

RESOLUTION NO. 2025-__

**RESOLUTION APPROVING A REVISION TO THE CORPORATE BOUNDARIES OF
THE CITY OF LYNDEN TO INCLUDE A PORTION OF FLYNN ROAD RIGHT-OF-
WAY**

WHEREAS, the City of Lynden ("City") adopted Ordinance No. 24-1692 on October 7, 2024, annexing approximately 279 acres of the Southwest Urban Growth Area into the City; and

WHEREAS, a portion of the Flynn Road Right-of-Way ("Flynn Road ROW"), as legally described in **Exhibit A**, was inadvertently omitted from the aforementioned annexation because it was believed to have been incorporated into the City by Ordinance No. 1561 in 2018; and

WHEREAS, the Washington State Office of Financial Management and the Washington State Department of Transportation requested that the City amend its annexation ordinance to include the omitted Flynn Road ROW and clarify the corporate boundaries; and

WHEREAS, RCW 35A.21.210 authorizes a code city and the county in which it is located to revise corporate boundaries to include or exclude a portion of a public street or road right-of-way, with such revision becoming effective upon approval by both the city (by ordinance) and the county (by ordinance or resolution); and

WHEREAS, the City of Lynden has adopted Ordinance No. 25-1710 to revise its corporate boundaries to include the omitted portion of the Flynn Road ROW, thereby adjusting the City's corporate boundary as legally described in **Exhibit B** and depicted in **Exhibit C** attached hereto; and

WHEREAS, Whatcom County desires to approve this revision consistent with RCW 35A.21.210;

NOW, THEREFORE, BE IT RESOLVED that the Whatcom County Council approves the revision of the corporate boundaries of the City of Lynden to include the portion of Flynn Road Right-of-Way previously omitted, consistent with the boundaries described in City of Lynden Ordinance No.25-1710.

APPROVED this ____ day of _____, 2025.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Cathy Halka, Council Clerk

Kaylee Galloway,
Council Chair

APPROVED AS TO FORM:

Greg Greenan, Civil Deputy Prosecutor

EXHIBIT A

TOGETHER WITH THAT PORTION OF COUNTY ROAD No. 79, COMMONLY KNOWN AS FLYNN ROAD, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT A, STUIT FAMILY SHORT PLAT, RECORDED UNDER AUDITOR'S FILE No. 2021-0803986; THENCE RUNNING NORTHWESTERLY PERPENDICULAR TO THE SOUTH RIGHT-OF-WAY LINE OF SAID FLYNN ROAD TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID FLYNN ROAD; THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE TO THE WEST RIGHT-OF-WAY LINE OF BAY LYN ROAD; THENCE SOUTHERLY AND EASTERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID FLYNN ROAD; THENCE SOUTHWESTERLY ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

EXHIBIT B

DESCRIPTION OF PROPOSED ANNEXATION AREA

ALL THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 40, RANGE 2 EAST OF W.M.,

TOGETHER WITH ALL THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25, LYING NORTHWESTERLY OF THE SOUTH RIGHT-OF-WAY LINE OF FLYNN ROAD AND WESTERLY OF THE WEST RIGHT-OF-WAY LINE OF BAY LYN ROAD AND SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF BIRCH BAY LYNDEN ROAD;

EXCEPT THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER LYING SOUTHERLY AND EASTERLY OF THE EASTERLY AND SOUTHERLY BANK OF THE UNNAMED CREEK AND LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTHWESTERLY LINE OF WHATCOM COUNTY ROAD NO. 51 AND THE NORTHWESTERLY LINE OF WHATCOM COUNTY ROAD No. 79; THENCE SOUTH 51° 09' WEST ALONG THE NORTHWESTERLY LINE OF COUNTY ROAD No. 79 A DISTANCE OF 672.6 FEET TO THE TRUE POINT OF BEGINNING OF THIS LINE DESCRIPTION; THENCE NORTH 38°51' WEST A DISTANCE OF 568 FEET MORE OR LESS TO THE SOUTHERLY BANK OF SAID UNNAMED CREEK AND THE TERMINUS OF THIS LINE DESCRIPTION.

TOGETHER WITH THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 2 EAST OF W.M., EXCEPT THE FOLLOWING DESCRIBED TRACT: BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER QUARTER; THENCE SOUTH ALONG THE EAST LINE 726 FEET; THENCE WEST 339 FEET, MORE OR LESS, TO THE EAST BANK OF DUFFNER DITCH; THENCE NORTH AND EASTERLY ALONG THE EAST SIDE OF DUFFNER DITCH TO THE NORTH LINE OF SAID QUARTER QUARTER; THENCE EAST ALONG THE NORTH LINE OF SAID QUARTER QUARTER 342 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, LESS ROADS AND LESS DITCHES.

TOGETHER WITH ANY PORTION OF COUNTY ROAD No. 79, COMMONLY KNOWN AS FLYNN ROAD, LYING WITHIN SAID QUARTER QUARTER.

TOGETHER WITH THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 2 EAST OF W.M.; LESS THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER.

TOGETHER WITH THE EAST 18 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 2 EAST OF W.M., EXCEPT THE NORTH HALF OF THE NORTH HALF OF SAID SOUTHEAST QUARTER.

TOGETHER WITH ALL OF COUNTY ROAD No. 79, COMMONLY KNOWN AS FLYNN ROAD, LYING WITHIN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 25.

SITUATE IN WHATCOM COUNTY, WASHINGTON.



EXHIBIT "C"
DEPICTING PROPOSED ANNEXATION AREA
WITHIN THE CITY OF LYNDEN AND WHATCOM COUNTY, WASHINGTON

