

From: t f
Sent: Friday, April 23, 2021 10:08 AM
To: Tom Kim F; City Council; Stacie Pratschner
Subject: H Street Road Annexation

Dear Blaine City Council,

Further review of RCW 35.13.130, shows what is necessary for an annexation petition to be valid and lawful.

RCW 35.13.130

Direct petition method—Petition—Signers—Content.

A petition for annexation of an area contiguous to a city or town may be made in writing addressed to and filed with the legislative body of the municipality to which annexation is desired. Except where all the property sought to be annexed is property of a school district, and the school directors thereof file the petition for annexation as in RCW 28A.335.110 authorized, the petition must be signed by the owners of not less than sixty percent in value according to the assessed valuation for general taxation of the property for which annexation is petitioned

The Annexation Report states on page 4 and 5,

“Procedural Compliance with State Law

There are three primary annexation methods for code City’s pursuant to RCW 35A.14. The applicant has submitted an annexation request using the “Sixty Percent Petition” annexation method, which is the most frequent method of annexation in Washington State.⁷ This method authorizes an annexation application based on signatures of the owners of 60% of the assessed value of the property in the area...

5 The parcel is located within the jurisdiction of Whatcom County.

6 Whatcom County Comprehensive Plan: Land Use Element

7 Memo from Chmelik, Sitkin & Davis to Pratschner, dated June 28, 2019

...proposed to be annexed. RCW 35A.14.120 defines the steps to complete a “Sixty Percent Petition” annexation: each of these steps is described and addressed by CDS, below:

1. Not less than the owners representing 60% of the assessed value of the property within the proposed area for annexation (“Initiating Parties”) must give written notice to the City Council of their intention to commence annexation proceedings. Discussion: The applicant is the Executor of the entire estate of Irma Rooney, constituting ownership of 100% of the assessed value of the subject property.”

However, the petitioner / Initiating Party has failed in the respect to fulfilling the “Sixty Percent Petition” standard.

RCW 35.13.130, clearly states, “...the petition must be signed by the owners of not less than sixty percent in value according to the assessed valuation for general taxation of the property for which annexation is petitioned...”

The petition requests that the property located at 2221 Cedarwood Lane, and 4455 H. Street Rd, be considered for annexation.

The assessed valuation for general taxation of these properties per the Whatcom County Assessor are as follows:

2221 Cedarwood Lane = \$ 858,856

4455 H. Street Rd = \$406,701

The Petitioner / Initiating Party only has 32% of the assessed valuation for general taxation of the property for which annexation is petitioned.

At this point, the Petitioner / Initiating Party has failed to meet the lawful standards for petitioning the properties for annexation per RCW 35.13.130.

Therefore, the petition for the Proposed Annexation of 4455 H Street, Blaine, WA 98230, must be denied.

Please find screen shots from the Whatcom County Assessor website.

Property ID	Parcel # / Geo ID	Type	Tax Area	Property Address	Owner Name	Appraised Value
113378	4001050435320000	Real	3025 - 503 R L F21 BBBPR	2221 CEDARWOOD LN BLAINE, WA	RAYMOND J & CAROL A PELLETTI	\$858,856

▼ Taxing Jurisdiction

Owner: RAYMOND J & CAROL A PELLETTI

% Ownership: 100.0000000000%

Total Value: \$858,856

Tax Area: 3025 - 503 R L F21 BBBPR

Property ID	Parcel # / Geo ID	Type	Tax Area	Property Address	Owner Name	Appraised Value
113384	4001050585340000	Real	3025 - 503 R L F21 BBBPR	4455 H STREET RD BLAINE, WA	IRMA P ROONEY TRUST/TR	\$406,701

Taxing Jurisdiction

Owner: IRMA P ROONEY TRUST/TR
% Ownership: 100.00000000000000%
Total Value: \$406,701
Tax Area: 3025 - 503 R L F21 BBBPR

Again, as stated above, the assessed valuation for general taxation of these properties per the Whatcom County Assessor are as follows:

2221 Cedarwood Lane = \$ 858,856
4455 H. Street Rd = \$406,701

The Petitioner / Initiating Party only has 32% of the assessed valuation for general taxation of the property for which annexation is petitioned.

At this point, the Petitioner / Initiating Party has failed to meet the lawful standards for petitioning the properties for annexation per RCW 35.13.130.

Therefore, the petition for the Proposed Annexation of 4455 H Street, Blaine, WA 98230, must be denied.

Respectfully,
Thomas Frey
9670 Harbor Ct, Blaine, WA 98230