

Return Address: City Clerk  
City of Bremerton  
345 Sixth Street, Suite 600  
Bremerton, WA 98337

BREMERTON CITY OF  
Ordinance Rec Fee: \$ 38.00  
02/27/2007 03:09 PM  
Karen Flynn, Kitsap Co Auditor

200702270454

Page: 1 of 7



### AUDITOR/RECORDER'S INDEXING FORM

<b>Document Title(s):</b> 1. Ordinance No. 4997	
<b>Reference Number(s) of Documents assigned or released:</b> <u>N/A</u>	
<b>Grantor(s):</b> 1. City of Bremerton <input type="checkbox"/> Additional names on page _____ of document.	
<b>Grantee(s):</b> 1. The Public / Ordinance 4997 <input type="checkbox"/> Additional names on page _____ of document.	
<b>Legal Description:</b> A portion of Sections 2 and 3, Township 24 North, Range 1 East, W.M., all situate in Kitsap (abbreviated) County, WA <input type="checkbox"/> Additional legal is on page <u>5</u> of document.	
<b>Assessor's Property Tax Parcel/Account Number:</b>	022401-2-003-2008, 022401-2-017-2002, 032401-1-075-2002, 032401-1-078-2009, 032401-1-079-2008, 032401-1-080-2005, 032401-4-002-2004, 032401-4-009-2007, 032401-4-010-2004, 032401-4-011-2003, 032401-4-014-2000, 032401-4-015-2009, 032401-4-021-2001, 032401-4-022-2000, 032401-4-023-2009, 032401-4-030-2000, 032401-4-033-2007, 032401-4-034-2006, 032401-4-035-2005, 032401-4-036-2004, 032401-4-038-2002, 032401-4-039-2001, 032401-4-041-2007, 032401-4-042-2006, 032401-4-043-2005, 032401-4-044-2004, 032401-4-045-2003, 032401-4-046-2002, 032401-4-047-2001, 4728-000-001-0002, 4728-000-002-0001, 4728-000-003-0000, 4728-000-004-0009, 4728-000-005-0008, 4728-000-006-0007, 4728-000-007-0006, 4728-000-008-0005, 4728-000-009-0202, 4728-000-010-0001, 4728-000-011-0109, 4728-000-012-0009, 4728-000-013-0008, 4728-000-014-0007, 4728-000-015-0006, 4728-000-016-0005, 4728-000-017-0004, 4728-000-018-0003, 4728-000-019-0002, 4728-000-020-0009, 4728-000-021-0008, 4728-000-022-0007, 4728-000-023-0006, 4728-000-024-0005, 4728-000-025-0004, 4728-000-026-0003, 4728-000-027-0002

**ORDINANCE NO. 4997**

**AN ORDINANCE** of the City Council of the City of Bremerton, Washington, finalizing the annexation of certain contiguous lands comprising approximately 84 acres in the Tracyton area of East Bremerton more particularly described in the 75% Petition for Annexation of Territory (Petition) approved by City Council on October 4, 2006; and establishing February 1, 2007 as the effective date of the annexation.

WHEREAS, on August 17, 2006 and, in accordance with RCW 35.13.130, the City Clerk received a Notice of Intention to Commence Annexation Proceedings from the City of Bremerton, Bealko, Inc. and, pursuant to Outside Utility Agreements granting consent to annexation, other owners of property in the Tracyton Beach Road/Tracyton Watershed Parcel area ("Initiating Party"); and

WHEREAS, in accordance with RCW 35.13.125, on September 6, 2006, the City Council of the City of Bremerton met with the initiating party and passed Resolution 3008 authorizing for circulation, a petition for annexation of the proposed area for annexation pursuant to RCW 35.13.130 determining that the City will 1) accept the annexation boundary as proposed; 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, on September 19, 2006, the City Clerk received a Petition For Annexation of Territory from the City of Bremerton, Bealko, Inc. and, pursuant to Outside Utility Agreements granting consent to annexation, other owners of property in the Tracyton Beach Drive/Tracyton Watershed Parcel area of not less than 75 percent of the assessed valuation for general taxation of certain real property, comprised of approximately 84 acres, the "Tracyton Annexation" area, which is more particularly described in Exhibit A and further identified in the map attached hereto as Exhibit B; and

WHEREAS, a valid and sufficient 75% Petition For Annexation of Territory was filed on behalf of the Initiating Party; and

WHEREAS, on October 4, 2006, following a public hearing duly noted and advertised, the City Council passed Resolution 3012 stating Intent to Annex the proposed territory; and



WHEREAS, all statutory annexation proceedings for annexation by the 75% petition method were executed as documented in Resolution 3012 incorporated herein by reference, including public hearings and notices; and

WHEREAS, pursuant to WAC 197-11-800(6)(d), annexation of territory by a city or town is exempt from environmental (SEPA) review; and

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

WHEREAS, the land use designation previously established by the City for the proposed area for annexation is low density residential (LDR); and

WHEREAS, the Shoreline Master Program designation for the proposed area for annexation is Urban Residential; and

WHEREAS, the City of Bremerton filed a Notice of Intent to Annex document with the Kitsap County Boundary Review Board (BRB) and the BRB review period expired on December 31, 2006 with no action by the BRB; and

WHEREAS, City Council finds that it is in the best interest of the City to accept the proposed annexation as presented, require the simultaneous adoption of the comprehensive plan for the area proposed to be annexed and 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 foregoing recitals are incorporated by this reference and made a part hereof.

**SECTION 2.** There shall be annexed to the City of Bremerton, Washington, certain property situated in Kitsap County, Washington, commonly known as the "Tracyton Watershed Parcel / Tracyton Beach Drive" area, which property is legally described in Exhibit A, attached and incorporated by this reference, and which is located and having the boundaries as indicated in the maps attached as Exhibit B, which is incorporated by this reference.

**SECTION 3.** In accordance with the Petition for Annexation, the property hereby annexed shall assume and be subject to its proportionate share of the City's existing indebtedness and shall be assessed and taxed at the same rate and on the same basis that other property with in the City of Bremerton is assessed and taxed to pay for any outstanding general



indebtedness of the City, if that indebtedness has been approved by the voters, contracted for, or incurred prior to, or existing at the effective date of this annexation.

**SECTION 4.** The Annexation area shall be subject to the City's Comprehensive Plan land use designation of Low Density Residential (LDR) and Zoning of Residential Low Density (R10) and the Zoning map is hereby amended accordingly.

**SECTION 5.** This annexation will become effective February 1, 2007, and on that date, the annexation area shall become a part of the City of Bremerton, subject to all the laws and ordinance of the City except as otherwise provided by law.

**SECTION 6.** Pursuant to RCW 35.13.260 within thirty (30) days for the effective date of this annexation as provided by law, the City Department of Community Development (DCD) of the City of Bremerton shall, under the direction of the Mayor of the City of Bremerton, determine the resident population of the annexed territory, which population determination shall consist of an actual enumeration of the population that shall be made in accordance with he practices and policies and subject to approval of the State of Washington's Office of Financial Management and which population shall be determined as of the effective date of this annexation as specified in this ordinance. DCD shall prepare a certificate signed by the Mayor and attested by the City Clerk in such form and containing such information as shall be prescribed by the State Office of Financial Management, and the City Clerk shall thereafter submit that certificate in triplicate to the Office of Financial Management together with the population determination of the annexed territory.

**SECTION 7.** Upon passage of this annexation ordinance, the City Clerk of the City of Bremerton, pursuant to RCW 35.13.150, shall send to the Office of the Clerk of the Kitsap County Board of Commissioners a certified copy of this ordinance.

**SECTION 8.** *Severability.* If any one or more sections, subsections, or sentences of this ordinance 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 9.** *Effective Date.* This ordinance shall take effect and be in force ten (10) days from and after its passage, approval and publication as provided by law.

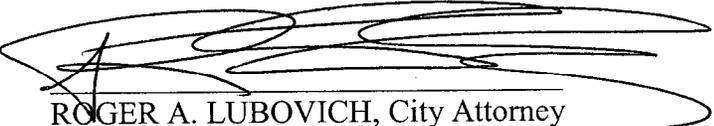
PASSED by the City Council of the City of Bremerton, Washington this ~~17th~~  
day of January, 2007.

  
WILL MAUPIN, Council President



Approved this 18th day of January, 2007  
  
CARY BOZEMAN, Mayor

ATTEST:  
  
PAULA JOHNSTON, City Clerk

APPROVED AS TO FORM:  
  
ROGER A. LUBOVICH, City Attorney

PUBLISHED the 22nd day of January, 2007  
EFFECTIVE the 1st day of February, 2007  
ORDINANCE NO. 4997

R:\Legal\Legal\Files\Current Active Files\Annexation - Tracyton\Tracyton annexation-ord-final.doc



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

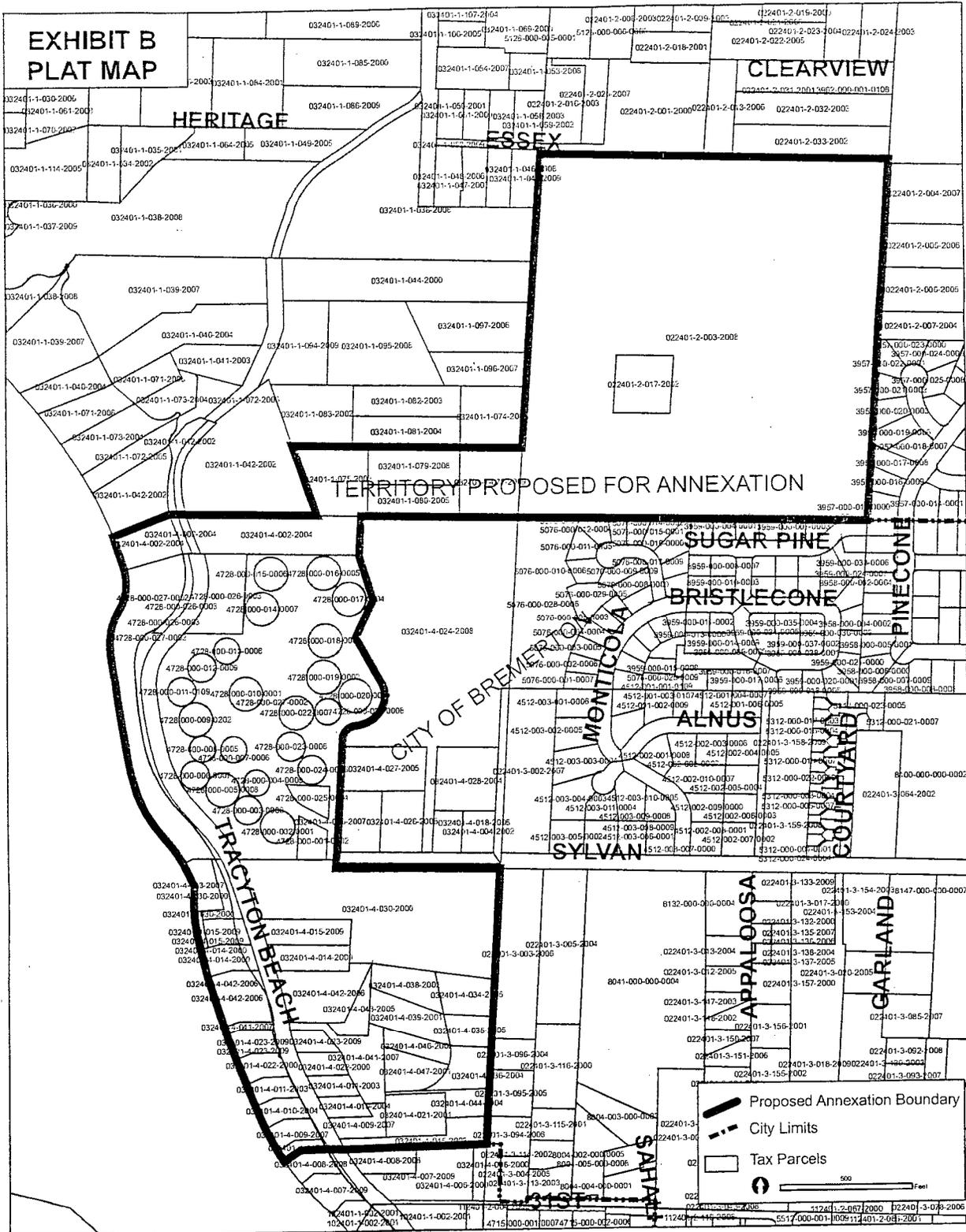
A portion of Sections 2 and 3, Township 24 North, Range 1 East, W.M., all situate in Kitsap County, Washington, lying between the following described line and the current City of Bremerton city limits:

Beginning at the common corner between said Sections 2 and 3, also being the true point of beginning, and a point on the said current city limits; thence northerly along the common line between said Sections 2 and 3 to the northeast corner of short plat No. 3772R-1, as recorded under Kitsap County Auditor File No. 200307180071, being an amendment to Kitsap County Auditor File No. 8501290067; thence westerly along the north line of said short plat to the northwest corner of said short plat; thence southerly along the west line of said short plat to the southwest corner of said short plat, also being a point on the north line of Government Lot 3 of said Section 3; thence westerly along said north line to its intersection with the line of high water; thence southerly along said line of high water to its intersection with the south line of Lot B of short plat No. 7187R-1, as recorded under Kitsap County Auditor File No. 200212180023 and 200212180026 and under Volume 17 of the book of short plats, Pages 113 and 114, records of Kitsap County, Washington; thence easterly along said south line to the southeast corner of said Lot B, also being a point on the said common line between Sections 2 and 3 and a point on the said current city limits, and the terminus.

Together with all tidelands fronting.

Together with the southwest quarter of the northwest quarter of said Section 2.





AFFIDAVIT OF PUBLICATION

Account # 42742 / Ad # 189176

STATE OF WASHINGTON  
COUNTY OF KITSAP

I, Sarah Weller, being first duly sworn on oath, deposes and says: That she is now, and at all times embraced in the publication herein mentioned was the principal clerk of the printers and publishers of KITSAP SUN; that said newspaper has been approved as a legal newspaper by order of the Superior Court of the County of Kitsap, in which County it is published and is now and has been for more than six months prior to the date of the publication hereinafter referred to, published in the English language continually as a daily newspaper in Bremerton, Kitsap County, Washington, a weekly newspaper in Kitsap County, Washington and is now and during all of said time, was printed in an office maintained in the aforesaid place of publication of said newspaper; that the following is a true text of a legal advertisement as it was published in regular issues (and not in supplement form) of said newspaper on the following dates, to wit: , January 21, 22, 2007 and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$35.97 which amount has not been paid in full.

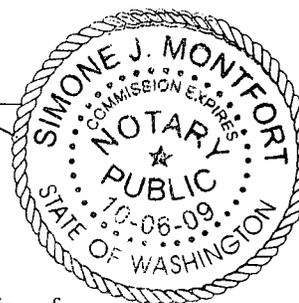
*Sarah Weller*

(Signature of Principal Clerk)

Subscribed and sworn to before me this day of January 30, 2007

*Simone J. Montfort*

Notary Public in and for the State of Washington, Kitsap County.



ORDINANCE NO. 4997

AN ORDINANCE of the City Council of the City of Bremerton, Washington, finalizing the annexation of certain contiguous lands comprising approximately 84 acres in the Tracyton area of East Bremerton more particularly described in the 75% Petition for Annexation of Territory (Petition) approved by City Council on October 4, 2006; and establishing February 1, 2007 as the effective date of the annexation.

PASSED by the City Council the 17th day of January, 2007.

The full text of this ordinance is available from the City Clerk's Office, 345 Sixth Street, Suite 600, Bremerton, WA 98337.

January 22, 2007.....AD #20028165