

Change #3
2000 for 2001
tax year

119.018
to
119.043

Ordinance No. 99- 039

AN ORDINANCE ANNEXING UNINCORPORATED TERRITORY TO
THE CITY OF BATTLE GROUND, WASHINGTON.

WHEREAS, on July 7, 1997, the Battle Ground City Council accepted a notice of intent to annex approximately 160 acres of land, generally described as the north half of the southeast quarter and the south half of the northeast quarter of Section 33, Township 4 north, range 2 east, Willamette Meridian, and;

WHEREAS, the annexation area is located within the Urban Growth Area Boundary for the City of Battle Ground, adopted February 6, 1995, and;

WHEREAS, on August 20, 1997, a sufficient petition for annexation, signed by the owners of more than sixty percent (60%) of the assessed value for general taxation of said area was received by the City of Battle Ground, and;

WHEREAS, on August 16, 1999, pursuant to RCW 35A.14.130, the City Council held a public hearing on the annexation petition where proponents and opponents were heard, and;

WHEREAS, upon closure of the public hearing, the City Council passed a resolution of intent to annex the 160 acres identified in the original petition, and;

WHEREAS, said resolution set forth certain conditions under which development of the annexation area would occur subsequent to annexation, with such conditions specifically to be embodied in a development agreement pursuant to RCW 36.70B.170, and;

WHEREAS, the annexation request was submitted to the Clark County Boundary Review Board for the State of Washington pursuant to RCW

35A.14.160 and RCW 36.93.090, and said Boundary Review Board deemed this application approved on November 18, 1999.

WHEREAS, to assure that development of the annexation area subsequent to annexation occurs in a manner consistent with the conditions identified in the City Council's resolution of intent to annex, such development should occur under conditions identified in a development agreement pursuant to RCW 36.70B.170, now, therefore;

THE CITY COUNCIL OF THE CITY OF BATTLE GROUND, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section I. ANNEXATION

- A. The property, described as the north half of the southeast quarter of Section 33 and the south half of the northeast quarter of Section 33, Township 4 North, Range 2 East, Willamette Meridian, and including tax lots #11 (228501), #25 (228513), #26 (228514), #7 (228497), #60 (228548), #48 (228536), #52 (228540), #56 (228544), #8 (228498), #4 (228494), #73 (228561), #33 (228521), #53 (228541), #55 (228543), #39 (228527), #41 (228529), and a portion of #17 (228505), including all land within the annexation boundary identified in Exhibit "A", (Legal Description) and Exhibit "B" (map), attached hereto and incorporated herein by reference, for which the petition for annexation is filed, shall be and is hereby made a part of the City Of Battle Ground and annexed thereto.
- B. Pursuant to the terms of the annexation petition, all property within this territory annexed hereby shall be assessed and taxed at the same rate and on the same basis as the property within the City of Battle Ground, including assessments or taxes or taxes in payment of any bond issued or debts contracted by order existing at the time of annexation.
- C. Development of the annexation area identified as Parkview Trails shall be subject to approval and adoption of a development

agreement, prepared and executed in accordance with RCW 36.70B.170, and in compliance with the conditions outlined in the resolution of intent to annex [Resolution #99-27 (Resolution of Intent to Annex Parkview Trails), Section II], incorporated herein by reference.

D. The City Clerk is hereby directed for file with the Board of County Commissioners of Clark County a certified copy of this ordinance. The City Clerk is further directed to file with the Office of Financial Management a certificate as required by RCW 35A.14.700 within thirty (30) days of the effective date of annexation.

III. EFFECTIVE DATE

This ordinance shall be in full force and effect thirty (30) days after its passage by the City council and its approval and publication in accordance with law.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF BATTLE GROUND, WASHINGTON, AT A REGULAR MEETING THEREOF HELD THIS 6th DAY OF DECEMBER 1999.

Approved:

CITY OF BATTLE GROUND, WASHINGTON

William J. Ganley
William J. Ganley, Mayor

Attest:

David D. Reeves

David D. Reeves, Finance Director

Ayes: Council members Silvey, Crego, Idsinga, Hereford, Minor & Ganley
Nays: NONE
Absent: Councilmember Shurley

Abstain: NONE

Approved as to form:



Brian H. Wolfe, City Attorney

P:\planning\holmes\council\parkview trails.annexation.ord

**LEGAL DESCRIPTION FOR
PARKVIEW TRAILS ANNEXATION**

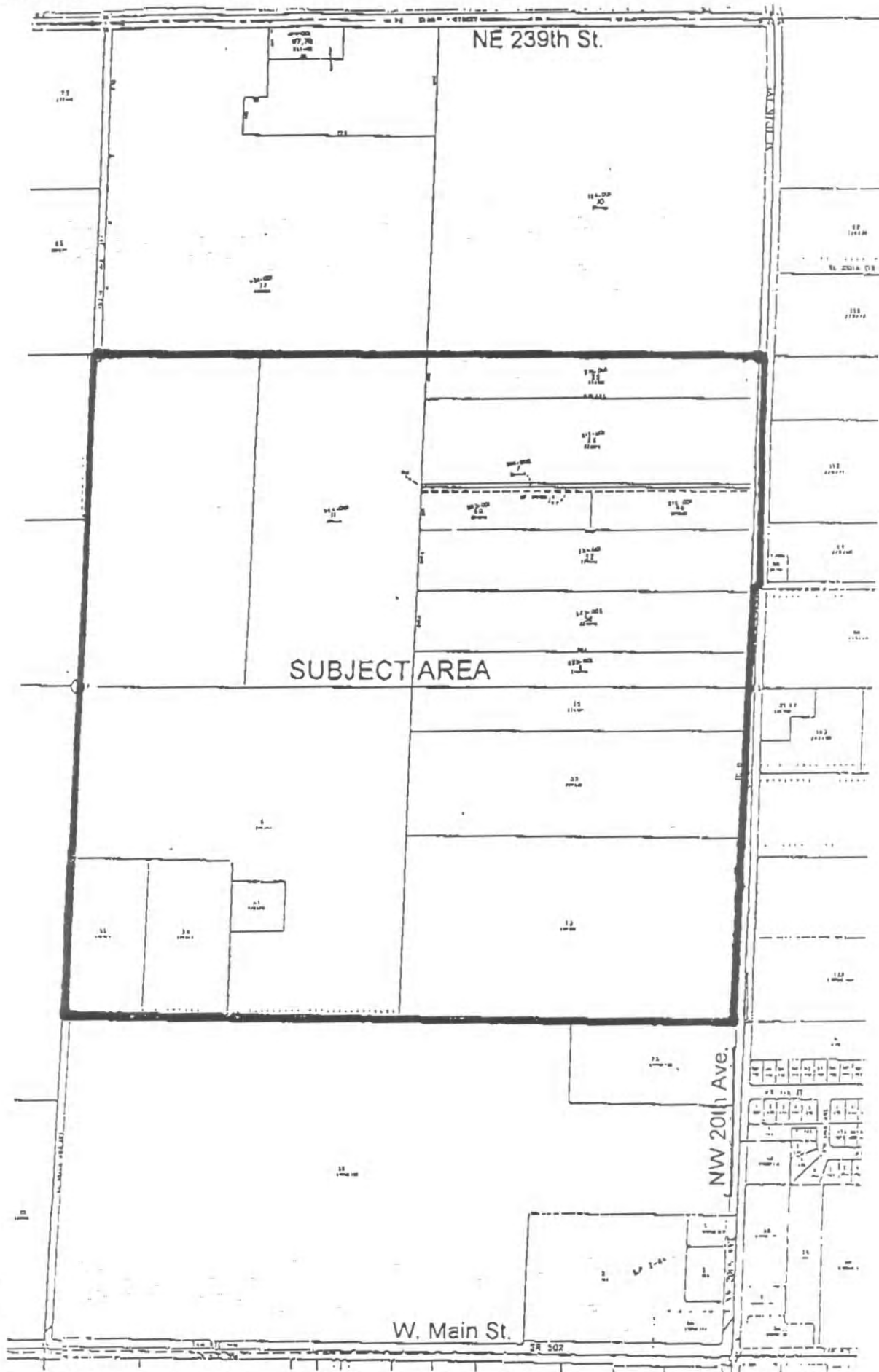
That portion of Section 33 and Section 34, Township 4 North, Range 2 East, Willamette Meridian, Clark County, Washington, described as follows:

The north one-half of the southeast quarter of said Section 33, except the east 30 feet.

Also, the south one-half of the northeast quarter of said Section 33, except the east 30 feet of the south 400 feet.

CERTIFIED LEGAL DESCRIPTION

EXHIBIT A



ASSESSOR'S MAP