

on behalf of

EXHIBIT A

DESCRIPTION OF BOUNDARIES OF THE CITY OF BLAINE AFTER DE-ANNEXATION

CURRENT CITY LIMITS EXCEPT THE FOLLOWING DESCRIBED TRACTS:

GOVERNMENT LOTS 1 AND 2, TOGETHER WITH THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 41 NORTH RANGE 1 EAST OF W.M.

GOVERNMENT LOTS 1, 2, 3, AND 4, TOGETHER WITH THE SOUTH HALF OF SECTION 34, TOWNSHIP 41 NORTH RANGE 1 EAST OF W.M.

GOVERNMENT LOT 4, TOGETHER WITH THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 41 NORTH RANGE 1 EAST OF W.M.

ALL OF H STREET ROAD RIGHT-OF-WAY ABUTTING THE ABOVE DESCRIBED PARCELS LYING WITHIN SECTIONS 2, 3 AND 4, TOWNSHIP 40 NORTH, RANGE 1 EAST OF W.M.

SITUATE IN WHATCOM COUNTY, WASHINGTON

SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, COVENANTS, RESTRICTIONS, AND/OR AGREEMENTS OF RECORD OR OTHERWISE

EXHIBIT B

MAP OF TERRITORY TO BE EXCLUDED FROM THE CITY OF BLAINE

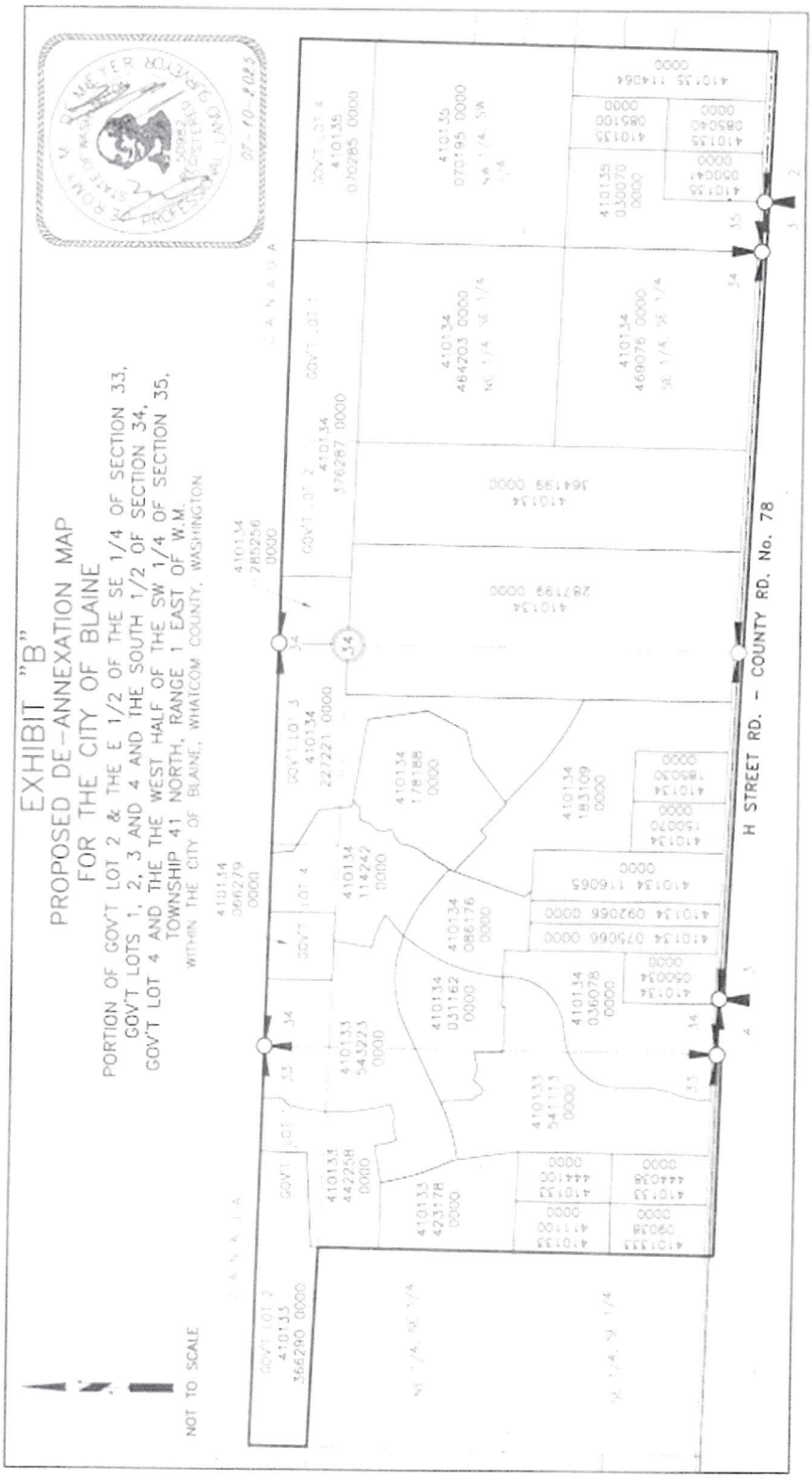


EXHIBIT C

DESCRIPTION OF TERRITORY TO BE EXCLUDED FROM THE CITY OF BLAINE

THE FOLLOWING DESCRIBED TRACTS:

GOVERNMENT LOTS 1 AND 2, TOGETHER WITH THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 41 NORTH RANGE 1 EAST OF W.M.

GOVERNMENT LOTS 1, 2, 3, AND 4, TOGETHER WITH THE SOUTH HALF OF SECTION 34, TOWNSHIP 41 NORTH RANGE 1 EAST OF W.M.

GOVERNMENT LOT 4, TOGETHER WITH THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 41 NORTH RANGE 1 EAST OF W.M.

ALL OF H STREET ROAD RIGHT-OF-WAY ABUTTING THE ABOVE DESCRIBED PARCELS LYING WITHIN SECTIONS 2, 3 AND 4, TOWNSHIP 40 NORTH, RANGE 1 EAST OF W.M.

SITUATE IN WHATCOM COUNTY, WASHINGTON

RESOLUTION NUMBER 1972-25

A RESOLUTION INITIATING THE DE-ANNEXATION OF A PORTION OF EAST BLAINE BY REMOVING APPROXIMATELY 552 ACRES FROM THE BOUNDARIES OF THE CITY OF BLAINE.

Whereas, City Council would like to consider, as part of the City's Comprehensive Plan update, de-annexing a portion of east Blaine that is approximately 552 acres;

Whereas, City Council may want to consider reconfiguring the City's Urban Growth Area through the UGA Swap process as part of the Comprehensive Plan update, which may require de-annexation as an initial step;

Whereas, City staff is seeking direction to prepare a de-annexation plan and incur costs to identify risks and strategies given the untested legal process, including professional survey work to develop legal descriptions of the area;

Whereas, City staff will begin public engagement, including communication with the general public and with affected landowners and residents;

Whereas, City staff will engage Whatcom County, which may require negotiations with Whatcom County regarding an interlocal agreement for de-annexation and the completion of a memorandum of agreement or other agreements;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Blaine directs staff to initiate a plan to de-annex a portion of east Blaine that would remove approximately 552 acres from the boundaries of the City of Blaine.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF BLAINE, WASHINGTON on the 28th day of April, 2025 and approved by the Mayor on the same day.

CITY OF BLAINE COUNCIL

Mary Lou Steward

MARY LOU STEWARD, Mayor

ATTEST/AUTHENTICATE:

Samuel Crawford, City Clerk

Resolution No. 1982-25

A RESOLUTION OF THE CITY COUNCIL OF BLAINE, WASHINGTON TO SUBMIT TO ITS VOTERS A PROPOSAL TO REDUCE THE CITY CORPORATE LIMITS TO REMOVE CERTAIN PROPERTY THAT HAS REMAINED RURAL IN CHARACTER AND UNDEVELOPED SINCE ITS ANNEXATION IN 1996.

Whereas, the current corporate limits of the City of Blaine include 573.0 acres more or less of land (the "Property" or "Territory"), also known as the East Blaine Area and described in Exhibit A, and depicted on Exhibit B;

Whereas, the Property is not and has not been served with infrastructure that is urban in nature, such as City water and sewer, and has not developed to urban levels since being annexed to the City in 1996;

Whereas, the City Council recognizes that the Property largely consists of undeveloped rural land including forested wetlands, ponds, and aquifer recharge areas, which, combined with other factors and changed circumstances, make road and other urban infrastructure improvements cost prohibitive for the foreseeable future including for the Growth Management Act ("GMA") planning period;

Whereas, the unsuitability of the Property for urban development is evidenced by, among other things, the lack of development activity, including the expiration of a vesting development agreement and the lack of developer-funded urban infrastructure extension since it was annexed approximately thirty (30) years ago;

Whereas, the Property encompasses approximately 573.0 acres more or less within the City's corporate boundaries, which limits the City's ability under the GMA to include other lands more suited for urban use and development;

Whereas, Chapter 35A.16 of the Revised Code of Washington ("RCW") authorizes the reduction of city limits pursuant to a prescribed statutory process;

Whereas, on April 28, 2025, the City Council approved Resolution 1972-25 directing staff to develop a proposal to de-annex the Property in the context of the City's Comprehensive Plan update;

Whereas, after due consideration of prosed reduction in City limits, the City Council has determined that the reduction would preserve natural neighborhoods and communities; be consistent with physical and other appropriate boundaries; preserve logical service areas; protect natural resources; and adjust what has come to be an impractical boundary given the lack of urban development within the area;

Whereas, after due consideration of the benefits and burdens associated with maintaining the Property within the City corporate limits, including the burden on taxpayers and preservation of

natural resources in the East Blaine Area, the City Council has determined that the burden outweighs any benefits and that the Property should be considered for removal from the City corporate boundaries;

Whereas, the City Council desires to submit the question to the voters at the general election to be held on November 4, 2025, whereupon should three fifths (3/5ths) of the voters favor removal of the Property from the City corporate limits, the City Council shall adopt an ordinance removing said Property;

NOW, THEREFORE, be it resolved by the City Council of the City of Blaine as follows:

Section 1. Findings – Exhibits. The City Council adopts the above recitals as findings in support of this Resolution, and hereby incorporates Exhibits A, B, C, D and E into this Resolution.

Section 2. Election – Ballot Title. The City Council directs staff to submit the attached proposition (Exhibit C, the Proposition) to the voters at the general election to be held on November 4, 2025 by filling a certified copy of this Resolution with the Auditor of Whatcom County and take such other action as is necessary therefor under applicable State law. The City Council further requests that the Auditor of Whatcom County, as ex officio supervisor of elections, call and conduct a special election in the City on November 4, 2025, for the purpose of submitting the Proposition to the qualified voters of the City for their approval or rejection.

Section 3. Territory Described. Pursuant to Chapter 35A.16 RCW, this Resolution identifies the Territory to be excluded and removed from the City's corporate limits (Exhibits A and B) and the corporate limits of the City as it will exist after exclusion of the Territory (Exhibit D).

Section 4. Voter's Pamphlet Committees. Pursuant to RCW 29A.32.280, the following individuals are appointed to serve on the voter's pamphlet committees, one committee to prepare arguments advocating voters' approval of the Proposition and one committee to prepare arguments advocating voters' rejection of the Proposition:

Committee to prepare arguments for Proposition:

1. Richard May
2. Amy Ernlund

Committee to prepare arguments against Proposition:

1. Jay Taber

Section 5. Severability. If any provision of this Resolution is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this Resolution and shall in no way

affect the validity of the other provisions of this Resolution or of any other ordinance or Resolution.

Section 6. Effective Date. This resolution shall take effect immediately upon its passage and adoption.

Passed by majority vote of the City of Blaine City Council in open meeting this 14 day of July, 2025.

CITY OF BLAINE COUNCIL

Mary Lou Steward

MARY LOU STEWARD, Mayor

ATTEST/AUTHENTICATE:

Samuel Crawford, City Clerk

EXHIBIT A
DESCRIPTION OF TERRITORY TO BE EXCLUDED FROM THE CITY OF BLAINE

THE FOLLOWING DESCRIBED TRACTS:

GOVERNMENT LOTS 1 AND 2, TOGETHER WITH THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 41 NORTH RANGE 1 EAST OF W.M.

GOVERNMENT LOTS 1, 2, 3 AND 4, TOGETHER WITH THE SOUTH HALF OF SECTION 34, TOWNSHIP 41 NORTH RANGE 1 EAST OF W.M.

GOVERNMENT LOT 4, TOGETHER WITH THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 41 NORTH RANGE 1 EAST OF W.M.

ALL OF H STREET ROAD RIGHT-OF-WAY ABUTTING THE ABOVE DESCRIBED PARCELS LYING WITHIN SECTIONS 2, 3 AND 4, TOWNSHIP 40 NORTH, RANGE 1 EAST OF W.M.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, COVENANTS, RESTRICTIONS AND/OR AGREEMENTS OF RECORD OR OTHERWISE

EXHIBIT B
DEPICTION OF THE TERRITORY TO BE EXCLUDED FROM THE CITY OF BLAINE

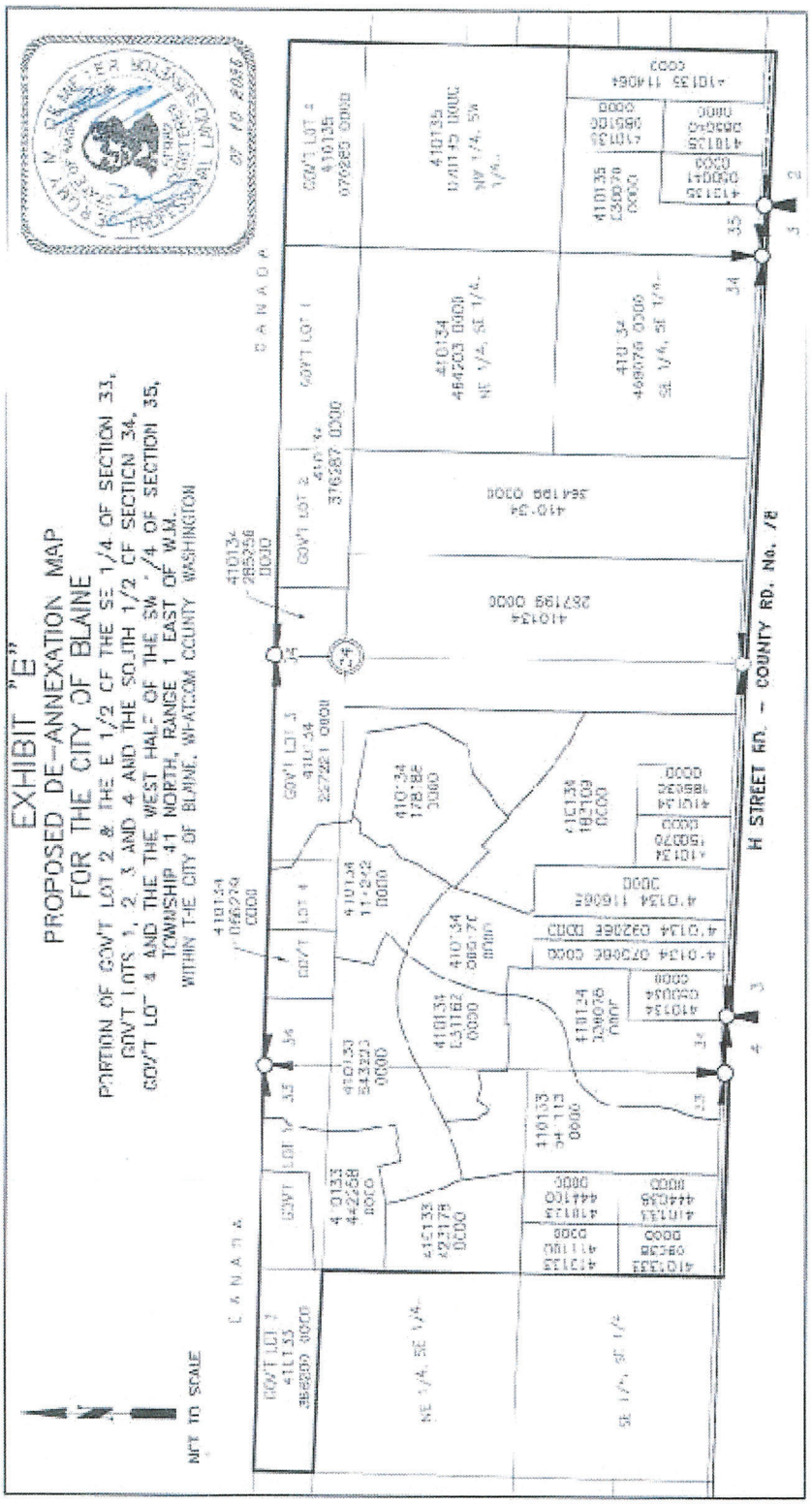


EXHIBIT C
BALLOT PROPOSITION

CITY OF BLAINE

PROPOSITION NO. 1

REDUCTION OF CITY LIMITS

The City Council of the City of Blaine adopted Resolution No. 1982-25 concerning removal of rural East Blaine land from City corporate limits.

This measure would authorize the City of Blaine to remove 573.0 acres more or less of undeveloped rural land from the City limits in accordance with Chapter 35A.16 RCW. The land includes the most eastern portion of the City limits and is located north of H Street and south of the Canadian border. The land lacks urban infrastructure and is anticipated to remain rural for the foreseeable future.

Should this proposition be approved?

☐ . . . . Yes

☐ . . . . No

EXHIBIT D
GENERAL DESCRIPTION OF CORPORATE CITY LIMITS AFTER REMOVAL OF THE SUBJECT TERRITORY

CURRENT CITY LIMITS EXCEPT THE FOLLOWING DESCRIBED TRACTS:

GOVERNMENT LOTS 1 AND 2, TOGETHER WITH THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 41 NORTH RANGE 1 EAST OF W.M.

GOVERNMENT LOTS 1, 2, 3 AND 4, TOGETHER WITH THE SOUTH HALF OF SECTION 34, TOWNSHIP 41 NORTH RANGE 1 EAST OF W.M.

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SITUATE IN WHATCOM COUNTY, WASHINGTON.

SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, COVENANTS, RESTRICTIONS AND/OR AGREEMENTS OF RECORD OR OTHERWISE

EXHIBIT E
CURRENT CITY OF BLAINE LIMITS

