

ORDINANCE NO. 1244

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, ANNEXING AN UNINCORPORATED AREA KNOWN AS THE MANNING/ DICKINSON (WEATHERBY I LLC/LEAVITT) ANNEXATION AREA, WHICH IS CONTIGUOUS TO THE EXISTING STANWOOD CITY LIMITS AND WHICH IS LOCATED WITHIN THE STANWOOD URBAN GROWTH BOUNDARY.

WHEREAS, the City of Stanwood received a petition for annexation of 31.76 acres of unincorporated property (known as the "Manning/Dickinson Annexation and later the Wetherby/Leavitt Annexation on August 16, 2007; and

WHEREAS, the petition was signed by owners of more than 60 percent of the assessed value of the area; and

WHEREAS, the Snohomish County Assessor's Office reviewed the petition for sufficiency and on October 17, 2007, issued a Certificate of Sufficiency; and

WHEREAS, notice of the City's public hearing on the proposed annexation was posted and published in the form required by law; and

WHEREAS, the City held a public hearing on the proposed annexation and passed Resolution 2007-14 expressing the City's intention to annex the property on December 6, 2007; and

WHEREAS, the Snohomish County Boundary Review Board issued a written decision approving the annexation on February 4, 2008; and

WHEREAS, the City Council hereby finds that the annexation meets the required criteria in RCW 36.93.170 and .180, the City's Comprehensive Plan, and the City's Zoning Code (SMC 17.158.020), as well as applicable sections of the Growth Management Act. The Council hereby adopts by reference the Findings of Fact and Conclusions contained in Exhibit 3 attached.

NOW THEREFORE, THE CITY COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The Manning/Dickinson (Weatherby I LLC/Leavitt) Annexation Area, as described in the attached legal description ("Exhibit 1") and as shown on the attached map ("Exhibit 2"), is hereby annexed into the City of Stanwood.

SECTION 2. This annexation shall become effective five days after publication, and the property so annexed shall on that date become a part of the City of Stanwood.

SECTION 3. All property subject to taxation within the territory annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City and taxed for any existing indebtedness of the City contracted prior to the effective date of this ordinance.

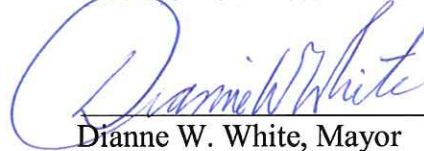
SECTION 4. The annexed area shall be annexed into the City with the comprehensive plan designation of low density residential and SR-9.6 zoning.

SECTION 5. The City Clerk is hereby directed to file the required number of copies of this ordinance with Snohomish County, the State Office of Financial Management, and with all other governmental bodies as required by law.


SECTION 6. The City Community Development Department is hereby directed to update the comprehensive plan and zoning maps to reflect this annexation.

PASSED by the City Council of the City of Stanwood this 16th day of February, 2009.

CITY OF STANWOOD:


Dianne W. White, Mayor

ATTEST:


Melissa Collins, City Clerk

APPROVED AS TO FORM:



Grant K. Weed, City Attorney

EXHIBIT 1

LEGAL DESCRIPTION FOR: City of Stanwood Annexation Parcels

Portions of the Southwest quarter of the Northeast quarter, the Northwest quarter of the Southeast quarter and the Northeast quarter of the Southwest quarter in Section 20, Township 32 North, Range 4 East, W.M., described as follows:

Beginning at the southwest corner of said Southwest quarter of the Northeast quarter of Section 20;
Thence north along the west line thereof a distance of 635 feet, more or less, to the northwest corner of the Southwest quarter of the Southwest quarter of the Northeast quarter of said Section 20;
Thence east along the north line thereof a distance of 1395 feet, more or less, to the northeast corner of the Southeast quarter of the Southwest quarter of the Northeast quarter of said Section 20;
Thence south along the east line thereof a distance of 652 feet, more or less, to the southeast corner thereof;
Thence west along the south line thereof to a point on said line that lies South 89°14'12" East a distance of 1017.52 feet from the southwest corner of said Southwest quarter of the Northeast quarter of Section 20;
Thence leaving said line along the following courses:
Thence South 02°55'10" West a distance of 57.36 feet;
Thence South 06°31'19" West a distance of 50.33 feet;
Thence South 06°31'19" East a distance of 50.33 feet;
Thence South 12°12'17" West a distance of 51.16 feet;
Thence South 36°53'35" West a distance of 29.96 feet;
Thence South 54°49'12" West a distance of 45.20 feet;
Thence South 65°16'59" West a distance of 92.76 feet;
Thence South 71°02'43" West a distance of 52.87 feet;
Thence South 63°31'37" West a distance of 55.86 feet;
Thence South 45°52'06" West a distance of 35.33 feet;
Thence South 33°25'03" West a distance of 70.35 feet;
Thence South 04°31'08" East a distance of 60.43 feet;
Thence South 28°10'05" West a distance of 48.78 feet;
Thence South 42°56'40" West a distance of 60.32 feet;
Thence South 02°05'55" East a distance of 48.52 feet;
Thence North 80°13'19" West a distance of 88.27 feet;
Thence South 89°39'23" West a distance of 72.46 feet;
Thence North 55°40'37" West a distance of 95.92 feet;
Thence North 25°59'13" West a distance of 67.96 feet;
Thence North 35°04'32" West a distance of 80.60 feet;
Thence North 77°55'52" West a distance of 49.58 feet;
Thence South 76°11'16" West a distance of 53.62 feet;
Thence South 36°26'26" West a distance of 134.24 feet, more or less, to the intersection with the northeasterly margin of Woodland Road;
Thence southeasterly along said margin a distance of 82 feet, more or less, to a point on said margin at the point of intersection with the easterly projection of the south line of Snohomish County Tax Parcel No. 320420-004-004-00;
Thence westerly along said projection a distance of 98.6 feet, more or less, to the intersection with the southwesterly margin of said Woodland Road;
Thence northwesterly along said southwesterly margin 95.42 feet, more or less, to an angle point in said margin;
Thence northeasterly at right angles to the preceding course along said margin a distance of 10 feet to an angle point in said margin;
Thence northwesterly at right angles to the preceding course along said margin a distance of 94.52 feet to the intersection with the north-south centerline of said Section 20;
Thence continuing northwesterly along said margin a distance of 148.40 feet to the most northwesterly corner of Tract G, CHURCH CREEK ESTATES, PHASE 3, according to the Plat thereof recorded in Volume 55 of Plats, Pages 122-124, inclusive, records of Snohomish County, Washington;
Thence northeasterly at right angles to the preceding course a distance of 10 feet;
Thence southeasterly at right angles to the preceding course a distance of 135 feet, more or less, to the intersection with the north-south centerline of said Section 20;
Thence north along said north-south centerline a distance of 433 feet to the Point of Beginning.

Situated in the County of Snohomish, State of Washington.

The above description encompasses a portion of Woodland Road, 68th Avenue N.W. and the following tax parcels: 32042000101100, 32042000101200, 32042000400500, 32042000400400, 32042000401600, and a portion of 32042000400300.

EXHIBIT 2

QUARTER ALL	SECTION 20	TOWNSHIP N.W.B.L. 32	RANGE E.W.M. 4
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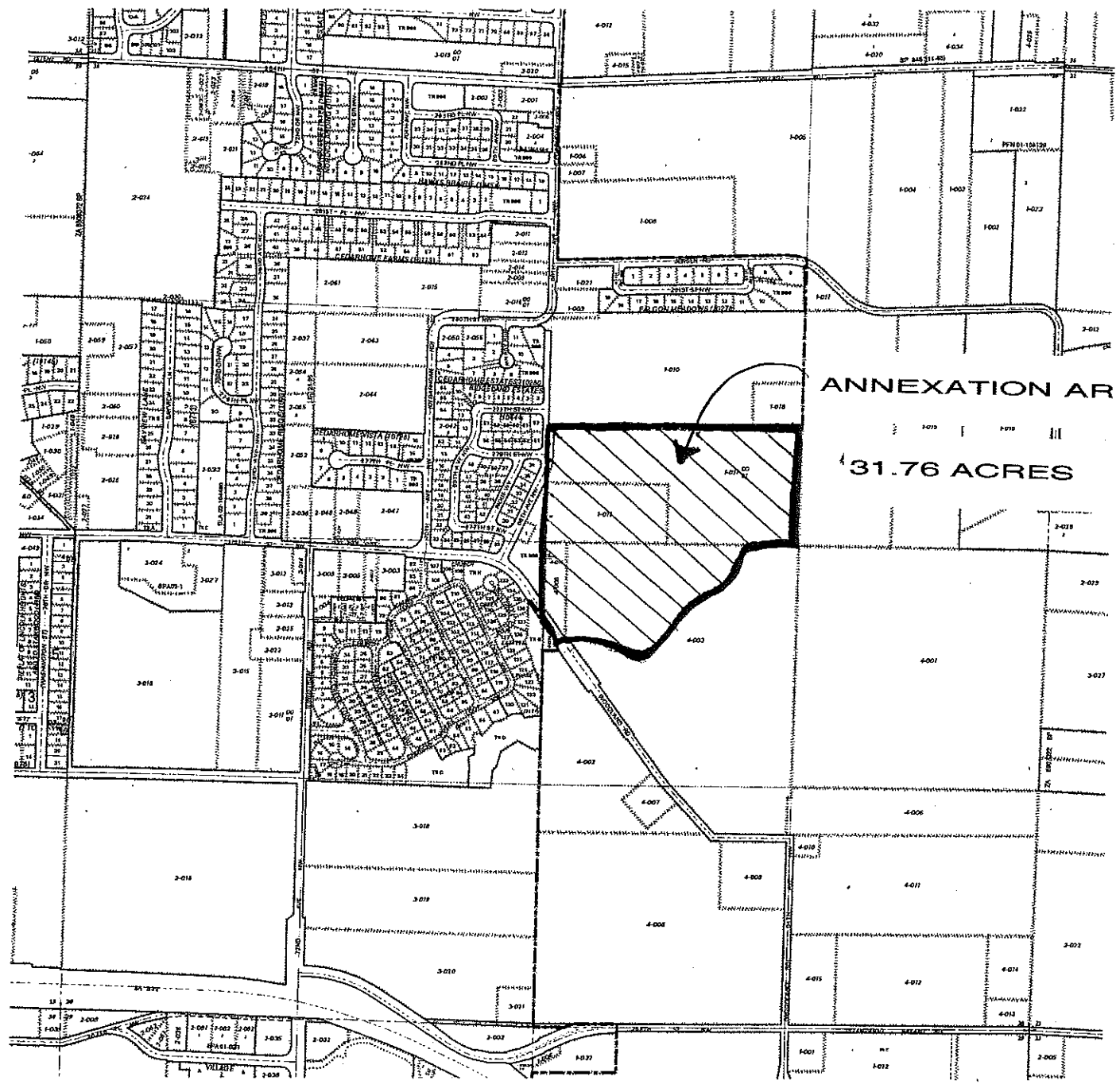
A product of the Snohomish County Assessor's Office
Map produced on October 13, 2007

THIS IS NOT A MAP. IT IS A PARCEL MAP. THE LOCAL OFFICE HAS ONLY THE BEST AVAILABLE INFORMATION AND IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION. THE LOCAL OFFICE HAS CONDUCTED VISUAL INSPECTIONS OF THE PARCELS AND HAS FOUND NO EVIDENCE OF UNLAWFUL USES. THE LOCAL OFFICE HAS CONDUCTED VISUAL INSPECTIONS OF THE PARCELS AND HAS FOUND NO EVIDENCE OF UNLAWFUL USES. THE LOCAL OFFICE HAS CONDUCTED VISUAL INSPECTIONS OF THE PARCELS AND HAS FOUND NO EVIDENCE OF UNLAWFUL USES.

17-32-4

19-32-4

21-32-4



29-32-4

EXHIBIT 3

EXHIBIT 3

FINDINGS OF FACT AND CONCLUSIONS

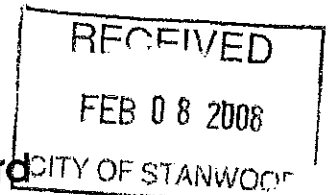
Findings of Fact:

1. The City received a petition to annex 31.76 acres of unincorporated land into the City limits on August 16, 2007.
2. The Stanwood Planning Commission held a pre-application meeting on this annexation, and recommended approval of the annexation on May 22, 2006. The City Council held a duly noticed public hearing on the annexation on June 12, 2008.
3. The City Council passed Resolution 2007-14 on June 6, 2007.
4. The Snohomish County Boundary Review Board notified the City on February 5, 2008 that the City may proceed with finalizing the annexation.
5. The City Council held two readings on Ordinance 1244, and passed the annexation on March 12, 2009.

Conclusions:

1. The annexation meets the following criteria of SMC 17.158.020 for City Council approval:
 - *The annexation complies with all requirements with respect to the City's comprehensive plan.*
 - *The annexation is consistent with the City's plans for urban densities and uses within the urban area of the city.*
 - *The City can assure adequate financial capability of the annexed area to meet the criteria for urban areas.*
 - *The City has analyzed and evaluated the condition and safety of all streets, the availability and condition of public utilities and the demand for emergency services (police, fire and medical, etc.).*
 - *The City is able to provide, acquire, operate and maintain general services and utility services in a manner cost effective to the city.*
2. The annexation is consistent with the City's Comprehensive Plan and Zoning.
3. Utility capacity is available to serve urban-level development in the area, however extension of utilities will need to be provided by developers.
4. Revenues are estimated as \$2,498,475 at full development by 2013. While revenues are likely to not fund the long-term cost of providing general government services to the area (true of any residential annexation) revenue would be initially increased by future development activity.

ATTACHMENT B



Washington State Boundary Review Board for Snohomish County

(425) 388-3445
FAX (425) 388-3871

M/S #409
3000 Rockefeller Ave.
Everett, WA 98201

February 5, 2008

Stephanie Hansen, AICP
Community Development Director
City of Stanwood
10220 270th ST NW
Stanwood, WA 98292

Dear Stephanie:

RE: City of Stanwood Wetherby/Leavitt Annexation (BRB No. 34-2007)

The Notice of Intention for the above-referenced proposal was received on December 17, 2007. Following approval of a legal description for the property involved, the proposal was deemed legally sufficient with an effective filing date of December 19, 2007.

The 45-day review period ended on February 4, 2008, at 5:00 p.m. with no request for review having been filed. You may now proceed with finalizing the annexation. Following the City Council's adoption of the annexation by final ordinance, please forward two certified copies to this office. We will then verify the legal description and map and distribute copies to various county departments and others. Please be sure to attach a copy of the legal description and map to the ordinance.

If you have any questions, please contact me.

Sincerely,

Marsha Carlsen
Chief Clerk

ATTACHMENT C

Manning/Dickinson Annexation Revenue Projections 2008 to 2013

Info: 105 new homes, 305 residents

	2008	2009	2010	2011	2012	2013	Total
Assumptions:							
Single Family Units	0	35	35	35	0	0	105
Cumulative Units	0	35	35	35	0	0	
Single Family Home Price	300,000	300,000	306,000	312,120	318,362	324,730	
Population	-	102	102	102	-	-	305
Cumulative Population	-	102	203	305	305	305	
Impact Fees: For capital facility purposes cannot be used for operating costs.							
Street Impact SF (\$2,216)	-	77,560	77,560	77,560	-	-	232,680
Park Impact SF (\$640)	-	22,400	22,400	22,400	-	-	67,200
Fire Impact SF (\$200)	-	7,000	7,000	7,000	-	-	21,000
Total City Impact Fees	-	106,960	106,960	106,960	-	-	320,880
Plant Investment Fees: Restricted to use for construction, cannot be used for operating costs.							
Sewer P.I.F. SF (\$4,040)	-	141,400	141,400	141,400	-	-	424,200
Water P.I.F. SF (\$5,200)	-	182,000	182,000	182,000	-	-	546,000
Cedarhome P.I.F. SF (\$2,570)	-	89,950	89,950	89,950	-	-	269,850
Drainage P.I.F. SF (\$600)	-	21,000	21,000	21,000	-	-	63,000
Total City P.I.F.	-	434,350	434,350	434,350	-	-	1,303,050
Utility Connection Fees: Restricted to use for construction, not used for operating costs.							
Sewer Connection Fee SF (\$550)	-	19,250	19,250	19,250	-	-	57,750
Water Connection Fee SF (\$650)	-	22,750	22,750	22,750	-	-	68,250
Drainage Connection Fee (\$250)	-	8,750	8,750	8,750	-	-	26,250
Total Connection Fees	-	50,750	50,750	50,750	-	-	152,250
Development Fees: Used for General Fund operating expenses.							
Building Permits (\$1235)	-	43,225	43,225	43,225	-	-	129,675
Plan Check Fees (65% of above)	-	28,096	28,096	28,096	-	-	84,289
Inspection Fees (\$200) - No fee now	-	-	-	-	-	-	-
Zoning Fees (\$250/unit + \$1,650) 36 lots	-	5,325	5,325	-	-	-	10,650
Total Development Fees	-	76,646	76,646	71,321	-	-	224,614
Utility Taxes: Used for General Fund operating expenses							
Electric (6%)	-	2,016	2,016	2,218	-	-	6,250
Telephone (6%)	-	1,764	1,764	1,940	-	-	5,468
Natural Gas (6%)	-	1,260	1,260	1,386	-	-	3,906
Water/Sewer/Drainage (6%)	-	2,520	2,730	2,730	-	-	7,980
Solid Waste (6%)	-	756	756	832	-	-	2,344
Cable TV (3%)	-	504	504	554	-	-	1,562
Total Utility Taxes	-	8,820	9,030	9,660	-	-	27,510
Property Tax:							
New Construction Value	-	-	7,000,000	7,210,000	7,424,200	-	
Annexation Value	-	-	-	-	-	-	
Total New Const & Annex	-	-	7,000,000	7,210,000	7,424,200	-	
Estimated Tax Rate/\$1,000 AV	2.13	2.08	2.03	1.98	1.93	1.88	
Annexation Property Tax	-	-	14,210	14,276	14,329	-	42,815
EMS Levy Tax Rate/\$1,000 AV	0.330	0.310	0.290	0.270	0.250	0.230	
Annexation EMS Levy	-	-	2,030	1,947	1,856	-	5,833
R.E.E.T. - Capital Projects	-	26,250	26,775	27,311	-	-	80,336
R.E.E.T. - Growth Management	-	26,250	26,775	27,311	-	-	80,336
Total R.E.E.T.	-	52,500	53,550	54,621	-	-	160,671
Gas Tax (both portions)	-	2,132	4,263	6,395	6,395	6,395	25,578
Total State Shared Revenue	-	2,132	4,263	6,395	6,395	6,395	25,578
General Fund Revenue	-	87,598	106,179	103,598	22,579	6,395	326,349
Impact Fee Revenues	-	106,960	106,960	106,960	-	-	320,880
Plant Investment Fees	-	434,350	434,350	434,350	-	-	1,303,050
Utility Revenue	-	84,270	116,503	116,897	50,713	19,141	387,525
Other Revenue (REET)	-	52,500	53,550	54,621	-	-	160,671
Total Revenue	-	765,678	817,543	816,426	73,292	25,536	2,498,475