

By: Planning
Public Hearing: 09/25/12
Adopted: 09/25/12

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 12-14**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION SUPPORTING WASILLA CITY COUNCIL ORDINANCE SERIAL NO. 12-30 THAT AUTHORIZES THE CITY TO FILE A PETITION FOR ANNEXATION OF LOTS 3C AND 3D OF THE OLYMPIC SUBDIVISION (PLAT NO. 2006-86), LOTS 3B-1 AND 3B-2 OF THE OLYMPIC SUBDIVISION (PLAT NO. 2007-82), AND WAIVER PARCEL NO. 2 (REFILE WAIVER 94-5W) TO THE CITY OF WASILLA SUBJECT TO REVIEW BY THE DIVISION OF COMMUNITY AND REGIONAL AFFAIRS – LOCAL BOUNDARY COMMISSION FOR THE STATE OF ALASKA.

WHEREAS, the property owners for the lots referenced above that border the City of Wasilla city limits have petitioned for annexation into the City; and

WHEREAS, the area proposed for annexation comprises approximately 76.60 acres; and

WHEREAS, City staff have been working with the Local Boundary Commission and other City departments; and

WHEREAS, City staff has prepared Wasilla City Council Ordinance Serial No. 12-30 to authorize the City to file a petition to annex those properties into the City of Wasilla; and

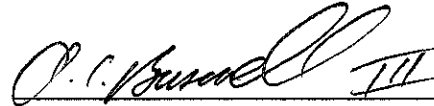
WHEREAS, once the Wasilla City Council has adopted Ordinance Serial No. 12-30, the City will submit a Petition for Annexation to the State of Alaska Local Boundary Commission using the Local Option Method by Unanimous Consent.

NOW, THEREFORE BE IT RESOLVED that the Wasilla Planning Commission supports Wasilla City Council Ordinance Serial No. 12-30, attached as Exhibit A,

authorizing the City to file a petition for annexation for the subject properties, totaling approximately 76.60 acres.

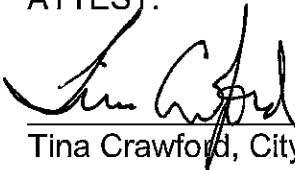
ADOPTED by the Wasilla Planning Commission on September 25, 2012.

APPROVED:



A.C. Buswell, III, Chairman

ATTEST:



Tina Crawford, City Planner

VOTE: Passed Unanimously

Exhibit A

1 Non-Code Ordinance

By: Planning

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Introduced: September 10, 2012

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Public Hearing: September 24, 2012

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Action:

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Vote:

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**CITY OF WASILLA
ORDINANCE SERIAL NO. 12-30**

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10 **AN ORDINANCE OF THE WASILLA CITY COUNCIL AUTHORIZING THE CITY TO**
11 **FILE A PETITION FOR ANNEXATION OF LOTS 3C AND 3D OF THE OLYMPIC**
12 **SUBDIVISION (PLAT NO. 2006-86), LOTS 3B-1 AND 3B-2 OF THE OLYMPIC**
13 **SUBDIVISION (PLAT NO. 2007-82), AND WAIVER PARCEL NO. 2 (REFILE**
14 **WAIVER 94-5W) TO THE CITY OF WASILLA SUBJECT TO REVIEW BY THE**
15 **DIVISION OF COMMUNITY AND REGIONAL AFFAIRS – LOCAL BOUNDARY**
16 **COMMISSION FOR THE STATE OF ALASKA.**

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WHEREAS, as 29.06.040(c)(4) provides that an area adjoining the municipality may be annexed by ordinance without an election if all property owners and voters in the area petition the governing body;

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WHEREAS, the territory proposed for annexation exhibits a reasonable need for city government; and

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WHEREAS, services determined to be essential city services under 3 AAC 110.970 can be provided more efficiently and effectively by the City (Petitioner) than by another existing city or by an organized borough on an areawide basis or non-areawide basis, or through an existing borough service area; and

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WHEREAS, the territory proposed for annexation is compatible in character with the annexing city; and

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WHEREAS, the economy within the proposed expanded boundaries of the City include the human and financial resources necessary to provide services determined to be essential city services under 3 AAC 110.970 on an efficient, cost-effective level; and

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WHEREAS, the population within the proposed expanded boundaries of the City is sufficiently large and stable to support the extension of city government; and

1 WHEREAS, the proposed expanded boundaries of the City include all land and
2 water necessary to provide the development of services determined to be essential city
3 services under 3 AAC 110.970 on an efficient, cost-effective level; and

4 WHEREAS, the territory proposed for annexation is contiguous to the existing
5 boundaries of the City and would not create enclaves in the expanded boundaries of the
6 City; and

7 WHEREAS, the proposed expanded boundaries of the City include only that
8 territory comprising an existing local community, plus reasonably predictable growth,
9 development, and public safety needs during the 10 years following the effective date of
10 annexation; and

11 WHEREAS, the proposed expanded boundaries of the City do not include entire
12 geographical regions or large unpopulated areas, except where justified by the
13 application of the standards in 3 AAC 110.090 – 3 AAC 110.135; and

14 WHEREAS, if the Petition describes boundaries overlapping the boundaries of
15 an existing organized borough, it will address the procedures and the brief will address
16 the standards for either annexation of the enlarged city to the existing organized
17 borough or annexation of the enlarged city from the existing organized borough; if the
18 Petition describes boundaries overlapping the boundaries of another existing city, it will
19 address the procedures and the brief will address the standards for annexation of
20 territory from a city, merger of cities, or consolidation of cities; and

21 WHEREAS, annexation to the City is in the best interests of the State as required
22 by AS 29.06.040(a) and 3 AAC 110.135; and

23 WHEREAS, the territory proposed for annexation meets the annexation
24 standards specified in 3 AAC 110.090 – 3 AAC 110.135. Although not subject to the
25 legislative review annexation standard set out in 3 AAC 110.140, the brief to accompany
26 the Petition will also demonstrate with detailed facts and analysis any of the
27 circumstances outlined in 3 AAC 110.140(1) – (9) that exist with respect to the
28 annexation proposal; and

1 WHEREAS, all property owners in the territory proposed for annexation, as
2 defined by 3 AAC 110.990(12), and all registered voters in the territory proposed for
3 annexation have petitioned the City Council for annexation in accordance with
4 AS 29.06.040(c)(4); and

5 WHEREAS, the proposed annexation to the City will not deny any person the
6 enjoyment of any civil or political right, including voting rights, because of race, color,
7 creed, sex, or national origin; and

8 WHEREAS, the Petitioner has prepared a proper transition plan under 3 AAC
9 110.900; and

10 WHEREAS, other constitutional principles are served by the annexation
11 proposal, such as the equal-protection clause and the equal-responsibility clause of
12 Article I, section 1 of the Constitution of the State of Alaska and the maximum local self-
13 government clause and minimum of local government units clause of article X, section 1
14 of the Constitution of the State of Alaska, and 3 AAC 110.981 – 982;

15 NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF
16 WASILLA, as follows:

17 Section 1. Classification. This is a non-code ordinance.

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19 Section 2. Authorization. That the Wasilla Mayor is authorized to file a petition
20 with the Alaska Local Boundary Commission for annexation using the method of
21 annexation set out in AS 29.06.040(c)(4). The petition shall propose the annexation of
22 the territory generally described as Lots 3C and 3D of the Olympic Subdivision (Plat No.
23 2006-86), Lots 3B-1 and 3B-2 of the Olympic Subdivision (Plat No. 2007-82), and
24 Waiver Parcel No. 2 (Refile Waiver 94-5W). The legal boundary description of the
25 territory proposed to be annexed is attached hereto as "Attachment A" and shown on
26 the map attached here as "Attachment B", both of which are hereby incorporated by
27 reference.

28 Section 3. Petitioner's Representative. That the Wasilla Mayor is designated
29 as the representative of the City for all matters relating to the annexation proceeding.

1 Section 4. Terms and Conditions. That the annexation will be on the following
2 terms and conditions:

- 3 a) All municipal services, other than water and sewer, will go into effect
4 immediately upon the effective date of annexation.
5 b) Businesses located on the subject properties will be required to collect
6 applicable City sales tax and obtain required City business licenses.
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8 Section 5. Effective date. This ordinance shall take effect upon adoption by
9 the Wasilla City Council.

10 ADOPTED by the Wasilla City Council on -, 2012.

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VERNE E. RUPRIGHT, Mayor

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17 ATTEST:

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KRISTIE SMITHERS, MMC, City Clerk

[SEAL]

ATTACHMENT A

Metes and Bounds Description

This is a metes and bounds description for annexation into the City of Wasilla, State of Alaska. This description includes the following parcels: Lots 3C and 3D of Olympic Subdivision, Plat No. 2006-86, Lots 3B-1 and 3B-2 of Olympic Subdivision, Plat No. 2007-82, and Waiver Parcel No. 2 as described in the Refile Waiver 94-5W. Described by metes and bounds as follows:

A parcel of land located in the Northeast Quarter (NE¼) of Section 12, Township 17 North, Range 2 West, Seward Meridian, Alaska. More particularly described as follows:

Commencing at the Section Corner common to Section 1, 6, 7, and 12 marked with a 3" BLM aluminum cap monument;
Thence S 00° 03' 00" E along the Section Line Common to Section 12 and 7 a distance of 392.62 ft. to the south right-of-way line for the W. Parks Highway;
Thence along a curve to the left for the south right-of-way line of the W. Parks Highway, whose chord bears N 84° 57' 20" W, a chord distance of 1083.87 ft., a delta angle of 22° 20' 45", a radius of 2796.79 ft., and a curve length of 1090.77 ft. to the northeast corner of Parcel 2 and the True Point of Beginning;
Thence S 00° 03' 00" E along the lot line common to Parcels 1 and 2, a distance of 282.55 ft.;
Thence S 14° 01' 55" E a distance of 457.65 ft. to the north meander line for Jacobson Lake;
Thence along the north meander line S 80° 30' 09" E a distance of 156.76 ft.;
Thence S 80° 14' 20" E a distance of 134.95 ft.;
Thence N 89° 23' 36" E a distance of 59.07 ft.;
Thence S 66° 44' 04" E a distance of 188.71 ft.;
Thence S 64° 14' 15" E a distance of 187.78 ft.;
Thence S 81° 28' 39" E a distance of 87.13 ft.;
Thence S 73° 57' 44" E a distance of 101.03 ft.;
Thence S 57° 15' 23" E a distance of 67.97 ft.;
Thence S 52° 42' 08" E a distance of 49.98 ft. to the section line common to Sections 12 and 7;
Thence S 00° 03' 00" E along said Section line a distance of 1272.02 ft. to the North right-of-way line of the Alaska Railroad;
Thence along the Alaska Railroad right-of-way N 63° 22' 00" W a distance of 1354.03 ft. to a point of curve;
Thence continuing on said railroad right-of-way on a curve to the left, whose chord bears N 74° 00' 30" W, a chord distance of 777.35 ft., a delta angle of 21° 17' 00", a radius of 2104.75 ft., and a curve length of 781.84 ft. to a point of curve;
Thence continuing along said railroad right-of-way N 84° 39' 00" W a distance of 681.42 ft. to the center quarter line of Section 12 and also the southwest corner of Lot 3C of Olympic Subdivision, Plat No. 2006-86;
Thence along the west line of said Lot 3C N 00° 00' 58" W a distance of 871.66 ft. to the westerly corner of Lot 3D of Olympic Subdivision, Plat No. 2006-86 common with the southwest corner of Tract 2 of Naomi Subdivision, Plat No. 73-86;
Thence N 89° 58' 32" E along the line common to said Tract 2 and Lot 3D a distance of 634.72 ft.;

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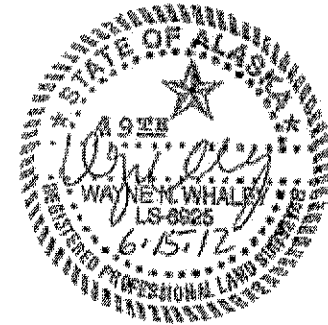
Thence N 40° 10' 03" W along common line between said Tract 2 and Lot 3D a distance of 426.00 ft. to the northwesterly corner of said Lot 3D and the south right-of-way line of the W. Parks Highway;

Thence N 78° 37' 04" E along the right-of-way a distance of 637.00 ft. to the northwest corner of Waiver Parcel 2 of Refiled Waiver No. 94-5W;

Thence continuing along the right-of-way N 78° 37' 04" E a distance of 323.30 ft. to a point of curve;

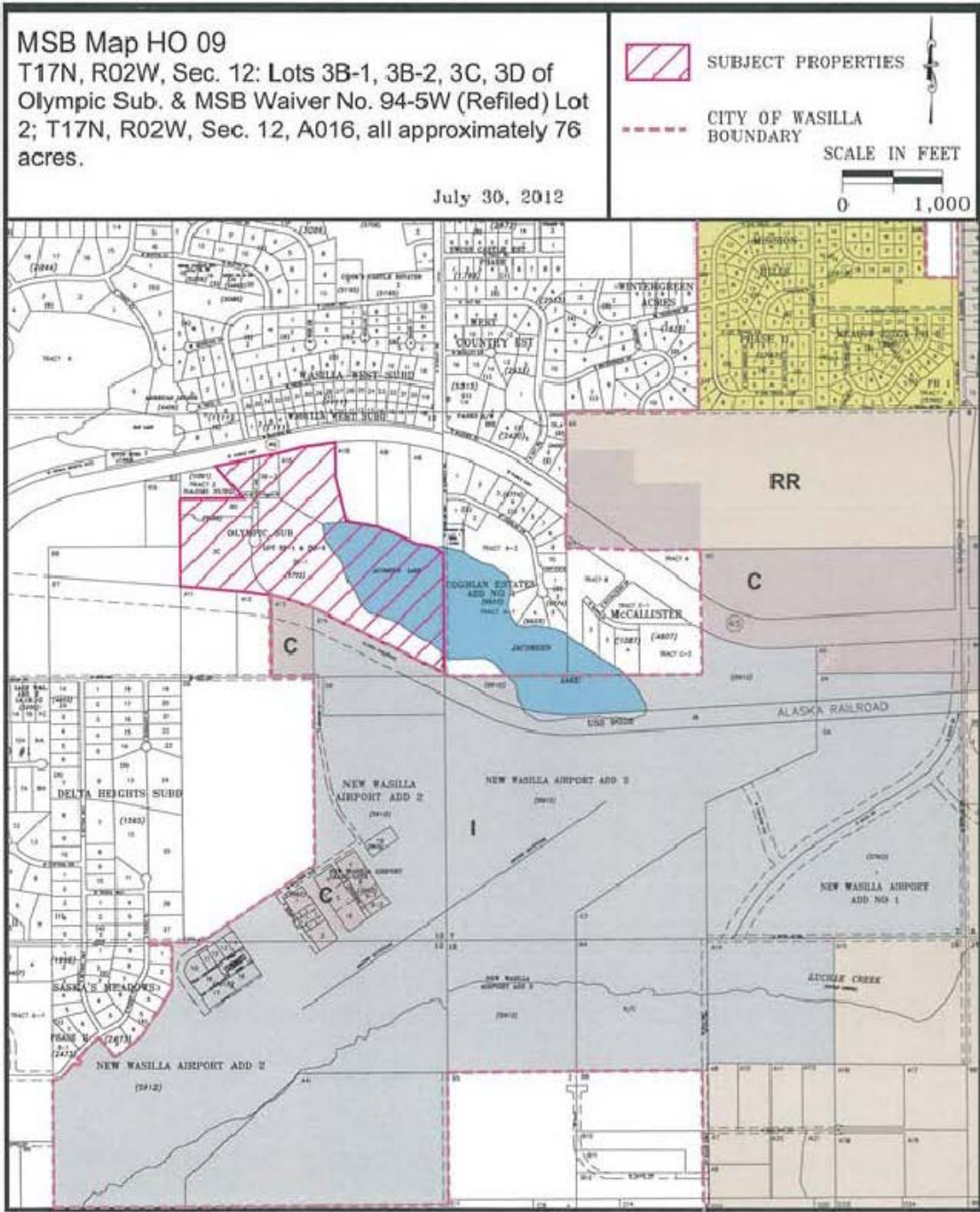
Thence continuing along the south right-of-way line on a curve to the right, whose chord bears N 81° 14' 41" E, a chord distance of 256.36 ft., a delta angle of 5° 15' 13", a radius of 2796.79 ft., and a curve length of 256.44 ft. to the True Point of Beginning. Also being the northeast corner of Waiver Parcel No. 2 of Refiled Waiver 94-5W. Containing 76.60 acres more or less.

NOTE: This legal also includes a portion of Jacobson Lake as shown on the Olympic Subdivision plats. The basis of bearing is the same as the Olympic plats.



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ATTACHMENT B



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