

37.043 to 37.070
114.007 to 114.028

940842

4/8/96

For 1998 tax yr

ORDINANCE NO. M- 3241

AN ORDINANCE annexing to the City of Vancouver certain contiguous and unincorporated land generally located southeast of the existing city limits along the Columbia River, known as the Columbia Heights Annexation; providing for such lands to be zoned as they have been zoned by Clark County, as set forth in VMC 20.03.120; providing that said land shall not be liable for outstanding City bonded indebtedness; providing for an effective date of June 1, 1996.

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. By Resolution M-2961, adopted on May 8, 1995, City Council determined under RCW 35.13.125 that it would accept petitions to annex to the City certain contiguous land located southeast of the existing city limits along the Columbia River. Thereafter, such petitions were signed by persons owning property in the area proposed for annexation which represented more than 75 percent of the assessed valuation of such property. City Council, after public hearing on February 5, 1995, accepted such 75 percent petitions and transmitted the proposed annexation to the Clark County Boundary Review Board under RCW Ch. 36.93.

Section 2. The Boundary Review Board considered the proposed annexation at a duly advertised public meeting on March 19, 1996. The Board recommended that affected agencies invoke jurisdiction but no such agency invoked jurisdiction and, thus, the matter returned to City Council April 5, 1996, pursuant to RCW Ch. 36.93.100.

Section 3. Pursuant to RCW Ch. 35.13, and as discussed and recommended in SR 073-96, the contiguous and unincorporated land located southeast of the current city limits along the Columbia River, is hereby annexed to the City of Vancouver. The legal description of such annexing land is set forth on Exhibit "A", attached hereto and incorporated herein.

Section 4. VMC 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 areas that have been zoned R1-7.5 will be zoned R1-7.5; all areas that have been zoned R1-10 will be zoned R1-10.

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 RCW Ch. 43.21C, City Council hereby finds that all environmental issues have been properly addressed.

Section 7. As provided in Resolution M-2961, 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. Any franchise, permit, or certificate granted to any person, firm or corporation by the State of Washington or Clark County permitting the operation of any garbage collection and/or disposal or other similar public service business or facility within the limits of the area annexed pursuant to this ordinance is terminated pursuant to RCW 35.13.280 upon the effective date of this ordinance; and a franchise is hereby granted on the effective date of this

ordinance to such person, firm or corporation to operate garbage collection and/or disposal or other similar public service business or facility within the limits of the area annexed pursuant to this ordinance for a period of five (5) years following the effective date of this ordinance. Rates for service and franchise fees shall be those in effect as of the effective date of this ordinance and as thereafter established by the City. The City may establish and levy a utility tax in addition to or in lieu of any franchise fee. The franchise granted by this section does not preclude the City from acquiring the rights granted thereby by purchase of the franchise, business or facilities at an agreed or negotiated price, from acquiring the same by condemnation upon payment of damages, or by any other means permitted by law. The franchise granted by this section does not preclude the City from adopting and enforcing under its police powers any ordinances it finds necessary for the health, safety, and welfare of the public.

Section 9. This ordinance shall go into effect at 8:00 a.m. on June 1, 1996.

Read first time: *April 8, 1996*

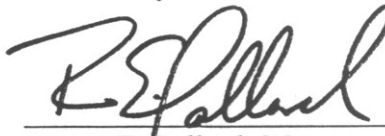
PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers *Besserman, Tonkovich, Wilson, Horowitz, Jallota, Moeller, and Mayer Rollard*
Nays: Councilmembers *none*
Absent: Councilmembers *none*

Read second time: *May 20, 1996*

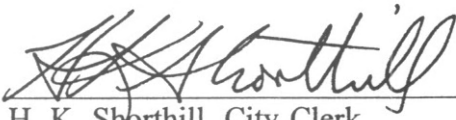
Ayes: Councilmembers *Besserman, Tonkovich, Wilson, Horowitz, Jallota, Moeller, and Mayer Rollard*
Nays: Councilmembers *none*
Absent: Councilmembers *none*

SIGNED this 20th day of May, 1996.



Royce E. Pollard, Mayor

Attest:



H. K. Shorthill, City Clerk
By: ~~Judith Hoggatt, Deputy~~

Approved as to form:



Ted H. Gathe, City Attorney

X6040101/DP:MW

COLUMBIA HEIGHTS ANNEXATION

A tract of land lying in portions of the SE 1/4 and the NE 1/4 of Section 31, the NE 1/4, SE 1/4, SW 1/4 and the NW 1/4 of Section 32, T 2 N, R 2 E, the NE 1/4 and the NW 1/4 of Section 5, T 1 N, R 2 E of the Willamette Meridian, the Louis Lieser D.L.C. and the J. Stanger D.L.C. all in Clark County, Washington, said tract being more particularly described as follows:

Beginning at the point of intersection of the State Boundary in the Columbia River and the southerly extension of the East line of the Chelsea Knight tract, Book 396 of Deeds, page 588, records of said county said point being the Southeast corner of that tract described in City of Vancouver Ordinance Number M 663 (for annexation) thence North 3200 feet more or less along said southerly extension, said East line and the northerly extension of said Knight tract and the existing City Limits line to a point of intersection with the northerly Right-Of-Way line of East Evergreen Boulevard, said point being 546.4 feet East of the West line of said Section 32; thence northwesterly 120 feet more or less along said northerly Right-Of-Way line and said City Limits line to a point of intersection with the East line of SE 73rd Avenue; thence northerly 440 feet more or less along said East line and said City Limits line to a point of intersection with the northerly Right-Of-Way line of Primary State Highway Number 8; thence westerly 1000 feet more or less along said northerly Right-Of-Way line and said City Limits line to a point of intersection with the southerly extension of the East line of Lot 5, Block C of Replat of Blocks B and C, Sleret Highlands, Book E of Plats, page 47, records of said county, said point being on the East line of that tract described in City of Vancouver Ordinance Number M 635 (for annexation) thence North 18° 18' 15" East along said southerly extension, said East line, the northerly extension thereof and the existing City Limits line to a point of

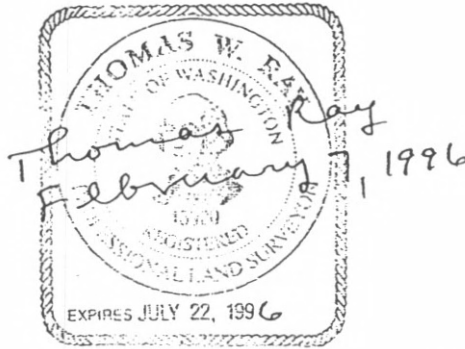
intersection with the North line of Middle Way; thence North $71^{\circ} 41' 45''$ West 76.69 feet to the Southeast corner of Lot 9 of said Block B; thence North $18^{\circ} 18' 15''$ East 145.56 feet along the East line of said Lot 9 and the existing City Limits line to the Northeast corner thereof; thence North $78^{\circ} 10'$ West 55.28 feet along the North line of said Lot 9 and the existing City Limits line to the Southeast corner of Lot 6 of said Block B; thence North $5^{\circ} 03'$ East 146.34 feet along the East line of said Lot 6 and the existing City Limits line to the Northeast corner of said Lot 6; thence westerly along the North line of said Lot 6, Lot 7 of said Block B and the existing City Limits line to a point that is 155 feet westerly of the southerly extension of the East line of Lot 9, Block A, Sleret Highlands, Book D of Plats, page 119, records of said county said point being on the existing City Limits line as described in City of Vancouver Ordinance Number M 129 (for annexation); thence northerly and parallel with said southerly extension 60 feet more or less along the existing City Limits line to a point of intersection with the South line of said Lot 9; thence easterly 155 feet more or less along said South line and the existing City Limits line to the Southeast corner of said Lot 9; thence northerly 165 feet more or less along the East line of said Lot 9 and the existing City Limits line to the Northeast corner of said Lot 9 said corner being on the existing City Limits line as described in City of Vancouver Ordinance Number C 364 (for annexation); thence easterly 481.65 feet along the South line of Lots 1, 2, 3, 4 and 5 of said Block A and the existing City Limits line to the Southeast corner of said Lot 1; thence southerly along the East line of Lot 14 of said Block A and the existing City Limits line to the southwesterly corner of that certain tract of land conveyed to Harold A. Kirby by instrument recorded in Book 426, page 158 of Deeds, Records of Clark County, Washington; thence easterly along

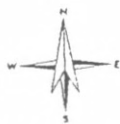
the southerly line of said Kirby tract and the southerly line of that certain tract of land conveyed to L.C.E. Baker and wife by instrument recorded in Book 296, page 174 of Deeds, Records of Clark County, Washington along the southerly line of those certain tracts of land conveyed to Eugene G. Cushing and wife by instruments recorded in Book 394, page 454 and Book 296, page 173 respectively of Deeds, Records of Clark County, Washington to an intersection with the westerly line of that certain tract of land conveyed to Eugene G. Cushing and wife by instrument recorded in Book 414, page 481 of Deeds, Records of Clark County, Washington; thence southerly along the westerly line of said tract a distance of 14 feet more or less to the southwesterly corner thereof; thence easterly along the southerly line of said tract and the southerly line of that certain tract of land conveyed to David L. Slade and wife by instrument recorded in Book 402, page 357 of Deeds, Records of Clark County, Washington to an intersection with the westerly line of that certain tract of land conveyed to Nat Schoen and wife by instrument recorded in Book 298, page 277 of Deeds, Records of Clark County, Washington; thence southerly along said westerly line a distance of 27 feet more or less to the southwesterly corner thereof; thence easterly along the southerly line of said Schoen tract and its easterly prolongation to an intersection with the easterly line of Morrison Road; thence northerly along said easterly line to an intersection with the existing City Limits line as described in City of Vancouver Ordinance Number C 269 (for annexation) and with the North line of Maple Acres, Book E of Plats, page 4, records of said county; thence East 593.12 feet along said North line and existing City Limits line to the Northwest corner of Lot 7, Block B of Plats and the point on the existing City Limits line as described in City of Vancouver Ordinance Number M 3138 (for

annexation); thence South along the West line of said lot to the Southwest corner of the North 189.06 feet of Lot 7; thence East along the South line of said North 189.06 feet to the Southeast corner thereof and to a point on the West line of Lot 8, Block B of said plat; thence North along said West line to a point that is 212 feet more or less North of the Southwest corner of said Lot 8; thence East to a point on the West line of Lot 2, Book 2 of Short Plats, page 436, records of said county; thence North 30 feet along the East line of the Clarence A. Paulson tract, recorded under A.F.N. G 279201, to a point 20 feet South of the South line of the North 110 feet of Lot 9 of said Block B; thence East to the East line of said Lot 9 and to a point on the current city boundary as described in City of Vancouver Ordinance C 269; thence South 280 feet more or less along the East line of said Maple Acres and the existing City Limits line to a point of intersection with the westerly extension of the North line of Friedel Acres, Book E of Plats, page 90, records of said county; thence East 1670 feet more or less along said westerly extension, said North line, the North line of Linwood Heights, Book E of Plats, page 79, records of said county and the existing City Limits line to the Northeast corner of Lot 1, Block 3 of said Linwood Heights and to the West Right-Of-Way line of Lieser Road and to a point on the existing City Limits line as described in City of Vancouver Ordinance Number M 1300 (for annexation); thence South 800 feet more or less along said West Right-Of-Way line and existing City Limits line to a point of intersection with the existing City Limits line as described in City of Vancouver Ordinance Number M 866 (for annexation); thence West along the existing City Limits line to a point which is West 1038.65 feet and South 3231.17 feet from the Northeast corner of the Lewis Lieser D.L.C.; thence southerly along the existing City Limits line to a point on

the North line of Middle Way which is 1038.65 feet West of the East line of said Lieser D.L.C.; thence easterly along the North line of Middle Way and the existing City Limits line a series of courses to the Southeast corner of Lot 1, Columbia Terrace 2, Book G of Plats, page 154, records of said county and to a point on the East line of said Lieser D.L.C.; thence South 370 feet along said East line and the existing City Limits line as described in City of Vancouver Ordinance Number C 417 (for annexation) to a point of intersection with the westerly extension of the South line of Lot 1, Block 16, Columbia Ridge, Book E of Plats, page 57; thence East 295.90 feet along said westerly extension and the South line of Lots 1, 2 and 3 of said Block 16 and the existing City Limits line to the Southwest corner of Lot 4 of said Block 16; thence South 494.00 feet along the West line of Lots 5, 6 and 7 of said Block 16 and the existing City Limits line to the Southwest corner of said Lot 7; thence East 400.9 feet more or less along the South line of said Block 16 and the existing City Limits line to a point of intersection with the northerly extension of the East line of the existing Common Road Easement, Volume 246, page 321, File Number D 75133 as shown in Book 1 of Short Plats, pages 533 and 657; thence, leaving the existing City Limits line, South 20° 13' West 680 feet more or less along said northerly extension, said East line and the southerly extension thereof to a point of intersection with the South line of East Evergreen Boulevard; thence North 62° 20' West 470 feet more or less along said South line to a point of intersection with the East line of SE 88th Avenue; thence South 0° 23' 30" West 470 feet more or less along said East line to a point of intersection with the South line of SE Hillcrest Drive; thence northwesterly 40 feet more or less along the westerly extension of said South line to a point of intersection with the East line of said Lieser D.L.C.;

thence South 1500 feet more or less along said East line and the southerly extension thereof to a point of intersection with the State Boundary in the Columbia River; thence northwesterly 4000 feet more or less along said State Boundary to the point of beginning.










Scale 1" = 1,000'

Columbia Heights Annexation



Legend

-  Annexation Area
-  Parcel lines
-  BPA lines
-  Railroad lines
-  Vancouver City Limits