Chg # 1 for 183 tops

STATE OF WASHINGTON CC TY OF CLARK

I, June Rosentreter, Deputy City Clerk of the City of Vancouver, Washington do hereby certify that the foregoing is a true and correct copy of the original (x) ordinance () resolution

()_____as on file in the office of the City Clerk of the City of Vancouver, Washington.

June Rosentreter

2-20-81

ORDINANCE NO. M-2194

AN ORDINANCE annexing to the City of Vancouver certain unincorporated land contiguous to the City pursuant to RCW 35.13.150; providing for the area to be zoned "P.U.D."; providing that the land will not be liable for outstanding City bonded indebtedness; providing for an immediate effective date.

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. By Resolution M-2219, adopted November 17, 1980. City Council advised property owners in a certain area of land which is contiguous to the City that the City would accept annexation of such certain area of land. Thereafter, property owners circulated petitions for annexation under RCW 35.13.130. Said petitions were then signed by persons owning more than seventy-five percent of assessed valuation of the land proposed for such annexation. Such petitions were received by Council and by Resolution M-2225, adopted December 8, 1980, City Council accepted such petitions and the proposed annexation was transmitted to the Clark County Boundary Review Board on December 18, 1980, pursuant to RCW 36.93.090. Said proposed annexation was considered by the Board at its meetings of January 14, 1981 and February 11, 1981, notice thereof having been properly given. At said latter meeting the Board then determined to not invoke its jurisdiction, and the matter is now again before

the City Council for final action under RCW 35.13.150.

Section 2. Pursuant to the above statute and consistent with the above recital of facts the following described property, contiguous to the City and properly described as follows, which property has not heretofore been incorporated as a City, is hereby <u>annexed</u> to the City as of the date of passage of this ordinance:

Parcel I

A tract in the Northeast quarter of Section 29, Township 2 North, Range 2 East of the Willamette Meridian, being within the Philip Christ Donation Land Claim, and more particularly described as follows:

Beginning on the South line of said Christ Donation Land Claim at a point which bears South 88°25'30" West 716.49 feet from the Southeast corner of said claim and being the Southwest corner of the tract conveyed to Fred Palena by deed recorded under Auditor's File No. G 275832; thence South 88°25'30" West along said claim line, 901.66 feet to the Southwest corner of the tract conveyed to Robert S. Smith by deed recorded under Auditor's File No. F 57651; thence North 7°30'40" East along the West line of said Smith tract, being in common with the East line of the tract conveyed to Thomas S. Ezzetta by deed recorded under Auditor's File No. G 289465, for a distance of 448 feet to the Southerly line of the right of way tract acquired by the United States of America for Bonneville Power Administration; thence North 78°41'40" East along said right of way line, 859.05 feet to the Northwest corner of said tract conveyed to Fred Palena; thence South 0°02'11" East along the line of said Palena tract 587.82 feet to the point of beginning.

INCLUDING that portion conveyed to Clark County for an extension of Northeast 86th Avenue by deed recorded under Auditor's File No. G 410495.

BUT EXCEPT a tract described as follows:

Beginning at the Northwest corner of the first above described tract; thence South 7°30'40" West along the West line of said above described tract, 209.0 feet; thence North 78°41'40" East, parallel with the Southerly line of the Bonneville Power Administration right of way, 209.0 feet; thence North 7°30'40" East, 209.0 feet to said right of way line; thence South 78°41'40" West along said right of way line 209.0 feet to the point of beginning;

Parcel II

A portion of Government Lot 7 in Section 29, Township 2 North, Range 2 East of the Willamette Meridian, described as follows:

Beginning at a point on the North line of said lot, 333 feet East from the Northwest corner thereof and thence East 413.76 feet to a point 606.24 feet West from the Northeast corner of said Lot 7; thence South 187.5 feet; thence West 413.76 feet; and thence North 187.5 feet to the point of beginning;

INCLUDING County Roads.

Parcel III

That portion of Government Lot 7, Section 29, Township 2 North, Range 2 East of the Willamette Meridian, described as follows:

BEGINNING at a point on the South line of said Lot 7, which is 333 feet East of the Southwest corner thereof; thence East 1020 feet, more or less, to the Southeast corner thereof; thence North 375 feet to the Northeast corner of said Lot; thence West, along the North line, 606.24 feet; thence South 187.5 feet; thence West 413.76 feet; thence South 187.5 feet to the point of beginning.

ALSO an easement for road purposes over and across the following: Beginning at the Southwest corner of said Lot 7; running East 333 feet; thence North 20 feet; thence West 333 feet; thence South 20 feet to the point of beginning.

Parcel IV

That portion of Government Lot 7 in Section 29, Township 2 North, Range East of the Willamette Meridian, described as follows:

Beginning at the Southwest Corner of said Lot 7, and running thence North 375 feet to the Northwest corner of said Lot; thence East 333 feet; thence South 375 feet to a point 333 feet East of the Southwest Corner of said Lot; thence West 333 feet to the point of beginning.

SUBJECT TO an easement for road purposes over and across the South 20 feet thereof.

Parcel V

Beginning at a point 40 feet North and 526 feet East of the Southwest corner of the East half of Lot Six (6) in Section 29, Township Two (2) North of Range Two (2) East of the Willamette Meridian, and running thence North 320 feet; thence East 127 feet; thence South 320 feet; and thence West 132 feet, more or less to the place of beginning.

INCLUDING all County Roads and rights of way.

Section 3. As allowed by RCW 35.13.177, the proper planning and zoning for such area has already been considered by the City Planning Commission, and on September 9, 1980, after public hearing, it approved recommendation of staff that the land be covered by the City's new Comprehensive Plan as "Combined Density" and be zoned as Planned Unit Development ("PUD"). Such recommendations are hereby accepted by City Council and the area here annexed is hereby covered by the new Comprehensive Plan as "Combined Density" and the zoning therefor is hereby set as Planned Unit Development ("PUD") pursuant to VMC 20.68.040 and Ch. 20.38, VMC, and the development plan for such Planned Unit Development is hereby approved as recommended in SR 67-81.

Section 4. As provided in Resolution M-2219, the land herein annexed to the City shall not be liable for City bonded

indebtedness which is outstanding as of the date of this ordinance.

Section 5. The City Clerk is hereby directed to file certified copies of this ordinance with the Board of County Commissioners for Clark County, and with the County Auditor and County Assessor.

Section 6. Exhibit "A", showing the area here annexed to the City, is hereby incorporated into and made a part of this ordinance of annexation.

Section 7. This ordinance shall go into effect immediately upon final passage; acts taken pursuant to it but prior to its final passage are hereby ratified and confirmed.

Read first time: February 23, 1981

PASSED by the following vote:

Councilmembers MART, SEIDL, LEHMAN, JUSTIN

Nays: Councilmembers None

Absent: Councilmembers POKORNOWSKI, WOLF, BESSERMAN

Read second time: MARCH 9, 1981

PASSED by the following vote:

Councilmembers HART, SEIDL, POKORNOWSKI, LEHMAN, JUSTI

Councilmembers None

Absent: Councilmembers WOLF, BESSERMAN

SIGNED this 9th day of MARCH, 1981.

Jim Justin Justin Mayor

Attest:

H. K. Shorthill, City Clerk
By June Rosentreter, Deputy City Clerk

Approved as to form:

