

06-09-08  
06-16-08

ORDINANCE NO. M-3880

AN ORDINANCE relating to approval of an annexation pursuant to RCW 35.13.125; establishing the geographic extent, defining the comprehensive plan and land use designations, and determining the assumption of all or any portion of existing city indebtedness; accepting the certified petitions supporting annexation; and providing for an effective date for the 597.7-acre Section 30 Annexation.

WHEREAS, pursuant to RCW 35.13.005, no city located in a county in which urban growth areas have been designated under RCW 36.70A.110 may annex territory beyond an urban growth area; and,

WHEREAS, pursuant to RCW 36.70A, the City of Vancouver has an urban growth area designated under the Growth Management Act; and,

WHEREAS, the Section 30 Annexation is located in Vancouver's urban growth area, and is contiguous to the City of Vancouver along 1<sup>st</sup> Street and 192<sup>nd</sup> Avenue; and,

WHEREAS, pursuant to RCW 35.13.125, the City of Vancouver received signed utility service covenants and petitions from property owners located in the Section 30 Annexation Area; and,

WHEREAS, pursuant to RCW 35.13.410 on December 18, 2006, Vancouver City Council met with the initiating parties and voted in support of the annexation request; defined the geographic extent of the proposed annexation; required simultaneous adoption of the comprehensive plan designations as provided for in VMC Chapter 20.230; and did not require assumption of all or any portion of the existing city indebtedness by the area to be annexed; and,

WHEREAS, pursuant to RCW 35.13.130, staff collected petition signatures from the Section 30 property owners; and,

WHEREAS, pursuant to RCW 35.21.005, on May 23, 2008, the Clark County Assessor certified that the signatures represent property owners controlling over seventy-five percent of the total assessed valuation of the 597.7-acre area proposed for annexation.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Location of Annexation Area: Pursuant to RCW 35.13, and as discussed and voted on by City Council on December 18, 2006 (M-3593), the 597.7-acre Section 30 Annexation Area is unincorporated land located in Vancouver's urban growth area, and is contiguous to the City of Vancouver along 1<sup>st</sup> Street and 192<sup>nd</sup> Avenue. The legal description of such annexing land is set forth in Exhibit "A", attached hereto and incorporated herein. A parcel map of such annexing land is set forth in Exhibit "B", attached hereto and incorporated herein.

Section 2. Comprehensive Plan and Zoning Designations: Pursuant to VMC 20.230, and as discussed and voted on by City Council on December 18, 2006, (M-3593), the city shall designate the city comprehensive plan and zoning designations for the annexing land so as to correspond as reasonably close to the county zoning designation of such land, as provided for in VMC Table 20.230.030-1.

Section 3. Comprehensive Plan and Zoning Maps: The comprehensive plan and zoning designations provided for in Section 2 are hereby applied to the land being annexed, as shown on the maps attached hereto and incorporated herein as Exhibits "C" and "D".

Section 4. Indebtedness: As determined by City Council on December 18, 2006, (M-3593) the city will not require the Section 30 Annexation property owners to accept any of existing city indebtedness.

Section 5. Signature Certification: Pursuant to RCW 35.21.005, on May 23, 2008, the County Assessor issued the Certification of Sufficiency regarding the signature support for the Section 30 Annexation, as set forth in Exhibit "E".

Section 6. Signature Acceptance: City Council hereby accepts the certified signatures supporting annexation of the 597.7-acre Section 30 Annexation area.

Section 5. Effective Date: This ordinance shall become effective thirty (30) days following the date of final adoption.

Read first time: *June 9, 2008*

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers *Smith, Leavitt, Stewart, Harris, Sollota, Pollard*

Nays: Councilmembers *Campbell - Abstained*

Absent: Councilmembers None

Read second time: June 16, 2008

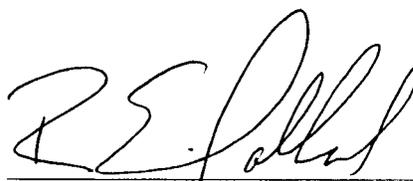
PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers Campbell, Smith, Leavitt, Stewart, Jollota, Pollard

Nays: Councilmembers None

Absent: Councilmembers Harris

Signed this 16<sup>th</sup> day of June, 2008.



Royce E. Pollard, Mayor

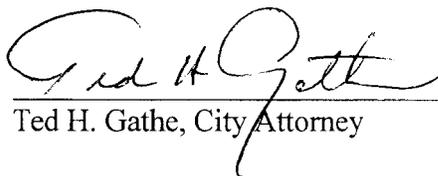
Attest:



R. Lloyd Tyler, City Clerk

By: Carrie Lewellen, Deputy City Clerk

Approved as to form:



Ted H. Gathe, City Attorney

SUMMARY

ORDINANCE NO. 11-3880

AN ORDINANCE relating to approval of an annexation pursuant to RCW 35.13.125; establishing the geographic extent, defining the comprehensive plan and land use designations, and determining the assumption of all or any portion of existing city indebtedness; accepting the certified petitions supporting annexation; and providing for an effective date for the 597.7-acre Section 30 Annexation thirty (30) days following the date of final adoption.

LEGAL DESCRIPTION

A tract of land lying in Section 30, the NW ¼ of the NE ¼ of Section 31, the NW ¼ of the SW ¼ and the West ½ of the NW ¼ of Section 29, the South ½ of the SE ¼ and the South ½ of the SW ¼ of section 19, the SW ¼ of the SW ¼ of Section 20, T 2 North, R 3 East, Willamette Meridian, the SE ¼ of the SE ¼ of Section 24, the East ½ of the NE ¼ and the NE ¼ of the SE ¼ of Section 25, T 2 North, R 2 East, Willamette Meridian, all in Clark County, Washington said tract being more particularly described as follows:

Beginning at the Southeast corner of said Section 30;  
Thence North along the line between Section 30 and Section 29 to a point on the easterly extension of the North Right-of-Way line of SE 1<sup>st</sup> Street and the present City Boundary as described in City of Vancouver Ordinance M-3640;  
Thence West along the North Right-of-Way line of SE 1<sup>st</sup> Street a distance of 660 feet more or less to the West line of that parcel conveyed to LaCamas Northwest, LLC by deed recorded in Auditors File No. 3889325, Clark County records, and the True Point of Beginning;  
Thence North along said West line and the West line of that parcel conveyed to LaCamas Northwest LLC by deed recorded in Auditors File No. 3896181, Clark County records, 660 feet more or less to the Northwest corner thereof;  
Thence East along the North line of said parcel 630 feet more or less to the West Right-of-Way line of NE 192<sup>nd</sup> Avenue;  
Thence North along the West line of said Right-of-Way 660 feet more or less to a point on the Westerly extension of the North line of that parcel conveyed to Glad Tidings Church Inc., by deed recorded in Auditors File No. 9501310024, Clark County records;  
Thence East along said Westerly extension 70 feet more or less to the East Right-of-Way line of NE 192<sup>nd</sup> Avenue and the Southwest corner of lot 2 of Regency Place, recorded in Book J, Page 158 of plats, Clark County records;  
Thence North along said East Right-of-Way line 3,985 feet more or less to a point 20 feet East of the Northeast corner of said Section 30, on the Centerline of NE 18<sup>th</sup> Street;  
Thence N52°38'14"E 64.5 feet more or less to the North Right-of-Way line of NE 18<sup>th</sup> Street and the most southerly southwest corner of Lot 10, Fir View Slope, recorded in Book H, Page 420 of plats, Clark County records;  
Thence westerly along said North Right-of-Way line 5,111 feet more or less to a point 30 feet North of the Centerline of NE 18<sup>th</sup> Street and 30 feet East of the Centerline of NE 172<sup>nd</sup> Avenue;  
Thence 30 feet on a Westerly extension of said North Right-of-Way line to a point on the Centerline of NE 172<sup>nd</sup> Avenue;  
Thence N70°10'30"W 62.5 feet more or less to a screw in lead shown as found at Engineers Station 26+90.30, 59.67' left in Record of Survey Book 52, Page 57, sheet 5 of 5, Clark County records;  
Thence S26°57'37"E 82.6 feet more or less to a point on the North line of the BPA Right-of-Way and the West Right-of-Way line of NE 172<sup>nd</sup> Avenue;



Thence South along said West Right-of-Way line 3,078.5 feet more or less to a point on said Right-of-Way line 30 feet opposite the Northwest corner of Twin Peaks-2, recorded in Book H, Page 823 of plats Clark County records, said corner being on the Centerline of NE 172<sup>nd</sup> Avenue;

Thence S89°48'19"E along the North line of said plat a distance of 1,056.01 feet more or less to the Northeast corner of lot 15 of said plat;

Thence S00°24'34"W along the East line of said plat a distance of 453.75 feet more or less to the Northeast corner of lot 15 of Twin Peaks, recorded in Book H, Page 715 of plats Clark County records;

Thence continuing S00°24'34"W along the East line of said plat a distance of 412.50 feet more or less to the Northeast corner of Terri's Terrace, recorded in Book H, Page 449 of plats, Clark County records;

Thence S01°00'38"W along the East line of said plat a distance of 407.59 feet more or less to the Northeast corner of lot 19 Terri's Terrace II, recorded in Book H, Page 525 of plats, Clark County records;

Thence continuing S01°00'38"W along the East line of said plat a distance of 876.11 feet more or less to the North Right-of-Way line of SE 1<sup>st</sup> Street and the present City Boundary as described in City of Vancouver Ordinance M-3277;

Thence East along said City Boundary line and said North Right-of-Way line 1,321.6 feet more or less to a point of intersection of the Northerly extension of the West line of the Northeast ¼ of Section 31 and said North Right-of-Way line;

Thence southerly along the present City Boundary as described in City of Vancouver Ordinance M-3277, said northerly extension of, and the West line of the Northeast ¼ of Section 31, 1,360 feet more or less to the Northwest corner of Government Lot 5 of Section 31, Township 2 North, Range 3 East of the Willamette Meridian, as shown in Book 42, Page 9 of Surveys, Clark County records;

Thence S88°46'55"E along the North line of said Government Lot 5 and the present City Boundary as described in City of Vancouver Ordinance M-3668, 1,320 feet more or less to the Northeast corner of said Government Lot 5 as shown in Book 42, Page 9 of Surveys, Clark County records;

Thence N01°07'07"E 1,360 feet more or less along the present City Boundary as described in City of Vancouver Ordinance M-3640, to a point on the North Right-of-Way line of SE 1<sup>st</sup> Street;

Thence S88°37'22"E along said City Boundary and North Right-of-Way line 660 feet more or less to the True point of Beginning

Contains approximately 597.7 Acres

