

65408-0

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No. 65408-0

COURT OF APPEALS, DIVISION I,  
OF THE STATE OF WASHINGTON

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In re City of Lynnwood North-East-South  
Annexation Proposal, Snohomish County, Washington:  
File No. 01-2009

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CITY OF MILL CREEK, a Washington municipal  
corporation,

Appellant,

v.

WASHINGTON STATE BOUNDARY REVIEW BOARD  
FOR SNOHOMISH COUNTY, CITY OF LYNNWOOD, a  
Washington municipal corporation; SNOHOMISH  
COUNTY, a Washington municipal corporation; CITY OF  
MUKILTEO, a Washington municipal corporation;  
SNOHOMISH COUNTY FIRE DISTRICT NO. 7, a  
Washington municipal corporation; SNOHOMISH  
COUNTY FIRE DISTRICT NO. 1, a Washington  
municipal corporation; OPUS NORTHWEST, LLC;  
GORDON NESS; CLINT OLSON; and MARK BEALES,

Respondents.

FILED  
COURT OF APPEALS  
STATE OF WASHINGTON  
2010 SEP -9 PM 3:16

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RESPONDENT CITY OF MUKILTEO'S RESPONSE

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**I. INTRODUCTION**

This Response is submitted on behalf of the City of Mukilteo, a municipal corporation of the State of Washington.

Appellant City of Mill Creek asks this Court to reverse that portion of the decision of the Washington State Boundary Review Board for Snohomish County (“Board”) approving the City of Lynnwood’s annexation of area lying east of Interstate 5 and north of Interstate 405 within Mill Creek’s urban growth area. The City of Mukilteo provided comment at the public hearing before the Board which preceded the decision that is the subject of this appeal, and was thus named a respondent.

**II. ARGUMENT / CONCLUSION**

The City of Mukilteo did not take any position on the issues presented to the Superior Court on its review of the Board decision.

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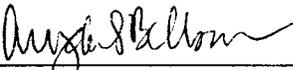
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Likewise, the City of Mukilteo does not take any position in this Court on the issues raised in this appeal.

DATED this 8<sup>th</sup> day of September, 2010.

Respectfully submitted,

OGDEN MURPHY WALLACE, P.L.L.C.

By 

Angela S. Belbeck, WSBA #24482  
Attorneys for City of Mukilteo

CERTIFICATE OF SERVICE

I, Gloria J. Zak, hereby certify that on September 8, 2010, I caused a true and correct copy of the foregoing documents to be delivered via e-mail and first class mail to the following attorneys of record:

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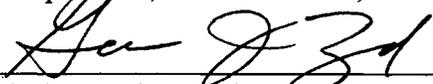
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I certify under penalty of perjury under the laws of the state of  
Washington that the foregoing is true and correct.

DATED this 8 day of September, 2010 at Seattle, Washington.

  
\_\_\_\_\_  
Gloria J. Zak, Legal Assistant to  
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