

**CITY OF WASILLA
ORDINANCE SERIAL NO. 98-23**

AN ORDINANCE OF THE WASILLA CITY COUNCIL AUTHORIZING ANNEXATION AND ZONING OF CERTAIN PROPERTIES (T17N, R1W, SECTION 11, OLSON EXTENSION LOTS 1 THROUGH 5 AND T17N, R2W, SECTION 12, LOT 4) INTO THE CORPORATE BOUNDARIES OF THE CITY OF WASILLA IN CONJUNCTION WITH ZONING OF T17N, R1W, SECTION 11, TAX PARCEL B1 AND HURLEY LOOP RIGHT-OF-WAY.

WHEREAS, annexation of the territory authorized for annexation by this ordinance will promote maximum local self government with a minimum of local government units; and

WHEREAS, the annexation is sought by all the property owners of the area proposed for annexation; and

WHEREAS, the territory authorized for annexation by this ordinance exhibits a reasonable need for city government; and

WHEREAS, the territory authorized for annexation is compatible in character with the city to which annexation is proposed; and

WHEREAS, the economy within the proposed post-annexation boundaries of the city includes the human and financial resources necessary to provide essential city services on an efficient, cost-effective level; and

WHEREAS, the proposed post-annexation boundaries of the city include all land and water necessary to provide the full development of essential city services on an efficient, cost-effective level; and

WHEREAS, the area proposed for annexation is not populated; and

WHEREAS, according to WMC 16.43.388 all territory annexed into the corporate boundaries of the City of Wasilla shall be placed in the zoning district as recommended by the Wasilla Planning Commission; and

WHEREAS, the annexation will not deny any person the enjoyment of any civil or political right because of race, color, creed, sex or national origin.

BE IT ORDAINED AND ENACTED BY THE CITY OF WASILLA, ALASKA AS FOLLOWS:

SECTION 1. Classification. Section 6 of this ordinance is of a general and permanent nature and shall become a part of the Wasilla Municipal Code. Sections 1,2,3,4 and 5 of this ordinance are non-code

SECTION 2. Authorization. The Mayor of the City of Wasilla is authorized to file a petition for annexation pursuant to AS 29.06.040 (c) (1) with the Alaska Local Boundary Commission. The petition shall propose the annexation of the area generally described as follows:

PARCEL A

Beginning at the SW corner of Lot 1 Olson Subdivision Extension; identical to a point on Tract 1C of Olson Subdivision and the northerly right-of-way line of N. Lakeside Plaza Drive;
thence northwesterly along the line common to said Lot 1 and said Tract 1C;
thence easterly along ordinary high water line of Lake Wasilla, identical to the northerly boundaries of Lots 1 through 5 Olson Subdivision Extension to NW corner of said Lot 5;
thence southwesterly along the line common to Lots 5 and 6 of Olson Subdivision Extension to the SE corner of said Lot 5 and northerly right way line of E. Hurley Loop Road;
thence northwesterly to the SW corner of said Lot 5 on the northerly right-of-way line of N. Hurley Loop Road;
thence southwesterly along southerly boundaries of Lots 1 through 4 of Olson Subdivision Extension and north right-of-way line of the N. Hurley Loop Road to the SW corner of said Lot 1 to connect to the point of beginning.

PARCEL B

Beginning at the center east one-sixteenth corner of said Section 12;
thence north to the northerly easement line for the Alaska Railroad being the northwest corner Lot 4;
thence southeast along the northerly easement line for the Alaska Railroad to the section line common to Sections 12 and 7 being the northeast corner of Lot 4;

thence south along the section line common to Sections 12 and 7 to the center east one-sixteenth corner of Section 12 being the southeast corner of Lot 4;
thence west to the point of beginning.

SECTION 3. Petitioner's representative. The mayor is designated as the primary representative of the city of all matters relating to the annexation proceedings. The deputy administrator is designated as the alternate representative of the city whenever the primary representative is absent or if the primary representative resigns or fails to perform his or her duties.

SECTION 4. Terms and conditions. That the annexation will be on the following terms and conditions: City of Wasilla property taxes shall be levied the following fiscal year.

SECTION 5. Zoning. The Official Zoning Map of Wasilla, adopted August 12, 1996, is hereby amended to zone T17N, R1W, Section 11, Tax Parcel B1, Hurley Loop right-of-way, and Lots 1 through 5 of Olson Extension Subdivision to C—Commercial. The Official Zoning Map is also amended to zone T17N, R1W, Section 12, Lot 4 to I—Industrial.

SECTION 6. Amendment of chapter. WMC 1.08.020, City Limits, is hereby amended to read as follows:

- A. The boundaries of the City of Wasilla, a tract of land, located in the Third Judicial District, State of Alaska, more particularly described as follows:
- Beginning at the SE corner of Lot 16, Block 4, of Happy Mountain Estates Subdivision, which is The True Point of Beginning of this description...
 - thence southwesterly along the north right-of-way line of the Palmer-Wasilla Highway to the east right-of-way line of E. Hurley Loop,
 - thence northwesterly along east right-of-way line of E. Hurley Loop to the **SE [SW] corner of Lot 5 Olson Subdivision Extension,**
 - [THENCE SOUTHWESTERLY ALONG NORTH RIGHT-OF-WAY LINE OF E. HURLEY LOOP TO THE SW CORNER OF LOT 1 OLSON SUBDIVISION EXTENSION]
 - thence northwesterly **along east right-of-way line of E. Hurley Loop to the SE corner of Lot 5 Olson Subdivision Extension,**
 - **thence northwesterly along the line common to Lots 5 and 6 of Olson Extension Subdivision to the ordinary high water line of Lake Wasilla,**
 - **thence westerly along the line of ordinary high water of Lake Wasilla being identical to the northerly boundaries of Lots 1 through 5 Olson Subdivision Extension** to the NE corner of Tract

1C, of Olson Subdivision, which point is on the high water line of record of Wasilla Lake,....”

- thence southerly to the C ¼ corner of Section 7, T17N, R1W, SM,
- [THENCE WESTERLY TO THE CE 1/16 CORNER OF SECTION 12, T17N, R2W, SM,]
- **thence westerly to the southeast corner of Lot 4, Section 12, T17N, R2W,**
- **thence northerly along the section line common to Sections 7 and 12 to the northerly easement line of the Alaska Railroad,**
- **thence northwesterly along the northerly easement line for the Alaska Railroad to the northwest corner of Lot 4,**
- thence southerly to Corner **No.** [#]19 New Wasilla Airport, Plat **No.** [#]92-6 Section 12, T17N, R2W, SM,...
- Thence westerly to the SE corner of Lot 16, Block 4, Happy Mountain Estates Subdivision, which is the True Point of Beginning of this description. Containing [7,800] **7,822** acres more or less.

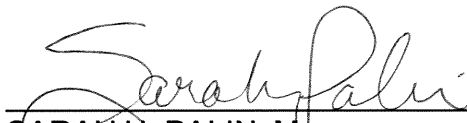
[EXCLUSION: THOSE PARCELS IDENTIFIED BY MATANUSKA-SUSITNA BOROUGH TAX NUMBERS AS B2, C1, C4 AND C2 AND INCLUDED IN THE FOLLOWING DESCRIPTION ARE HEREBY EXCLUDED FROM THIS ANNEXATION AND THE CITY OF WASILLA.]

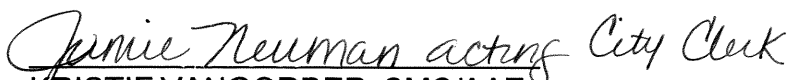
[BEGINNING AT THE NE CORNER OF THE SE ¼ OF THE SE ¼ OF SECTION 10; THENCE NORTH TO THE SOUTHERN BOUNDARY OF THE ALASKA RAILROAD RIGHT-OF-WAY; THENCE ALONG THE SOUTHERN BOUNDARY OF THE ALASKA RAILROAD RIGHT-OF-WAY TO THE NE CORNER OF LOT 11, BLOCK 1, RICHMOND HILLS II; THENCE WEST TO THE POINT OF BEGINNING.]

SECTION 7. Effective date. This ordinance shall take effect upon adoption of the Wasilla City Council, and upon approval of the State of Alaska Local Boundary Commission and the date the United States Department of Justice issues its Federal Voting Rights Act preclearance.

ADOPTED by the Wasilla City Council on this 11th day of May, 1998

ATTEST:


SARAH H. PALIN, Mayor



KRISTIE VANGORDER, CMC/AE

City Clerk

[SEAL]



U.S. Department of Justice

Civil Rights Division

CORRECTED LETTER

EJ:DHH:SMC:par
DJ 166-012-3
98-3539

Voting Section
P.O. Box 66128
Washington, DC 20035-6128

RECEIVED

FEB 01 1999

December 17, 1998

CITY OF WASILLA, ALASKA

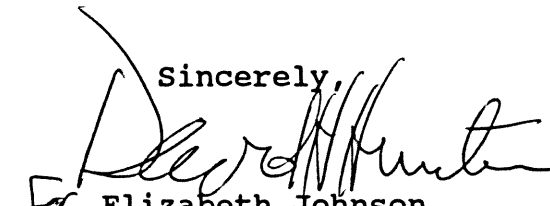
Kenneth P. Jacobus, Esq.
Suite 920
425 G Street
Anchorage, Alaska 99501-2140

Dear Mr. Jacobus:

This refers to the two annexations (Ordinance Nos. 98-10 and 98-23) to the City of Wasilla in Matanuska-Susitna Borough, Alaska, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on October 21, 1998.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,


For Elizabeth Johnson
Chief, Voting Section

State of Alaska



Department of Community and Regional Affairs

CERTIFICATE

Boundaries of the City of Wasilla

I, Mike Irwin, Commissioner of the Alaska Department of Community and Regional Affairs, hereby certify that the following is a true and accurate description of the corporate boundaries of the City of Wasilla. The following described boundaries include approximately 22.39 acres annexed to the City of Wasilla effective January 14, 1999.*

A tract of land, located in the Third Judicial District, Palmer Recording District, State of Alaska, describing the legal boundaries of the City of Wasilla, and more particularly described as follows;

- Beginning at the SE corner of Lot 16, Block 4, of Happy Mountain Estates Subdivision, which is the True Point of Beginning of this description,
- thence northerly to the SE corner of Lot 6, Block 5, Goddard Subdivision,
- thence westerly to the SE corner of Lot 4, Block 1, Happy Mountain Estates,
- thence northerly to the NE corner of Lot 4, Block 1, Happy Mountain Estates,
- thence westerly to the NW corner of Lot 1, Block 1, Happy Mountain Estates,
- thence southerly to the SW corner of Lot 1, Block 4, Happy Mountain Estates Subdivision,
- thence westerly to the north right-of-way line of George Parks Highway,
- thence northwesterly along the north right-of-way line of George Parks Highway to the north high water line of record of Cottonwood Creek,

* On October 2, 1998, the Local Boundary Commission (LBC) approved two annexation petitions from the City of Wasilla. The first was a petition for annexation of approximately 8.62 acres initiated pursuant to Wasilla City Ordinance No. 98-10. The second was a petition for annexation of approximately 13.77 acres initiated pursuant to Wasilla City Ordinance No. 98-23. On December 17, 1998, the U.S. Justice Department precleared the annexations under the Federal Voting Rights Act (Justice Department file: DJ166-012-3-98-3539). While the December 17, 1998 letter from the Justice Department refers only to the annexation of territory pursuant to Ordinance 98-10, Stephanie Celandine of the U.S. Justice Department assured DCRA on January 15, 1998 that both annexations totaling 22.39 acres were addressed by the December 17, 1998 letter. The City of Wasilla provided documentation of the preclearance to the Department of Community and Regional Affairs on January 14, 1999. Pursuant to 19 AAC 10.630, the annexation took effect January 14, 1998.

- thence northeasterly along the high water line of record to the SE corner of Tract E, Cottonwood Creek Mall Subdivision,
- thence northerly to the NE corner of Tract F, Cottonwood Creek Mall,
- thence westerly and northerly along the NE boundary of Tract F, Cottonwood Creek Mall Subdivision,
- thence northerly to the SW corner of Tract 7-1, Lake Subdivision, which point is on the north right-of-way line of the Palmer-Wasilla Highway,
- thence southwesterly along the north right of way line of the Palmer-Wasilla Highway to east right of way line of E. Hurley Loop,
- thence northwesterly along east right of way line of E. Hurley Loop to the SE corner of Lot 5 Olson Subdivision Extension,
- thence northeasterly along the line common to Lots 5 and 6 of Olson Subdivision Extension to the ordinary high water line of Wasilla Lake,
- thence westerly along the ordinary high water line of Wasilla Lake being identical to northerly boundaries of Lots 1 through 5 of Olson Subdivision Extension to the NE corner of Tract 1C, of Olson Subdivision, which point is on the high water line of record of Wasilla Lake,
- thence northwesterly across portion of Wasilla Lake to the SW corner of Lot 1, Tract 2, Lakeshore Subdivision, which is on the high water line of record of Wasilla Lake,
- thence easterly along the high water line of record to the SE corner of Lot 1, Tract 2, Lakeshore Subdivision,
- thence northerly to the NE corner of Lot 1, Tract 2, Lakeshore Subdivision,
- thence westerly to the NW corner of Lot 1, Tract 2, Lakeshore Subdivision,
- thence northerly to the NW corner of Lot 1, Tract 1, Lakeshore Subdivision, which point is on the high water line of record of Wasilla Lake,
- thence northerly across portion of Wasilla Lake to the SW corner of Lot 1, Block 5, Lakeshore Subdivision,
- thence northerly along the east right-of-way line to a point on the section line common to Section 35, T18N, R1W, and Section 2 T17N, R1W, SM,
- thence westerly to the north right-of-way line of Spruce Avenue,
- thence westerly along the north right-of-way of Spruce Avenue to the NE corner of Lot 1, Aspen Heights Estates Subdivision,
- thence westerly along the north boundary of Section 5, T17N, R1W, SM to the common section corner of Section 31 and 32, T18N, R1W, SM and Sections 5 and 6, T17N, R1W, SM,
- thence southerly along the section line to the common section corner of Sections 5, 6, 7 and 8, T17N, R1W, SM,
- thence westerly along the common section line of Section 6 and 7, T17N, R1W, SM to the SE corner of Phase I, Mission Hills Subdivision,
- thence northerly to the SW corner of Phase III, Mission Hills Subdivision,

- thence easterly to the SE corner of Phase III, Mission Hills Subdivision,
- thence northerly to the NE corner of Phase III, Mission Hills Subdivision,
- thence westerly to the NW corner of Tract C, Mission Hills Subdivision,
- thence southerly to the SW corner of Phase II, Mission Hills Subdivision,
- thence westerly to the SW corner of Wintergreen Acres Subdivision,
- thence southerly to the NW 1/16 corner of Section 7, T17N, R1W, SM,
- thence easterly to the CN 1/16 corner of Section 7, T17N, R1W, SM,
- thence southerly to the C 1/4 corner of Section 7, T17N, R1W, SM,
- thence westerly to the ¼ corner common to Section 7, T17N, R1W, SM and Section 12, T17N, R2W, SM,
- thence northerly to Corner No. 4 Lot 1 U.S. Survey No. 9027
- thence northwesterly along the north right of line of the Alaska Railroad to the NW corner of Lot 4 being identical with point of intersection with E 1/16 line of Section 12, T17N, R2W, SM,
- thence southerly to the CE 1/16 corner of Section 12, T17N, R2W, SM,
- thence southerly to Corner #19 New Wasilla Airport, Plat #92-6 Section 12, T17N, R2W, SM
- thence following the perimeter of the New Wasilla Airport to Corner #4 Plat #92-6 Section 12, T17N, R2W and Section 7, T17N, R1W, SM
- thence southerly along the north-south 1/4 line of Section 7 and 18, T17N, R1W, SM, to Mack Road right-of-way,
- thence southerly along the west right-of-way line of Mack Road across Knik-Goose Bay Road to the south right-of-way line of Knik-Goose Bay Road,
- thence easterly along the south right-of-way line of Knik-Goose Bay Road to the NW corner of Lot 1, Catherine Subdivision,
- thence southeasterly to the SW corner of Lot 1, Catherine Subdivision,
- thence easterly to the west right-of-way line of Fern Street,
- thence southerly along the west right-of-way of Fern Street to a point along the center line of Mint Drive,
- thence easterly along the southern boundaries of Independence Estates Subdivision, Rosewood Subdivision and Bay View Gardens Subdivision to the east boundary of Togiak Avenue,
- thence northerly along the east boundary of Togiak Avenue to the east-west 1/4 section line of Sections 14 and 17, T17N, R1W, SM,
- thence easterly along the east-west 1/4 section line of Sections 14 and 13, T17N, R1W, SM, to the 1/4 corner of Section 13, T17N, R1W, and Section 18, T17N, R1E, SM,

- thence northerly along the Seward Meridian to the south 1/16 corner of Section 12, T17N, R1W, SM and Section 7, T17N, R1E, SM,
- thence westerly to the SE corner of Lot 16, Block 4, Happy Mountain Estates Subdivision, which is the True Point of Beginning of this description. Containing 7,822 acres more or less.

Signed this 20th day of January, 1999.

Mike Irwin

Mike Irwin, Commissioner
Department of Community and
Regional Affairs

ACKNOWLEDGMENT

STATE OF ALASKA)
) SS.
FIRST JUDICIAL DISTRICT)

This is to certify that on the 20th day of January, 1999 before me, the undersigned, a Notary Public, duly commissioned and sworn/as such, personally came Mike Irwin, to me known to be the Commissioner of the Department of Community and Regional Affairs, who signed the foregoing Certificate of Boundaries of the City of Wasilla.

Will John Rolf
Notary Public for the State of Alaska
My Commission expires: 3/12/99

