

ORDINANCE NO. 343
ANNEXING TO THE TOWN OF HAMILTON CERTAIN REAL
PROPERTY CONSISTING OF P41064, P41077 AND ADJACENT SKAGIT
COUNTY ROADS

WHEREAS, a Notice of Intent to Annex, signed by the owners of 100% of the property hereinafter described as Exhibit A attached hereto and incorporated by this reference as if fully set forth, was received by the Town of Hamilton; and

WHEREAS, the Town Council met and discussed the annexation of the site at the Council meeting on June 11th 2019, within sixty (60) days of receipt of the said Notice of Intent to Annex, determined that said petition was sufficient to meet the requirements established by the Council, and set a public hearing for July 8th 2019; and

WHEREAS, pursuant to property notice as posted and published according to law a public hearing was held on said petition on July 8th, 2019; and

WHEREAS, the Town Council voted to approve the annexation at the Hamilton Town Council meeting on July 9th, 2019; and

WHEREAS, the Notice of Intention was filed on August 6th, 2019 with the Skagit County Boundary Review Board; and

WHEREAS, during the open comment period, Skagit County requested to add certain roadways that are adjacent to the proposed annexation to the annexation request; and

WHEREAS, the Hamilton Town Council accepted Skagit County's addition, adopting Resolution 07-2019 to accept the annexation of P41064, P41077, and the adjacent roadways at the Council meeting on September 10th, 2019; and

WHEREAS, the Boundary Review Board accepted the amended annexation request before the end of the comment period; and

WHEREAS, the Boundary Review Board comment period ended September 19th, 2019 with no appeals filed;

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF HAMILTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. ANNEXATION. The real property described on Exhibit A attached hereto and incorporated herein by this reference as if fully set forth, shall be and hereby is annexed to and made part of the Town of Hamilton.

SECTION 2. INDEBTEDNESS. Pursuant to the petition for Annexation all property within the territory annexed hereby shall be assessed and taxed at the same rate and on the same basis as property within the Town, provided that the territory hereby annexed shall assume the territory's share of the bonded indebtedness of the Town of Hamilton existing as of the effective date of the annexation.

SECTION 3. ZONING. Pursuant to the Comprehensive Plan of the Town of Hamilton, the territory hereby annexed shall be subject to the development regulations adopted by ordinance of even date.

SECTION 4. DUTIES OF THE TOWN PLANNER. The Planning Director is hereby directed to file a certified copy of this ordinance with the Board of County Commissioners of Skagit County and the County Auditor, and to take the Census and file a Certificate of Annexation with the State Office of Financial Management as set forth in RCS 35.13.260, and to provide notification to the affected governmental agencies as may provide services within the area to be annexed; and to such corporations and entities as may have franchises within the area to be annexed, including the effective date of this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in full force and effect on the latter of five (5) days after its passage, approval and publication as provided by law, or October 31, 2019.

SECTION 6. INVALIDITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of law, the invalidity shall not affect the validity of any other section, clause, or phrase of this ordinance.

INTRODUCED AND PASSED and approved at a regular meeting of the Town Council of the Town of Hamilton this 8th day of October 2019.

Joan Cromley, Mayor

ATTEST: _____
Elizabeth Easterday
Town Clerk/Treasurer

EXHIBIT A

PARCEL: 41064

The East 1/2 of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 in Section 11, Township 35 North, Range 6 East, W.M.; EXCEPT county roads as granted under Auditor's File Nos. 39103 and 39104, records of Skagit County, Washington; that portion acquired by the State of Washington for highway purposes by deed recorded February 25, 1965 under Auditor's File No. 662552 and by condemnation action under Skagit County Superior Court Cause No. 25059. ALSO EXCEPT additional portions thereof, if any, lying within the existing road right-of-way known as the Walders Road.

PARCEL 41077:

The Southeast 1/4 of the Southeast 1/4 in Section 11, Township 35 North, Range 6 East, W.M.; EXCEPT that portion thereof conveyed to Skagit County for road purposes by deed recorded April 6, 1903 as Auditor's File No. 43666. ALSO EXCEPT that portion acquired by the State of Washington for highway purposes, by deed recorded February 25, 1965 under Auditor's File No. 662552 and by condemnation action under Skagit County Superior Court Cause No. 25059. ALSO EXCEPT additional portions thereof, if any, lying within the existing road right-of-way known as the Walders Road.

Skagit County Roadways:

That portion of the Hamilton Cemetery Road, described in Quit Claim Deed, No. 39104, recorded Volume 46 of Deeds, Page 318, lying south of a point described as being 618.62 feet south and 311.95 feet west of NW corner of the SE ¼ of the SE ¼, Section 11, Township 35 North, Range 6 East of the Willamette Meridian. Said point also lying east of the northerly line of Shiloh Lane as platted in the Plat of "Max Sutton Estates", recorded in Volume 15 of Plats, Page 128.

Together with that portion of the Hamilton Cemetery Road, described in Quit Claim Deed No. 94021, recorded in Volume 90 of Deeds, Page 553, lying south of a point described as being 618.62 feet south and 311.95 feet west of the NW corner of the SE ¼ of the SE ¼, Section 11, Township 35 North, Range 6 East of the Willamette Meridian. Said point also lying east of the northerly line of Shiloh Lane as platted in the Plat of "Max Sutton Estates", recorded in Volume 15 of Plats, Page 128.

Together with that portion of the Hamilton Cemetery Road, described in Warranty Deed No. 662552, recorded in Volume 344 of Deeds, Page 145.

Together with all that portion of the Hamilton Cemetery Road, described in Quit Claim deed No. 39103, recorded in Volume 46 of Deeds, Page 317.

Together with that portion of the Hamilton Cemetery Road, described in Right of Way Deed No. 877692, recorded in Volume 313 of Deeds, page 164.

Together with that portion of Walders Road lying west of the west line of the SE $\frac{1}{4}$ of the Se $\frac{1}{4}$, Section 11, Township 35 North, Range 6 East of the Willamette Meridian