

CITY OF PALMER, ALASKA
RESOLUTION NUMBER 235

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL ON BEHALF OF THE CITY OF PALMER TO ACCEPT THE PROPOSED ANNEXATION TO THE CITY OF PALMER OF A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER, SOUTHWEST QUARTER, SECTION 28, TOWNSHIP 18 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA, NOW CONTIGUOUS TO THE CITY, TO PROVIDE A LEGAL DESCRIPTION OF THE AREA, WHICH IS AS FOLLOWS:

This parcel is a part of the Southwest One-quarter of the Southwest One-quarter of Section 28, Township 18 North, Range 2 East, Seward Meridian, Alaska.

Beginning at a point located East 50.00 feet from the section corner common to Sections 28, 29, 32, 33 of Township 18 North, Range 2 East, Seward Meridian, Alaska; thence North a distance of 630.00 feet along the west boundary of Block 3, Bailey Heights Subdivision; thence East along the north boundary of said block a distance of 325.00 feet; thence North $85^{\circ} 52'$ East a distance of 285.74 feet to the Northeast corner of said block; thence East a distance of 30.00 feet; thence South a distance of 650.56 feet to the center of West Eagle Avenue; thence West following the centerline of West Eagle Avenue a distance of 640.00 feet to the point of beginning. This parcel contains 9.34 acres and includes all of Block 3 Bailey Heights Subdivision, First Street and Second Street in Bailey Heights Subdivision, a portion of West Eagle Avenue and a part of a 30-foot street in the Pribyl-Grasse Subdivision,

TO MAKE A DETAILED STATEMENT OF THE TERMS AND CONDITIONS UPON WHICH THE ANNEXATION SHALL BE AGREED TO, TO ESTABLISH THE PROPOSED EFFECTIVE DATE OF THE PROPOSED ANNEXATION, AND TO DETERMINE ANY LIABILITIES WHICH MAY SUBJECT THE PROPERTY IN THE ANNEXATION AREA TO ASSESSMENTS.

WHEREAS, on the 14th day of September, 1971, a petition proposing the annexation to the City of Palmer of a parcel of land located in the Southwest Quarter, Southwest Quarter, Section 28, Township 18 North, Range 2 East, Seward Meridian, Alaska, was presented to the City Council at the initiative of interested persons residing within said area, and

WHEREAS, on the 26th day of October, 1971, after notice of public hearing had been given according to law, a public hearing was held in the City Council chambers of the City of Palmer, for the purpose of considering the proposed annexation to the City of Palmer of the above mentioned part of Southwest Quarter, Southwest Quarter, Section 28, Township 18 North, Range 2 East, Seward Meridian, at which hearing all persons appearing, who are owners of substantial property interests in the section proposed to be annexed, or who are voters of the City of Palmer, were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Palmer:

1. That the below described area proposed to be annexed is now contiguous to the City of Palmer.
2. That the petition filed with the City Council for the annexation of the described area contains a concise written statement of its purpose and a legal description of a duly recorded subdivision, the boundaries of which lots have been duly verified by survey.

3. That the estimated number of owners of substantial property interests in the area proposed to be annexed was determined to be twenty-nine.
4. That the number of valid signatures on the petition is fifteen.
5. That more than thirty percent (30%) of the owners of substantial property interests have signed the petition.
6. That the petition is valid and approved.

After hearing all those who are owners of substantial property interests in the area proposed to be annexed or who are voters of the City of Palmer who desire to be heard, and after due consideration and deliberation being given, the City Council now declares that it is the intention of the City Council, acting for and on behalf of the City, to accept and consent to the proposed annexation of said parcel according to the petition presented, filed and approved.

A legal description of the proposed annexation area, according to the official plat thereof, is set forth as follows:

(See above description)

Terms and Conditions of Annexation:

The City of Palmer now agrees to the proposed annexation of the above described area on the following terms and conditions:

1. The City of Palmer agrees to make available to the annexed section all the municipal services that are now provided other areas of the City and more specifically set forth as follows:

(a) The City of Palmer agrees to make available and to extend to the annexed area fire protection services from its volunteer fire department. The City will coordinate all its firefighting facilities to provide service in the annexed area and to perform the same high standard of fire protection service as is provided for other areas in the City, including fire prevention inspections. Full fire protection services will become available to the annexation area immediately upon the effective date of the annexation of the area to the City.

(b) Police protection of life and property shall be provided at the same standard of service given to other like areas of the City, with radio-controlled police cruisers patrolling the area and police to be dispatched upon direct call. Full police protection shall become available to the area proposed to be annexed immediately upon the effective date of the annexation of the area to the City.

(c) Zoning regulations now in effect within the City shall be extended to the area proposed to be annexed to the City. A land use survey will be made and public hearings for the purpose of establishing zoning districts shall be held in the area to be zoned in accordance with the ordinances of the City of Palmer, and subject to the powers and concurrence of the Matanuska-Susitna Borough.

(d) Building inspection will be provided and all construction of new buildings in the area will be by means of building permits subject to full inspection to determine that building requirements and zoning rules and regulations will be enforced and that all buildings constructed are safe and comply with the standard prescribed by the City Building Code. This service shall become available to the area proposed to be annexed immediately upon the effective date of the annexation of the area of the City.

(e) All residents within the annexed area shall be entitled to City library service. This service shall become available to the residents of the area proposed to be annexed immediately upon the effective date of the annexation of the area to the City.

(f) Streets and alleys which are dedicated to public use in the area proposed to be annexed and which are accepted as public streets and alleys by the City Manager's designation, shall be maintained in accordance with the same standards provided for the residents of the City in like areas. Such maintenance shall include maintaining existing surface drainage. This service shall become available to the area proposed to be annexed immediately upon the effective date of the annexation of the area to the City.

(g) Snow removal and dust control will be provided within the area proposed to be annexed in accordance with the same standards of service as now provided to the residents of the City of Palmer. This service shall become available to the area proposed to be annexed immediately upon the effective date of the annexation of the area to the City.

(h) City garbage collection service shall be extended to the area proposed to be annexed through the City's garbage service contractor. The same garbage service fee shall be charged within the area proposed to be annexed as is charged according to published and established rates.

(i) The City municipal water and sewer systems shall be expanded, if finances permit, into the area proposed to be annexed upon the initiative petitions of the property owners desiring to be served that do not now have public water and sewer services available, wherein such petition reveals that there will be sufficient number of connections to provide for the feasible amortization of the investment. The monthly water and sewer rates will conform with the published rates now or hereafter charged to all City residents. The existing outfall sewer facilities shall be available to the area to be annexed, and the users of this outfall sewer will be required to make assessment payments for the proportionate share of the cost of each parcel of property specially benefited, and such assessments, if any, will be made as part of improvement district costs, provided, however, any sewer improvement will be constructed only after a valid and approved petition shall become approved.

(j) The paving of streets, sidewalks and gutters with all necessary preparation will be extended to the area proposed to be annexed on the same basis that is applied to other like areas of the City of Palmer. It is not anticipated that any paving will be accomplished within the area proposed to be annexed except on initiative petition by the residents of the area, in accordance with such procedures as may be established from time to time by the City Council.

The Estimated Tax Rate in the Area Proposed to Be Annexed Shall be as Follows:

No taxes for municipal services shall be levied by the City in the area proposed to be annexed for the calendar year of 1972, and for any year following 1972 taxes shall be levied in the area proposed to be annexed at the same rate and in the same manner as taxes shall be levied in other areas throughout the City of Palmer. It is the intent of the City Council that taxes shall be uniform within the City. No special assessment shall be levied within the area proposed to be annexed except against property specially benefited in the manner provided under the general laws of the City, including any property specially benefited by public improvements now completed, or to become completed after the effective date of this resolution, and for which no assessments have been levied.

Proposed Date of Annexation:

The proposed date of annexation shall be the 15th day of June, 1972.

Obligations and Liabilities to be Assumed by the City:

It is further determined by the City Council that no part of the area proposed to be annexed is within any service district of Matanuska-Susitna Borough improvement district. Therefore, there are no liabilities or obligations of any service district or borough to be assumed by the City of Palmer, concerning the proposed annexation area.

Liability of Property in Area Proposed to be Annexed:

It is determined by the City Council that on the information furnished by the Matanuska-Susitna Borough, no liability, contingent or otherwise, exists which would subject the property included in the area to be annexed to assessment or other legal action to insure payment of such liability.

Notice of Adoption of Resolution:

It is directed that the City Clerk shall cause a copy of this resolution to be published once a week for four successive weeks in the Frontiersman, a newspaper of general circulation in the City of Palmer, and that such resolution shall be posted in two public places by the City Clerk within the area proposed to be annexed, and in two public places within the City for a like period.

Protest:

Any owner of substantial property interest residing within the City or the area proposed to be annexed, may protest the annexation to the City of Palmer within sixty (60) days from the date of the enactment of this resolution, by filing with the City Clerk a written notice of objection. In the event no objection is filed within sixty (60) days after the adoption of this resolution, the City Council shall, by ordinance, within twelve months after the expiration of the final date allowing such objection to be filed, incorporate and adopt all the provisions of this resolution and consent to the proposed annexation and declare the area annexed to the City.

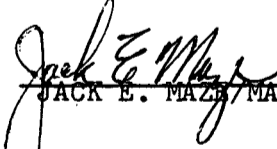
Election:

In the event that an objection is filed within the time allowed, the City Council shall, by ordinance, order an election to be held in the area proposed to be annexed in the manner provided by law.

In addition to the publication above provided, publication of this resolution shall be made by posting a copy hereof on the City Hall bulletin board for a period of ten days following its passage and approval.

Passed and approved by the City Council for the City of Palmer, Alaska, this 9th day of November, 1971.


WILLIAM E. CURTIS/CITY CLERK


JACK E. MAZE/MAYOR