

12/08/92

ORDINANCE NO. M-3039

AN ORDINANCE annexing to the City of Vancouver certain unincorporated land bounded generally by NE 51st and NE 54th Street, Burton Road, I-205 and NE 66th Avenue, which land is contiguous to the City; providing for such lands to be zoned as they have been zoned by Clark County and 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 January 1, 1993.

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. By Resolution M-2775 adopted May 4, 1992, the City Council determined under R.C.W. 35.13.125 and R.C.W. 35.13.130 that it would accept petitions to annex to the City certain lands contiguous to the City and bounded generally by NE 51st and NE 54th Streets, Burton Road, I-205 and NE 66th Avenue. Thereafter, such petitions were signed by persons owning property in the area proposed for annexation which together with signed covenants to annex represented more than 75% of the assessed valuation of said property. The City Council after public hearing on July 13, 1992 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. After public hearings on October 22, November 6 and November 12, 1992, the Boundary Review Board by Order dated

November 30, 1992 entered findings and formally approved the proposed annexation.

Section 3. Pursuant to R.C.W. Ch. 35.13, and as discussed and recommended in SR 253-92, the unincorporated land which is contiguous to the City and which is generally bounded by NE 51st and NE 54th Streets, Burton Road, I-205 and NE 66th Avenue, is hereby annexed to the City of Vancouver as of 12:01 a.m. on January 1, 1993. 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 Planning Commission). Accordingly, the Vancouver Comprehensive Plan as amended is applied to cover such land as there provided. All land which has been zoned A1 is hereby zoned R4; all land which has been zoned A2 is hereby zoned R3; all land which has been zoned A3 is hereby zoned R2; all land which has been zoned A0-22 is hereby zoned R3; all land which has been zoned AR-12 is hereby zoned R2; all land which has been zoned R1-6 is hereby zoned R1-6; all land which has been zoned R1-7.5 is hereby zoned R1-7.5; all land which has been zoned CL is hereby zoned CC; all land which has been zoned C4 is hereby zoned RC; all land which has been zoned CH is hereby zoned HC; all land which has been zoned BP is hereby zoned MC; all land which has been zoned ML is hereby zoned ML.

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

Section 6. The provisions of the Transition Agreement between City and County dated October 29, 1992 and heretofore approved by City Council and by County Commissioners are hereby made part of this ordinance.

Section 7. 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 nonsignificance was issued on June 2, 1992. The Boundary Review Board in its review considered environmental issues, including but not limited to full compliance of the annexation with SEPA. City Council hereby finds that all environmental issues have been properly addressed.

Section 8. As provided in Resolution M-2784 the land herein annexed shall not be liable for City bonded indebtedness which is outstanding as of the effective date of this Ordinance.

Section 9. This Ordinance shall go into effect at 12:01 a.m. on January 1, 1993. Any application for judicial review must be filed within 15 days of final passage of this ordinance.

Read first time: December 7, 1992

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers Besserman, Tonovich, Wilson, Pollard, Horowitz,
Jollota and Mayor Hagensen

Nays: Councilmembers None

Absent: Councilmembers None

Read second time: December 14, 1992

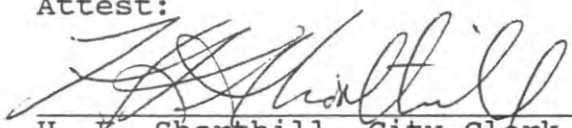
PASSED by the following vote:

Ayes:	Councilmembers	Besserman, Tonkovich, Wilson, Pollard, Horowitz, Jollota and Mayor Hagensen
Nays:	Councilmembers	None
Absent:	Councilmembers	None

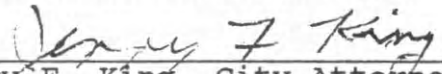
SIGNED this 14th day of December, 1992.


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

A tract of land lying in portions of the South 1/2 of Section 16, Section 17, the East 1/2 of Section 18, the North 1/2 and the Southeast 1/4 of Section 19, Section 20 and Section 21 of Township 2 North, Range 2 East of the Willamette Meridian in Clark County, Washington said tract being more particularly described as follows: Beginning at a point that is 743.45 feet North and 30 feet East of the Northeast corner of the Jos. Durgan D.L.C.; thence East 178.7 feet; thence North and parallel with the West line of the Edward McCarty D.L.C. 896.75 feet, more or less, to a point 1150.66 feet South and 208.7 feet South 88° 36' 00" East of the Northwest corner of said McCarty D.L.C.; thence South 88° 36' 00" East 1185 feet, more or less, to the West line of Suburban Home Tracts, according to the Plat thereof, recorded in Volume "C" of plats, at page 94, records of Clark County, Washington said point being on the present city limits line as described in City Ordinance Number M-1269 and the true point of beginning; thence South 1760 feet more or less along said West line and the present city boundary to the North line of Northeast Fourth Plain Boulevard; thence easterly along the northerly line of the said Fourth Plain Road to an intersection with the East line of Northeast Sixty-Fifth Avenue as projected to intersect the northerly line of Fourth Plain Road, said point being 396.6 feet East and 269.8 feet North from the Southeast corner of the McCarty D.L.C.; thence South along the East line of the said Northeast Sixty-Fifth Avenue to a point of intersection with the North line of the Andresen tract as described in City Ordinance

LEGAL DESCRIPTION

Number M-2625; thence East 748 feet more or less along the North line of said Andresen tract and the present city boundary to a point of intersection with the West line of the Christ D.L.C.; thence South 1355 feet more or less along said West line and the present city boundary to the North line of Northeast Eighteenth Street; thence easterly and northeasterly following the northerly line of said Northeast 18th Street and extension thereof to a point on the North line of Burton Road; thence easterly along the North line of said Burton Road 2300 feet, more or less to a point on the northerly extension of the West line of GREEN ACRES, according to the plat thereof, recorded in Volume "F" of Plats, Page 62; thence continuing easterly 2350 feet more or less along said North line of Burton Road to the northerly extension of the West line of Viewcrest Terrace-3, Book G of Plats, page 982, Clark County records; thence South 60 feet more or less along said northerly extension and the present city boundary to the South line of said Burton Road; thence, leaving the present city boundary, easterly 4260 feet more or less along said South line to the East line of the Interstate 205 Freeway; thence northerly 3790 feet more or less along said East line to the North line of the George Morrow D.L.C.; thence northerly 1480 feet more or less along said East line to a point 280 feet opposite Engineer's Station 325+00, L.R. Line, S.R.-205; thence northwesterly 2300 feet more or less to a point 245 feet opposite Engineer's Station 347+50, L.R. Line, S.R.-205; thence northwesterly 630 feet more or less along said East line to a point of intersection with the South line of Government Lot 12

of said Section 16; thence West 690 feet more or less along said South line to a point of intersection with the East line of Northeast Ninety-Fourth Avenue; thence northerly 150 feet more or less along said East line to a point of intersection with the easterly extension of the North line of Northeast Fifty-Fourth Street; thence West 3180 feet more or less along said easterly extension and said North line to a point of intersection with the West line of Northeast Thurston Way; thence South 950 feet more or less along said West line to the North line of Northeast Fifty-First Street; thence West 5310 feet more or less along said North line and the westerly extension thereof to a point of intersection with the West line of Northeast Seventy-Second Avenue; thence South 480 feet more or less along said West line to the North line of Northeast Van Mall Drive; thence West 730 feet more or less along said North line and the westerly extension thereof to a point of intersection with the West line of Northeast Andresen Road; thence South 60 feet more or less along said West line to a point of intersection with the North line of that tract conveyed by Statutory Warranty Deed by W. Falander to H. Falander, dated August 8, 1966 and recorded under Auditor's File Number G460496, Records of Clark County and the westerly extension thereof to a point of intersection with the West line of Northeast Sixty-Sixth Avenue; thence South 3260 feet along said West line to the northerly line of Washington State Service Road 500; thence westerly 1770 feet more or less along said northerly line to a point of intersection with the northerly extension of the West line of said Suburban Home

Tracts plat; thence South 300 feet more or less along said northerly extension to the true point of beginning.



