

COWLITZ COUNTY BOUNDARY REVIEW BOARD
Notice of Intention checklist (revised 7/12)

Staff checked: Matt Hermen

NOTICE OF INTENTION: Receipt, filing and review

		<u>DATE</u>
A.	<u>KW</u> Application received	<u>10-22-13</u>
B.	<u>KW</u> File number assigned <u>200</u>	<u>10-22-13</u>
C.	STAFF REVIEW OF CONTENT:	
	<u>MH</u> 1. Notice of intention form	<u>10-25-13</u>
	<u>MH</u> 2. Description of proposed action	<u>10-25-13</u>
	<u>MH</u> 3. Legal description: To County Engineer	<u>10-25-13</u>
	<u>MH</u> 4. Acres/assessed value to Assessor	<u>10-25-13</u>
	<u>MH</u> 5. Vicinity map	<u>10-25-13</u>
	<u>MH</u> 6. Corporate limits map	<u>10-25-13</u>
	<u>MH</u> 7. Review of factors to be considered by BRB	<u>10-25-13</u>
	<u>MH</u> 8. Review of objectives of BRB	<u>10-25-13</u>
	<u>N/A</u> 9. Environmental checklist and determination of sig/non-sig	
	<u>KW</u> 10. Filing fee received and deposited	<u>10-22-13</u> <u>< K# 32219</u>
	<u>MH</u> 11. Certification of petition accuracy	<u>10-25-13</u>
D.	<u>MH</u> Filing date determined	<u>10-25-13</u>
E.	<u>MH</u> Letter sent to initiator	<u>10-25-13</u>

GOVERNMENTAL UNITS INFORMED OF PROPOSAL

A. Mail cover letter, notice of intention, description of proposed action, assessor's map, vicinity map, legal description and date proposal to be considered by BRB to all governmental bodies having jurisdiction.
 Response requested within 45 working days by 12-9-13.

- MH 1. Building and Planning (8 copies)
- N/A 2. Department of Ecology (sewer/water district proposals)
- 3. _____
- 4. _____

MEETINGS, INVOKING JURISDICTION, DECISIONS

- A. MH BRB meeting to be held on 11-5-13
- B. MH Staff report, file data, checklist to BRB 10-25-13
- C. _____ Special information requested by BRB (specify) _____
- D. _____ Review waived by chairperson due to Not Applicable per RCW 36.93.100(1)
- E. _____ BRB meeting held 11-5-13
- F. MH **JURISDICTION NOT INVOKED:**

- 1. 45-day period lapses on 12-9-13
- 2. Notification sent to initiator 12-13-13
- 3. Initiator completes action: sends 8 copies to County Commissioners
- 4. BRB receives copy of final action 1-7-14
- 5. File closed on 1-7-14

G. _____ **JURISDICTION INVOKED:**

- 1. Invoked by _____ on _____
- 2. Hearing resolution signed by _____ on _____
- 3. Public hearing date set for _____
- 4. Fee paid (if applicable) on _____
- 5. Notice to affected governments (RCW 36.93.160) on _____
- 6. Notice published: Where: _____ Dates: _____
- 7. Notices posted in the annexation area on _____
- 8. Hearing(s) held on _____
- 9. Modification hearing held: yes _____ no _____ on _____
- 10. Decision signed by chair on _____
- 11. Written decision mailed on _____
- 12. Decision appealed by _____
- 13. Initiator completes action and sends 8 copies to County Commissioners
- 14. Initiator notifies State Office of Financial Management _____
- 15. BRB receives a copy of final action on _____
- 16. File closed on _____



Board of Commissioners

County Administration Building
207 Fourth Avenue North
Kelso, WA 98626
TEL (360) 577-3020
FAX (360) 423-9987
www.co.cowlitz.wa.us

COMMISSIONERS

Michael A. Karnofski
District 1

Dennis P. Weber
District 2

James R. Misner
District 3

CLERK OF THE BOARD

Tiffany Ostreim

January 7, 2014

✓ Boundary Review Board
Attn: Matt Hermen
Cowlitz-Wahkiakum Governmental Conference
Administration Annex
Kelso, WA 98626

RE: Annexation to the City of Kalama – Case No. BRB 200 – Chilton Annexation

Dear Mr. Hermen:

Enclosed is a copy of Ordinance No. 1328 of the City of Kalama which officially annexes the above mentioned land into the City of Kalama.

By direction,

**Board of County Commissioners
Of Cowlitz County, Washington**

Tiffany Ostreim
Clerk of the Board

Enclosure

cc: Commissioners' Record
Public Works
Building and Planning
Assessor
Treasurer
Auditor/Recording
Auditor/Elections
Communications Center
GIS
City of Kalama (letter only)

RECEIVED

JAN - 6 2014

COWLITZ-WAHKIAKUM
COUNCIL OF GOVERNMENTS

ORDINANCE NO. 1328

AN ORDINANCE OF THE CITY OF KALAMA, WASHINGTON, PROVIDING FOR THE ANNEXATION OF CERTAIN PROPERTIES KNOWN AS THE CHILTON ANNEXATION TO THE CITY OF KALAMA, CLASSIFYING AND ZONING SAID PROPERTIES AND FIXING THE EFFECTIVE DATE OF THE ANNEXATION.

WHEREAS, the City of Kalama received an intent to annex approximately 42 acres to the City from Craig Chilton on March 18, 2013;

WHEREAS, on the 3rd day of April, 2013 the City Council of Kalama held a public hearing during which it was determined the City accept the intent to annex and would require the assumption by the newly annexing area of the existing outstanding indebtedness of the City of Kalama;

WHEREAS, at that public hearing the City Council determined that said newly annexing territory would be zoned R1 upon its annexation into the City;

WHEREAS, pursuant to RCW Chapter 35A.14, on September 5, 2013, the applicants for annexation submitted to the City a petition to annex signed by owners of 60 percent or more of the assessed valuation of the following parcels:

Tax Parcel	Approx. Acreage	Owner
WC1607001	40	Preston Enterprises LLC
WC1606009	2.14	Preston Enterprises LLC

(SEE ATTACHED EXHIBIT "A" FOR FULL LEGAL DESCRIPTION)

WHEREAS, the submitted Petition was certified sufficient by the Cowlitz County Assessor's Office on September 10, 2013;

WHEREAS, the City Council fixed the date of the public hearing on the Chilton Annexation Petition for October 2, 2013 to take testimony and consider the annexation and determined that the Chilton annexation must be referred to the Boundary Review Board of Cowlitz County, for review;

WHEREAS, the Intent to Annex was submitted to the Washington State Boundary Review Board of Cowlitz County, accepted for filing on October 25, 2013 which started the 45-day review period;

WHEREAS, the City has received notification from the Boundary Review Board that the 45-day review period expired on December 9, 2013 therefore they have deemed the intent to annex approved without modifications as of December 10, 2013

NOW THEREFORE, the City Council of the City of Kalama do ordain:

Section 1. There has been filed with the City Council of the CITY OF KALAMA an annexation petition signed by owners representing at least 60% of the assessed

value, according to the assessed valuation for general taxation of the properties for which annexation was petitioned and said petition set forth the fact that the City Council of the CITY OF KALAMA was required to determine what indebtedness would be assumed by the area to be annexed.

Section 2. That the territory proposed by said petition and approved by the Boundary Review Board to be annexed to said CITY OF KALAMA is situated in the County of Cowlitz, State of Washington, and is contiguous, proximate, and adjacent to the present corporate limits of said city, and is more particularly described in Exhibit "A" attached hereto and shown on the attached map (Exhibit B) and incorporated in full herein by this reference.

Section 3. The territory set forth in Exhibit "A" of this Ordinance, should be and is hereby made a part of the CITY OF KALAMA, and the corporate limits of the CITY OF KALAMA are hereby extended so as to include the property and territory described in Exhibit "A" with an effective date of January 1, 2014. That said property be assessed and taxed at the same rate and on the same basis as the property of the CITY OF KALAMA is assessed and taxed to pay for outstanding indebtedness of the CITY OF KALAMA now existing or as hereafter contracted or incurred.

Section 4. That the property described in Exhibit "A" hereto be and the same is hereby classified and zoned as R-1 to conform with Chapter 17 of the Kalama Municipal Code in all respects. The CITY OF KALAMA zoning map and Comprehensive Plan shall be amended to reference the property as so designated herein.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 6. This Ordinance shall take effect five (5) days following its passage and publication in the official newspaper of the CITY OF KALAMA, and the Clerk is hereby directed to cause the same to be so published.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting of the City Council held on the 18th day of December, 2013.



Mayor Pete Poulsen

Attest:



Coni McMaster, Clerk/Treasurer

Approved as to form:



City Attorney

I, Coni McMaster, do hereby certify that this is a true and correct copy of Ordinance 1328 providing for the annexation of certain properties to the City of Kalama as Described in Exhibit A. (4 pages)

 10/31/13

Coni McMaster, Clerk/Treasurer

Published: 12-22-13

Effective: 12-27-13

Exhibit A – Ordinance No. 1328

15-357 City of Fabius

ANNEXATION DESCRIPTION

The Southeast Quarter of the Northeast Quarter of Section 16, Township 6 North, Range 1 West, W.M., Cowlitz County, Washington.

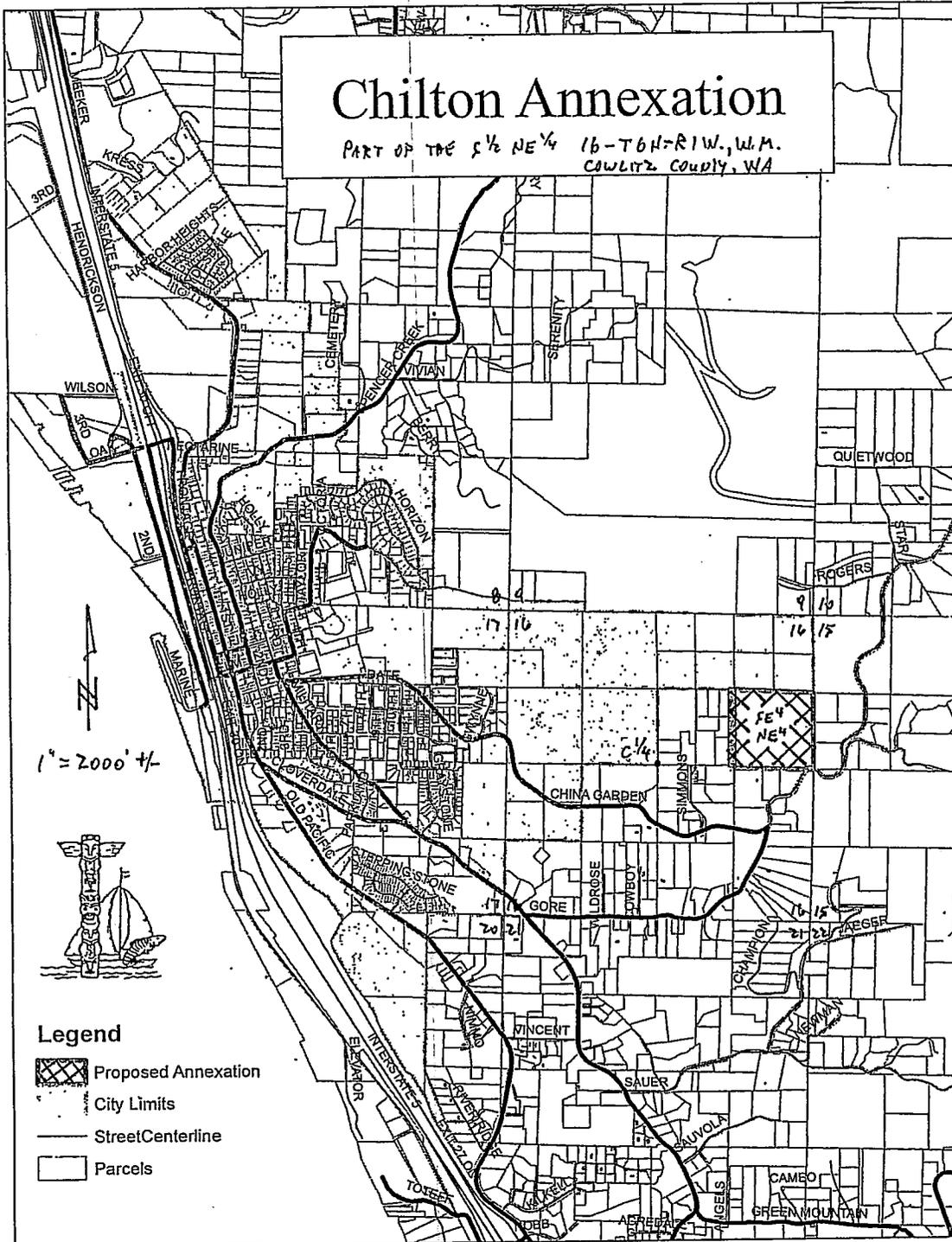
ALSO that portion of the Southwest Quarter of the Northeast Quarter of Section 16, Township 6 North, Range 1 West, W.M., Cowlitz County, Washington, more particularly described as follows: Beginning at the Southeast Corner of said subdivision; thence N88°19'46"W along the south line of said subdivision a distance of 68.33 feet; thence N00°34'36"E a distance of 1321.84 feet more or less to the north line of said subdivision to a point that is 72.61 feet westerly of the Northeast Corner of said subdivision; thence S88°00'30"E along the north line of said subdivision a distance of 72.61 feet to the Northeast Corner of said subdivision; thence S00°45'42"W along the east line of said subdivision a distance of 1321.36 feet to the Southeast Corner of said subdivision and the Point of Beginning.

Approx. 42.82 acres in this description.

The above area is shown on survey filed in Volume 16, Page 161 under Auditor's file No. 970606001. The survey is on a difference basis of bearing than the above described area.



Exhibit B – Ordinance No. 1328





State of Washington

Office of Financial Management, Forecasting Division, General Administration Building, PO Box 43113, Olympia, WA 98504-3113



ANNEXATION AND MUNICIPAL BOUNDARY CHANGE CERTIFICATE
For all Annexations and Boundary Line Adjustments - Including Street Right-of-Way Adjustments

IMPORTANT: The following documents must be attached with this certificate (RCW 35.13.260, 35A.14.700, 43.62.040):

- 1. Three copies of the final ordinance containing the legal description of the boundary change area;
2. Three copies of a map clearly showing the boundary change area and existing city limits on an 8 1/2" x 11" or 8 1/2" x 14" size paper. Outline the boundary changes in red; outline former city limits in green. Maps should conform to acceptable engineering standards (i.e., directional arrow, scale, street names, rivers, and other physical characteristics). The Office of Financial Management (OFM) may be able to help with maps;
3. The original Field Enumeration sheets used to enumerate the population and housing of the boundary change area and all summary tabulation sheets. Copies are not needed. Census procedures and definitions must follow OFM's Enumerator's Manual. Please contact OFM at (360) 902-0597 or (360) 902-0599 or see http://www.ofm.wa.gov/pop/annex/default.asp for census manuals and forms; and,
4. If this is a mutual boundary change between governments, include a copy of the other government's (city/town or county) agreement to the change. If this is a boundary change between municipal governments, each municipality needs to submit this certificate to OFM with supporting documentation.

City/Town _____ County _____

Name of the Annexation (if any) _____

Original Ordinance Number _____ Amending Ordinance Number (if applicable) _____

Date Passed _____ Date Passed _____

Date Published _____ Date Published _____

Ordinance Effective Date _____ Ordinance Effective Date _____

Boundary Change Effective Date _____ Boundary Change Effective Date _____

Authorizing Statute(s) RCW _____

Was a Boundary Review Board hearing required? Yes [] No [] If yes, date of hearing _____

Has this annexation been filed with the county? Yes [x] No [] Date filed with county _____

Has the city/town attorney reviewed the legal requirements associated with this annexation? Yes [] No []

Annexation Area (in acres) _____ Census: Housing Units _____

Occupied Housing Units _____

Population _____

CERTIFICATION: I hereby certify that, to effect the above annexation, all legal requirements have been satisfied, and that the data set forth in this certificate, including the attached documents, are true and correct.

Mayor _____ Date _____

[CITY SEAL] Attest: City/Town Clerk _____ Date _____

OFFICE OF FINANCIAL MANAGEMENT ONLY

The requirements of RCW 35.13.260 or 35A.14.700 and 43.62.040 have been met. I recognize this annexation as a part of the city for the purpose of developing official population estimates (RCW 43.62.020). This certification is for the limited purpose referenced above.

Date Received _____

Date Approved _____

OFM File Number _____

State Certifying Official _____

Provisional Approval Yes []

Date Provisional Status Cleared _____

(White) Office of Financial Management
(Canary) Department of Transportation
(Pink) Return to City/Town

No Carbon Paper Needed
Do not Separate Form
Return all Three Copies



State of Washington

Office of Financial Management, Executive Division, General Administration Building, 3500 Olympia Way, Olympia, WA 98512

ANNEXATION AND MUNICIPAL BOUNDARY CHANGE CERTIFICATE
Foral Annexations and Boundary Line Adjustments - Including Special Provisions Requests

RECEIVED
FEB 10 2011

IMPORTANT: The following documents must be attached with this certificate: RCW 35A.020, 35A.030, 35A.040, 35A.050, 35A.060, 35A.070, 35A.080, 35A.090, 35A.100, 35A.110, 35A.120, 35A.130, 35A.140, 35A.150, 35A.160, 35A.170, 35A.180, 35A.190, 35A.200, 35A.210, 35A.220, 35A.230, 35A.240, 35A.250, 35A.260, 35A.270, 35A.280, 35A.290, 35A.300, 35A.310, 35A.320, 35A.330, 35A.340, 35A.350, 35A.360, 35A.370, 35A.380, 35A.390, 35A.400, 35A.410, 35A.420, 35A.430, 35A.440, 35A.450, 35A.460, 35A.470, 35A.480, 35A.490, 35A.500, 35A.510, 35A.520, 35A.530, 35A.540, 35A.550, 35A.560, 35A.570, 35A.580, 35A.590, 35A.600, 35A.610, 35A.620, 35A.630, 35A.640, 35A.650, 35A.660, 35A.670, 35A.680, 35A.690, 35A.700, 35A.710, 35A.720, 35A.730, 35A.740, 35A.750, 35A.760, 35A.770, 35A.780, 35A.790, 35A.800, 35A.810, 35A.820, 35A.830, 35A.840, 35A.850, 35A.860, 35A.870, 35A.880, 35A.890, 35A.900, 35A.910, 35A.920, 35A.930, 35A.940, 35A.950, 35A.960, 35A.970, 35A.980, 35A.990, 35A.1000

- 1. Three copies of the final ordinance establishing the legal description of the boundary change area.
- 2. Three copies of maps clearly showing the boundary change area and existing city limits, including a map showing the proposed boundary change area and existing city limits, and a map showing the proposed boundary change area and existing city limits, including a map showing the proposed boundary change area and existing city limits.
- 3. The original final ordinance which includes the proposed boundary change area and all necessary provisions for the proposed boundary change area, including the proposed boundary change area and all necessary provisions for the proposed boundary change area.
- 4. A map showing the proposed boundary change area and existing city limits, including a map showing the proposed boundary change area and existing city limits, and a map showing the proposed boundary change area and existing city limits.

City/Town: City of Kelso County: Columbia

Name of the annexation (map): City of Kelso Annexation

Original Ordinance Number: 122 Amending Ordinance Number (if applicable): _____

Date Passed: 1/11/2011 Date Filed: _____

Ordinance Effective Date: 1/11/2011 Date of Change Effective Date: _____

Authority (Statute) RCW: RCW 35A.110

Was a boundary change report prepared? Yes No Date of Report: 1/11/2011

Was the city/town/county notified of the legal requirements associated with the annexation? Yes No

Annexation Area (Acres): 46.15 Census Tracting Units: _____

Occupied Housing Units: _____

Population: _____

CERTIFICATION: I hereby certify that the annexation above complies with all legal requirements and that the annexation is in the best interests of the public, including the attached documents, maps and reports.

Mayor: [Signature] Date: 1/11/2011

City/Town: City of Kelso County: Columbia

OFFICE OF FINANCIAL MANAGEMENT ONLY

This requirement of RCW 35A.020 or 35A.030 and 35A.040 have been met. I am certifying that the annexation is in the best interests of the public, including the attached documents, maps and reports.

Date Received: 1/11/2011

Date Approved: 1/11/2011

Date of Change Effective Date: 1/11/2011

Final State Approval: Yes

Date Reported to the Clerk: _____

State/City/Town Official: [Signature]

Official Title: Mayor

Official Title: City Clerk

Official Title: County Clerk

Official Title: County Auditor

Official Title: County Assessor

Official Title: County Engineer

Official Title: County Health Officer

Official Title: County Jail

Official Title: County Sheriff

file

Cowlitz County Boundary Review Board

Administration Annex 207 4th Avenue N, Kelso, WA, 98626-4195 Telephone:360-577-3041
Fax :360-425-7760
E-mail: mhermen@cwccog.org

December 13, 2014

Mayor Ron (Pete) Poulsen
City of Kalama
320 N. First St.
P.O. Box 1007
Kalama, WA 98625

Re: File No. 200 – Chilton Annexation

Dear Mayor ^{(w) Poulsen} ~~Helenberg~~:

You were advised by letter that the above-mentioned matter was acceptable for filing and had been so filed effective Friday, October 25, 2013. The 45-day review period ended Monday, December 9, 2013. ***Therefore, since the forty-five day review period, subsequent to filing, has now elapsed, this Notice of Intention is hereby deemed approved by the Cowlitz County Boundary Review Board as of December 10, 2013.***

When the proposal is finalized by the City of Kalama, it will be necessary that you file nine (9) certified copies of your resolution or ordinance accomplishing this action, together with a copy of this letter, a legal description, maps, and addresses of properties annexed to the Board of Cowlitz County Commissioners, Administration Building, 207 4th Avenue North, Kelso, WA 98626.

Cities are required to report annexations to the Office of Financial Management. A copy of the resolution or ordinance, a legal description and maps are to be attached to the form supplied by the OFM and mailed to: State of Washington Office of Financial Management, Forecast Division, P.O. Box 43113, Olympia, WA 98504-3113. Please contact me if I can be of additional assistance.

Sincerely,



Matt Hermen
Executive Officer

MH

cc: Adam Smee, City Administrator
Coni McMaster, Clerk-Treasurer Kalama
Kelly Rasmussen, Public Works Superintendent
Board of County Commissioners
Boundary Review Board Members

200 Chilton Annex Kalama – Mayor 45 day

Cowlitz County Boundary Review Board

Administration Annex 207 4th Avenue N, Kelso, WA, 98626-4195

Telephone:360-577-3041

Fax :360-425-7760

E-mail: mhermen@cwco.org

October 25, 2013

To: Interested Parties and Adjacent Property Owners

From: Matt Hermen, Executive Officer

Re: Proposed Annexation by the City of Kalama– Chilton File No. 200

The Washington State Boundary Review Board for Cowlitz County takes this means of informing interested parties and agencies of notices of intention that are filed with the Board. The Notice of Intention for the proposed annexation referenced above is acceptable for filing and has been **filed effective Friday, October 25, 2013 as file No. 200**. The Cowlitz County Boundary Review Board assigns the file number.

Provided the Board's jurisdiction is not invoked pursuant to RCW 36.93.100, the public review period will expire 45 days from the date of filing. If you feel the Boundary Review Board should review this action, you must request review in accordance with state law **no later than Monday, December 9, 2013**.

A map of the proposed annexation along with the legal description has been enclosed for your convenience. A full copy the notice is available at our office for review. I will be happy to provide you such additional information as is available upon request.

MH

Enclosures

cc: Boundary Review Board Members
Elaine Placido, Cowlitz County Building & Planning
Victor Leatzow, Fire Chief Cowlitz County Fire District #5
Mark Wilson, Port of Kalama
Mark Nelson, Sheriff Cowlitz County

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR COWLITZ COUNTY

NOTICE OF INTENTION

Please submit this Notice of Intention form and the exhibits listed below to the Boundary Review Board, Cowlitz County Administration Annex, 207 4th Avenue North, Kelso, WA 98626 for determination of sufficiency by the Clerk of the Board. When deemed sufficient, the **original** and an additional **sixteen (16) copies of the Notice of Intention and Exhibits** and a **filing fee of \$50.00** are required for filing.

The Notice of Intention is to be completed by an elected official or employee of the governmental jurisdiction that is seeking the boundary change action or the proponent in the case of incorporation or formation.

1. Name of City, Town, or Special Purpose District City of Kalama
2. Action Sought Annexation of 42 Acres known as the Chilton Annexation
3. Reason for seeking action Petition of Annexation submitted and accepted by City Council
4. Method used to initiate the proposed action 60 % method
5. State statute under which action is sought RCW 35A.14.120
6. Items submitted should be labeled in accordance in this format:

EXHIBIT A. A copy of the legal description of the boundaries of the area involved in the proposed action certified by a registered engineer or land surveyor.

EXHIBIT B. A Cowlitz County Assessor's map certified by a registered engineer or land surveyor on which the boundary of the area involved in the proposal and the size in acres must be clearly indicated.

EXHIBIT C. A vicinity map no larger than 11" x 17" and reproducible on a **non-color** photocopier displaying:

- 1) The boundary of the area involved in the proposal and the size in acres.
- 2) The current corporate boundaries of the proposing entity.
- 3) Major physical features such as streets and highways, railways, public facilities, rivers, freeways etc.,
- 4) The boundaries of all cities or special purpose districts having jurisdiction in or near the proposed area.
- 5) The location of the nearest service point(s) for the required utility services to the area.

13. Describe the topography, drainage basins and natural boundaries which are included in the area of the proposal and how each affects land use, accessibility and potential development. Most of the land is less than 15% grade. The far eastern edge and northwest corner is steeper with grad ranging between 15-30%.
14. Describe how much and what type of growth has been projected for this area and adjacent incorporated and unincorporated areas during the next ten-year period. What source is the basis for this projection?
Cowlitz County has grown by 10.18% between 2000-2010. Kalama has averaged 1.19% growth over the last 4 years.

MUNICIPAL SERVICES

1. Name the current service purveyors in the proposed area.

Water	Kalama City	Police	County Sheriff
Sewer	Private	School	Kalama
Fire	Cowlitz Dist 5	Library	Kalama
 2. What service changes will occur if the proposal is approved? City Police will provide service to the area and they currently will respond as backup to the County or if County unavailable in an emergency
 3. What effect will your jurisdiction's ordinances, governmental codes, regulations and resolutions have on existing uses in the proposed area?
Area will be subject to all development codes as adopted by the City , all license, fees, and rates of the City will be applicable to activities in this area and area will assume all indebtedness of the City.
 4. What are the prospects of governmental services from other sources?
Kalama already provides the water services to this area and serves as back up to police services when necessary.
 5. What are the probable future needs for services and controls in the area?
Same as exist now – water utility services and public safety.
 6. What is the probable effect of the proposal on the cost and adequacy of services and controls in the proposed area? City currently serves the area with water and has the ability to provide services for future growth with some upgrades to the existing infrastructure.
-
- in the adjacent area? same
-
7. What is the effect of the proposal on the finances, debt structure, contractual obligations and rights of all affected governmental units? Property assumes all indeptedness of the City

I certify that the above is true and accurate and that I am an official or employee of the governmental jurisdiction seeking boundary change action or the proponent for the incorporation or formation.

Coni McMaster Date 10-21-2013
Signature

Name of Person Completing this Notice Coni McMaster

Title Clerk/Treasurer Telephone 360-673-4561

Mailing Address PO Box 1007, Kalama, WA 98625

Names and addresses of other persons or agencies who should receive correspondence from the Board in regard to this Notice:

Chilton Inc.
115 Butte Hill Rd
Woodland, WA 98674

13-387 City of Kalama

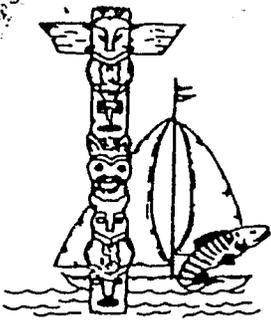
ANNEXATION DESCRIPTION

The Southeast Quarter of the Northeast Quarter of Section 16, Township 6 North, Range 1 West, W.M., Cowlitz County, Washington.
ALSO that portion of the Southwest Quarter of the Northeast Quarter of Section 16, Township 6 North, Range 1 West, W.M., Cowlitz County, Washington, more particularly described as follows: Beginning at the Southeast Corner of said subdivision; thence N88°19'46"W along the south line of said subdivision a distance of 68.33 feet; thence N00°34'36"E a distance of 1321.84 feet more or less to the north line of said subdivision to a point that is 72.61 feet westerly of the Northeast Corner of said subdivision; thence S88°00'30"E along the north line of said subdivision a distance of 72.61 feet to the Northeast Corner of said subdivision; thence S00°45'42"W along the east line of said subdivision a distance of 1321.36 feet to the Southeast Corner of said subdivision and the Point of Beginning.

Approx. 42.82 acres in this description.
The above area is shown on survey filed in Volume-16, Page 161 under Auditor's File No. 970606001. The survey is on a difference basis of bearing than the above described area.



Exhibit D



City of Kalama

Incorporated 1890

City Hall
320 N. First St.
P.O. Box 1007
Kalama, WA 98632
(360) 673-4561
cityclerk@kalama.com



State of Washington
County of Cowlitz

I certify that the attached are true and correct copies (double-sided) of the following documents:

1. Petition of Annexation for Chilton Annexation including map and property description received on September 5, 2013 – 6 pages
2. Certificate of Sufficiency from Cowlitz County Assessor issued on September 10, 2013 – 1 page
3. Affidavit of Publication issued on September 27, 2013 for the Public Hearing on October 2, 2013 on the Chilton Annexation Petition – 1 page
4. Resolution No. 595 Adopted by the Kalama City Council on October 2, 2013 – 2 pages
5. Minutes of the City Council meeting of October 2, 2013 including Public Hearing – 5 pages

In the possession of the City of Kalama dated October 21, 2013


Notary Signature

Residing at Kelso, WA

Commission expires 1/1/2015





3199826

Page: 2 of 3

09/16/2003 09:47A

ROBIN CHILTON

DEED

21.00 Cowlitz County

EXHIBIT "A"

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 6 NORTH, RANGE 1 WEST OF THE W.M.;

THENCE NORTH 88° 19' 46" WEST 68.33 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16 TO THE POINT OF BEGINNING;

THENCE NORTH 00° 34' 36" EAST 1,321.84 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16 AND A POINT WHICH IS 72.81 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, MEASURED ALONG SAID NORTH LINE;

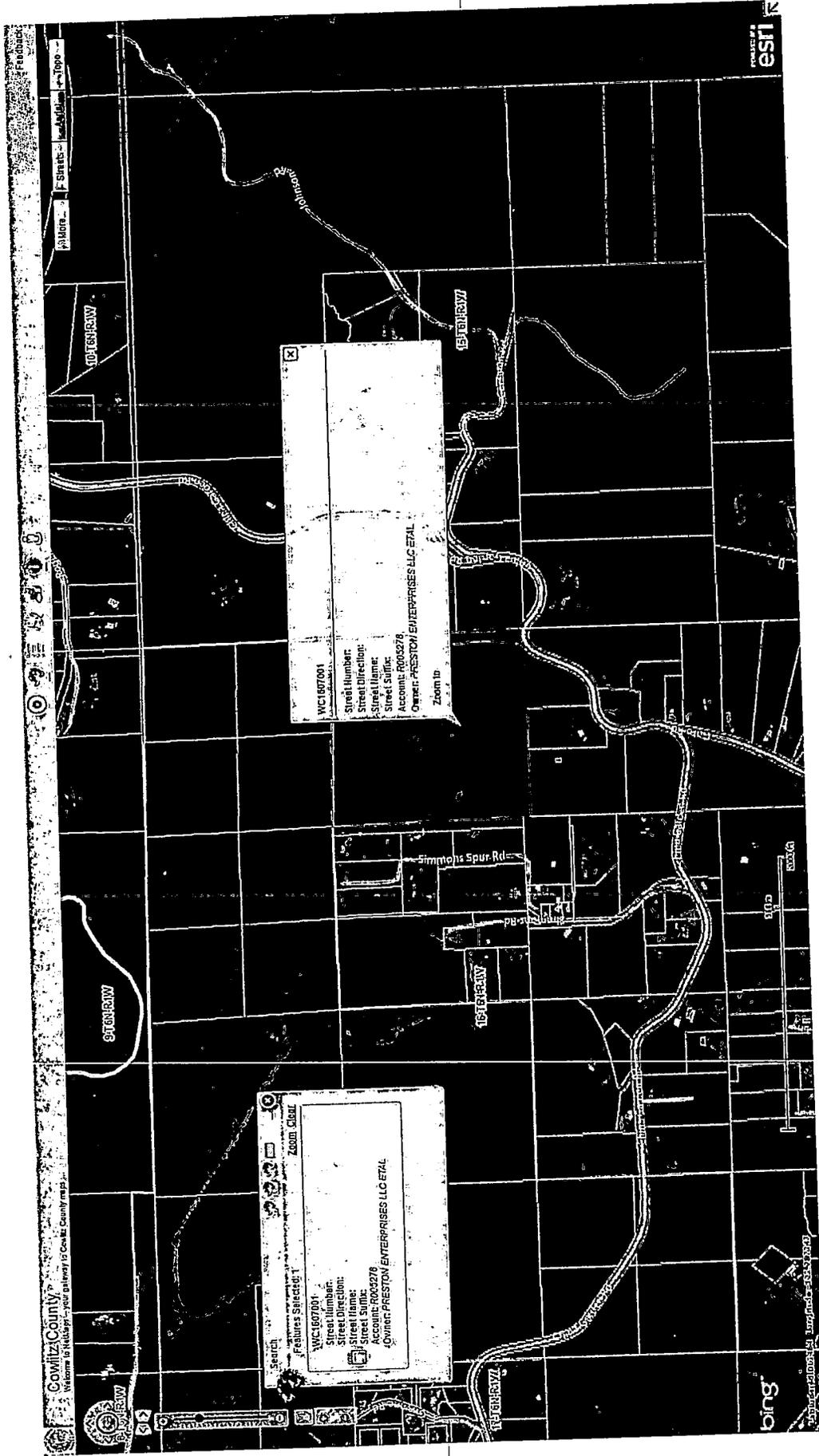
THENCE SOUTH 88° 00' 30" EAST 72.81 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16;

THENCE SOUTH 00° 45' 42" WEST 1,321.36 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16;

THENCE NORTH 88° 19' 46" WEST 68.33 FEET TO THE POINT OF BEGINNING, MEASURED ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16, AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 6 NORTH, RANGE 1 WEST OF THE W.M.

TOGETHER WITH AND SUBJECT TO A ROAD EASEMENT DESCRIBED AS FOLLOWS: THE SOUTH 60 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 6 NORTH, RANGE 1 WEST OF THE W.M.

SITUATE IN THE COUNTY OF COWLITZ, STATE OF WASHINGTON





COWLITZ COUNTY ASSESSOR'S OFFICE

Terry McLaughlin, Assessor

*Wesley T. Hagen, Chief Appraiser
Janeene Niemi, Administrative Assistant*

COWLITZ COUNTY ASSESSOR CERTIFICATE OF SUFFICIENCY

RCW 35A.01.040 & RCW 35A.14.120

I, Terry McLaughlin, Cowlitz County Assessor, pursuant to RCW 35A.01.040(9), do hereby certify that I have received the **Chilton Annexation, China Garden Road** petition filed with the **City of Kalama**. I further certify that said petition contains valid signatures of property owners of at least sixty percent (60%) in value according to the assessed valuation for general taxation of the property for which annexation is petitioned as required by RCW 35A.14.120.

Terminal Date: **September 10, 2013**

Terry McLaughlin
Cowlitz County Assessor

Date

Kalama City Council
Public Hearing
Chilton 42 acre Annexation
October 2, 2013 @ 7pm
The Kalama City Council will hold a public hearing on the Annexation Petition submitted by the Craig Chilton on Wednesday October 2, 2013 in the Kalama City Council Chambers, 320 N. First Kalama WA at 7:00 pm. Those wishing to comment are encouraged to attend and participate at the public hearing. Additional information can be obtained at the City Hall offices or by calling 360-873-4561.
Publish: September 25, 2013

AFFIDAVIT OF PUBLICATION

IN THE MATTER NOTICE OF PUBLICATION

Ad Number 511344

KALAMA CITY COUNCIL PUBLIC HEARING

CITY OF KALAMA

STATE OF WASHINGTON

COUNTY OF COWLITZ

MELANIE CRISMAN being duly sworn says that she is the CHIEF CLERK of THE DAILY NEWS. And that THE DAILY NEWS, published in Cowlitz County, has been approved as a Legal newspaper by order of the Superior court of the State of Washington of Cowlitz County, and that the Annexed printed copy is a true copy of the notice in the above entitled matter as it was printed in the regular entire issue of said paper and online at www.tdn.com, for a period of 1 insertion commencing on September 25, 2013 and ending on September 25, 2013, and that said newspaper was regularly distributed to its subscribers during all of said period, and that said notice was published in said paper and not in a supplement form. That the full amount of the fee charged for said forgoing publication is the sum of \$60.00 and \$3.00 line for the first insertion and \$2.85 per line for each subsequent insertion. There is also an additional charge of \$10.00 for every additional affidavit copy over two copies.

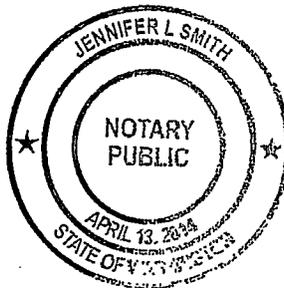
MELANIE CRISMAN

Melanie Crisman

Subscribed and sworn to before me this
27th Day of September, 2013

JENNIFER L. SMITH

Jennifer L. Smith
Notary Public for the State of Washington
Residing in Cowlitz County



RESOLUTION NO. 595

A RESOLUTION relating to a pending annexation as identified as the Chilton Annexation and accepting the Petition to Annex of the owners of certain property described herein, and conditionally approving the same subject upon Boundary Review Board approval.

WHEREAS, on the 3rd day of April, 2013 the City Council of Kalama held a public hearing during which it was determined the City accept the intent to annex and would require the assumption by the newly annexing area of the existing outstanding indebtedness of the City of Kalama;

WHEREAS, at that public hearing the City Council determined that said newly annexing territory would be zoned R1 upon its annexation into the City;

WHEREAS, pursuant to RCW Chapter 35A.14, the applicants for annexation have submitted to the City a petition to annex signed by owners of 60 percent or more of the assessed valuation of the following parcels:

Tax Parcel	Approx. Acreage	Owner
WC1607001	40	Preston Enterprises LLC
WC1606009	2.14	Preston Enterprises LLC

(SEE ATTACHED EXHIBIT "A" FOR FULL LEGAL DESCRIPTION)

WHEREAS, the submitted Petition has been certified sufficient by the Cowlitz County Assessor's Office;

WHEREAS, the City Council held a public hearing on the Chilton Annexation Petition on October 2, 2013 to take testimony and consider the annexation;

AND IF FURTHER being determined that the Chilton annexation must be referred to the Boundary Review Board of Cowlitz County, for review;

NOW THEREFORE, the City Council of the City of Kalama do resolve as follows:

This matter shall be submitted to the Cowlitz County Boundary Review Board for consideration and thereafter and upon such action, to be returned to the City of Kalama for final action to accept the annexation as presented in the Petition for annexation.

PASSED, by the City Council of the City of Kalama on the 2nd day of October 2013.

ATTEST:


Clerk-Treasurer


Mayor

**CITY OF KALAMA
CITY COUNCIL MEETING
October 2, 2013**

1. OPENING

Mayor Pete Poulsen opened the City Council meeting at 7:05 p.m. Mayor Poulsen led those present in the Pledge of Allegiance.

Councilmembers present were Mike Truesdell, Dominic Ciancibelli, Mike Dennis Langham, Don Purvis, and Mary Putka. City staff present were City Administrator Adam Smee, Superintendent of Public Works Kelly Rasmussen, Clerk/Treasurer Coni McMaster, and Police Chief Randy Gibson. City Attorney Paul Brachvogel was also in attendance. Members of the public present are listed on the sign-in sheet.

2. EXECUTIVE SESSION - None

3. PRESENTATIONS & AWARDS

4. PUBLIC HEARINGS

A. Public Hearing – Chilton Annexation Petition

Mayor Poulsen opened the public hearing. Clerk/Treasurer Coni McMaster explained the process and request. In April Mr. Craig Chilton proposed the annexation of 42 acres above China Garden Road. The City accepted the intent to annex provided the property would assume all of the City's indebtedness and the property would be zoned R-1 upon annexation. Mr. Chilton has now submitted the signed petition which has been certified by the County Assessor to contain signatures of property owners of at least 60% in value of the included property. This hearing is to take testimony on the annexation prior to the City making a decision on the petition. If the City accepts the petition, the request will be forwarded on the Boundary Review Board (BRB). Councilmember Ciancibelli asked if the City has an option to not accept the annexation since they have previously accepted the intent. It would be possible if an environmental or other problem were discovered with the proposed area that the City would find it to not be in the best interest of the City to move the annexation forward. Mr. Roy Vaughn a resident on Simmons Road asked if the neighbors would be annexed as well. No neighboring parcels have not been included on the petition as presented. He had concerns with additional costs and the ability to still shoot out in this rural area. It was explained that costs for water service would be reduced and the City's code sets some restrictions on shooting, but does not ban it in the rural areas of the City. Should any other property owners wish, they could petition to join the annexation. Once the proposal goes to the BRB, another entity, such as the County could invoke jurisdiction, and that would result in an additional hearing. If the BRB were to consider adding additional property to the request, they would also hold a public hearing and the neighboring property owners would be notified. Mr. Jeff Richter representing Mr. Chilton explained that this is view property that will be developed in the future. As the County is updating their comprehensive plan and looking at zoning in the County, plus the need for water are some of the reasons the owners have requested annexation. It is believed that having this develop within the City will be a benefit.

B. Ordinance No. 1318 – KMC Chapter 1 General Provisions – Vehicle Definition

Ordinance No. 1318 was read by Title: An Ordinance of the City of Kalama, Washington amending the Kalama Municipal Code Chapter 1 General Provisions Section 1.04.010 Definitions to include the definition of Vehicle to be used throughout the Code. It was explained that it has come from changes made to the parking code and a need for uniform definition throughout the code. The definition was read. Councilmember Ciancibelli made a motion the Council adopt Ordinance No. 1318 as read. Councilmember Mary Putka seconded, and the motion carried.

C. Ordinance No. 1319 - Correction to Water Code – KMC Section 12.04

Ordinance No. 1319 was read by Title: An Ordinance of the City of Kalama, Washington correcting Ordinance Number 1253 and amending Kalama Municipal Code Section 12.08.030 to correctly reflect the current amount of Low Income Utility Discount as established by Ordinance No. 1248 and allowing for the amount to be set by Resolution of the City Council in the future. Councilmember Ciancibelli made a motion the Council adopt Ordinance No. 1319 as read. Councilmember Mike Langham seconded. Clerk/Treasurer Coni McMaster explained that this was found during the audit where one ordinance inadvertently has reversed the increase in the low income discount as authorized in the previous ordinance. This was not intended, and this will correct the problem. The motion carried.

D. Ordinance No. 1321 – KMC Amendment to KMC Chapter 7 Litter Code

Ordinance No. 1321 was read by Title: An Ordinance of the City of Kalama, Washington amending Kalama Municipal Code Chapter 7 Health And Sanitation to address garbage receptacles in street right-of-way and outdated penalties for littering within the City limits. Councilmember Purvis made a motion the Council adopt Ordinance No. 1321 as read. Councilmember Putka seconded. This was to address the outdated penalties for littering from 1973 by adopting the state's three levels of penalties. It also addresses the leaving of garbage carts in the street after the scheduled pickup. The motion carried.

E. Ordinance No. 1322 – KMC Amendment to KMC Chapter 6 Animal Code

Ordinance No. 1322 was read by Title: An Ordinance of the City of Kalama, Washington amending the Kalama Municipal Code Chapter 6 Animals to correct Code references and update fines and penalties. It was asked if the code covers animals defecating on public property and the code does address it. Councilmember Purvis made a motion the Council adopt Ordinance No. 1322 as read. Councilmember Mike Truesdell seconded, and the motion carried.

F. Resolution No. 595 – Approval of Chilton Annexation – Refer to BRB – Acted on earlier in the meeting.

magazine since it is a diatomaceous earth plant, which several hours with a photographer on site.

C. **Police Chief Randy Gibson** provided his statistical report providing some details on the case at the school and some animal issues. The new communications (CAD) system is up and running smoothly with only a few bugs to work out.

D. **Clerk/Treasurer Coni McMaster** provided the end of month report for September and the third quarter report on the budget which is looking fine. The audit is basically complete except for the exit conference which will be on October 17, 2013. She noted staff is continuing the work on the budget.

E. **City Attorney Paul Brachvogel** had no report.

12. **CONSENT AGENDA**

Councilmember made a motion the City Council approve the Consent Agenda including:

1. Claims Vouchers Totaling \$43,397.05 For September, 2013
2. Payroll Vouchers Totaling \$79,305.64 for September 16-30, 2013
3. Minutes of the September 18, 2013 City Council Workshop
4. Minutes of the September 18, 2013 City Council Meeting
5. Set Public Hearing on Ad Valorem (Property) Tax Levy and Revenue projections for 2014 for October 16, 2013 at 7 pm
6. Appointment of Pix Basso to the Library Board to fill the vacated term until January 2015.

Councilmember Don Purvis seconded the motion. The motion carried.

13. **EXECUTIVE SESSION - None**

14. **ADJOURNMENT**

Mayor Poulsen adjourned the meeting at 8:43 p.m. These minutes are not verbatim. A copy of the tape can be made available for listening.



Pete Poulsen - Mayor



Coni McMaster - Clerk/Treasurer

Chilton Annexation – Adjoining Property Owners – Per County Tax Records 10/14/2013

Mr. Gary Tolbert
PO Box 143
Kalama, WA 98625

Michael Coulter
200 Simmons Rd
Kalama, WA 98625

Mr. Robert Tolbert
PO Box 1224
Belen, NM 87002

George M. Moawad, Trust
14730 Bear Creek LN NE
Woodinville, WA 98077-7809

Mr. Jessee
121 Rogers Rd
Kalama, WA 98625

Mr. Bill Richardson
1320 China Garden Rd.
Kalama, WA 98625

Western Pacific Timber LLC
420 W Main St. Ste. 301
Boise, ID 83702-7484

Mr. Robert & Candace McCafferty
7580 Ridge Dr.
Gladstone, OR 97027

Ms. Elizabeth Sycks
11 Windrush PT
Little Rock, AR 72211-4463

Mr. Tom & Karen Eastwood
256 Simmons Spur Rd.
Kalama, WA 98625

Mr. & Mrs. Benjamin Pritchard
PO Box 1167
Kalama, WA 98625

Washington State Association of Boundary Review Boards

Friday, October 4, 2013

Interlocal Agreement & Island Annexations

Karen Wolf, AICP
King County



Outline

- ▶ King County approach to annexations
- ▶ Overview of ILA & Island annexation methods
- ▶ Wild Glen Condominium
- ▶ Mill Planning Area
- ▶ Summit Pit
- ▶ Bothell
- ▶ Conclusion
- ▶ Q & A

Process

- ▶ County ~~or~~ city adopts resolution commencing negotiations
- ▶ Parties negotiate ILA
- ▶ Public hearing(s)
- ▶ ILA adopted by both parties
- ▶ NOI filed with BRB ~~JURISDICTION CAN'T BE INVOKED BY ANYONE~~
- ▶ City adopts ordinance providing for annexation with effective date

Referendum

- ▶ Ordinance subject to referendum for ~~45~~ ^{with} 45 days after passage
- ~~IF~~ → 15% of votes cast in last general state election in area to be annexed - ~~SUBMITTED~~ ^{OR A PETITION THEN}
- ▶ If no referendum, area annexed becomes part of city on date specified

Island Method

- ▶ RCW 35A.14.295, SB 5417, & EHB 2068
- ▶ No ILA required
- ▶ Not restricted to residential, less than 175 acres, & 100% boundaries contiguous to city, OR*
- ▶ Residential, any size, 80% boundaries contiguous to city, same county as annexing city*

* *New with SB 5417 & EHB 2068*



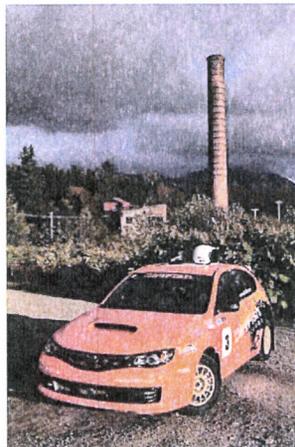
Wild Glen to Kirkland



Mill Planning to Snoqualmie



Property of MSCUA, University of Washington Libraries. Photo Coll 516

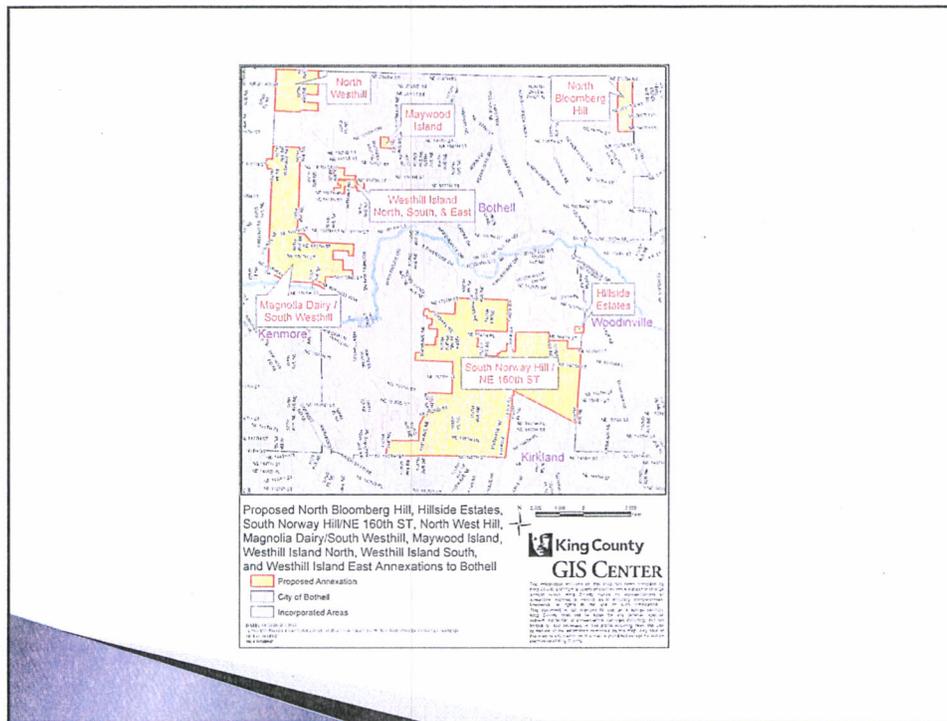


Summit Pit to Maple Valley



60% Contiguous ILA Method

- ▶ City could have used Island Method with change to law in 2013
- ▶ City & County negotiated ILA
- ▶ Protection for County road operations into the future
- ▶ ILA signed by King County - City scheduled to sign later this month
- ▶ Effective date to be set by City



Fire District ILA Method

- ▶ 9 discrete nodes of unincorporated King County comprise the PAA (POTENTIAL ANNEXATION AREAS)
- ▶ Area includes 2 Fire Districts
- ▶ City conducted thorough public involvement process; additional meetings scheduled
- ▶ ILA signed by all 4 parties
- ▶ NOI filed with BRB
- ▶ Effective date: February 28, 2014

BOTHELL
KENMORE
AREA
NOT SUBJECT TO
REFERENDUM

Boundary Review Board Meeting
Tuesday, November 6, 2013
3:30 P.M. – 4:30 P.M.
Cowlitz Annex Building – Conference Room

AGENDA

- 1. Call to Order – *Chair Jim Bain***
- 2. Roll Call – *Katie Wells***
- 3. Annexation #200: City of Kalama Chilton Annexation – *Matt Hermen***
- 4. Washignton State Boundary Review Board Conference – *Jim Bain***
- 4. Upcoming BRB actions – *Matt Hermen***
- 5. Adjourn**

143 BRB MTG Agenda 11-6-13 MH

COWLITZ COUNTY BOUNDARY REVIEW BOARD

Name, Address, Phone, Email	Nominated By	Term
Chuck Davison 1146 Holcomb Road Kelso, WA 98626 425-8403 (H) 200-2954 (W) davisofam@yahoo.com	Board of County Commissioners Appointed 5/31/11	5/31/11 – 1/31/15 <i>4 Years</i> <i>1st Term</i>
<i>Term expired – Vacancy until person is appointed (Was Janet Rubert)</i>	Governor – (From any nomination source) Appointed 3/19/02 to complete term – Reappointed for second term	3/21/02 – 1/31/03 2/1/03 – 1/31/07 Ended <i>4 Years</i> <i>2nd Term</i>
Jim Holter 292 Green Mountain Lane Kalama, WA 98625 225-8795 (H) 577-1534 (W) 721-1340 (C) Jim.spnwinc@cni.net	Cities (Mayors) Chosen by Mayors – 3-27-09 Vice Chair 1/12 – 1/13	3/27/09 – 1/31/13 2/1/13 – 1/31/17 <i>4 Years</i> <i>1st Term</i> <i>2nd Term</i>
Jim Bain –Chair 308 N. 2 nd P.O. Box 631 Kalama, WA 98625 673-3008 (H) 270-6320 (W) Jimbain@kalama.com	Governor – (From any nomination source) Appointed 2/24/05 Vice Chair 9/24/07 – 1/08 Chair 2/21/08 – 1/09 Vice Chair 4/23/09 – 1/10 Chair 1/10 – 1/12 Chair 1/12 – 1/13	2/24/05 – 1/31/09 3/24/09 – 1/31/13 Reappointed <i>4 Years</i> <i>2nd Term</i> <u><i>Jim sending reappointment forms to Governor's office 1/23/13</i></u>
Lynn H. Johnson –Vice Chair 2444 Archwood Drive Longview, WA 98632 578-1018 (H) 749-6019 (C) Lhj42@comcast.net	Special District Appointed 7/13/99 Vice Chair 2/21/08 – 1/09 Chair 4/23/09 – 1/10 Vice Chair 1/10 – 1/12	7/13/99 – 2/28/03 3/1/03 – 2/28/07 2/28/07 – 2/28/11 2/28/11 - 2/28/15 <i>4 Years</i> <i>4th Term</i>

Matt Hermen – Executive Officer mhermen@cwccog.org
 577-3041
Katie Wells – Secretary kwells@cwccog.org
 577-3041

Cowlitz County Boundary Review Board

Administration Annex 207 4th Avenue N, Kelso, WA, 98626-4195

Telephone: 360-577-3041

Fax: 360-425-7760

E-mail: mhermen@cwco.org

October 25, 2013

Mayor Ron (Pete) Poulsen
City of Kalama
320 N. First St.
P.O. Box 1007
Kalama, WA 98625

RE: File No. 200 – City of Kalama – Chilton Annexation

The Notice of Intention for the proposed annexation referenced above is acceptable for filing and has been so filed effective **Friday, October 25, 2013 as Annexation 200.**

Provided the Board's jurisdiction is not invoked pursuant to RCW 36.93.100, the public review period will end 45 days from the date of filing. **The official date will be Monday, December 9, 2013.**

Please feel free to contact me if you have any questions.

Sincerely,



Matt Hermen
Executive Officer

MH:bk

cc: Adam Smee, City Administrator, City of Kalama
Coni McMaster, Clerk/Treasurer, City of Kalama