

**ORDINANCE NO. 1678-10**

**AN ORDINANCE TO ANNEX INTO THE CITY OF SEDRO-WOOLLEY  
APPROXIMATELY 43.39 ACRES OF REAL PROPERTY CONTIGUOUS TO  
THE EASTERN PORTION OF THE CITY – KNOWN AS THE FRUITDALE  
ROAD/ EARLES ANNEXATION**

**WHEREAS** Roger Dean Earles, James Paul Hickman and Harry Weatherby, all 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 a notice of intent to commence annexation proceedings; 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 City received a Petition for Annexation for 43.39 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 January 26, 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 January 27, 2010 to consider the annexation petition and held a second public hearing on February 10, 2010 to further consider the proposed annexation. Both public hearings were 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. 822-10 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 map and description of the property to be annexed; and

**WHEREAS**, the property's proposed zoning designations were determined during previous Urban Growth Area expansion hearings and review and the zoning may be modified during the City's 2010 Comprehensive Plan Amendment cycle; 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" 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 not less than thirty (30) days prior to the effective date of this ordinance; 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 11<sup>th</sup> day of August, 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

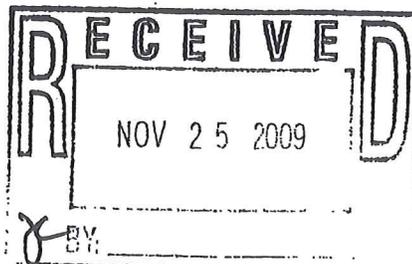
LEGAL DESCRIPTION  
FOR  
ROGER DEAN EARLES  
OF  
PROPERTY EAST OF FRUITDALE ROAD  
INCLUDED IN PROPOSED ANNEXATION

**EXHIBIT A**

November 24, 2009

Beginning at the northeast corner of the southeast quarter of Section 18, Township 35 North, Range 5 East, W.M.; thence S 02°23'16" E along the east line of said southeast quarter, a distance of 969.20 feet to its intersection with the northwesterly right of way line of State Route 20; thence S 53°40'19" W along said northwesterly right of way line, a distance of 1604.36 feet to its intersection with the east right of way line of Fruitdale Road; thence northerly along the east right of way line of Fruitdale Road through the following thirteen courses; N 02°14'31" W, a distance of 1381.36 feet; N 88°19'16" E, a distance of 10.00 feet; N 02°14'31" W, a distance of 100.00 feet; S 88°19'16" W, a distance of 10.00 feet; N 02°14'31" W, a distance of 90.00 feet; N 88°19'16" E, a distance of 10.00 feet; N 02°14'31" W, a distance of 40.00 feet; S 88°19'16" W, a distance of 10.00 feet; N 02°14'31" W, a distance of 70.00 feet; N 88°19'16" E, a distance of 10.00 feet; N 02°14'31" W, a distance of 100.00 feet; S 88°19'16" W, a distance of 10.00 feet; N 02°14'31" W, a distance of 100.00 feet to the north line of said southeast quarter; thence N 88°19'16" E along the north line of said southeast quarter, a distance of 1326.33 feet to the point of beginning of this description.

Containing 43.39 acres.



11/24/09