

01/10/94

ORDINANCE NO. M-2099

AN ORDINANCE annexing to the City of Vancouver certain contiguous and unincorporated land generally bounded by the current City limits to the north, south, and west, and by the eastern edge of the right-of-way of St. Johns Road to the east; providing for such lands to be zoned as they have been zoned by Clark County as set forth in V.M.C. 20.03.120; providing that said land shall not be liable for outstanding City bonded indebtedness; providing for an effective date of February 1, 1994.

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. By Resolution M-2795, adopted September 8, 1992, the City Council determined under R.C.W. 35.13.125 that it would accept petitions to annex to the City certain lands contiguous to the City and generally bounded by the current City limits to the north, south, and west, and by the eastern edge of the right-of-way of St. Johns Road to the east. Thereafter, such petitions were signed by persons owning property in the area proposed for annexation which represented more than 75% of the assessed valuation of such property. The City Council after public hearing on November 1, 1993 accepted such 75% petitions and transmitted the proposed annexation to the Clark County Boundary Review Board under R.C.W. Ch. 36.93.

Section 2. The Boundary Review Board considered the proposed annexation at a duly advertised meeting on December 14,

1993.

The Board took no issue with the annexation and did not recommend that any affected agency invoke jurisdiction and no such agency invoked jurisdiction, and thus the matter returned to the City Council on January 7, 1994 pursuant to R.C.W. Ch. 36.93.100.

Section 3. Pursuant to R.C.W. Ch. 35.13, and as discussed and recommended in SR 90-94, the unincorporated land which is contiguous to the City and generally bounded by the current City limits to the north, south, and west, and by the eastern edge of the right-of-way of St. Johns Road to the east, is hereby annexed to the City of Vancouver as of 12:01 a.m. on February 1, 1994. The legal description of such annexing land is set forth on Exhibit "A", attached hereto and incorporated herein.

Section 4. V.M.C. 20.03.120 of the City Zoning Ordinance provides that City Council in an annexation ordinance shall designate the City zoning for the annexing land so as to correspond as closely as reasonably can be done to the County zoning of such land (absent a different direction from the City Planning Commission). Accordingly, the Vancouver Comprehensive Plan as amended is applied to cover such land as there provided. All land which has been zoned R1-6 is hereby zoned R1-6. All land which has been zoned R4 is hereby zoned R2. All land which has been zoned A-2 is hereby zoned R3. All land which has been zoned CL is hereby zoned CC. All land which has been zoned CH is hereby zoned.

Section 5. The zoning providing for in Section 4 is hereby applied to the land being annexed, as shown on the map attached hereto as Exhibit "B".

Section 6. As to environmental review under R.C.W. Ch. 43.21C, the proposed annexation was the subject of an environmental assessment, and a declaration of non-significance was issued on November 18, 1993. City Council hereby finds that all environmental issues have been properly addressed.

Section 7. As provided in Resolution M-2795 the land herein annexed shall not be liable for City bonded indebtedness which is outstanding as of the effective date of this Ordinance.

Section 8. This Ordinance shall go into effect at 12:01 a.m. on February 1, 1994.

Read first time:

January 10, 1994

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers

*Besserman, Tonkovich, Wilson, Polla,
Horowitz, Jollota*

Nays: Councilmembers

none

Absent: Councilmembers

Mayor Hagensen

READ SECOND TIME:

January 18, 1994

Ayes: Councilmembers

*Besserman, Tonkovich, Wilson, Polla,
Horowitz, Jollota and Mayor Hagensen*

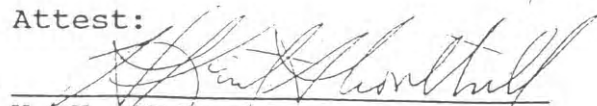
Nays: Councilmembers

Absent: Councilmembers

SIGNED this 18th day of January, 1994.


BRUCE E. HAGENSEN, MAYOR

Attest:


H. K. SHORTHILL, CITY CLERK

Approved as to form:

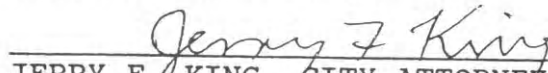

JERRY F. KING, CITY ATTORNEY
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EXHIBIT A

LEGAL DESCRIPTION

Beginning at the section corner common to Sections 14, 15, 22 and 23, T 2 N, R 1 E of the Willamette Meridian in Clark County, Washington thence easterly, 900 feet more or less along the North line of said Section 23 to the Southeast corner of that area for annexation described under City of Vancouver Ordinance Number M 798, dated February 1, 1966 and to the true point of beginning; thence easterly 430 feet more or less along said line to a point of intersection with the northerly extension of the division line of the East one-half of Block 12, Sparks and Nielsens Addition, Book C of Plats, page 2, Clark County Records and the present City Limits line as described in City of Vancouver Ordinance Number 2919; thence northerly 30 feet more or less along said City Limits Line; thence North $86^{\circ} 21' 34''$ East 1140 feet more or less parallel with and 30 feet northerly of the North line of said Section 23 to a point 30 feet left of Engineer's Station 39th 30+35 as shown on Sheet 1 of 3, Washington Department of Transportation, Record of Survey SR-500 - SR-5 to "Y" Street, dated July 3, 1986; thence North 45° West 45 feet more or less along the North Right-Of-Way line of Northeast 39th Street as shown on said Sheet 1 to a point opposite Engineer's Station 39th 30+00; thence North 80° West 150 feet along said line to the 39th 28+50 line; thence North 110 feet along said line to the South Right-Of-Way line of SR-500 as shown on said Sheet 1; thence North 80° East 360 feet along said South line to the West line of the Niels Henricksen D.L.C.; thence North 300 feet more or less along said West line to the North Right-Of-Way line of SR-500 as shown on said Sheet 1; thence North 70° West 100 feet along said line; thence North 80° West 200 feet along said line; thence North 30 feet to the South Right-Of-Way line of Northeast 41st Circle as shown on said Sheet 1; thence North 50° East 200 feet along said line; thence North 45° East

LEGAL DESCRIPTION

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110 feet along said line to the West line of said Henricksen D.L.C.; thence North 1450 feet along said line to a point of intersection with the northerly Right-Of-Way line of the Bonneville Power Administration, Bonneville to Vancouver Lines 1 and 2; thence South 49° 15' 50" East 344.32 feet along said line to an angle point of 0° 00' 25" Left; thence South 49° 16' 15" East 1377.26 feet along said line to an angle point of 0° 14' 50" Left; thence South 49° 31' 05" East 240 feet along said line to the North line of the City of Vancouver Arnold Park Tract; thence South 89° 20' 15" East 372.47 feet more or less along the North line of said Arnold Park and the existing City Limits line as described in City of Vancouver Ordinance Number C-12, dated February 7, 1943; thence North 155.00 feet, East 125.00 feet, North 181.00 feet, East 33.00 feet and North 95.00 feet along the easterly line of Park View Estates 2, Book G of Plats, Page 913, records of said county and along the existing City Limits line as described in City of Vancouver Ordinance Number M-2919 to the Northeast corner of said plat; thence South 88° 18' 11" East 396.60 feet along the westerly extension of and the South line of Lea View Terrace 2, Book G of Plats, Page 244, records of said county; thence South 1° 41' 49" West 116.00 feet, South 29° 32' 16" East 100.00 feet and South 1° 41' 49" East 51.14 feet along the West line of Park View Estates, Book G of Plats, Page 673, records of said county; thence West 20 feet along the North line of the Steve and Pamela Bruhn tract; thence South 140 feet along the West line of said tract; thence East 523.32 feet along the North line of Northeast Forty-Second Street; thence South 70 East 130 feet along said North line; thence East 410 feet more or less along said North line and the easterly extension thereof to a point of intersection with the East line of Northeast St. James Road; thence Southeasterly along said East line and the southerly extension thereof to a point of intersection with the North right-of-way line of the Bonneville

Power Administration, Bonneville to Vancouver Lines 1 and 2; thence South $31^{\circ} 32' 05''$ East 60 feet more or less along said line to a point of intersection with the easterly right-of-way line of Northeast St. Johns Boulevard; thence, leaving the existing City Limits line, northerly along the several courses and northerly extensions of the East right-of-way line of said Northeast St. Johns Boulevard to a point of intersection with the South line of Northeast Minnehaha Street; thence northwesterly 100 feet more or less to the point of intersection of the West line of said boulevard and the South line of said street; thence northwesterly 220 feet more or less to the point of intersection with the East line of Northeast St. James Road; thence northwesterly 100 feet to the point of intersection of the South line of said Northeast Minnehaha Street and the West line of said Northeast St. James Road and to the existing City Limits line as described in City of Vancouver Ordinance Number M-1177; thence, along the existing City Limits line, southwesterly along said right-of-way line 198 feet, more or less, to an angle point; thence northwesterly 35 feet to an angle point; thence continuing southwesterly along said right-of-way 530 feet, more or less, to a point on the northerly line of Buckman Heights according to the plat thereof recorded in Book E of Plats at Page 5, records of Clark County, Washington; thence north $89^{\circ} 15'$ West 1,800 feet, more or less along said northerly line to the westerly line of Lot 13, Block A, Buckman Heights; thence South $0^{\circ} 34'$ West 40 feet, more or less, to an angle point; thence southwesterly 550 feet, more or less along BPA property to a point on the westerly line of said Buckman Heights plat and 105 feet North of the Southwest corner of said plat; thence South $0^{\circ} 34'$ West along the westerly line of said plat and its extension, 135 feet, more or less, to the Southeast corner of Lot 37, Arcadia Acres (an unrecorded plat); thence westerly along the southerly line of said Lot 37, 470 feet, more or less to a corner of B.P.A. property;

thence southerly 549.2 feet, more or less, along said B.P.A. property line to a corner of B.P.A. property; thence westerly along said property line and its extension 658.02 feet, more or less to a point on the North and South centerline of Section 14, T 2 N, R 1 E, WM; thence southerly along said centerline 732 feet, more or less, to the Northeast corner of Sunrise Heights according to the plat thereof recorded in Book D of Plats, at Page 118, Records of Clark County, Washington; thence South $89^{\circ} 19' 55''$ West 330 feet to the Northwest corner of said Plat; thence South $0^{\circ} 08' 45''$ West, 288 feet along the westerly line of said plat to a point, which is also the Southeast corner of Lot 3, Ampere Heights according to the plat thereof recorded in Book E of Plats, at Page 2, Records of Clark County, Washington; thence South $89^{\circ} 08'$ West, 236.31 feet to the Southwest corner of Lot 4, of said Ampere Heights; thence South $0^{\circ} 08' 02''$ West 205.94 feet, more or less, to a point on the westerly line of said plat and a corner of B.P.A. property; thence westerly 264 feet, more or less, along the B.P.A. property line to a corner of said B.P.A. property; thence southerly 430 feet, more or less, along said B.P.A. property to a point on the northerly line of B.P.A. right-of-way line; thence northwesterly along said right-of-way 680 feet, more or less, to a point on the westerly right-of-way of Northeast 15th Avenue; thence southerly 770 feet, more or less, along said westerly right-of-way to a point on the East and West centerline of Section 14, T 2 N, R 1 E, W M, and 15 feet West of the North and South $1/4$ Section line; thence westerly along said centerline 1,305 feet, more or less, to the intersection of the North and South section line between Section 14 and Section 15; thence southerly along said section line 750.3 feet, more or less, to a point of intersection of the existing City Limits line and North right-of-way line of Northeast 45th Street; thence southerly 220 feet more or less along said section line to the Northwest corner of the City

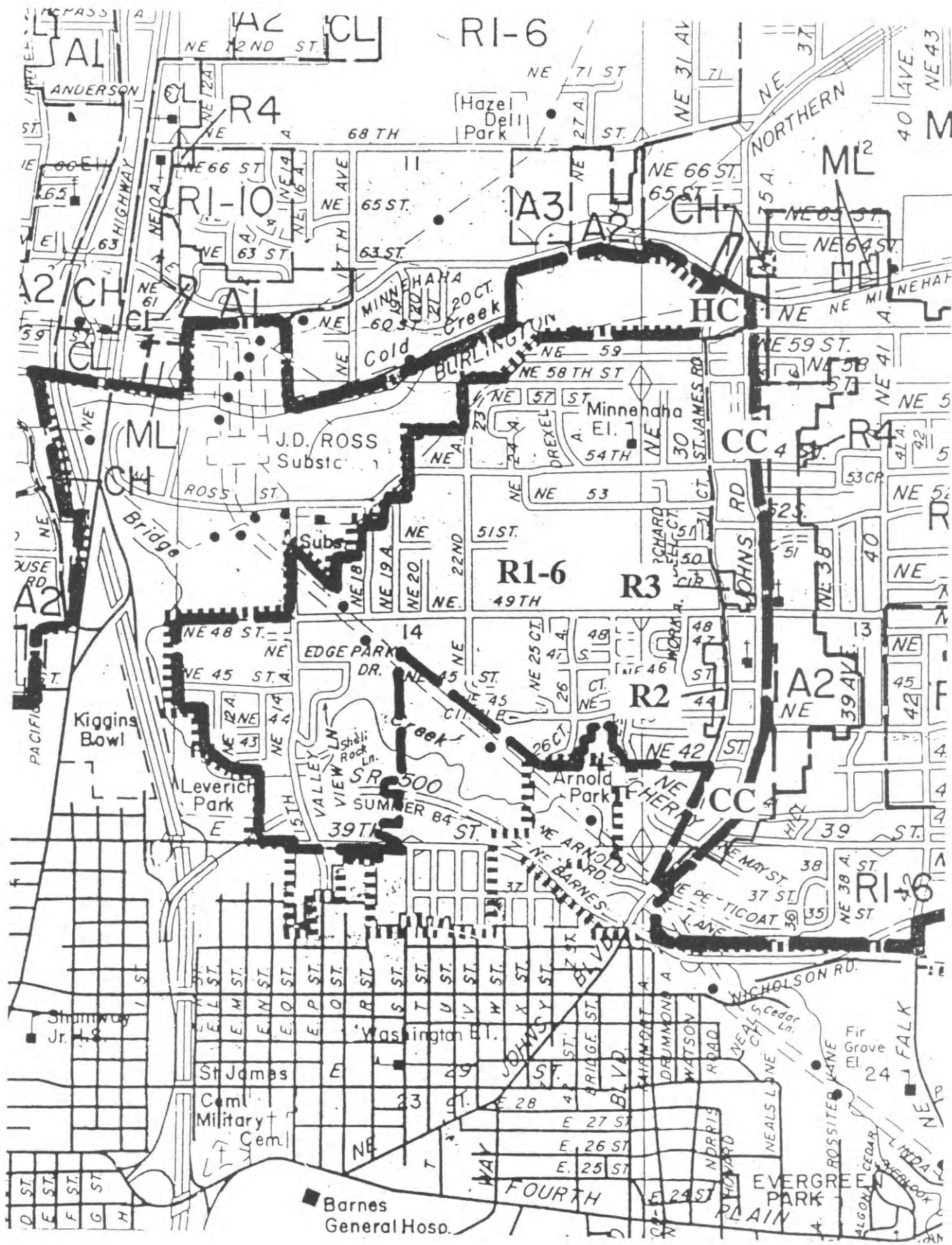
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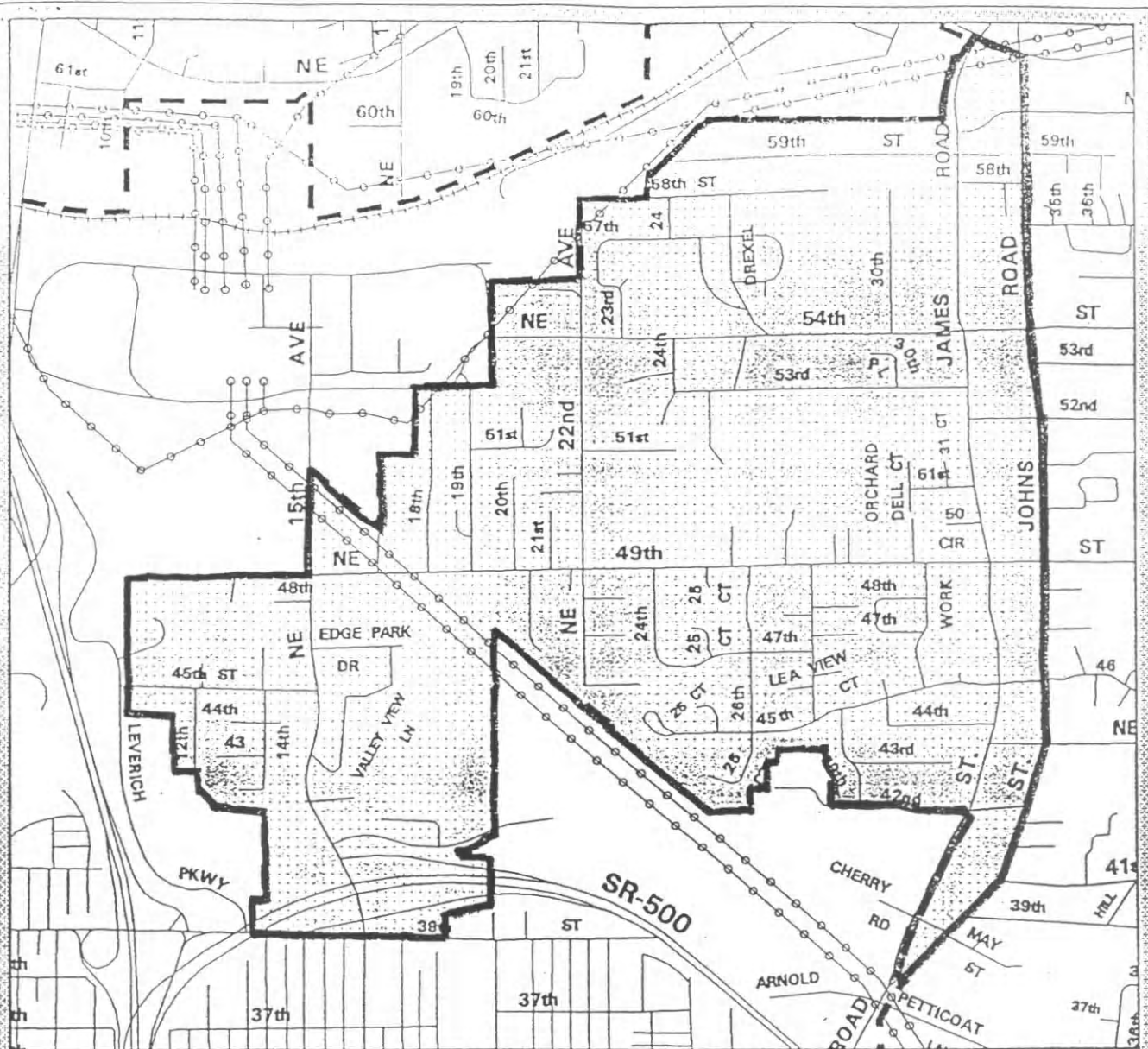
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of Vancouver Leverich Park tract; thence East 330 feet along the North line of said tract and continuing along the existing City Limits line as described in City of Vancouver Ordinance Number M-154, dated August 13, 1954; thence South 390 feet more or less along the East line of said tract; thence East 180 feet more or less along the North line of said tract; thence South 110.27 feet along the East line of said tract; thence southeasterly 215.63 feet to a point on the East line of Lot 2, Garden Grove Homestead Lots, Book A of Plats, Page 12, records of said county; thence southeasterly 333.5 feet along the North line of Segregation 2, Lot 9 and Segregation 2, Lot 10, Ampere Acres, Book D of Plats, Page 100, records of said county to the East line of Lot 3 of said Garden Grove Homestead Lots plat; thence South 633 feet more or less along said East line to a point that is 220 feet North of the North line of said Section 23 and the centerline of Northeast Thirty-Ninth Street; thence West 90 feet more or less along a line that lies 220 feet northerly and parallel with said section line to the Northeast corner of the annexation area described under said Ordinance M-798; thence South to the true point of beginning.



EXHIBIT B



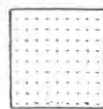


Scale 1" = 1,200'

Minnehaha Annexation Area



Legend



Minnehaha Annexation Area



Vancouver City Limits



Railroad Tracks



BPA Power Transmission Lines