

**CITY OF STANWOOD**  
Stanwood, Washington

**ORDINANCE 1397**

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON APPROVING ANNEXATION OF CERTAIN UNINCORPORATED AREA, KNOWN AS THE 276<sup>th</sup> STREET NW (JOSEPHINE SUNSET) 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 south of 276<sup>th</sup> St. NW (Lovers Lane) where 100th Ave. NW would approximately intersect, west of Heritage Park, and north of Josephine Sunset Home, being located in Section 24, Township 32 North, Range 03 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 32032400400100; 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 August 21, 2014, 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 13, 2015; and

**WHEREAS**, the City submitted the Petition for Annexation to the Snohomish County Assessor on March 16, 2015 for a determination of sufficiency; and

**WHEREAS**, the Snohomish County Assessor certified on March 24, 2015 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 May 14, 2015, and the City Council heard testimony from staff, the applicant and the public, and was fully advised in the premises; and

**WHEREAS**, the City Council unanimously approved the motion to “authorize the Mayor to sign Resolution 2015-9 and to allow staff to submit to the Snohomish County Boundary Review Board for review and consideration the 60% annexation petition for the 276th Street NW (Josephine Sunset) Annexation; and

**WHEREAS**, the City Council also declared in Resolution 2015-9, “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 Light Industrial (LI)””; and

**WHEREAS**, City staff submitted on June 1, 2015 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 at its June 23, 2015 meeting; and

**WHEREAS**, the proposed annexation area is comprised of a single parcel (7.652 acres) with proposed Comprehensive land use designations Light Industrial (LI) and proposed zoning designation of Light Industrial (LI) 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 A** and the boundaries depicted on the map attached as **Exhibit B** are hereby approved for annexation into the City of Stanwood.

**Section 2. Assessment and Taxation.** The property described in **Exhibit A**, 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 A** hereby is subject to the City of Stanwood Comprehensive Plan and zoning regulations as adopted. The property described in **Exhibit A** hereby is designated Light Industrial (LI) 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 copy 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.

**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 13<sup>th</sup> day of August, 2015.

CITY OF STANWOOD

  
\_\_\_\_\_  
Leonard Kelley, Mayor

ATTEST:

By:   
\_\_\_\_\_  
Greg Thramer, City Clerk

APPROVED AS TO FORM:

By:   
\_\_\_\_\_  
Grant Weed, City Attorney

Date of Publication: August 18, 2015

Effective Date: August 23, 2015

## EXHIBIT A

### 276<sup>th</sup> St. NW (Josephine Sunset) Annexation to Stanwood

#### LEGAL DESCRIPTION:

All that portion of the Northwest quarter of the Southeast quarter of Section 24, Township 32 North, Range 3 East, W.M., being bounded on the East by ordinance No. 862 and on the South by these lands annexed to City of Stanwood in election held June 27<sup>th</sup> 1914 and being more particularly described as follows:

**COMMENCING** at the East quarter corner of said Section 24; thence N 89° 21' 47" W along the East-West centerline of said section a distance of 1951.31 feet to the Northwest corner of that particular parcel described in Ordinance Number 862, records of Snohomish County, Washington and the **TRUE POINT OF BEGINNING**; thence S 0° 38' 02" E along the West line of that property described in said ordinance a distance of 476.19 feet to the North line of those lands annexed to City of Stanwood by 1914 election; thence following said North line N 89° 13' 58" W a distance of 435.00 feet; thence N 88° 12' 16" W a distance of 267.31 feet to a point on the North-South centerline of said Section 24; thence N 0° 37' 56" W along said North-South centerline a distance of 469.79 feet to the center of section of said Section 24; thence S 89° 21' 47" E a distance of 702.10 feet to the **TRUE POINT OF BEGINNING**.

Situate in the County of Snohomish, State of Washington

Containing 333,317 square feet or 7.652 acres

# EXHIBIT B

## Proposed Annexation Area: 276<sup>th</sup> St. NW (Josephine Sunset) Annexation to Stanwood

