

Ordinance No. 1511-05

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, ANNEXING REAL PROPERTY CONTIGUOUS TO THE SOUTHERN PORTION OF THE CITY, ADOPTING A PROPOSED LAND USE ZONING REGULATION FOR THE REAL PROPERTY, AND SUBJECTING THE PROPERTY TO ITS PRO-RATA SHARE OF CITY INDEBTEDNESS.

Whereas, the City of Sedro-Woolley owns real property that is contiguous to the City and within its urban growth area; and

Whereas, the City initiated proceeding to annex the real property to the City by filing a notice of intention to begin annexation proceedings; and

Whereas, the City Council held a meeting with the property owner as required by RCW 35A.14.120; and

Whereas, the City Council approved an Annexation Petition between the property owner and the City; and

Whereas, the property owner filed a Petition for Annexation with the City; and

Whereas, on December 8, 2004 pursuant to notice required by law, the City Council held a public hearing on the proposed annexation; and

Whereas, the City Council determined that the Petition for Annexation meets the requirements of RCW Chapter 35.13.125-.150 and is sufficient according to the requirements of RCW 35.13.130; and

Whereas, at the public hearings, the City Council heard and considered comments regarding the annexation and the proposed zoning regulation; and

Whereas, the City Council determined that the best interests and general welfare of the City and of the real property will be served by the annexation; and

Whereas, the City Council approved the annexation by resolution, sending the matter to the Boundary Review Board with a recommendation to incorporate additional PUD property into the annexation territory; and

Whereas, the Boundary Review Board approved this annexation at a public hearing, as emended to include the PUD property; now, therefore,

THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY DO HEREBY ORDAIN AS FOLLOWS:

Section 1: Annexation of Territory. The unincorporated territory described on Exhibit A and depicted on Exhibit B, both attached hereto and made part hereof (“annexation area”), are hereby annexed into the corporate limits of the City of Sedro-Woolley.

Section 2: Zoning and Comprehensive Plan Designations. The Comprehensive Plan and zoning classifications as currently designated on the most recently approved zoning and land use map are hereby adopted for the annexed area described above.

Section 3: Taxation and Indebtedness. Pursuant to the terms of the annexation petition, all property within the territory annexed 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: Solid Waste Franchise. The City hereby gives notice of its intent to assume from Waste Management of Washington, Inc. d/b/a Waste Management of Skagit County, a Delaware corporation:

- a. Solid Waste collection from residential and commercial Customers within territory to be annexed ten (10) years from the Date of Annexation; and
- b. Solid Waste collection for commercial Drop Box Customers located in City limits of Sedro-Woolley, as now existing or hereafter annexed, for a period of seven (7) years from the Date of Annexation.

Nothing in this ordinance is intended to affect the Washington State Utilities and Transportation Commission of jurisdiction over the present service provider.

Section 5: 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 Skagit County.

Section 6: 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 7: Effective Date. This ordinance shall take effect five days after passage and publication as provided by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON

July 13th, 2005.

MAYOR

ATTEST:

CITY CLERK

APPROVED AT TO FORM:

CITY ATTORNEY

ANNEXATION LEGAL DESCRIPTION

Those vacated and unvacated portions of the “PLAT OF THE TOWN OF SEDRO, SKAGIT COUNTY, W.T.” as per plat recorded in Volume 1 of Plats, Page 18, records of Skagit County, Washington lying within the following described property:

Begin at the Northeast corner of Jennings Avenue as delineated on the face of said plat; thence South along the East line of said plat to the North line of McDonald Avenue as delineated on the face of said plat; thence East along said North line to the East line of Eleventh Street as delineated on the face of said plat; thence South along the East line of said Eleventh Street to the North line of the Skagit River; thence Westerly along said North line to the West line of said Eleventh Street; thence North along said West line to the South line of said McDonald Avenue; thence West along said South line to the East line of Township Street as delineated on the face of said plat; thence North along said East line to the North line of said McDonald Avenue; thence East along said North line to the West line of Fairhaven Street as delineated on the face of said plat; thence North along said West line to the centerline of Woods Avenue as delineated on the face of said plat; thence East along said centerline to the centerline of said Fairhaven Street; thence North along said centerline to the South line of said Jennings Avenue; thence East along said South line to the East line of said Fairhaven Street; thence North along said East line to the Northerlymost line of Jennings Avenue as delineated on the face of said plat North of Block 107; thence East along said line to the Point of Beginning.

Exhibit A