

ORDINANCE NO. 2010-12

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ANNEXING APPROXIMATELY 43.78 ACRES OF LAND LOCATED IMMEDIATELY WEST OF THE CURRENT CITY LIMITS IN THE VICINITY OF NW LIBERTY ROAD AND MARELAINE LANE AND COMMONLY KNOWN AS THE GAINES ANNEXATION; ZONING THE ANNEXED LAND LOW DENSITY RESIDENTIAL (RL) IN ACCORD WITH THE POULSBO URBAN GROWTH SUB-AREA PLAN; REQUIRING THE LAND TO BE ASSESSED AND TAXED AT THE SAME RATE AND ON THE SAME BASIS AS OTHER PROPERTY WITHIN THE CITY AND TO ASSUME ITS PROPORTIONATE SHARE OF THE CITY'S EXISTING INDEBTEDNESS; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, owners of land located immediately west of the current City limits in the vicinity of NW Liberty Road and Marelaine Lane, initiated annexation to the City of Poulsbo, and

WHEREAS, the Poulsbo City Council met with the initiators on September 2, 2009 and as a result of such meeting authorized circulation of an annexation petition, requiring that the property proposed to be annexed assume its proportionate share of the City's existing indebtedness and be zoned Low Density Residential (RL), and

WHEREAS, pursuant to the City's adopted annexation policies, a community meeting was held on the annexation on October 22, 2009, and

WHEREAS, on December 29, 2009 the City received a signed petition meeting the requirements set by the Poulsbo City Council, and

WHEREAS, on January 4, 2010, the Kitsap County Assessor certified that the petition contained the signatures of landowners or persons authorized to sign on behalf of landowners on the petition representing not less than sixty percent (60%) in value, according to the assessed valuation for general taxation, of the land within the annexation area, and

WHEREAS, the required Notice of Intent was filed with the Kitsap County Boundary Review Board on February 12, 2010 and the Board thereafter notified the City by letter that the forty-five day period for invoking the Board's jurisdiction would expire on April 2, 2010, and

WHEREAS, although the Boundary Review Board received a petition on April 1, 2010 from property owners residing near the proposed annexation area requesting that the Board invoke jurisdiction over the annexation as provided by RCW 36.93.100(4), the Board did not do so within the forty-five day period established by the statute and the annexation is therefore deemed approved by the Board, and

WHEREAS, the Poulsbo City Council held a public hearing on the proposed annexation on May 5, 2010, and has determined to approve the annexation as proposed, now, therefore,

THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Gains Annexation Approved. That certain land located immediately west of the current City limits and legally described on Exhibit A attached hereto and incorporated herein by this reference as if set forth in full, is hereby annexed to and made a part of the City of Poulsbo. The annexed land, which is graphically depicted on Exhibit B attached to this ordinance and incorporated herein by this reference as if set forth in full, includes a portion of NW Liberty Road and is accessed via NW Liberty Road and Marelaine Lane from Viking Avenue NW.

Section 2. Zoning. In accord with the Poulsbo Urban Growth Sub-Area Plan, zoning of the property legally described on Exhibit A is hereby established as Low Density Residential (RL) effective upon annexation.

Section 3. Taxation and Indebtedness. Pursuant to the terms of the annexation petition, all property within the territory annexed shall assume its proportionate share of the City's indebtedness and shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments for taxes and payment of any bonds issued or debts contracted prior to or existing as of the date of annexation.

Section 4. Authority and Duties of Mayor and City Clerk. Pursuant to RCW 35A.14.700, the Mayor and City Clerk are hereby authorized and directed to execute and file the required annexation certificates and required attachments with the Office of Financial Management. The City Clerk is also directed to file a certified copy of this ordinance with the Board of Commissioners for Kitsap County.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective Date. This ordinance shall take effect five (5) days after publication of the attached summary, which is hereby approved.

APPROVED:

MAYOR REBECCA ERICKSON

ATTEST/AUTHENTICATED:

CITY CLERK JILL A. BOLTZ

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____
JAMES E. HANEY

FILED WITH THE CITY CLERK: 04/29/2010
PASSED BY THE CITY COUNCIL: 05/05/2010
PUBLISHED: 05/14/2010
EFFECTIVE DATE: 05/19/2010
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SUMMARY OF ORDINANCE NO. 2010-12

of the City of Poulsbo, Washington

On the 5th day of May, 2010, the City Council of the City of Poulsbo, passed Ordinance No. 2010-12. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, ANNEXING APPROXIMATELY 43.78 ACRES OF LAND LOCATED IMMEDIATELY WEST OF THE CURRENT CITY LIMITS IN THE VICINITY OF NW LIBERTY ROAD AND MARELAINE LANE AND COMMONLY KNOWN AS THE GAINES ANNEXATION; ZONING THE ANNEXED LAND LOW DENSITY RESIDENTIAL (RL) IN ACCORD WITH THE POULSBO URBAN GROWTH SUB-AREA PLAN; REQUIRING THE LAND TO BE ASSESSED AND TAXED AT THE SAME RATE AND ON THE SAME BASIS AS OTHER PROPERTY WITHIN THE CITY AND TO ASSUME ITS PROPORTIONATE SHARE OF THE CITY'S EXISTING INDEBTEDNESS; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 11th day of May, 2010.

CITY CLERK JILL A. BOLTZ