

ORDINANCE NO. 759-07

CITY OF GRANITE FALLS

AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE MILLER SHINGLE ANNEXATION, PURSUANT TO THE PETITION METHOD SET FORTH IN RCW 35A.14; ESTABLISHING THE ZONING CLASSIFICATION OF SAID PROPERTY AND DIRECTING AMENDMENTS OF THE CITY'S ZONING MAP; REQUIRING SAID PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS THE OTHER PROPERTY WITHIN THE SAID CITY; 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, according to the assessed valuation for general taxation, of the property commonly known as the Miller Shingle Annexation and more particularly described in Exhibit "A" attached hereto and incorporated by this reference as if fully set forth, was received by the City of Granite Falls on February 27, 2007; and

WHEREAS, the City Council met on May 2, 2007 with the initiators of the annexation within sixty (60) days of receipt of the said Notice of Intent to Annex, and determined that the City would entertain an annexation petition, would require the simultaneous adoption of proposed zoning regulations for the property, would require an assumption of a proportionate share of the City's existing indebtedness, and would authorize the initiators to circulate an annexation petition meeting the requirements of RCW 35A.14.120; and

WHEREAS, the City Council subsequently received a petition for annexation of the territory described on Exhibit "A," signed by the owners of not less than sixty percent (60%) in value, according to the assessed valuation for general taxation, of the property described on said Exhibit "A," and the Snohomish County Assessor determined on October 18, 2007, that said petition was sufficient to meet the requirements established by the Council; and

WHEREAS, pursuant to RCW 36.93.100, the City may not annex territory without prior Boundary Review Board approval unless the Board determines, for certain proposals, that review is not necessary, or the Board's jurisdiction is not invoked; and

WHEREAS, the City Council simultaneously with the First Reading of this Annexation Ordinance has adopted a Resolution of Notice of the Pending Annexation and Intent to Annex which shall be filed on or before December 12, 2007, with the Snohomish County Boundary Review Board; and

WHEREAS, in accordance with RCW 35A.14.130, after proper notice a public hearing on the annexation was held before the Granite Falls City Council on December 5, 2007; and

WHEREAS, by prior Ordinance No. 740-07 with an effective date of May 4, 2007, the City Council has adopted proposed zoning regulations for the Miller property located within its Urban Growth Area which it now desires to implement;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Annexation. The real property commonly known as the Miller Shingle Annexation, File No. AX-2007-003, and more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference as if fully set forth, should be and hereby is annexed to and made a part of the City of Granite Falls as of the effective date of this Ordinance.

Section 2. Zoning. Pursuant to a prior Ordinance 740-07 of the City of Granite Falls, which established proposed zoning regulations for the area hereby annexed to the City, all property within the territory annexed hereby is zoned Residential 9,600. The Planning Agency is hereby instructed to make if necessary any changes to the official Zoning Map of the City in accordance with the zoning established by this section, upon the effective date of the annexation.

Section 3. Indebtedness. Pursuant to the terms of the annexation petition, 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 City, including assessments for taxes and payment of any bonds issued or debts contacted prior to or existing as of the date of annexation.

Section 4. Duties of the City Clerk. The City Clerk is hereby directed to file a certified copy of this Ordinance with the Snohomish County Council, and in addition file in triplicate within thirty (30) days of the effective date of this annexation a Certificate of Annexation with the State Office of Financial Management as directed by RCW 35A.14.700.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 6. Publication and Summary. This Ordinance or summary thereof consisting of the title shall be published in the official newspaper of the City.

Section 7. Effective Date. This Ordinance shall be in full force and effect five (5) days' after publication of the summary consisting of the title.

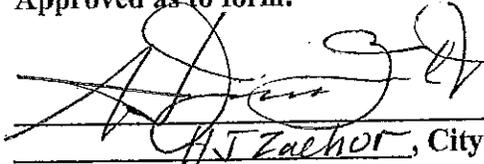
Said Ordinance was passed in open session by the City Council of the City of Granite Falls on the 20 day of FEBRUARY, 2008, and signed in authentication of its passage this 20 day of FEBRUARY, 2008.


LYLE ROMACK, Mayor

Attest:

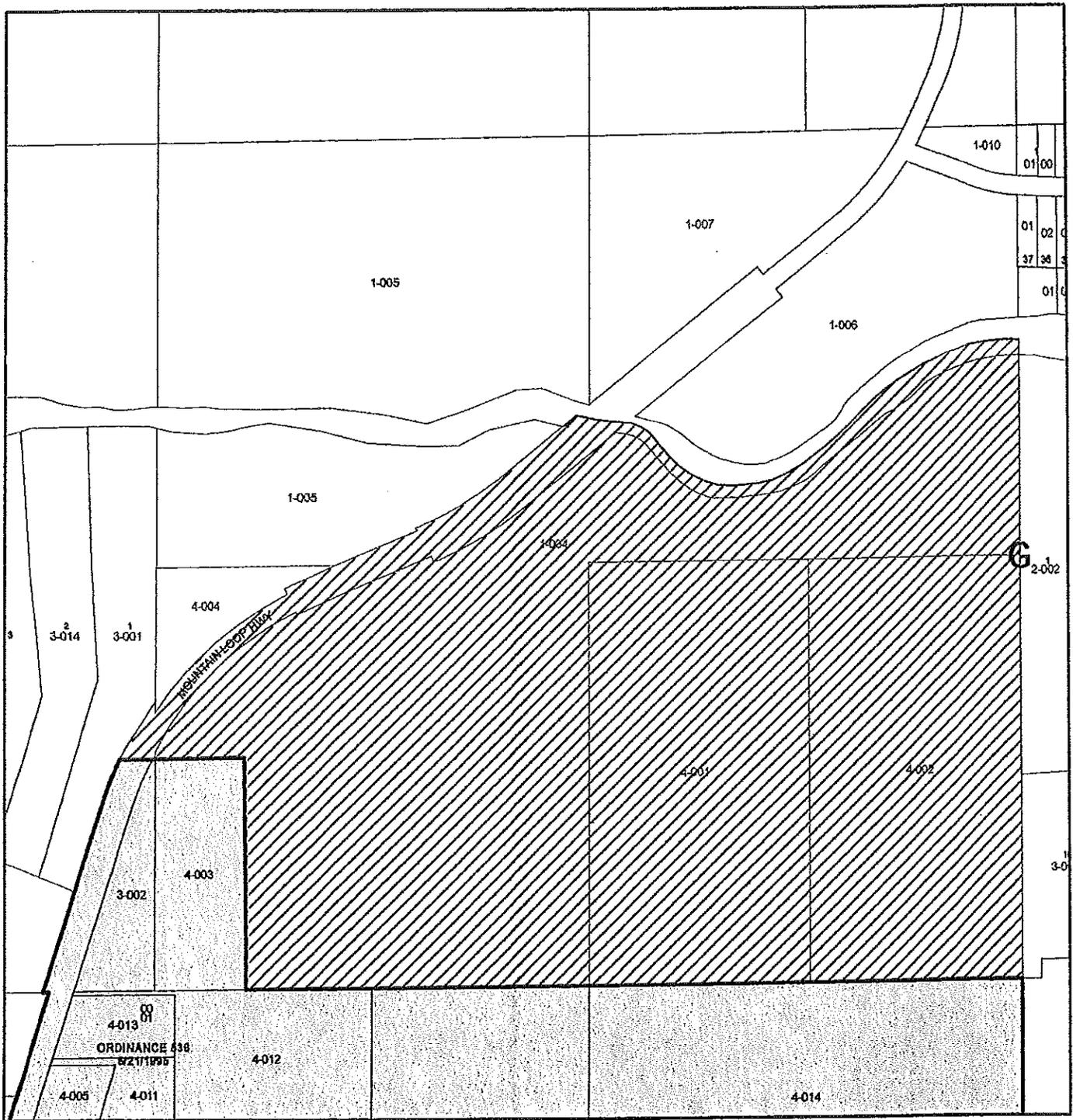

LOTTA HINES, City Clerk

Approved as to form:


A.J. Zaehner, City Attorney

DATE OF FIRST READING:	<u>12-5-07</u>
DATE OF SECOND READING:	<u>2-20-08</u>
DATE OF PUBLICATION:	<u>2-23-08</u>
EFFECTIVE DATE:	<u>2-28-08</u>

Granite Falls – A Portion of Section 7, Township 30 North, Range 7 East, W.M.



That portion of Section 7, Township 30 North, Range 7 East Willamette Meridian described as follows:

Beginning at the southeast corner of the north half of the southeast quarter of said Section 7; thence North along the east line of said section to the middle of the South Fork of the Stillaguamish River; thence West along the middle of said river to the westerly margin of the Mountain Loop Highway; thence southwesterly along said margin to and intersection with the westerly extension of the north line of the west 288.5 feet of the south 721.10 feet of the northwest quarter of the southeast quarter of said Section 7; thence East along said extension and north line to the northeast corner of said west 288.5 feet of the south 721.10 feet; thence South along the east line of said west 288.5 feet of the south 721.10 feet to the southeast corner thereof; thence East along the south line of the north half of the southeast quarter of said Section 7 to the point of beginning.

EXHIBIT A