



200902110089

Skagit County Auditor

2/11/2009 Page 1 of 4 2:34PM

**RETURN TO:**

CITY OF BURLINGTON - PLANNING DEPT.

833 S. SPRUCE STREET

BURLINGTON WA 98233

**DOCUMENT TITLE(S) (or transfer contained herein):**

ANNEXATION ORDINANCE

**REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:**

TOWN OF HAMILTON Ordinance #281

ADDITIONAL REFERENCE NUMBERS ON PAGE \_\_\_\_ OF DOCUMENT

**GRANTOR(S) (Last name, first name and initials):**

SKAGIT COUNTY

ADDITIONAL NAMES ON PAGE \_\_\_\_ OF DOCUMENT

**GRANTEE(S) (Last name, first name and initials):**

TOWN OF HAMILTON

ADDITIONAL NAMES ON PAGE \_\_\_\_ OF DOCUMENT

**LEGAL DESCRIPTION: (Abbreviated: i.e., lot, block, plat or quarter, section, township and range):**

Parcel Numbers: P41216, P 41204, P41202, P41175, P41174, P41215, P41205, P41208, P41210, P41212, P41176 located in Section 14, Township 35N, Range 6E, W.M.

ADDITIONAL LEGAL(S) ON PAGE \_\_\_\_ OF DOCUMENT

**DESCRIPTION:** An ordinance annexing property into to the Town of Hamilton.

**ASSESSOR'S PARCEL/TAX I.D. NUMBER:**

P41216, P 41204, P41202, P41175, P41174, P41215, P41205, P41208, P41210, P41212, P41176

TAX PARCEL NUMBER(S) FOR ADDITIONAL LEGAL(S) ON PAGE \_\_\_\_ OF DOCUMENT.

ORDINANCE 281

**AN ORDINANCE** ANNEXING TO THE TOWN OF HAMILTON CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE TOWN OF HAMILTON ANNEXATION, CONSISTING OF ASSESSOR'S PARCEL NUMBERS P41216, P41204, P41202, P41175, P41174, P41215, P41205, P41208, P41210, P41212, AND P41176, SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON, REQUIRING SAID PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS THE OTHER PROPERTY WITHIN SAID TOWN; AND FIXING THE EFFECTIVE DATE OF SAID ANNEXATION.

**WHEREAS**, a Notice of Intent to Annex, signed by the owners of not less than ten percent (10%) in value, of the property commonly known as the Town of Hamilton Annexation and more particularly described in Exhibit A attached hereto and incorporated by this reference as if fully set forth, was received by the Town of Hamilton; and

**WHEREAS**, the Town Council discussed the annexation of the site on numerous occasions over several years and formally met with the initiators of the annexation on October 14, 2008, within sixty (60) days of receipt of the said Notice of Intent to Annex, and determined that the Town would authorize the initiators to circulate an annexation petition meeting the requirements of RCW 35A.14.120; and

**WHEREAS**, the Town Council received a petition for annexation of the territory described in Exhibit A, signed by the owners of not less than 75% in value of that property described on said Exhibit A, and determined that said petition was sufficient to meet the requirements established by the Council; and

**WHEREAS**, pursuant to property notice as posted and published according to law a public hearing was held on said petition on October 14, 2008 and the Town Council voted to approve the annexation; and

**WHEREAS**, the Notice of Intention was filed on November 4, 2008 with the Boundary Review Board, and the appeal period ended on December 19, 2008, with no appeals filed.

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF HAMILTON DO ORDAIN AS FOLLOWS:**

**Section 1.** Annexation. The real property commonly known as the Town of Hamilton Annexation, and more particularly described on "Exhibit A" attached hereto and incorporated herein by this reference as if fully set forth, shall be and hereby is annexed to and made a part of the Town of Hamilton.



200902110089

Skagit County Auditor

**Section 2.** Indebtedness. Pursuant to the petition for Annexation all property within the territory annexed hereby shall be assessed and taxed at the same rate and on the same basis as property within the Town, provided that the territory hereby annexed shall assume the territory's share of the bonded indebtedness of the Town of Hamilton existing as of the effective date of the annexation.

**Section 3.** Zoning. Pursuant to the Comprehensive Plan of the Town of Hamilton, the territory hereby annexed shall be subject to the development regulations adopted by ordinance of even date.

**Section 4.** Duties of the Town Planner. The Planning Director is hereby directed to file a certified copy of this ordinance with the Board of County Commissioners of Skagit County and the County Auditor, and to take the Census and file a Certificate of Annexation with the State Office of Financial Management as set forth in RCS 35.13.260, and to provide notification to affected governmental agencies as may provide services within the area to be annexed; and to such corporations and entities as may have franchises within the area to be annexed, including the effective date of this ordinance.

**Section 6.** Effective Date. This ordinance shall be in full force and effect on the latter of five (5) days after its passage, approval and publication as provided by law, or January 30, 2009.

**Section 7.** Invalidity. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of law, the invalidity shall not affect the validity of any other section, clause, or phrase of this ordinance.

INTRODUCED AND PASSED and approved at a regular meeting of the Town Council this 13 day of January, 2009.

THE TOWN OF HAMILTON

Timothy A. Bates  
Timothy A. Bates, Mayor

ATTEST:

Delilah Sutton  
Delilah Sutton, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney

Filed with the City Clerk: 1/13/09  
Passed by the City Council: 1/13/09  
Signed by the Mayor: 1/13/09  
Published: 1/19/09  
Effective Date: 1/24/09



**EXHIBIT A**  
**Legal Description**

Assessor's Parcel Numbers P41216, P41204, P41202, P41175, P41174,  
P41215, P41205, P41208, P41210, P41212, P41176

All that portion of the North Half of Section 14, Township 35 North, Range 6 East, of the Willamette Meridian, Skagit County, Washington, being more particularly described and controlled in said section, as lying **SOUTH** of that Abandoned "Puget Sound and Baker River Railroad" being the North 50 feet of said Section 14; lying **SOUTH** of that portion of State Route 20; lying **EAST** of that certain county road currently known as "Cabin Creek Road"; lying **NORTH** of the Lyman Hamilton Highway and that Abandoned Great Northern Railway and all being **WEST** of and **ADJOINING** the present Town of Hamilton municipal boundary as duly established.

**EXCEPT THAT** certain tract of land conveyed to Puget Sound Power and Light Company, a corporation, currently Puget Sound Energy, INC., by Deed dated April 3, 1957, filed April 4, 1957, as recorded under Auditors File Number 549528, records of Skagit County, Washington, to-wit:

**THE SOUTH 100.00 FEET OF THE WEST 100.00 FEET OF THE NORTH 739.62 FEET OF THAT PORTION OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION FOURTEEN (14), TOWNSHIP THIRTY-FIVE (35) NORTH, RANGE SIX (6) EAST OF THE WILLAMETTE MERIDIAN, LYING EASTERLY OF THAT CERTAIN COUNTY ROAD KNOWN AS THE ENSLEY ROAD IN HAMILTON, WASHINGTON AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SECTION CORNER COMMON TO SECTION 10,11,14 AND 15, T.35N., R.6E.W.M., WHICH POINT BEARS S.0°18'30"E. A DISTANCE OF 2486.40 FT. FROM THE QUARTER CORNER COMMON TO SAID SECTIONS 10 AND 11; THENCE S 0°00'30"W ALONG A COURSE PARALLELING EXISTING FENCES AND PARALLEL TO AND 7.50 FT. EASTERLY OF THE CENTERLINE OF THAT CERTAIN COUNTY ROAD KNOWN AS THE ENSLEY ROAD A DISTANCE OF 739.62 FT.; THENCE S 89°20'50"E PARALLEL TO THE NORTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF SEC. 14 T. 35 N., R.6E.W.M., A DISTANCE OF 12.50 FT., MORE OR LESS, TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING S 89°20'50" E. ALONG A LINE PARALLEL TO AND 739.62 FT. SOUTH OF SAID NORTH LINE OF SAID SUBDIVISION A DISTANCE OF 100.00 FT.; THENCE N 0°00'30"W 100.00 FT.; THENCE N 89°20'50"W 100.00 FT.; THENCE S 0°00'30"W 100.00 FT. TO THE TRUE POINT OF BEGINNING.**

Situate in the County of Skagit, State of Washington



200902110089  
Skagit County Auditor