

**CITY OF STANWOOD
WASHINGTON**

ORDINANCE NO. 1446

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON APPROVING ANNEXATION OF CERTAIN UNINCORPORATED AREA, KNOWN AS THE SCHMAKEIT ANNEXATION, INTO THE CITY, AND INCORPORATING THE SAME WITHIN THE CORPORATE LIMITS THEREOF, PROVIDING FOR THE ASSUMPTION OF EXISTING INDEBTEDNESS, REQUIRING SAID PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN SAID CITY, IMPOSING THE CITY'S COMPREHENSIVE LAND USE DESIGNATION, AND THE ZONING DESIGNATION UNDER THE OFFICIAL ZONING MAP ESTABLISHED BY SAID CITY.

WHEREAS, the City of Stanwood has received a petition for annexation pursuant to RCW 35A.14.120 of certain property generally located north of Jensen Road, east of 68th Avenue NW (Cedarhome Road), and south of approximately 287th Place NW alignment, being located in Section 17 and 20, Township 32 North, Range 04 East, said properties being contiguous to the city limits and legally described in **Exhibit A** attached hereto with a County Parcel Numbers of 320420-001-005-01, 320420-001-005-00, 320417-004-011-00, 320417-004-013-00, 320420-001-006-00, 320420-001-007-00, 320417-004-012-00 and 320417-004-015-00); and

WHEREAS, the City received a 10% Petition Notice of Intent to Annex pursuant to the so-called Direct Petition Method of RCW 35A.14.120, and the City Council accepted the proposal at its June 9, 2016 Council meeting; and

WHEREAS, the City received a Petition for Annexation which included signatures of owners of record of more than 60% of the assessed value of the Annexation Territory on November 23, 2016; and

WHEREAS, the City submitted the Petition for Annexation to the Snohomish County Assessor in November of 2016 for a determination of sufficiency; and

WHEREAS, the Snohomish County Assessor certified on December 7, 2016 that the petition signatures, provided in compliance with RCW 35A.14.120 through 35A.14.150, have an assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area; and

WHEREAS, a duly advertised public hearing was held on said annexation petition before the Stanwood City Council on February 23, 2017, and the City Council heard testimony from staff, the applicant and the public, and was fully advised in the premises; and

WHEREAS, the City Council unanimously approved the motion to “authorize the Mayor to sign Resolution 2017-02 and to allow staff to submit to the Snohomish County Boundary Review Board for review and consideration the 60% annexation petition for the Schmakeit Annexation; and

WHEREAS, the City Council also declared in Resolution 2017-02, “upon annexation, the property shall be subject to the City of Stanwood Comprehensive Plan and zoning regulations as adopted. Also, the City Council declared upon annexation of the property it shall have the “Zoning and Comprehensive Plan designation of Traditional Neighborhood (TN)”;

WHEREAS, City staff submitted on March 17, 2017 the proposed annexation to the Boundary Review Board and asked it to waive the 45-day review period as provided in RCW 36.93.110 for annexation consisting of less than 10 acres and less than \$2,000,000 in assessed valuation; and

WHEREAS, the proposed annexation area is comprised of seven parcels (49.64 acres) with proposed Comprehensive land use designations Traditional Neighborhood (TN) and proposed zoning designation of Traditional Neighborhood (TN) upon annexation; and

WHEREAS, upon annexation, the annexation area should be subject to the assumption of existing indebtedness and be assessed and taxed at the same rate and basis as other property within the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Annexation. The property legally described in **Exhibit A** and the boundaries depicted on the map attached as **Exhibit B** is hereby approved for annexation into the City of Stanwood.

Section 2. Assessment and Taxation. The property described in **Exhibit A**, shall be assessed and taxed at the same rate and on the same basis as other property within the City of Stanwood, including assessments or taxes for the payment of its pro rata share and all outstanding indebtedness of the City contracted or incurred prior to or existing on the effective date of the annexation is hereby imposed on said property in common with all properties within the City of Stanwood.

Section 3. Land Use Designation. The property described in **Exhibit A** hereby is subject to the City of Stanwood Comprehensive Plan and zoning regulations as adopted. The property described in **Exhibit A** hereby is designated Traditional Neighborhood (TN) under the City’s zoning regulations.

Section 4. Severability. The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is

adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 5. Transmittal. The City Clerk shall:

1. File two certified copy of this ordinance, with the Snohomish County Boundary Review Board.
2. Record a certified and true copy of this Ordinance with the Snohomish County Auditor.
3. Provide notice of this annexation to the Office of Financial Management pursuant to RCW 35A.14.700.
4. Provide other notices as deemed necessary.

Section 6. Effective Date. This Ordinance shall take effect from and after five (5) days after its passage and publication as required by law.

PASSED AND APPROVED by the Stanwood City Council this _____ day of _____
_____ 2017.

CITY OF STANWOOD

Leonard Kelley, Mayor

ATTEST:

By: _____
David Hammond, City Clerk

APPROVED AS TO FORM:

By: _____
Grant Weed, City Attorney

Date of Publication: _____

Effective Date: _____

EXHIBIT A

Schmakeit Annexation to Stanwood

LEGAL DESCRIPTION:

THOSE PORTIONS OF SECTIONS 17 AND 20, TOWNSHIP 32 NORTH, RANGE 4 EAST, DESCRIBED AS FOLLOWS:

COMMENCING AT THE QUARTER SECTION CORNER COMMON TO SECTIONS 17 AND 20;

THENCE NORTH 87°53'42" EAST ALONG THE NORTH LINE OF SAID SECTION 20, A DISTANCE OF 30 FEET TO THE EAST MARGIN OF 68TH AVENUE NW AND THE EAST LINE OF THE CITY OF STANWOOD PER ORDINANCE NO. 1166 AND THE TRUE POINT OF BEGINNING;

THENCE NORTH 01°26'17" EAST PARALLEL WITH THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 17 ALONG SAID EAST MARGIN AND SAID EAST LINE OF ORDINANCE NO. 1166, A DISTANCE OF 990 FEET;

THENCE NORTH 87°53'42" EAST, PARALLEL WITH THE NORTH LINE OF SECTION 20 A DISTANCE OF 932.81 FEET, MORE OR LESS TO THE WEST LINE OF THE EAST 440.22 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 17;

THENCE SOUTH 01°28'21" WEST, ALONG SAID WEST LINE, A DISTANCE OF 960 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTH 30 FEET OF SAID SOUTHEAST QUARTER AND THE NORTH MARGIN OF VILLAGE ROAD;

THENCE NORTH 87°53'42" EAST ALONG SAID LINE, A DISTANCE OF 687.29 FEET, MORE OR LESS TO A POINT THAT IS 30 FEET NORTH AND 1,650 EAST OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 17;

THENCE SOUTH 0°37'49" WEST, PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 20 A DISTANCE OF 30 FEET TO A POINT ON THE SOUTH LINE OF SD SECTION LYING 1650 FEET EASTERLY OF THE SOUTHWEST CORNER THEREOF;

THENCE CONTINUING SOUTH 0°37'49" WEST, A DISTANCE OF 1202.48 FEET TO THE NORTHEASTERLY MARGIN OF JENSEN ROAD;

THENCE SOUTHWEST, PERPENDICULAR TO THE JENSEN ROAD, A DISTANCE OF 60 FEET TO THE SOUTHWESTERLY MARGIN OF JENSEN ROAD;

THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY MARGIN TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 20 AND THE EAST LINE OF ORDINANCE 1166;

THENCE NORTH 0°51'44" EAST, ALONG SAID EAST LINE OF ORDINANCE 1166, TO THE NORTH MARGIN OF JENSEN ROAD;

THENCE WESTERLY ALONG SAID NORTH MARGIN AND THE CITY OF STANWOOD ORDINANCE 1166 TO A POINT THAT IS 990 FEET EAST OF THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20 AND THE EAST LINE OF ORDINANCE NUMBER 1422 TO THE CITY OF STANWOOD;

THENCE NORTH ALONG SAID EAST LINE OF ORDINANCE TO THE NORTHEAST CORNER THEREOF;

EXHIBIT A

**THENCE WEST ALONG THE NORTH LINE OF SAID ORDINANCE NUMBER 1422 TO THE EAST LINE OF THE WEST 30 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 20 AND THE EAST LINE OF ORDINANCE 1166, AND THE EAST MARGIN OF 68TH AVE NW;
THENCE NORTH ALONG SAID LINE, A DISTANCE OF 548.78 FEET TO THE POINT OF BEGINNING.**

EXHIBIT B

Proposed Annexation Area: Schmakeit Annexation to Stanwood

