

RESOLUTION NO. 3063

A RESOLUTION of the City Council of the City of Bremerton, Washington, accepting the proposal for annexation and authorizing the circulation of a petition for annexation, geographically modifying the area proposed to be annexed by adding a portion of State Route 3 adjacent to the proposed annexation area, and further requiring the assumption of all of the City's existing indebtedness by the area to be annexed.

WHEREAS, on April 22, 2008, the City received a petition for annexation of territory to the City of Bremerton from McCormick Land Co. and Alpine Evergreen Co., Inc.; and

WHEREAS, the area proposed by the petitioners for annexation is described and further depicted in the Petition for Annexation of Territory to City of Bremerton attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the initiating parties are the owners of one hundred percent (100%) of the property according to the assessed valuation for which annexation is petitioned, which is well in excess of the ten percent (10%) in value of the property required to initiate an annexation into the City of Bremerton; and

WHEREAS, the initiating parties are the owners of not less than ten percent (10%) of the acreage for which annexation is petitioned; and

WHEREAS, on May 1, 2008, the City also received a petition for annexation/request to join annexation of approximately 5.67 acres of property to the City of Bremerton from Sylvan Products, Inc. ("Sylvan"), attached hereto as Exhibit B and further identified in the area map also attached hereto as Exhibit B which is incorporated herein by reference; and

WHEREAS, the proposed area for annexation is located within an Urban Growth Area (UGA); and

WHEREAS, the City Council must meet with the initiating parties not later than 60 days after filing the request for annexation to consider the petition and decide whether it will 1) accept, reject, or geographically modify the proposed annexation; 2) require the simultaneous adoption of the comprehensive plan for the area proposed to be annexed; and 3) require the assumption of all or any portion of City indebtedness by the area to be annexed; and

WHEREAS, City Council has set June 16, 2008 as the date that it will meet with the initiating parties to consider the petition; and

WHEREAS, the City Council finds that it in the best interest of the City to decline to geographically modify the area proposed to be annexed by adding the Sylvan property as described in Exhibit B in that doing so at this time would create boundaries that are not uniform for the area proposed to be annexed by Petitioners, but to add that portion of State Route 3 adjacent to the proposed annexation area as identified in Exhibit C; and

WHEREAS, the area proposed for annexation is described in Exhibit C attached hereto and incorporated herein by reference; and

WHEREAS, a comprehensive plan designation for the area proposed to be annexed will not be adopted herein; and

WHEREAS, City Council finds that it in the best interest of the City to accept the proposed annexation as presented as geographically modified herein and further to require the assumption of all or any portion of City indebtedness by the area to be annexed; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF BREMERTON, WASHINGTON,
DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Petition for Annexation of Territory to the City of Bremerton set forth in Exhibit A is hereby accepted as presented with geographic modification to the area proposed to be annexed by the addition of that portion of State Route 3 adjacent to the proposed annexation area as described in Exhibit C.

SECTION 2. The City Council shall require the assumption of all existing City indebtedness by the area to be annexed.

SECTION 3. The initiating parties shall be required to submit the appropriate seventy-five percent (75%) annexation petition as required by law to proceed with the proposed annexation.

SECTION 4. *Severability.* If any one or more sections, subsections, or sentences of this Resolution are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Resolution and the same shall remain in full force and effect.

SECTION 5. *Effective Date.* This Resolution shall take effect and be in force immediately upon its passage.

PASSED by the City Council of the City of Bremerton, Washington this ____ day of _____, 2008.

WILL MAUPIN, Council President

APPROVED AS TO FORM:

ATTEST:

ROGER A. LUBOVICH, City Attorney

CAROL ETGEN, City Clerk

R:\Legal\Legal\Files\Current Active Files\SKIA\10% Annexation Petition Resolution - SKIA North Final.doc

EXHIBIT A

INTENTION TO COMMENCE ANNEXATION PROCEEDINGS PROPOSED ANNEXATION OF TERRITORY TO CITY OF BREMERTON

22 (15)
April 24, 2008

"RECEIVED CITY COUNCIL OFFICE"
DATE 4/22/08

City Council
City of Bremerton
345 6th St. Suite 600
Bremerton, WA 98337

Re: Alpine \ McCormick Land Co. SR-3 Annexation

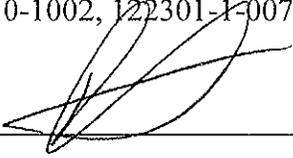
Dear City Councilmembers,

We the undersigned, who are the owners of not less than 10% of the value of property, according to the assessed valuation records for general taxation purposes of the Assessor of Kitsap County, of the following described real property situated in Kitsap County, Washington, respectfully file this Notice of Intention to Commence Annexation Proceedings ("Notice") requesting that said real property be annexed to the City of Bremerton, Washington and we respectfully state as follows:

1. The area proposed to be annexed to the City is more particularly described as per the legal description attached hereto as EXHIBIT A and made part of this Notice.
2. A plat map outlining the boundaries of the real property described is attached hereto as EXHIBIT B and is made a part of this Notice.
3. The said area adjoins the existing boundaries of the City of Bremerton and is in Kitsap County, and is within an Urban Growth Area.
4. The undersigned Petitioners respectfully request that the City Council of the City of Bremerton entertain this Notice and fix a date for a meeting with the initiating parties within 60 days of the filing of this Notice as per RCW 35.15.125. The undersigned Petitioners respectfully request that the City Council determine at said meeting whether it will accept, reject or geographically modify the proposed annexation; whether it will require the simultaneous adoption of a comprehensive plan; and whether it will require the assumption of all or any portion of existing city indebtedness by the area to be annexed.

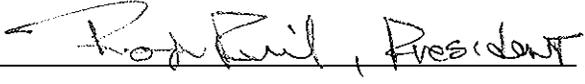
Tax Parcel Number(s) 012301-4-015-1004, 012301-4-025-1002, 122301-1-009-1005,
122301-1-010-1002, 122301-1-007-1007, 122301-1-008-1006

By: _____


Doug Skrobut, President
McCormick Land Company
4978 SW Lake Flora Road
Port Orchard, WA 98367

Tax Parcel Number(s) 012301-4-016-1003, 012301-4-013-1006, 012301-4-012-1007,
012301-4-017-1002

By: _____


Rod REID, President
ALPINE EVERGREEN CO., INC
7124 STATE Hwy #3 SW
PORT ORCHARD, WA 98367

**EXHIBIT A
LEGAL DESCRIPTION
OF TERRITORY PROPOSED FOR ANNEXATION
TO THE CITY OF BREMERTON**

Parcel I

THAT PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 23 NORTH, RANGE 1 WEST, W.M., IN KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE QUARTER CORNER OF THE EAST LINE OF SAID SECTION 1; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 755.2 FEET, MORE OR LESS, TO THE CENTER LINE OF HIGHWAY NO. 14; THENCE S44*53'W ALONG SAID CENTER LINE 2863.2 FEET; THENCE S45*07'E 50 FEET TO THE FORMER SOUTHEASTERLY MARGIN OF SAID HIGHWAY AND THE TRUE POINT OF BEGINNING; THENCE S45*07 E TO THE EAST LINE OF SAID SUBDIVISION; THENCE NORTHERLY ALONG SAID EAST LINE TO THE SOUTH MARGIN OF STATE HIGHWAY NO. 14; THENCE S44*53'W TO THE TRUE POINT OF BEGINNING; EXCEPT THAT PORTION CONTAINED WITHIN STATE HIGHWAY NO. 21 (LOST LAKE TO GORST) CONDEMNED UNDER KITSAP COUNTY SUPERIOR COURT 40135.

Parcel II

BEG AT 1/4 SEC COR ON E LN OF SEC N 755.2FT TO CEN OF HWY NO 14 S44*53'0 W ALG SD CEN LN 2863.2FT S45*7'0 E 50FT TO SELY LN OF RD & TPOB S44*53'0 W 300FT S45*7'0 E TO E LN OF SW1/4 SE1/4 N TO PT WH IS N45*7'0 W OF POB N45*7'0 W TO BEG

Parcel III

THAT PT OF SW1/4 SE1/4 DES AS FOLS BEG AT 1/4 COR OF E LN OF SD SEC 1 N ALG E LN OF SD SEC 755.2FT M/L TO CEN OF HWY NO 14 S44*50' W ALG SD CEN LN 2863.2FT S45*07' E 50FT TO SELY LN OF SD HWY S44*53' W ALG SD SELY LN 300FT TO TPOB CONT S44*53' W 300FT S45*07' E 800FT N44*53' E 300FT N45*07' W 800FT TO TPOB

Parcel IV

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 23 NORTH, RANGE 1 WEST, W.M., IN KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE QUARTER CORNER ON THE EAST LINE OF SAID SECTION 1; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 755.2 FEET, MORE OR LESS, TO THE CENTER LINE OF HIGHWAY NO. 14; THENCE S44*53'W ALONG SAID CENTER LINE 2863.2 FEET; THENCE S45*07'E 50 FEET TO THE FORMER SOUTHEASTERLY MARGIN OF SAID HIGHWAY;

THENCE S44*53'W ALONG SAID SOUTHEASTERLY MARGIN 600 FEET;
THENCE S45*07'E 800 FEET TO THE TRUE POINT OF BEGINNING;
THENCE N44*53'E 300 FEET; THENCE S45*07'E TO THE EAST LINE OF
SAID SUBDIVISION; THENCE SOUTHERLY ALONG SAID SUBDIVISION TO
THE SOUTHEAST CORNER THEREOF; THENCE WESTERLY ALONG THE
SOUTH LINE THEREOF TO A POINT S45*07'E OF THE TRUE POINT OF
BEGINNING; THENCE N45*07'W TO THE TRUE POINT OF BEGINNING.

Parcel V

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST
QUARTER OF SECTION 1, TOWNSHIP 23 NORTH, RANGE 1 WEST, W.M., IN
KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING
AT THE QUARTER CORNER ON THE EAST LINE OF SAID SECTION 1;
THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 755.2 FEET,
MORE OR LESS, TO THE CENTER LINE OF HIGHWAY NO. 14; THENCE
S44*53'W ALONG SAID CENTER LINE 2863.2 FEET; THENCE S45*07'E 50
FEET TO THE FORMER SOUTHEASTERLY MARGIN OF SAID HIGHWAY;
THENCE S44*53'W ALONG SAID SOUTHEASTERLY MARGIN 600 FEET TO
THE TRUE POINT OF BEGINNING; THENCE S45*07'E TO THE SOUTH LINE
OF SAID SECTION 1; THENCE WEST ALONG THE SOUTH LINE OF SAID
SECTION TO THE SOUTHEAST CORNER OF A PARCEL OF LAND
DELINEATED ON SURVEY RECORDED UNDER AUDITOR FILE NO.
7710310110; THENCE N43*58'23 W 756.98 FEET TO THE SOUTHEASTERLY
MARGIN OF HIGHWAY 14; THENCE NORTHEASTERLY ALONG SAID
SOUTHEASTERLY MARGIN OF HIGHWAY 14 TO THE POINT OF
BEGINNING; EXCEPT ANY PORTION WITHIN STATE HIGHWAY NO. 14.

Parcel VI

RESULTANT PARCEL A OF BOUNDARY LINE ADJUSTMENT RECORDED
UNDER AUDITOR'S FILE NO. 200505040439, RECORDS OF KITSAP
COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: THE NORTH HALF
OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 1, TOWNSHIP 23 NORTH, RANGE 1 WEST, W.M., IN KITSAP
COUNTY, WASHINGTON; THE SOUTH HALF OF THE SOUTHEAST
QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 23
NORTH, RANGE 1 WEST, W.M., IN KITSAP COUNTY, WASHINGTON;
EXCEPT THAT PORTION LYING EASTERLY AND NORTHERLY OF THE
FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHEAST
CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 1 (SOUTH
1/16); THENCE NORTH 85*48'24" WEST, 732.73 FEET ALONG THE NORTH
LINE OF SAID SUBDIVISION TO THE POINT OF BEGINNING; THENCE
SOUTH 8*11'30" EAST; 110.79 FEET; THENCE SOUTH 36*15'46" EAST, 94.25
FEET; THENCE SOUTH 25*16'38" EAST, 106.42 FEET; THENCE SOUTH
60*39'06" EAST, 73.25 FEET; THENCE SOUTH 24*59'37" EAST, 101.49 FEET;

THENCE SOUTH 59°32'22" EAST, 64.82 FEET; THENCE SOUTH 41°19'10" EAST, 49.91 FEET; THENCE SOUTH 14°02'30" EAST, 49.04 FEET; THENCE SOUTH 22°17'19" WEST, 285.52 FEET; THENCE SOUTH 61°06'30" EAST, 108.47 FEET; THENCE SOUTH 84°41'14" EAST, 71.12 FEET; THENCE NORTH 67°27'10" EAST, 79.96 FEET; THENCE SOUTH 84°54'57" EAST, 51.37 FEET; THENCE SOUTH 57°48'37" EAST, 47.01 FEET; THENCE NORTH 87°59'38" EAST, 130.06 FEET; THENCE SOUTH 47°51'41" EAST, 62.14 FEET TO A POINT ON THE EAST BOUNDARY OF SAID SUBDIVISION THE POINT OF TERMINATION.

Parcel VII

RESULTANT PARCEL A OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 200612260269, RECORDS OF KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 23 NORTH, RANGE 1 WEST, W.M., IN KITSAP COUNTY, WASHINGTON; EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE SOUTH 1°09'55" WEST ALONG THE EAST LINE THEREOF A DISTANCE OF 300.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 1°09'55" WEST ALONG SAID EAST LINE A DISTANCE OF 1032.07 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 84°40'00" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 600.00 FEET; THENCE NORTH 32°21'22" EAST 1155.48 FEET TO THE TRUE POINT OF BEGINNING; EXCEPT ROADS.

Parcel VIII

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 23 NORTH, RANGE 1 WEST, W.M., KITSAP COUNTY, WASHINGTON; EXCEPT ROADS, AND SUBJECT TO RESERVATIONS, RESTRICTIONS AND EASEMENTS OF RECORD.

Parcel IX

THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 23 NORTH, RANGE 1 WEST, W.M., KITSAP COUNTY, WASHINGTON; EXCEPT ROADS, AND SUBJECT TO RESERVATIONS, RESTRICTIONS AND EASEMENTS OF RECORD.

Parcel X

RESULTANT PARCEL B OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 200612260269, RECORDS OF KITSAP

COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 23 NORTH, RANGE 1 WEST, W.M., IN KITSAP COUNTY, WASHINGTON; DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE SOUTH $1^{\circ}09'55''$ WEST ALONG THE EAST LINE THEREOF A DISTANCE OF 300.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH $1^{\circ}09'55''$ WEST ALONG SAID EAST LINE A DISTANCE OF 1032.07 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH $84^{\circ}40'00''$ WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 600.00 FEET; THENCE NORTH $32^{\circ}21'22''$ EAST 1155.48 FEET TO THE TRUE POINT OF BEGINNING.

**EXHIBIT B
PARCEL MAP
OF TERRITORY PROPOSED FOR ANNEXATION
TO THE CITY OF BREMERTON**

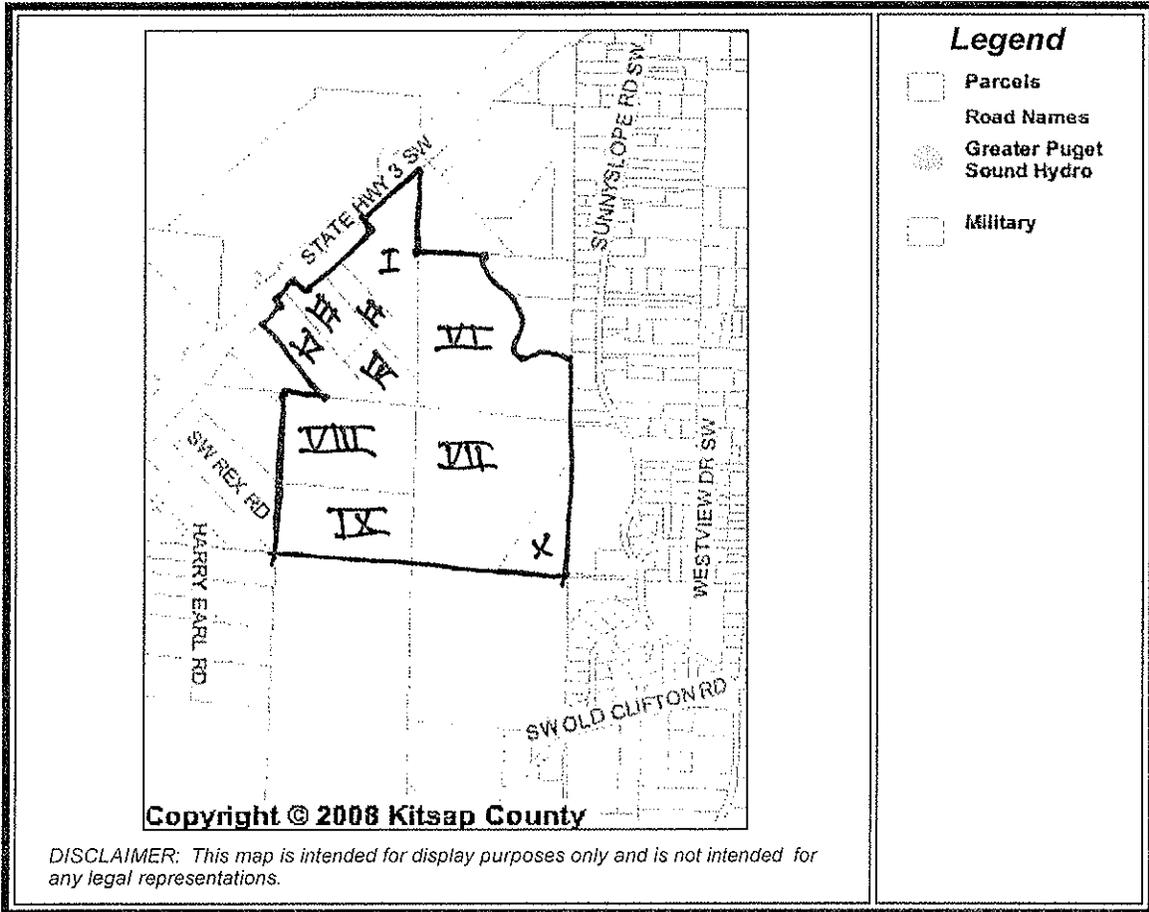


EXHIBIT B

RE: PETITION FOR ANNEXATION OF TERRITORY TO THE CITY OF BREMERTON

April 28, 2008

Lindsey Sehmel
City Planner
345 6th Street, Suite 600
Bremerton, WA 98337-1873

"RECEIVED CITY COUNCIL OFFICE"
DATE 5/1/08 11:30 AM
JS

Dear Lindsey,

Please submit our application at the proper time so that it does not slow the process or impede the main pending application for the **City of Bremerton-SKIA Annexation Proposal**.

We thank you for the expeditious manner you are doing your work.

Sincerely,

Kenneth and Gloria Haines
Kenneth and Gloria Haines
3202 96th Street NW
Gig Harbor, WA. 98332
253-853-4279
gloriahaines@comcast.net

RECEIVED
MAY 01 2008

BREMERTON-DEPT. OF
COMMUNITY DEVELOPMENT

PETITION FOR ANNEXATION OF TERRITORY
TO CITY OF BREMERTON

April 28, 2008

City Council
City of Bremerton
345 6th St. Suite 600
Bremerton, WA 98337

Re: Property located at 4729 St. HWY 3 SW

Dear City Council Members,

We the undersigned, who are the owners of not less than 75% of the value of property, according to the assessed valuation records for general taxation purpose of the Assessor of Kitsap County, of the following described real property situated in Kitsap County, Washington, respectfully file this Petition for Annexation of Territory to the City of Bremerton ("Petition") requesting that said real property be annexed to the City of Bremerton, Washington and respectfully state as follows:

1. The area proposed to be annexed to the City is more particularly described as per the legal description attached hereto as EXHIBIT A and made part of this partition.
2. A plat map outlining the boundaries of the real property described is attached hereto as EXHIBIT B and is made a part of this petition.
3. The said area adjoins the existing boundaries of the City of Bremerton and is in Kitsap County, as is within City of Bremerton's Urban Growth Area.
4. The undersigned Petitioners respectfully request the City Council to start the proceedings for Annexation to the City of Bremerton.

Kitsap County
Tax Parcel No. 0014894
4729 St. HWY 3 SW

By: Gary Bozeman, Mayor

RECEIVED
MAY 01 2008

BREMERTON-DEPT. OF
COMMUNITY DEVELOPMENT

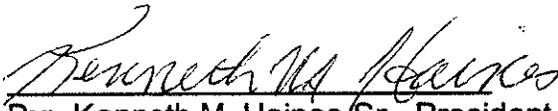
Council take formal action to accept and approve the proposed annexation and to authorize a filing with the Boundary Review Board of a Notice of Intent to Annex the described property.

SYLVAN PRODUCTS, INC.
Tax Parcel No. 122301-2-001-1001

A handwritten signature in cursive script that reads "Kenneth M. Haines Sr." is written over a horizontal line.

By: Kenneth M. Haines Sr., President

SYLVAN PRODUCTS, INC.
Tax Parcel No. 012301-3-009-1004

A handwritten signature in cursive script that reads "Kenneth M. Haines Sr." is written over a horizontal line.

By: Kenneth M. Haines Sr., President

EXHIBIT A

PROPERTY DESCRIPTION

FOR

4729 STATE HIGHWAY 3 SW

ACCOUNT NUMBER 122301-2-001-1001

BEG AT NE COR OF NE1/4 NW1/4 S 700FT M/L TO TR CONVEYED OCT 2 1942 TO HARRY EARL NWLY ALG SD TR 1040FT M/L TO ST HWY NO.14 E 774.3FT TO TPOB

ACCOUNT NUMBER 012301-3-009-1004

THAT PART OF S1/2 DES AS FOLS BEG AT INTERSECTION OF S LN OF SD SEC WITH SELY LN OF STATE HWY NO. 14 NELY ALG SD HWY 500FT M/L TO WLY LN TR CONVEYED MARCH 27 1941 TO EDNA COOK BY AUD FILE NO. 414543 SELY ALG SD COOK TR TO S LN OF SEC 1 W ALG SD S LN TO POB SUBJ TO EASEMENT

EXHIBIT B

SUNNYSLOPE

LI

City Limits SKIA UGA
Tax Parcels
600 Feet

City of Bremerton
Kitsap County

**SYLVAN PRODUCTS
ANNEXATION PROPOSAL**

012301-3-009-1004

122301-2-001-1001

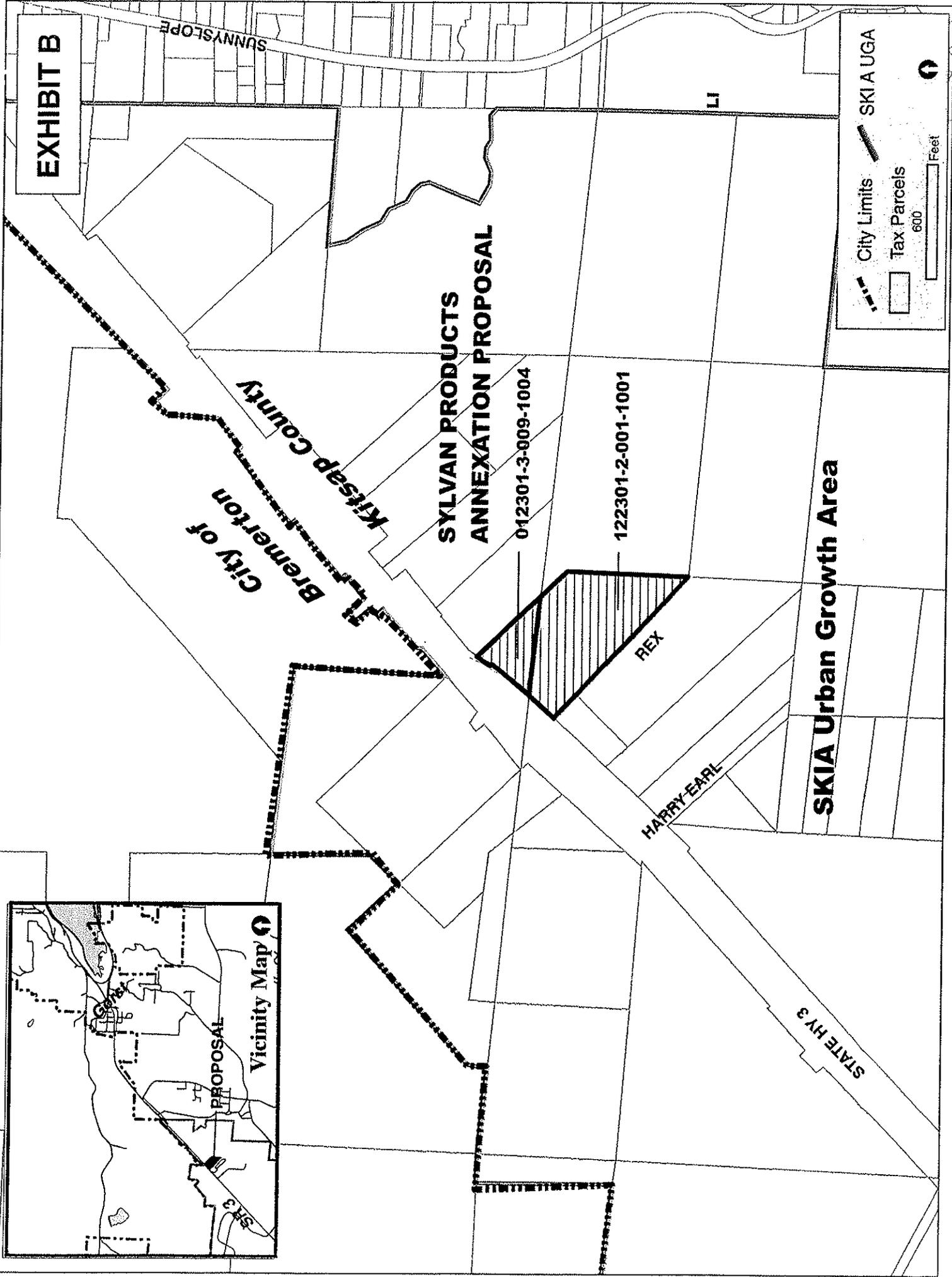
REX

SKIA Urban Growth Area

HARRY EARL

STATE HY 3

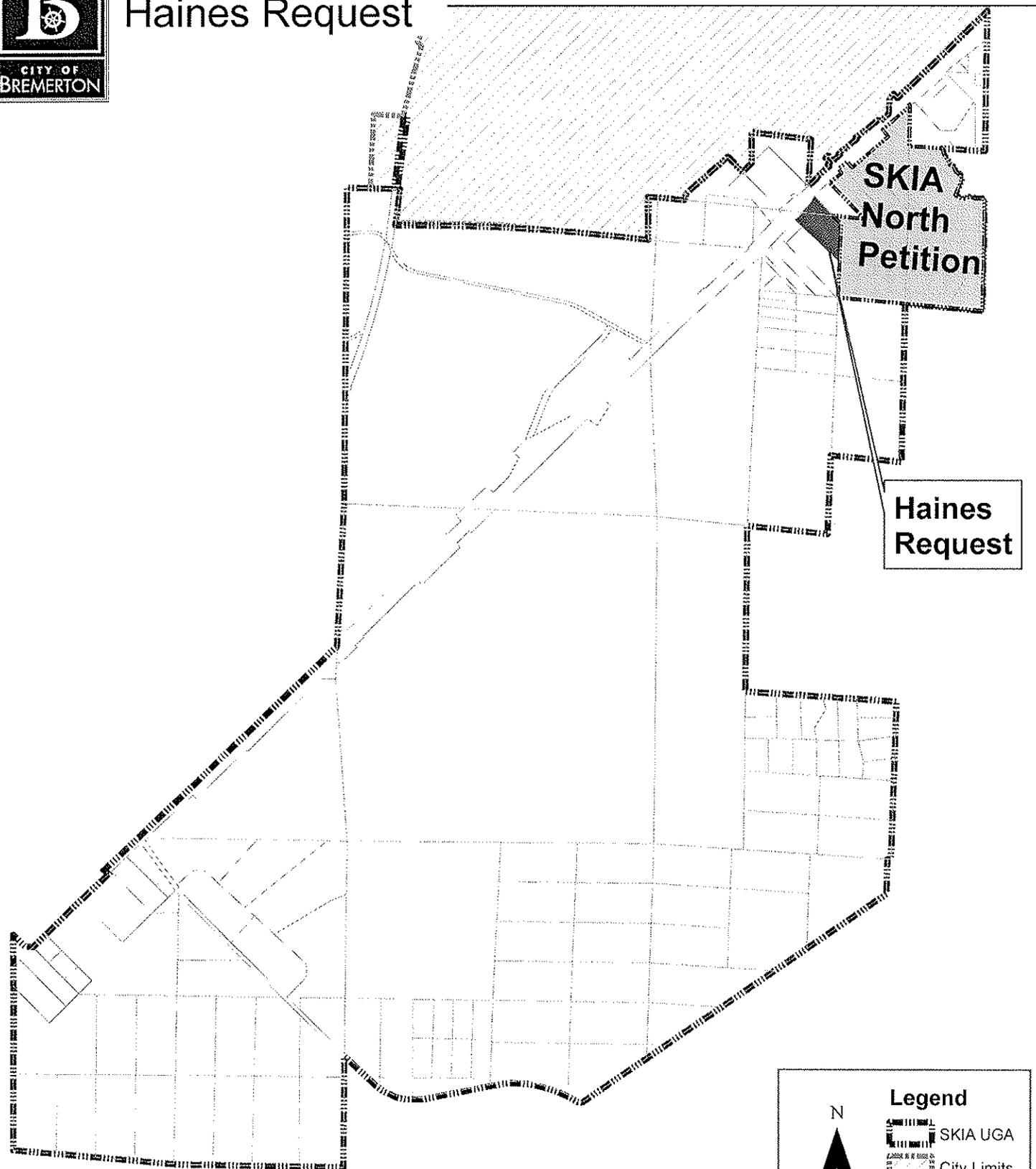
PROPOSAL
Vicinity Map





City of Bremerton-SKIA North Haines Request

Exhibit "B"



Legend

- SKIA UGA
- City Limits

The City of Bremerton does not warrant the accuracy of this information or mapping, which should not be relied upon without independent verification of accuracy. The user assumes all risks related to or arising from the use of this information or mapping.

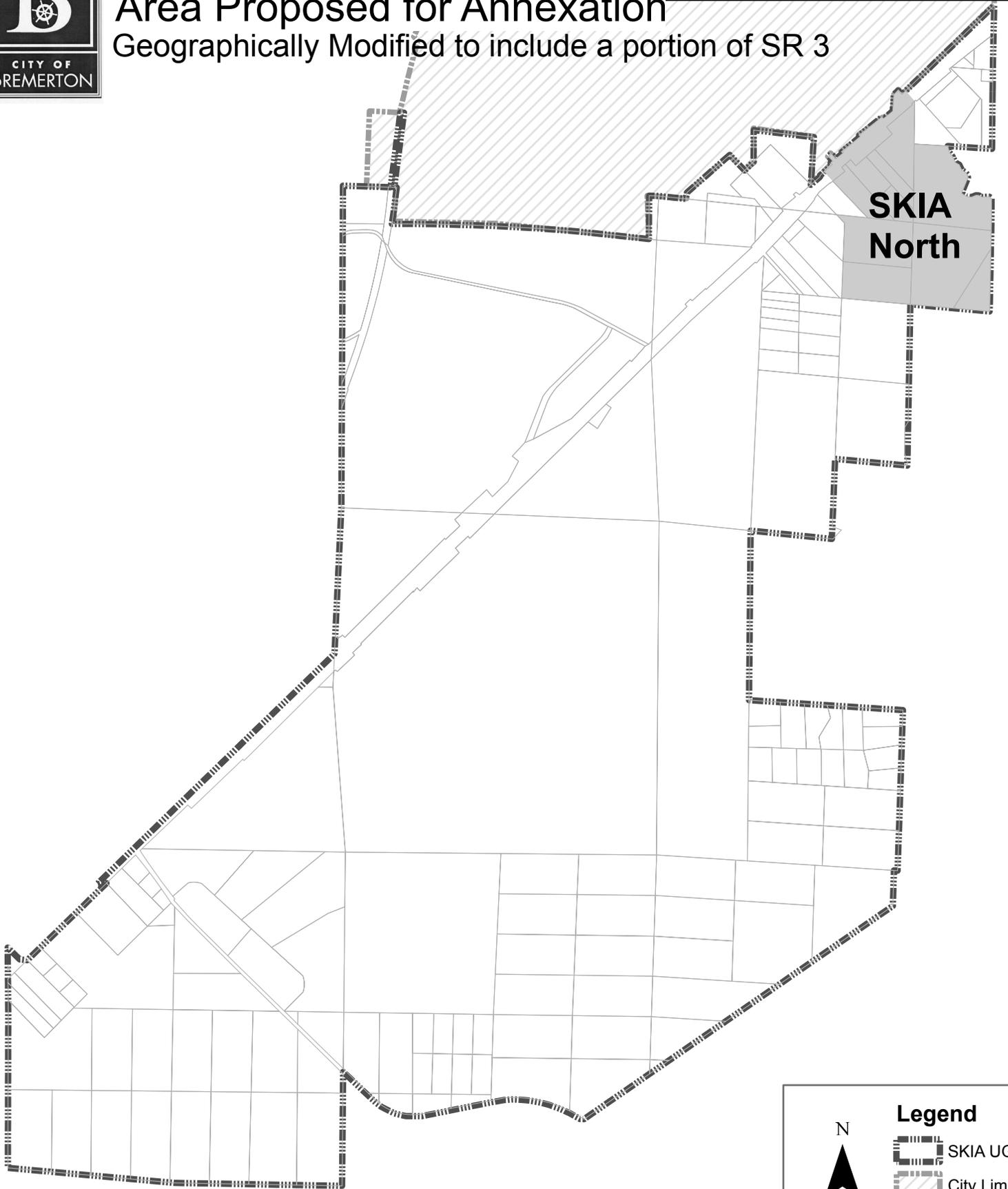


City of Bremerton-SKIA North

Area Proposed for Annexation

Exhibit "C"

Geographically Modified to include a portion of SR 3



Legend

N

 SKIA UGA

 City Limits

The City of Bremerton does not warrant the accuracy of this information or mapping, which should not be relied upon without independent verification of accuracy. The user assumes all risks related to or arising from the use of this information or mapping.