

**ORDINANCE NO. 1681-10**

**AN ORDINANCE TO ANNEX INTO THE CITY OF SEDRO-WOOLLEY  
APPROXIMATELY 22.06 ACRES OF REAL PROPERTY CONTIGUOUS TO  
THE WESTERN PORTION OF THE CITY – KNOWN AS THE GARDEN OF  
EDEN/ WESTERMAN ROAD ANNEXATION**

WHEREAS Margaret and Charles Coultas and Alex Coble, owners of real property contiguous to the City limits and within the Sedro-Woolley urban growth area, initiated proceedings to annex the real property to the City by filing separate notices of intent to commence annexation proceedings; and

WHEREAS, the two separate notices were for neighboring properties in the urban growth area generally to the north and west of the City, the two notices were combined into one annexation request and forwarded to the City Council for consideration; and

WHEREAS, the City Council held a meeting with the initiating parties as required by RCW 35A.14.120, whereat the City Council agreed to accept a Petition for Annexation between the initiating parties and the City; and

WHEREAS, the initiating parties, represented by Joe Franett, another owner of real property in the proposed annexation area, filed a Petition for Annexation with the City; and

WHEREAS, the City received a Petition for Annexation for 22.06 acres of property in the urban growth area, signed by property owners of not less than 60% of the total assessed value of the annexation area as required by RCW 35A.14.120; and

WHEREAS, the Skagit County Assessor issued a Certification of Petition on February 10, 2010 certifying that the Petition for Annexation meets the 60% ownership criteria of RCW 35A.14.120; and

WHEREAS, pursuant to the requirements of RCW 35A.14.130, the City Council held a public hearing on March 10, 2010 to consider the annexation petition. The public hearing was advertised in the local newspaper and posted on three locations in the annexation area; and

WHEREAS, the City Council determined that the Petition for Annexation meets the requirements of RCW 35A.14.120-150 and is sufficient according to the requirements of RCW 35A.14.120; and

WHEREAS, the City Council passed resolution No. 825-10 which accepted the request for the proposed annexation subject to simultaneous adoption of the City Comprehensive Plan zoning and the assumption of a pro-rata share of indebtedness of the City which has been approved by the voters, contracted, or incurred prior to, or existing at the date of annexation; and

**WHEREAS**, attached as Exhibit "A" is a legal description and attached as Exhibit "B" is a map of the property to be annexed; and

**WHEREAS**, the property's proposed zoning designations were determined during previous Urban Growth Area expansion hearings at which time the designation of Residential-5 was assigned; now, therefore,

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY DOES ORDAIN AS FOLLOWS:**

**Section 1.** That the real property described in Exhibit "A" and depicted in Exhibit "B" attached hereto is hereby annexed into the City of Sedro-Woolley; and that the corporate city limits of the City of Sedro-Woolley shall include the property and territory hereinbefore fully described; and

**Section 2.** The property within the annexation area shall be subject to the laws and regulations of the City of Sedro-Woolley, as now and hereafter adopted; and

**Section 3.** The property within the annexation area shall be subject to and assume a pro-rata share of indebtedness of the City which has been approved by the voters, contracted, or incurred prior to, or existing at the date of annexation; and

**Section 4.** The property within the annexation area shall be subject to the Residential-5 land use classification and zoning designations as set forth on the current Sedro-Woolley Comprehensive Plan and Zoning Code maps; and

**Section 5.** That the City Clerk is instructed to file a certified copy of this ordinance with the Skagit County Commissioners, the Skagit County Auditor, the Skagit County Assessor and the Skagit County Boundary Review Board; and

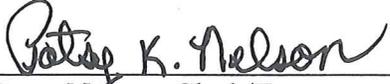
**Section 6.** That the Planning Director shall file a Certificate of Annexation with the state Office of Financial Management not later than 30 days of the effective date of this annexation; and

**Section 7.** That this ordinance shall be in full force and effect thirty (30) days after publication of a summary thereof.

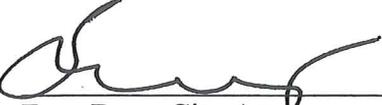
**PASSED** by majority vote of the members of the Sedro-Woolley City Council  
this 8<sup>th</sup> day of September, 2010.

  
\_\_\_\_\_  
Mike Anderson, Mayor

Attest:

  
\_\_\_\_\_  
Patsy Nelson, Clerk/Treasurer

Approved as to form:

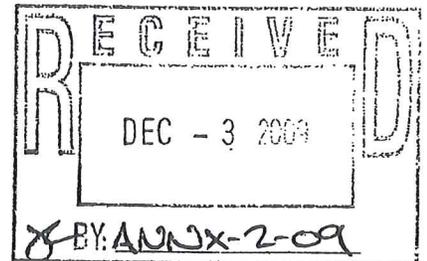
  
\_\_\_\_\_  
Eron Berg, City Attorney

 **Skagit**  
**Surveyors & Engineers**

806 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

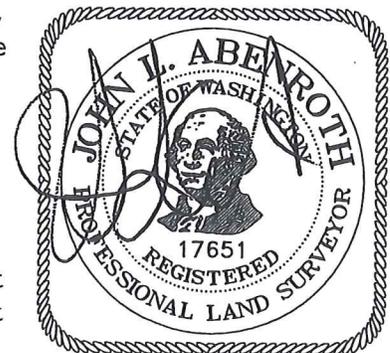
LEGAL DESCRIPTION  
FOR  
JOE FRANETT  
OF  
PROPOSED ANNEXATION

August 31, 2009  
Revised November 10, 2009



A portion of the south half of the southeast quarter of Section 14, Township 35 North, Range 4 East, W.M. described as follows:

Beginning at the intersection of the east line of the southwest quarter of the southeast quarter of said Section 14 with the north line of West Jones Road; thence S 89°14'39"W along the north line of West Jones Road, a distance of 330.00 feet; thence N 2°51'20"W, a distance of 10.01 feet to the southeast corner of Lot 1 of Skagit County Short Plat No. 2-82 filed in Volume 5 of Short Plats at page 171, records of Skagit County; thence S 89°14'39"W along the north line of the West Jones Road, a distance of 88.69 feet to its intersection with the northeasterly line of the F & S Grade Road; thence S 76°01'28"W, a distance of 131.18 feet to the intersection of the southwesterly line of the F & S Grade Road with the south line of said Section 14; thence N 54°18'33"W along the southwesterly line of the F & S Grade Road, a distance of 180.85 feet; thence N 35°41'27"E, a distance of 100.00' to the east line of the Westerman Road at the southwest corner of Lot 2 of said Skagit County Short Plat No. 2-82; thence N 2°51'52"W along the east line of the Westerman Road, a distance of 1120.16 feet to its intersection with the north line of the south half of the southeast quarter of said Section 14; thence N 88°55'47"E along the north line of the south half of the southeast quarter of said Section 14, a distance of 296.80 feet to the west line of the east 330 feet of the southwest quarter of the southeast quarter of said Section 14; thence S 2°51'20"E along the west line of said east 330 feet, a distance of 654.89 feet to the northwest corner of the south half of said east 330 feet; thence N 89°05'13"E along the north line of the south half of said east 330 feet to the northeast corner thereof; thence N 2°51'10"W along the west line of the southeast quarter of the southeast quarter of said Section 14, a distance of 163.95



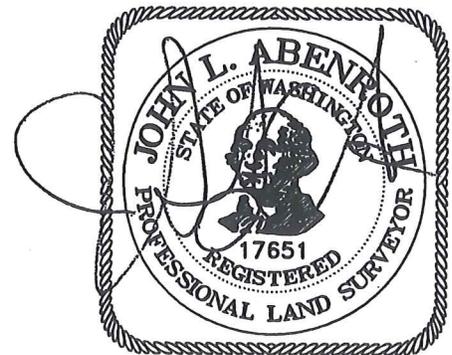
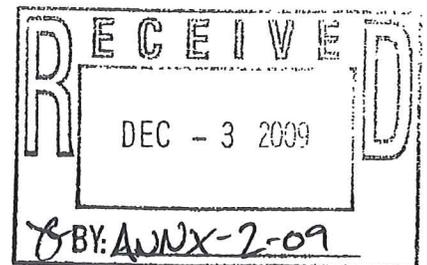
11/10/09  
**EXHIBIT A**

**Skagit**  
**Surveyors & Engineers**

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feet to the northwest corner of the south half of the south half of the northwest quarter of the southeast quarter of the southeast quarter of said Section 14; thence N 89°02'52"E along the north line of the south half of the south half of the northwest quarter of the southeast quarter of the southeast quarter of said Section 14, a distance of 636.75 feet to the west line of the Garden of Eden Road; thence S 2°50'28"E along the west line of Garden of Eden Road, a distance of 576.76 feet to the north line of the south 245 feet of the southwest quarter of the southeast quarter of the southeast quarter of said Section 14, which point is on the north line of the existing city limits of the City of Sedro-Woolley; thence N 89°14'39"W along the north line of said south 245 feet and the city limits line, a distance of 636.71 feet to the east line of the southwest quarter of the southeast quarter of said Section 14; thence S 2°51'10"E along the east line of the southwest quarter of the southeast quarter of said Section 14, a distance of 225.15 feet to the point of beginning of this description.

Containing 22.06 Acres.



11/10/09

RECEIVED  
DEC - 3 '09  
BY: ANNEX-2-09

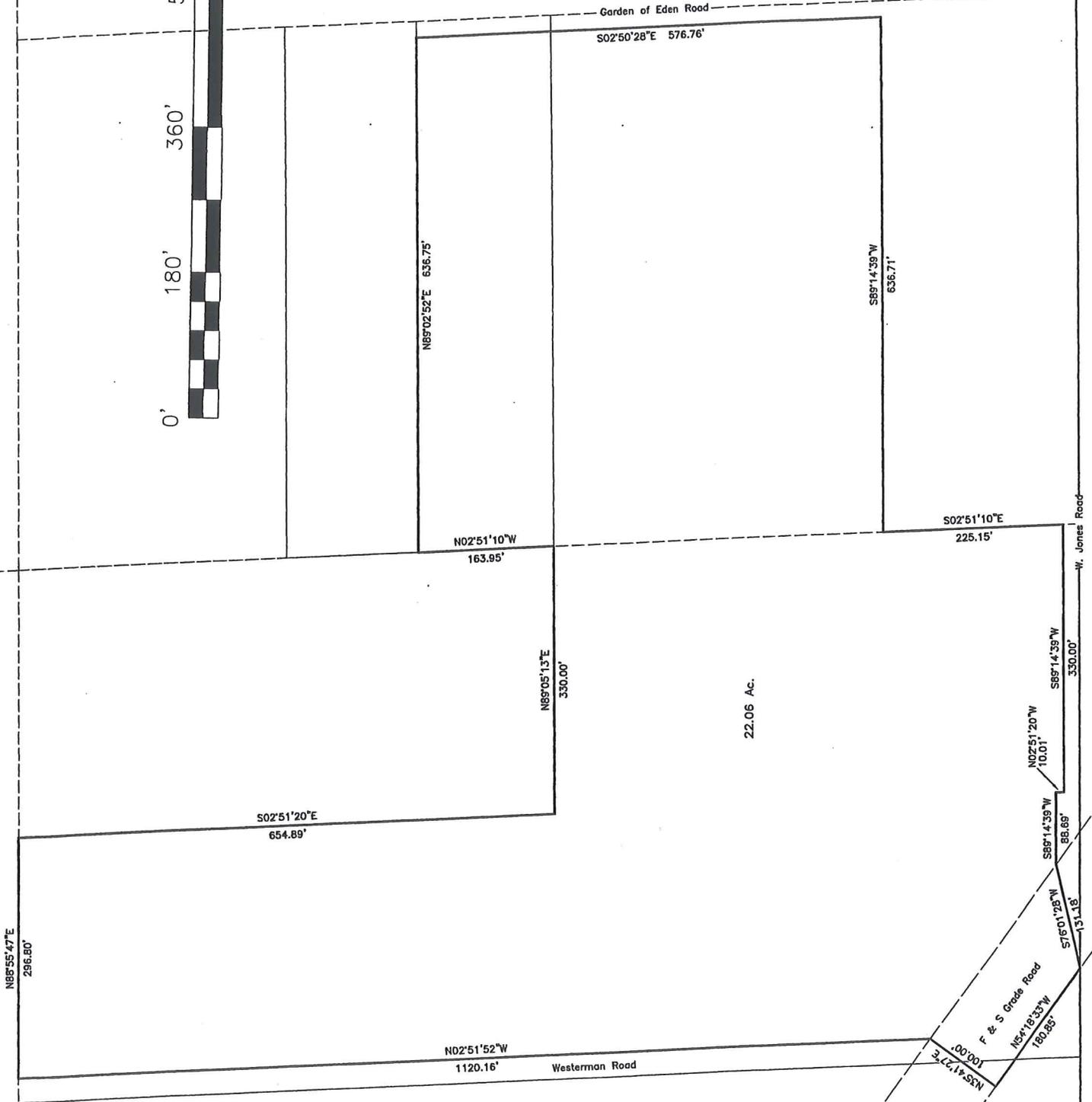


EXHIBIT B