

RESOLUTION NO. 3064

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 approximately eighty (80) acres of property and by adding a portion of Lake Flora Road 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 Bremerton from Overton & Associates Holdings, LP, the Port of Bremerton, McCormick Land Co., Alpine Evergreen Co., Inc., North Mason Holdings, LP, North Bay Properties Holdings, LP, Coulter Creek Holdings, LP, and Southwest Kitsap Holdings, LP (“Petitioners”); 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 April 22, 2008, the City also received a petition for annexation/request to join annexation of approximately eighty (80) acres of property to the City of Bremerton from Paul and Mary Schmidt (“Schmidt”), 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 desires to geographically modify the area proposed to be annexed by adding the Schmidt properties consisting of approximately eighty (80) acres as described in Exhibit B and by adding that portion of Lake Flora Road to the proposed annexation area as identified in Exhibit C; and

WHEREAS, as modified herein, 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 approximately eighty (80) acres of property described in Exhibit B, and by the addition of that portion of Lake Flora Road to the proposed annexation area as identified in Exhibit C for a total area proposed to be annexed 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 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

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EXHIBIT A

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

^{22ND}
April 16th, 2008

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

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

RECEIVED

APR 22 2008

City of Bremerton
City Attorney's Office

Re: South Kitsap Industrial Annexation

Dear City Council members,

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.

Overton & Associates Holdings, LP

Tax Parcel No.

222301-1-004-1008; -1-005-1007; -1-006-1006; -1-007-1005; -1-008-1004; -1-009-1003;
-1-010-1000.

222301-2-017-1001; -2-021-1005

222301-3-004-1004; -3-005-1003; -3-006-1002; -3-007-1001; -3-008-1000; -3-009-1009;
-3-010-1006.

232301-3-013-1002; -3-014-1001; -3-016-1009



By: David E. Overton, Managing Partner

Overton & Associates Holdings, LLC (General Partner)

Port of Bremerton

Tax Parcel No.

112301-3-001-1000

122301-2-007-1005, -2-008-1004, -2-009-1003



By: Cheryl Kincer, President

Port of Bremerton, Board of Commissioners

McCormick Land Co

Tax Parcel No.

122301-3-001-1009

132301-3-010-1007; -3-011-1006

132301-4-023-1000; -4-024-1009

232301-1-006-1005; -1-007-1004; -1-008-1003; -1-009-1002; -1-010-1009; -1-011-1008; -1-
012-1007; -1-013-1006

232301-4-001-1004; -4-002-1003; -4-003-1002; -4-004-1001

242301-1-010-1008

242301-2-010-1006; -2-011-1005; -2-012-1004; -2-013-1003; -2-016-1000; -2-017-1009



By: Doug Skrobot, President

Alpine Evergreen Co., Inc.

Tax Parcel No.

South half of 122301-1-003-1001

232301-2-001-1008



By: Rod Reid, President

North Mason Holdings, LP
Tax Parcel No.
222301-4-002-1004;-4-008-1008



By: David E. Overton, Managing Partner
North Mason Holdings, LLC (General Partner)

North Bay Properties Holdings, LP
Tax Parcel No.
222301-4-003-1003;-4-009-1007



By: David E. Overton, Managing Partner
North Bay Properties, LLC (General Partner)

Coulter Creek Holdings, LP
Tax Parcel No.
222301-4-004-1002;-4-006-1000



By: David E. Overton, Managing Partner
Coulter Creek, LLC (General Partner)

Southwest Kitsap Holdings, LP
Tax Parcel No.
222301-4-005-1001;-4-007-1009



By: David E. Overton, Managing Partner
Southwest Kitsap, LLC (General Partner)

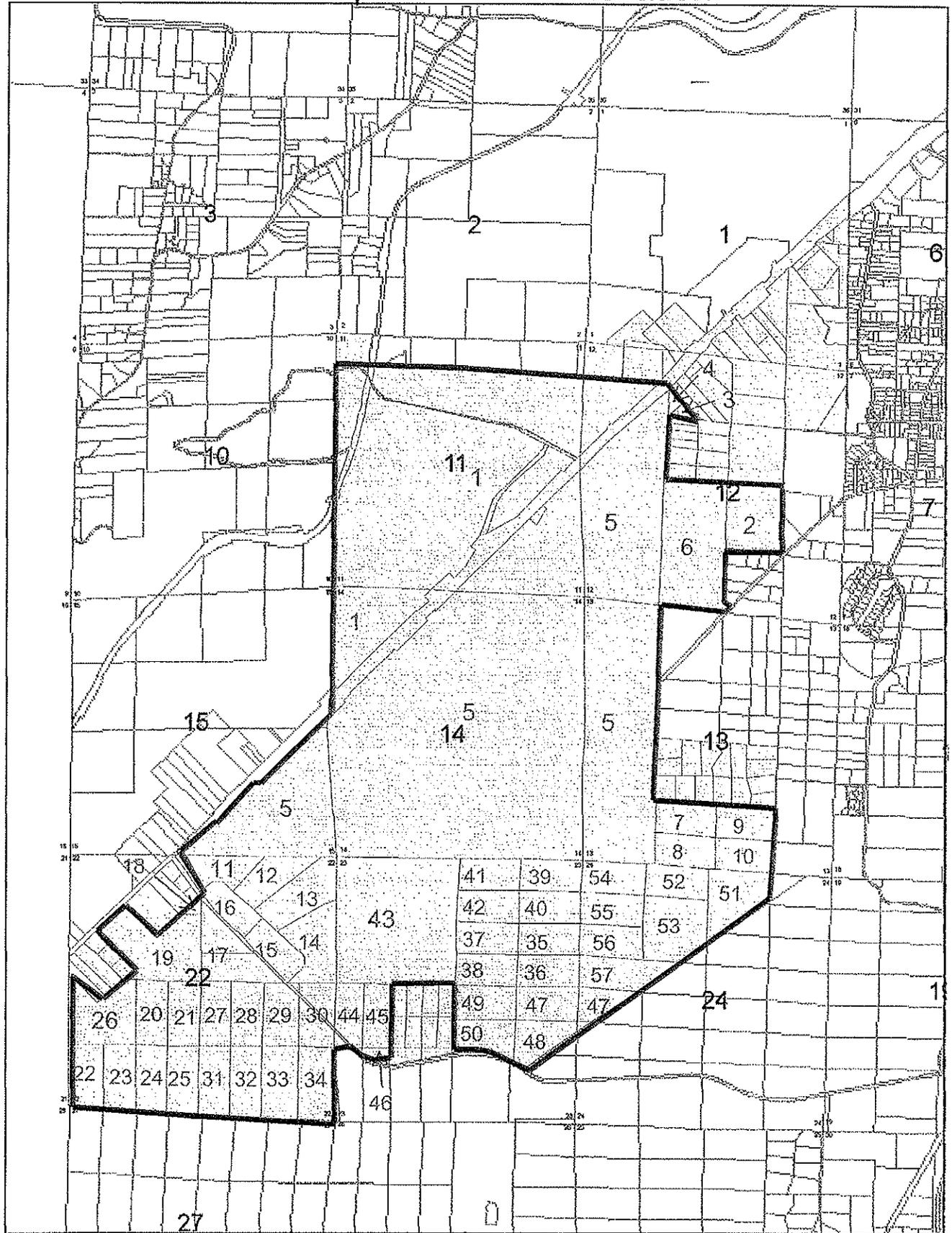
EXHIBIT A
LEGAL DESCRIPTION
OF TERRITORY PROPOSED FOR ANNEXATION
TO THE CITY OF BREMERTON

City of Bremerton will prepare the legal description for the external SKIA annexation boundary.

LEGAL DESCRIPTION TO BE
PREPARED AT TIME OF 75% PETITION

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

South Kitsap Industrial Annexation



Numbers on parcels correspond to SKIA ownership spreadsheet attached

SKIA Ownership Spreadsheet

Map Number	Taxpayer	Tax parcel no.	Use	Acres	Taxable AV	Public Owned	NonProfit	Market Value
1	PORT OF BREMERTON	122301-3-001-1000	390- Misc. irratf.	559.92	0	Y	N	16,097,480
2	ALPINE EVERGREEN INC South half of	122301-1-003-1001	880- Forest land	76.70	9,580	N	N	0
3	PORT OF BREMERTON	122301-2-007-1005	910- Undeveloped land	2.64	0	Y	N	42,370
4	PORT OF BREMERTON	122301-2-008-1004	910- Undeveloped land	1.40	0	Y	N	38,390
5	PORT OF BREMERTON	122301-2-009-1003	430- Aircraft transport	1090.00	0	Y	N	42,304,090
6	MCCORMICK LAND CO	122301-3-001-1009	880- Forest land	78.07	10,000	N	N	0
7	MCCORMICK LAND CO	132301-3-010-1007	880- Forest land	20.00	2,660	N	N	0
8	MCCORMICK LAND CO	132301-3-011-1006	880- Forest land	20.00	2,660	N	N	0
9	MCCORMICK LAND CO	132301-4-023-1000	880- Forest land	20.00	2,660	N	N	0
10	MCCORMICK LAND CO	132301-4-024-1009	880- Forest land	20.00	2,550	N	N	0
11	OVERTON & ASSOC	222301-1-004-1008	880- Forest land	19.17	2,550	N	N	0
12	OVERTON & ASSOC	222301-1-005-1007	880- Forest land	27.26	3,630	N	N	0
13	OVERTON & ASSOC	222301-1-006-1006	880- Forest land	28.21	3,750	N	N	0
14	OVERTON & ASSOC	222301-1-007-1005	880- Forest land	29.53	3,930	N	N	0
15	OVERTON & ASSOC	222301-1-008-1004	880- Forest land	22.40	2,980	N	N	0
16	OVERTON & ASSOC	222301-1-009-1003	880- Forest land	22.21	2,950	N	N	0
17	OVERTON & ASSOC	222301-1-010-1000	880- Forest land	22.05	2,580	N	N	0
18	OVERTON & ASSOC	222301-2-017-1001	910- Undeveloped land	1.49	94,900	N	N	64,900
19	OVERTON & ASSOC	222301-2-021-1005	880- Forest land	52.86	5,340	N	N	0
20	OVERTON & ASSOC	222301-3-004-1004	880- Forest land	20.00	2,340	N	N	0
21	OVERTON & ASSOC	222301-3-005-1003	880- Forest land	20.00	2,030	N	N	0
22	OVERTON & ASSOC	222301-3-006-1002	880- Forest land	20.00	2,340	N	N	0
23	OVERTON & ASSOC	222301-3-007-1001	880- Forest land	20.00	2,190	N	N	0
24	OVERTON & ASSOC	222301-3-008-1000	880- Forest land	20.00	2,090	N	N	0
25	OVERTON & ASSOC	222301-3-009-1009	880- Forest land	20.00	1,820	N	N	0
26	OVERTON & ASSOC	222301-3-010-1006	880- Forest land	51.98	6,630	N	N	0
27	NORTH MASON LP	222301-4-002-1004	880- Forest land	20.00	1,980	N	N	0
28	NORTH BAY PROPERTIES LP	222301-4-003-1003	880- Forest land	20.00	2,680	N	N	0
29	COULTER CREEK LP	222301-4-004-1002	880- Forest land	19.95	2,650	N	N	0
30	SOUTHWEST KITSAP LP	222301-4-005-1001	880- Forest land	18.76	2,500	N	N	0
31	COULTER CREEK LP	222301-4-006-1000	880- Forest land	20.00	2,660	N	N	0
32	SOUTHWEST KITSAP LP	222301-4-007-1009	880- Forest land	20.00	2,650	N	N	0
33	NORTH MASON LP	222301-4-008-1008	880- Forest land	20.00	2,620	N	N	0
34	NORTH BAY PROPERTIES LP	222301-4-009-1007	880- Forest land	20.00	2,650	N	N	0
35	MCCORMICK LAND CO	232301-1-006-1005	880- Forest land	20.00	2,680	N	N	0

36	MCCORMICK LAND CO	232301-1-007-1004	880- Forest land	20.00	2,620	N	N	0
37	MCCORMICK LAND CO	232301-1-008-1003	880- Forest land	20.00	2,650	N	N	0
38	MCCORMICK LAND CO	232301-1-009-1002	880- Forest land	20.00	2,630	N	N	0
39	MCCORMICK LAND CO	232301-1-010-1009	880- Forest land	20.00	2,650	N	N	0
40	MCCORMICK LAND CO	232301-1-011-1008	880- Forest land	20.00	2,660	N	N	0
41	MCCORMICK LAND CO	232301-1-012-1007	880- Forest land	20.00	2,650	N	N	0
42	MCCORMICK LAND CO	232301-1-013-1006	880- Forest land	20.00	2,650	N	N	0
43	ALPINE EVERGREEN INC	232301-2-001-1008	880- Forest land	150.18	19,710	N	N	0
44	OVERTON & ASSOC	232301-3-013-1002	880- Forest land	18.84	2,510	N	N	0
45	OVERTON & ASSOC	232301-3-014-1001	880- Forest land	19.79	2,050	N	N	0
46	OVERTON & ASSOC	232301-3-016-1009	880- Forest land	19.11	1,960	N	N	0
47	MCCORMICK LAND CO	232301-4-001-1004	880- Forest land	32.60	4,270	N	N	0
48	MCCORMICK LAND CO	232301-4-002-1003	880- Forest land	19.41	0	Y	N	0
49	MCCORMICK LAND CO	232301-4-003-1002	880- Forest land	20.00	2,620	N	N	0
50	MCCORMICK LAND CO	232301-4-004-1001	880- Forest land	20.92	2,750	N	N	0
51	MCCORMICK LAND CO	242301-1-010-1008	880- Forest land	37.09	0	Y	N	0
52	MCCORMICK LAND CO	242301-2-010-1006	880- Forest land	20.00	2,250	N	N	0
53	MCCORMICK LAND CO	242301-2-011-1005	880- Forest land	36.58	5,120	N	N	0
54	MCCORMICK LAND CO	242301-2-012-1004	880- Forest land	20.00	2,660	N	N	0
55	MCCORMICK LAND CO	242301-2-013-1003	880- Forest land	20.00	2,650	N	N	0
56	MCCORMICK LAND CO	242301-2-016-1000	880- Forest land	20.00	2,220	N	N	0
57	MCCORMICK LAND CO	242301-2-017-1009	880- Forest land	26.59	0	Y	N	0
Total acres:				3087.61	234,470			58,547,230

EXHIBIT B

Bremerton City Council
345 6th Street Suite 600
Bremerton, WA 98537-1873

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

City Council Members,

We are the owners of approximately 80 Acres within the boundaries of the South Kitsap Industrial Area consisting of 15 tax parcels listed on the attached copy of our deed.

We are petitioning the City Council to annex our property into the City of Bremerton.

Sincerely,
Paul Shurt Mary Schmidt
c.c. Andrea J. Spencer Director
c.c. Mayor Bozeman

RECEIVED

APR 22 2008

City of Bremerton
City Attorney's Office

AFTER RECORDING MAIL TO:

Name Paul A. and Mary E. Schmidt

Address P.O. Box 2298

City, State, Zip Bremerton, WA 98310

Statutory Warranty Deed



LAND TITLE COMPANY OF KITSAP COUNTY
E-128967 Escrow No. S-12731-CA

THE GRANTOR
96-2-02129-8, JOHN S. MCDONALD, RECEIVER

AUTHORITY PROVIDED UNDER KITSAP SUPERIOR COURT CAUSE NO.

for and in consideration of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION

in hand paid, conveys and warrants to PAUL A. SCHMIDT AND MARY E. SCHMIDT, husband and wife.

the following described real estate, situated in the County of Kitsap, State of Washington:

Complete Legal Description attached hereto as Exhibit "A" on page 2.
Abbreviated Legal Description:

Quarter: NE, SW & NW, SE Section 13, Township 23 North, Range 1 West
Tax Account No.: 132301-3-003-1006, 132301-3-004-1005, 132301-3-005-1004,
132301-3-006-1003, 132301-3-007-1002, 132301-3-008-1001, 132301-3-009-1000,
132301-4-011-1004, 132301-4-012-1003, 132301-3-013-1002, 132301-4-014-1001,
132301-40015-1000, 132301-4-016-1009, 132301-4-017-1008, 132301-4-018-1007

Dated: _____

.....
JOHN S. MCDONALD, RECEIVER PURSUANT TO
SUPERIOR COURT CAUSE NO. 96-2-02129-8
.....

STATE OF _____
COUNTY OF _____

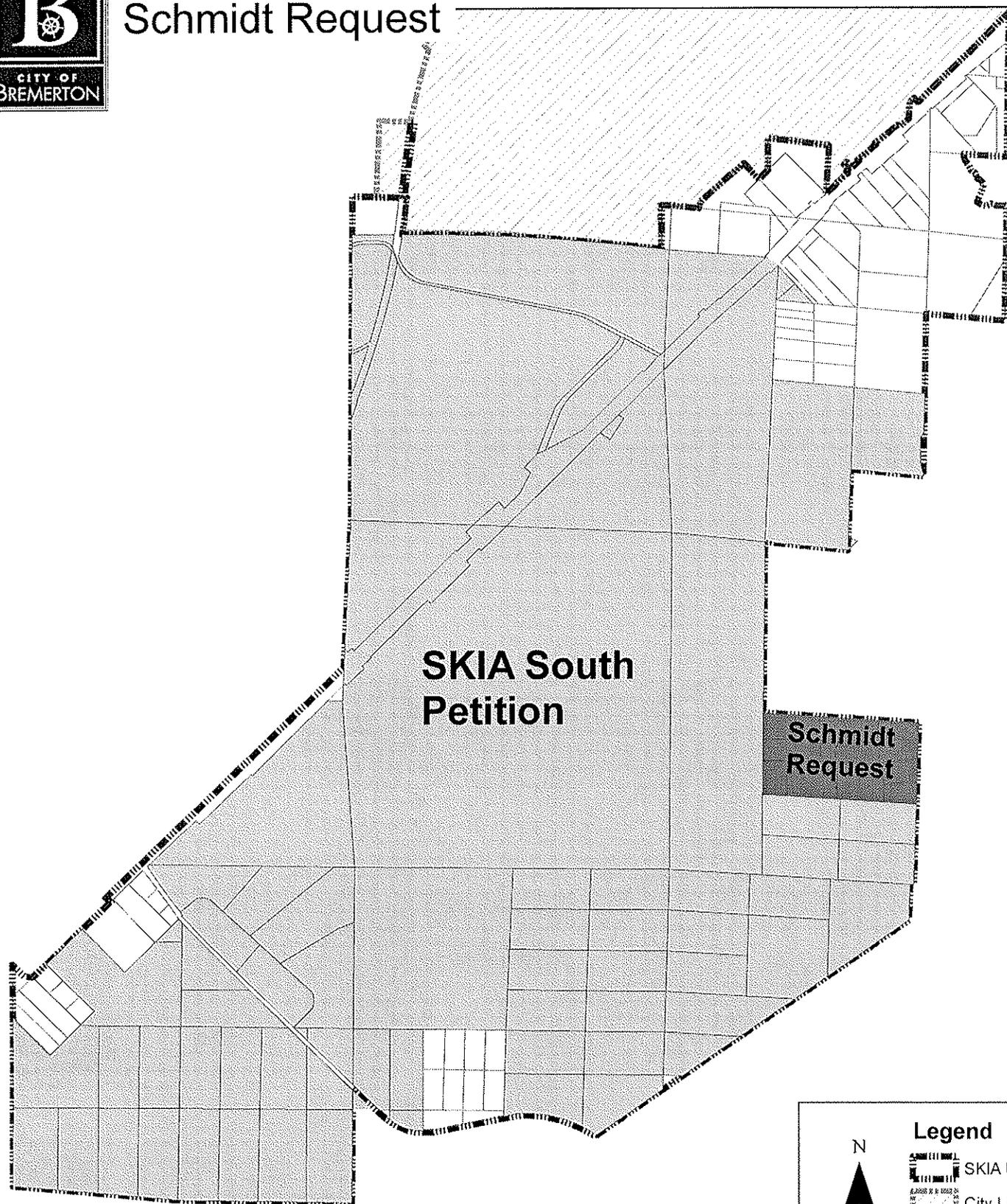
This is to certify that on the date of _____ before me personally appeared JOHN S. MCDONALD, to me known to be the RECEIVER, PURSUANT TO KITSAP SUPERIOR COURT CAUSE NO. 96-2-02129-8 and acknowledged the said instrument to be the free and voluntary act and deed of said RECEIVER for the uses and purposes therein mentioned, and on oath stated that HE WAS authorized to execute the said instrument on behalf of said partnership.

Notary Public in and for the State of _____
Residing at: _____
My Appointment expires: _____



City of Bremerton-SKIA South Schmidt 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.



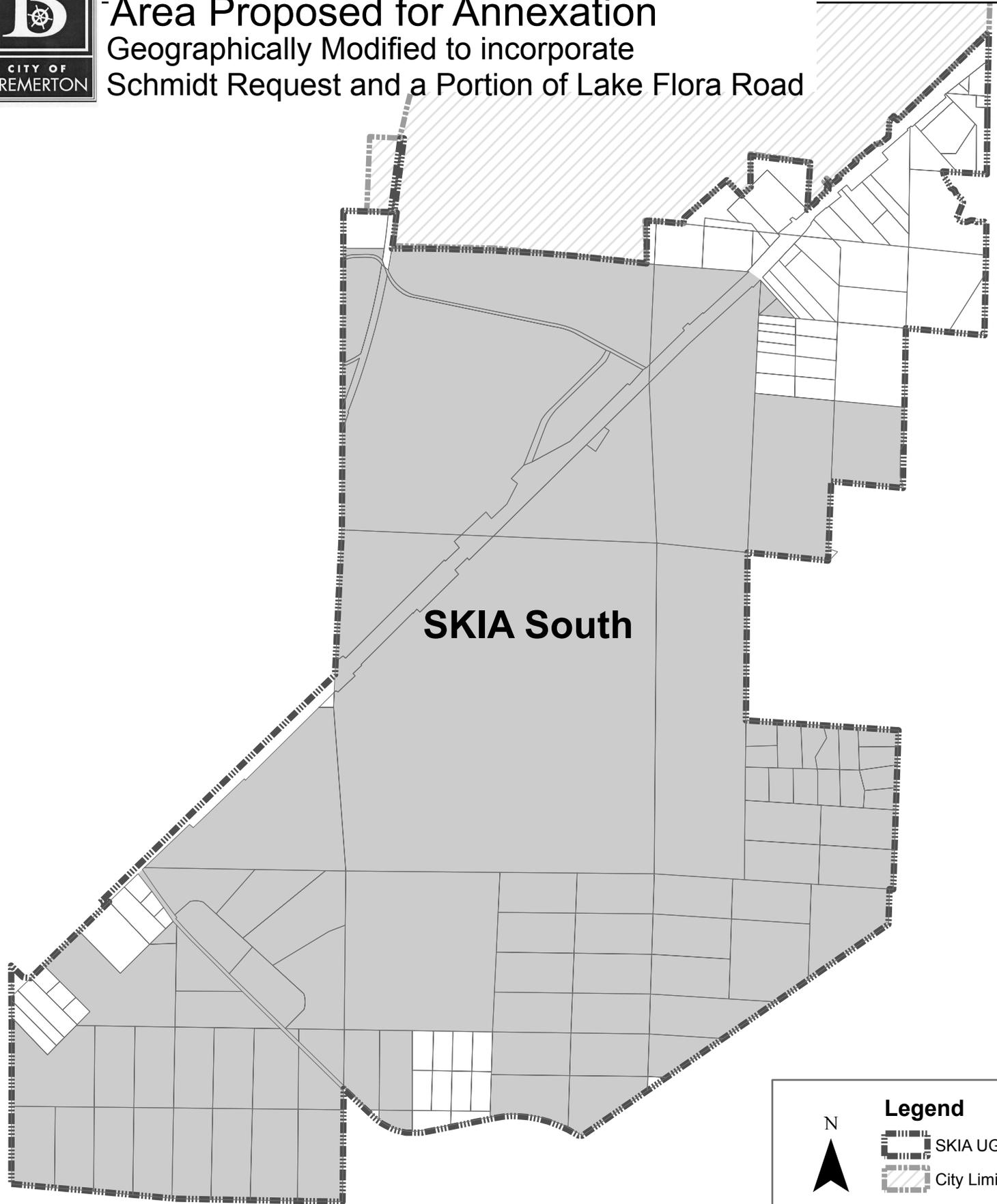
City of Bremerton-SKIA South

Exhibit "C"

Area Proposed for Annexation

Geographically Modified to incorporate

Schmidt Request and a Portion of Lake Flora Road



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.