



200203290182

Skagit County Auditor

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RETURN TO:

P. Hayden
City of Sedro-Woolley
720 Murdock Street
Sedro-Woolley, WA 98284

DOCUMENT TITLE(S) (or transactions contained herein):

City of Sedro-Woolley Ordinance No. 1418-02, dated January 9, 2002

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

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

1. **City of Sedro-Woolley, a Washington municipal corporation**
- 2.

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

1. **Public**
- 2.

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

Portion of Sections 7, 13, and 18, Twp 35 North, Range 5 East, W.M.

Situate in the County of Skagit, State of Washington.

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

P39318; P39316; P39317; P38608; P39368; P39364; P113136; 39358; P113137; P39358; P113471; P39369;
P39372; P103786; P39305 (Parcel numbers are for reference only, and the legal description in the ordinance shall
prevail over any conflict with parcel numbers.)

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY; ESTABLISHING THE ZONING CLASSIFICATION OF SAID PROPERTY; REQUIRING SAID PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS THE OTHER PROPERTY WITHIN SAID CITY; APPROVING AN AGREEMENT BETWEEN THE CITY AND THE PETITIONERS; AND FIXING THE EFFECTIVE DATE OF SAID ANNEXATION.

WHEREAS, the City Council received a petition for annexation of the territory described in Exhibit A, signed by the owners of not less than seventy-five percent (75%) in value, according to the assessed valuation for general taxation, of the property described on said Exhibit A, and determined that said petition was sufficient to meet the requirements established by the council, and

WHEREAS, Resolution 647-01 approving the annexation was filed with the Skagit County Boundary Review Board and no request for review was received by the Board within the time limits set forth in RCW 36.93.100, and the annexation has been accepted by the Boundary Review Board, and

WHEREAS, by prior ordinance, the City Council has adopted proposed zoning regulations for the property that it now desires to implement, now, therefore

THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Annexation. The real property described on Exhibit A attached hereto and incorporated herein by reference as if fully set forth, shown for illustrative purposes on that map attached hereto as Exhibit B, shall be and hereby is annexed to and made a part of the City of Sedro-Woolley. The property annexed shall be subject to all the laws and regulations of the City of Sedro-Woolley, as now and hereafter adopted.

Section 2. Zoning. Pursuant to a prior ordinance of the City of Sedro-Woolley, which established zoning regulations for the Urban Growth Area outside the corporate limits of the City, all property within the area annexed is zoned SF-2, which is hereby adopted as the zoning designation of the annexed area.

Section 3. Indebtedness. All property within the area annexed shall be subject to and shall assume a *pro rata* share of the outstanding indebtedness of the City which has been approved by the voters, contracted, or incurred prior to, or existing at the date of annexation, and shall be assessed and taxed at the same rate and on the same basis as property within the City, including assessments for taxes and payment of any bonds issued or debts contracted, or incurred prior to, or existing at the date of annexation.

Section 4. Duties of the Finance Director. The City Clerk-Treasurer is hereby directed to file a certified copy of this Ordinance with the Skagit County Board of Commissioners, and to file a certificate of annexation with the State Office of Financial Management.



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Section 5. Duties of the City Clerk. The City Clerk-Treasurer is hereby directed to provide notification to the proper officers of Skagit County; to the Skagit County E-911 system; to the Public Utility District No. 1 of Skagit County; to such other 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 of the pending annexation, including the effective date of this ordinance.

Section 6. Franchise for Solid Waste Removal. Pursuant to the provisions of RCW 35.13.280 Washington Management of Washington, Inc. is hereby granted a franchise for seven (7) years for the collection of solid waste in the territory annexed to the City by this Ordinance, on the same terms and conditions as its certificate from the Washington State Utility and Transportation Commission for adjacent unincorporated area, as the same now reads or is hereafter amended; provided that in the event RCW 35.13.280 is found to be unconstitutional or invalid by any court having jurisdiction, then in that event the City shall assume responsibility for the collection of solid waste within the area annexed.

Section 7. Approval of Agreement. This annexation is subject to and conditioned upon execution of the pre-annexation agreement between the City of Sedro-Woolley and certain petitioners for annexation, concerning infrastructure improvements, which the Mayor and Clerk are hereby authorized to execute.

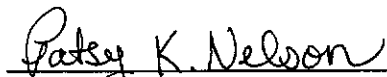
Section 8. Invalidity. That if any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, clause or phrase of this ordinance.

Section 9. Effective Date. This Ordinance shall take effect and be in full force, and the annexation provided for herein shall become effective five (5) days after publication of a summary of this Ordinance.

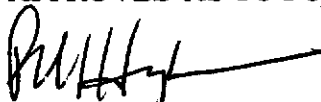
Passed and approved this 9th day of January, 2002.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM


CITY ATTORNEY



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LEGAL DESCRIPTION FOR THE CITY OF SEDRO-WOOLLEY OF
ANNEXED PROPERTY SOUTHERLY AND WESTERLY OF FRUITDALE ROAD

Beginning at the northwest corner of the south one third of Gov't Lot 1, Section 18, Township 35 North, Range 5 East, W.M., which point is the northwest corner of property in said Section 18 that was annexed to the City of Sedro-Woolley in August 1968 by Ordinance No. 675; thence north along the west line of said Section 18 to the northeast corner of the south half of the northeast quarter of the northeast quarter of Section 13, Township 35 North, Range 4 East, W.M. which point is the northeast corner of property annexed to the City of Sedro-Woolley in February 1978 by Ordinance No. 879; thence west along the north line of the south half of northeast quarter of the northeast quarter of said Section 13 a distance of 30 feet, more or less, to the west right of way line of state highway SR9; thence north along the west right of way line of state highway SR to its intersection with the westerly projection of the south line of the north 315 feet of the north one third of Gov't Lot 1 of said Section 18; thence east along the south line of said north 315 feet and its westerly projection, to the east line of said Gov't Lot 1; thence north along the east line of said Gov't Lot 1 to the north line of said Section 18; thence east along the north line of said Section 18 to the north quarter corner of said Section 18; thence north along the west line of the southeast quarter of Section 7, Township 35 North, Range 5 East, W.M., a distance of 320 feet more or less to the north right of way line of Fruitdale Road; thence southeasterly along the north right of way line of Fruitdale Road to its intersection with the south line of said Section 7; thence continuing southeasterly along the north right of way line of Fruitdale Road in said Section 18 to the angle point in the right of way line that is 20 feet, more or less, easterly of the west line of the northeast quarter of the northeast quarter of said Section 18; thence southerly along the east line of Fruitdale Road to the south line of the northeast quarter of the northeast quarter of said Section 18; thence west to the southwest corner of the northeast quarter of the northeast quarter of said Section 18; thence continuing west along the south line of the northwest quarter of the northeast quarter of said Section 18, to the westerly right of way line of the abandoned Northern Pacific Railway Company right of way, (Note: the course last described and all courses described hereafter are intended to follow the lines of property annexed to the City of Sedro-Woolley by Ordinance No. 857 or Ordinance No. 675); thence southwesterly along the westerly right of way line of said abandoned railway to the north line of the northeast quarter of the southwest quarter of said Section 18; thence east along the north line of said northeast quarter of the southwest quarter to the northeast corner thereof; thence south along the east line of said northeast quarter of the southwest quarter to its intersection with a line 200 feet distant northerly of, when measure at right angles to, and parallel with the north right of way line of the Puget Sound and Baker River Railroad right of way, said right of way being that County Road known as the McGarigle Road; thence southwesterly along said 200 foot line to the south line of said northeast quarter of the southwest quarter; thence west along the south line of said northeast quarter of the southwest quarter to the southwest corner thereof, said point being also the southeast corner of Gov't Lot 3 of said Section 18; thence north along the east line of Gov't Lot 3, the east line of Gov't Lot 2, and the east line of the south one third of Gov't Lot 1, to the northeast corner of the south one third of Gov't Lot 1 of said Section 18; thence west along the north line of the south one third of said Gov't Lot 1 to the point of beginning of this description.

Exhibit A



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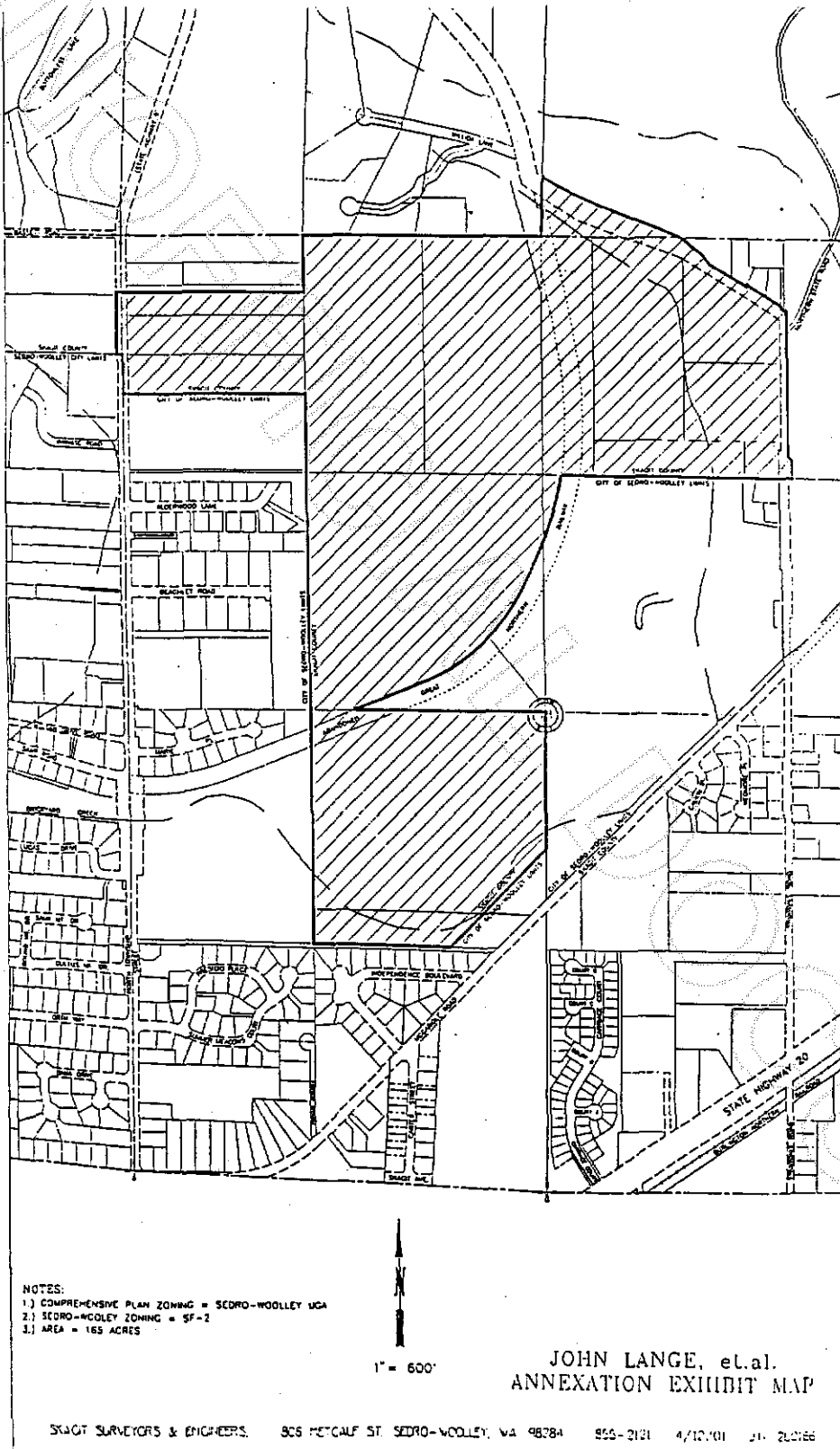


Exhibit B



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CITY OF SEDRO-WOOLLEY
CERTIFICATE FOR ORDINANCE

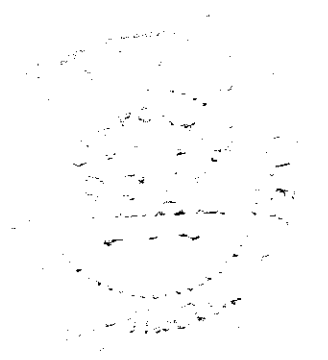
I, Patsy K. Nelson, the undersigned City Clerk-Treasurer of the City of Sedro-Woolley, Washington, (the 'City'), DO HEREBY CERTIFY:

1. That the attached Ordinance numbered 1418-02 ("Ordinance") is a true and correct copy of an ordinance of the City, as finally passed at a Public Meeting of the City Council held on January 9, 2002, and duly recorded in my office.
2. That said meeting was dully convened and held in all respects in accordance with the law and, to the extent required by law, due and proper notice of such meeting was given, that a legal quorum was present throughout the meeting and a legally sufficient number of the members of the City Council voted in the proper manner for adoption of said Ordinance; that all other requirements and proceedings incident to the proper adoption of said Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this 22nd day of March, 2002.

Patsy K. Nelson

Patsy K. Nelson
City Clerk-Treasurer



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