

**CITY OF STANWOOD
WASHINGTON**

ORDINANCE NO. 1425

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON APPROVING ANNEXATION OF CERTAIN UNINCORPORATED AREA, KNOWN AS THE OVENELL 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 now has received a petition for annexation pursuant to RCW 35A.14.120 of certain property generally located at the western end of the City, south of SR 532 and west of 104th Dr., being in Sections 23, 24 and 25, Township 32 North, Range 03 East, W.M., said property being contiguous to the city limits and legally described in **Exhibit A** attached hereto with a County Parcel Number(s) of 32032400305600, 32032300401200, 32032400300300, 32032300400700, and 320323004003000; and

WHEREAS, the City prior to the Petition received 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 October 28, 2015, 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 March 3, 2016; and

WHEREAS, the City submitted the Petition for Annexation to the Snohomish County Assessor on March 7, 2016 for a determination of sufficiency; and

WHEREAS, the Snohomish County Assessor certified on March 10, 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 April 14, 2016, 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 2016-08 and to allow staff to submit to the Snohomish County Boundary Review Board for review and consideration the 60% annexation petition for the Ovenell Annexation”; and

WHEREAS, the City Council also declared in Resolution 2016-08, “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 General Commercial (GC) and General Industrial (GI)”;

WHEREAS, City staff submitted on April 29, 2016 the proposed annexation to the Boundary Review Board; and

WHEREAS, the City received a letter from the Boundary Review Board on July 18, 2016 stating that no one requested a public hearing and that the City could proceed to final annexation; and

WHEREAS, the proposed annexation area is comprised of a five parcels (37.8 acres) with proposed Comprehensive land use designations (32032400305600, 32032300401200, 32032400300300, 32032300400700, and a portion of 32032300400300) General Commercial (GC) and a portion of parcel 32032300400300 is designated General Industrial (GI) on the Future Land Use Map and parcels 32032400305600, 32032300401200, 32032400300300, 32032300400700, and a portion of 32032300400300 are designated General Commercial (GC) and a portion of parcel 32032300400300 is designated General Industrial (GI) on the City zoning map 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 properties are legally described in **Exhibit A** and the boundaries depicted on the map attached as **Exhibit B** and the properties are hereby annexed into the City of Stanwood.

Section 2. Assessment and Taxation. The properties described in **Exhibit A**, shall be and hereby are 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 of all outstanding indebtedness of the City contracted or incurred prior to or existing on the effective date of the annexation.

Section 3. Land Use Designation. The properties described in **Exhibit A** hereby are subject to the City of Stanwood Comprehensive Plan and zoning regulations as adopted.

The properties described in **Exhibit A** hereby are designated General Commercial (GC) and General Industrial (GI) (Parcels 32032400305600, 32032300401200, 32032400300300, 32032300400700, and a portion of 32032300400300 are designated General Commercial (GC) and a portion of parcel 32032300400300 is designated General Industrial (GI)) 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 _____
_____ 2016.

CITY OF STANWOOD

Leonard Kelley, Mayor

ATTEST:

By: _____
Jan Berg, City Clerk

APPROVED AS TO FORM:

By: _____
Grant Weed, City Attorney

Date of Publication: _____

Effective Date: _____

EXHIBIT 1

Ovenell Annexation to Stanwood

LEGAL DESCRIPTION:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 23, THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 24, THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF SECTION 25 AND THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 32 NORTH, RANGE 3 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SECTION CORNER COMMON TO SAID SECTIONS 23, 24, 25 AND 26;

THENCE NORTH 01°15'14" EAST, ALONG THE SECTION LINE COMMON TO SECTIONS 23 AND 24, 495.88 FEET;

THENCE NORTH 88°44'46" WEST, 718.32 FEET TO THE NORTHERLY MARGIN OF SR 532 AT A POINT OPPOSITE AND 125.00 FEET NORTHWESTERLY OF P.C. STATION 131+11.12; SAID POINT BEING A POINT OF CURVE, THE CENTER OF WHICH BEARS SOUTH 20°33'50" EAST, 1557.50 FEET AND THE TRUE POINT OF BEGINNING;

THENCE EASTERLY ON SAID NORTHERLY MARGIN OF SR 532 AS CONVEYED TO THE STATE OF WASHINGTON BY INSTRUMENTS UNDER AUDITOR FILE NUMBERS 904468, 904469 AND 200911230275, THE FOLLOWING COURSES AND DISTANCES:

THENCE EASTERLY ON SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 20°49'00", AN ARC DISTANCE OF 565.87 FEET;

THENCE SOUTH 89°44'50" EAST, 1.90 FEET

THENCE NORTH 00°15'10" EAST, 45.00 FEET;

THENCE SOUTH 89°44'50" EAST, 205.00 FEET;

THENCE SOUTH 00°15'10" WEST, 70.00 FEET;

THENCE SOUTH 89°44'50" EAST, 200.00 FEET;

THENCE SOUTH 00°15'10" WEST, 25.00 FEET;

THENCE SOUTH 89°44'50" EAST, 650.00 FEET;

THENCE SOUTH 00°15'10" WEST, 35.00 FEET;

THENCE SOUTH 89°44'50" EAST, 34.13 FEET TO WEST LINE OF THE PLAT OF HALL'S ADDITION TO THE CITY OF STANWOOD ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 8 OF PLATS AT PAGE 12, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

THENCE SOUTH 10°17'01" WEST, ALONG SAID WEST LINE, 81.24 FEET TO THE SOUTHERLY MARGIN OF SAID SR 522 AS CONVEYED TO THE STATE OF WASHINGTON BY INSTRUMENTS UNDER AUDITOR FILE NUMBERS 904468 AND 904469;

THENCE NORTH 89°44'50" WEST, ALONG SAID SOUTHERLY MARGIN, 19.98 FEET;

THENCE SOUTH 00°15'10" WEST, ALONG SAID SOUTHERLY MARGIN, 35.00 FEET;

THENCE NORTH 89°44'50" WEST, ALONG SAID SOUTHERLY MARGIN, 15.60 FEET TO THE NORTHEAST CORNER OF THE PARCEL ANNEXED TO THE CITY OF STANWOOD PER ORDINANCE NO. 408, APPROVED DECEMBER 3, 1973;

THENCE, CONTINUING ALONG SAID SOUTHERLY MARGIN AND THE NORTH LINE OF SAID PARCEL ANNEXED TO THE CITY OF STANWOOD BY ORDINANCE NO. 408, NORTH 89°44'50" WEST, 446.30 FEET TO THE WEST LINE OF SAID PARCEL ANNEXED TO THE CITY OF STANWOOD BY ORDINANCE NO. 408;

THENCE SOUTH 02°36'55" WEST, ALONG SAID WEST LINE, 368.59 FEET TO THE SOUTH LINE OF SAID PARCEL ANNEXED TO THE CITY OF STANWOOD BY ORDINANCE NO. 408;

THENCE, NORTH 85°36'01" EAST, ALONG SAID SOUTH LINE, 36.00 FEET TO THE NORTHWEST CORNER OF THE PARCEL ANNEXED TO THE CITY OF STANWOOD PER ORDINANCE NO. 207, APPROVED DECEMBER 5, 1960;

THENCE SOUTH 05°20'43" WEST, ALONG THE WEST LINE OF SAID PARCEL ANNEXED TO THE CITY OF STANWOOD CITY LIMITS PER ORDINANCE NO. 207, A DISTANCE OF 244.70 FEET TO THE SOUTH LINE OF SAID PARCEL AND THE GLO MEANDER LINE;

THENCE SOUTH 81°15'49" EAST, ALONG SAID SOUTH LINE AND GLO MEANDER LINE, 272.62 FEET

THENCE, CONTINUING ALONG THE GLO MEANDER LINE, NORTH 83°48'27" EAST, 112.76 FEET TO THE ORDINARY HIGH WATER LINE OF THE STILLAGUAMISH RIVER;

THENCE ALONG SAID ORDINARY HIGH WATER LINE THE FOLLOWING COURSES

AND DISTANCES:

THENCE NORTH 74°15'12" EAST, 145.30 FEET;

THENCE NORTH 64°55'31" EAST, 591.08 FEET TO A POINT ON A CURVE, THE CENTER WHICH BEARS SOUTH 28°53'13" EAST, 1195.00 FEET;

THENCE EASTERLY ON SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 32°12'08", AN ARC DISTANCE OF 671.63 FEET TO A POINT ON A CURVE, THE CENTER WHICH BEARS SOUTH 05°04'05" WEST, 512.40 FEET;

THENCE SOUTHEASTERLY ON SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 42°25'30", AN ARC DISTANCE OF 379.41 FEET TO A POINT ON A CURVE, THE CENTER WHICH BEARS SOUTH 24°09'51" WEST, 1116.46 FEET;

THENCE SOUTHEASTERLY ON SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 35°19'13", AN ARC DISTANCE OF 688.25 FEET TO THE SOUTHEASTERLY LINE OF LOT 4 OF THE SHORT PLAT OF HAMILTON PROPERTIES, RECORDED UNDER AUDITOR FILE NO. 9808215001 OR THE SOUTHWESTERLY EXTENSION OF SAID SOUTHEASTERLY LINE;

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 4 AND ITS EXTENSION THEREOF, SOUTH 62°57'28" WEST, 64.45 FEET TO THE CENTERLINE OF STILLAGUAMISH RIVER, AND A POINT ON A CURVE, THE CENTER WHICH BEARS SOUTH 56°53'50" WEST, 1352.49 FEET;

THENCE ALONG SAID CENTERLINE THE FOLLOWING COURSES:

THENCE NORTHWESTERLY ON SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 34°23'46", AN ARC DISTANCE OF 811.93 FEET;

THENCE NORTH 69°15'38" WEST, 211.22 FEET;

THENCE SOUTH 87°42'58" WEST, 253.40 FEET;

THENCE SOUTH 63°17'19" WEST, 1535.17 FEET;

THENCE SOUTH 82°06'27.60" WEST, 186.36 FEET TO A POINT ON A CURVE, THE CENTER WHICH BEARS NORTH 09°49'21.75" EAST, 2050.32 FEET;

THENCE NORTHWESTERLY ON SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 38°36'26", AN ARC DISTANCE OF 1381.55 FEET;

THENCE NORTH 41°34'12" WEST, 149.18 FEET;

THENCE NORTH 32°39'58" WEST, 205.63 FEET TO THE NORTHERLY MARGIN OF

SR 532 AND A POINT WHICH BEARS SOUTH 69°26'10" WEST FROM THE TRUE POINT OF BEGINNING;

THENCE NORTH 69°26'10" EAST, ALONG SAID NORTHERLY MARGIN, 415.24 FEET TO THE TRUE POINT OF BEGINNING.

