

**CITY OF STANWOOD
Stanwood, Washington**

ORDINANCE 1422

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON APPROVING ANNEXATION OF CERTAIN UNINCORPORATED AREA, KNOWN AS THE TARTE 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 has received a petition for annexation pursuant to RCW 35A.14.120 of certain property generally located at the northeast corner of Jensen Road and 68th Avenue NW (Cedarhome Road), being located in Section 20, Township 32 North, Range 04 East, W.M., said property being contiguous to the city limits and legally described in **Exhibit A** attached hereto with a County Parcel Number of 32042000100800; and

WHEREAS, the City received a 10% Petition 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 22, 2016, 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

Boundary Review Board for review and consideration the 60% annexation petition for the Tarte Annexation; and

WHEREAS, the City Council also declared in Resolution 2016-07, "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 designation of Traditional Neighborhood (TN)"; and

WHEREAS, City staff submitted on April 29, 2016 the proposed annexation to the Boundary Review Board and asked it to waive the 45-day review period as provided in RCW 36.93.110 for annexation consisting of less than 10 acres and less than \$2,000,000 in assessed valuation; and

WHEREAS, the Boundary Review Board determined that its review was not necessary and waived jurisdiction on June 1, 2016; and

WHEREAS, the proposed annexation area is comprised of a single parcel (9.35 acres) with proposed Comprehensive land use designations Traditional Neighborhood (TN) and proposed zoning designation of Traditional Neighborhood (TN) 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 property legally described in **Exhibit 1** and the boundaries depicted on the map attached as **Exhibit 2** is hereby approved for annexation into the City of Stanwood.

Section 2. Assessment and Taxation. The property described in **Exhibit 1**, shall be 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 and all outstanding indebtedness of the City contracted or incurred prior to or existing on the effective date of the annexation is hereby imposed on said property in common with all properties within the City of Stanwood.

Section 3. Land Use Designation. The property described in **Exhibit 1** hereby is subject to the City of Stanwood Comprehensive Plan and zoning regulations as adopted. The property described in **Exhibit 1** hereby is designated Traditional Neighborhood (TN) 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 copies 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 14th day of July, 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: July 19, 2016

Effective Date: July 25, 2016

Tarte Annexation to Stanwood**LEGAL DESCRIPTION:**

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 32 NORTH, RANGE 4 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING 549.78 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 32 NORTH, RANGE 4 EAST, W.M., IN SNOHOMISH COUNTY WASHINGTON;

THENCE NORTH 85°35'54" EAST A DISTANCE OF 990 FEET;
THENCE SOUTH 01°38'55" EAST A DISTANCE OF 440.22 FEET;
THENCE SOUTH 86°39'09" WEST A DISTANCE OF 990 FEET, ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION, TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION;
THENCE NORTH 01°38'55" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION TO THE TRUE POINT OF BEGINNING.

EXCEPT THE WESTERLY 30 FEET THEREOF LYING WITHIN 68TH AVENUE NORTHWEST.

SUBJECT TO EASMENTS, RESERVATIONS, OR RESTRICTIONS OF RECORD, IF ANY.

Situate in the County of Snohomish, State of Washington

Containing 407,361 square feet or 9.35 acres

IT IS THE INTENT OF THIS LEGAL DESCRIPTION TO FOLLOW THE EXISTING CORPORATE CITY LIMITS OF THE CITY OF STANWOOD. REFERENCES HEREIN ARE MEANT TO CONVEY THAT ALTHOUGH PRESENT RIGHTS OF WAY BOUNDARIES MAY BE DIFFERENT, THE RIGHTS OF WAY BOUNDARIES AT THE TIME OF THE ORIGINAL INCORPORATION AND SUBSEQUENTLY ADOPTED ORDINANCES ARE INTENDED TO BE FOLLOWED SO THAT NO GAP OR OVERLAP EXISTS BETWEEN THIS ANNEXATION AND THE EXISTING CITY LIMITS OF THE CITY OF STANWOOD.

Proposed Annexation Area: Tarte Annexation to Stanwood

