



**ORDINANCE NO. 2008-011**

**AN ORDINANCE APPROVING THE ANNEXATION OF  
CERTAIN PROPERTY TO THE CITY OF LA CENTER  
(THELEN)**

The La Center City Council adopts the following findings:

**WHEREAS**, John and Jacqueline Thelen, and Clifford G Dorman ("Proponents"), are owners of certain real property (the "Annexation Territory") that includes two parcels totaling approximately 10.52 acres contiguous with the City's corporate limits and located within the La Center Urban Growth Boundary. The Annexation Territory is more precisely described as Assessor Parcel Numbers 258697-000 and 258736-000, in the Southeast quarter of Section 33, Township 5 North, Range 1 East, Willamette Meridian, Clark County, Washington..

**WHEREAS**, the Proponents presented the City with a Notice of Intent to Annex pursuant to the so-called Direct Petition Method of RCW 35A.14.120, and the City Council accepted the proposal at its June 25, 2008 regular meeting; and

**WHEREAS**, the Proponents submitted a Petition for Annexation, which included signatures of the owners of record of more than 60% of the assessed value of the Annexation Territory on July 31, 2008; and

**WHEREAS**, the Clark County Assessor certified sufficiency of the petition on August 13, 2008; and

**WHEREAS**, a SEPA Determination of Non-Significance on the annexation proposal was published on August 13, 2008 and the City received two comments during the 14-day comment period; and

**WHEREAS**, the City has provided public notice of the Petition and has provided an opportunity for comment thereon by all interested citizens at a duly called and noticed public meeting; and

**WHEREAS**, at its regular meeting on September 10, 2008, the City Council received and reviewed all of the documentation associated with this annexation proposal, received public testimony, and found that the Petition met the applicable requirements of RCW 35A.01.040 and accepted the Petition pursuant to the so-called Direct Petition Method provided in RCW 35A.14.120 and LCMC 18.290; and

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**WHEREAS**, the Clark County Boundary Review Board has been disbanded and therefore has no jurisdiction to invoke over the proposed annexation; and

**WHEREAS**, the City Council finds this annexation to be in the public's interest;

**NOW THEREFORE, BASED ON THE FOREGOING FINDINGS, THE LA CENTER CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1 - Annexation.** The Property described in Exhibit "A" proposed for annexation is hereby annexed and incorporated into the City of La Center.

**Section 2 - Land Use Designation and Zoning.** The Property is hereby designated as Medium Density Residential and zoned in accordance with LCMC 18.140 as Medium Density Residential (MDR-16). The Urban Holding (UH-10) zoning overlay is also applied per LCMC 18.190 and shall be maintained until a capital facilities analysis is accepted by the City per Resolution 05-262.

**Section 3 – Assessment and Taxation.** The Property described in Exhibit "A" and so annexed shall be assessed and taxed by the City in the same manner as other similarly situated property within the City as of the effective date of this Ordinance.

**Section 4 – Severability:** If any portion of this ordinance is found to be invalid or unenforceable for any reason, such finding shall not affect the validity or enforceability of any other provision of this ordinance.

**Section 5 – Transmittal:** The City Clerk shall:

1. File a certified true copy of this Ordinance, any map or plat referred to or adopted by the ordinance, and ordinance(s) adopting such proposed zoning regulation(s) with the Clark County Board of Commissioners and the Clark County Assessor pursuant to Section 18.290.050 LCMC
2. Record a certified true copy of this Ordinance, any map or plat referred to or adopted by the ordinance, and ordinance(s) adopting such proposed zoning regulation(s) with the County Auditor pursuant to Section 18.290.050 LCMC.
3. Provide notice of this annexation to the Office of Financial Management pursuant to RCW 35A.14.700.

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**Section 6 – Effective Date:** This ordinance shall go into effect immediately upon its passage by the City Council and publication as required by law.

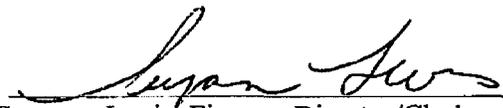
Approved and adopted this 10th day of September, 2008 by a majority of the La Center City Council.

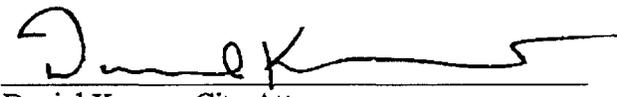
AYES: 4  
NAYS: 0  
ABSTAIN: 0  
ABSENT: 1

  
\_\_\_\_\_  
Mayor of La Center

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Suzanne Levis, Finance Director/Clerk

  
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Daniel Kearns, City Attorney

LEGAL DESCRIPTION  
LAND TO BE ANNEXED TO THE CITY OF LA CENTER

A PORTION OF THE NW QUARTER OF THE SE QUARTER FO  
SECTION 33, TOWNSHIP 5 NORTH, RANGE 1 EAST WILLAMETTE  
MERIDIAN, CLARK COUNTY WASHINGTON.

BEGINNING AT A ½ INCH IRON ROD ( AS SET IN SURVEY  
RECORDED IN BOOK 2, PAGE 22) ON THE NORTH LINE OF THE  
OLD PACIFIC HIWAY, SAID POINT BEING NORTH 33 54 54 EAST  
1867.40 FEET FROM AN IRON BOLT AT THE SW ¼ CORNER OF  
SAID SECTION 33;

THENCE NORTH 02 01 33 EAST ALONG THE WEST LINE OF THE  
"TROXEL TRACT" AS DESCRIBED IN AUDITORS FILE NO. 58928  
(AUGUST 12, 1912) 1031.91 FEET TO A ½ INCH IRON ROD AS SET IN  
SURVEY RECORDED IN BOOK 2 PAGE 22;

THENCE CONTINUING NORTH 02 01 33 EAST 30 FEET MORE OR  
LESS TO THE NORTH LINE OF SAID NW ¼ OF SE ¼ OF SECTION 33.

THENCE NORTH 88 43 13 WEST ALONG SAID NORTH LINE 853.65  
FEET MORE OR LESS TH THE NORTH LINE OF THE OLD PACIFIC  
HIWAY;

THENCE SOUTH 35 53 33 EAST 1353.90 FEET TO THE POINT OF  
BEGINNING.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD AND  
INCLUDING ALL ABUTTING PUBLIC RIGHTS OF WAY.