

5-21-07

6-04-07

ORDINANCE NO. m-3820

AN ORDINANCE relating to approval of an annexation pursuant to RCW 35.13.125; establishing the geographic extent, defining the comprehensive plan and land use designations, and determining the assumption of all or any portion of existing city indebtedness; accepting the certified petitions supporting annexation; and providing for an effective date for the 0.39-acre Wilson II Annexation.

WHEREAS, pursuant to RCW 35.13.005, no city located in a county in which urban growth areas have been designated under RCW 36.70A.110 may annex territory beyond an urban growth area; and,

WHEREAS, pursuant to RCW 36.70A, the City of Vancouver has an urban growth area designated under the Growth Management Act; and,

WHEREAS, the Wilson II Annexation is located in Vancouver's urban growth area, and is contiguous to the City of Vancouver along NE Fourth Plain Boulevard; and,

WHEREAS, pursuant to RCW 35.13.125, the City of Vancouver received a signed utility service covenant from the property owner of the Wilson II annexation area, which is equivalent to 100% support; and,

WHEREAS, pursuant to RCW 35.13.125 on April 23, 2007, Vancouver City Council met with the initiating parties and voted in support of the annexation request; defined the geographic extent of the proposed annexation; required the simultaneous adoption of the comprehensive plan designations as provided for in VMC Chapter 20.230; and did not require assumption of all or any portion of the existing city indebtedness by the area to be annexed; and,

WHEREAS, pursuant to RCW 35.21.005, on May 7, 2007, the Clark County Assessor certified the signatures representing over seventy-five percent of the assessed valuation of such property in the 0.39-acre area proposed for annexation.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Location of Annexation Area: Pursuant to RCW 35.13, and as discussed and voted on by City Council on April 23, 2007 (M-3610), the 0.39-acre Wilson II Annexation area is unincorporated land located in Vancouver's urban growth area, and is contiguous to the City of Vancouver along NE Fourth Plain Boulevard. The legal description of such annexing land is set forth in Exhibit "A", attached hereto and incorporated herein. A parcel map of such annexing land is set forth in Exhibit "B", attached hereto and incorporated herein.

Section 2. Comprehensive Plan and Zoning Designations: Pursuant to VMC 20.230, and as discussed and voted on by City Council on April 23, 2007, (M-3610), the city shall designate the city comprehensive plan and zoning designations for the annexing land so as to correspond as

reasonably close to the county zoning designation of such land, as provided for in VMC Table 20.230.030-1. In Clark County, the land located in the Wilson II Annexation area has the General Commercial comprehensive plan designation and the Limited Commercial (CL) land use zoning designation. As per VMC Table 20.230.030-1, surrounding zoning and current uses, the Commercial and Mixed Use comprehensive plan designation and General Commercial (CG) land use zoning designation are most similar to the existing county designations, and will be the designations applied upon annexation.

Section 3. Comprehensive Plan and Zoning Maps: The comprehensive plan and zoning designations provided for in Section 2 are hereby applied to the land being annexed, as shown on the maps attached hereto and incorporated herein as Exhibits "C" and "D".

Section 4. Indebtedness: As decided by City Council on April 23, 2007, (M-XXXX), the city will not require the Wilson II Annexation property owners to accept any of the existing city indebtedness.

Section 5. Signature Certification: Pursuant to RCW 35.21.005, the County Assessor has issued the Certification of Sufficiency regarding the signature support for the Wilson II Annexation, as set forth in Exhibit "E".

Section 6. Signature Acceptance: City Council hereby accepts the certified signature supporting annexation of the 0.39-acre Wilson II Annexation area.

Section 5. Effective Date: This ordinance shall become effective thirty (30) days following the date of final adoption.

Read first time: 5-21-07

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers Smith, Lewis, Stewart, Harkins
Tonkovich, Jellison, Mayor Pollard
Nays: Councilmembers none
Absent: Councilmembers none

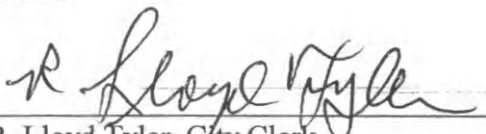
Read second time:

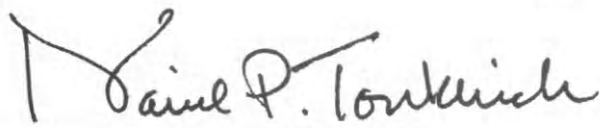
PASSED BY THE FOLLOWING VOTE:

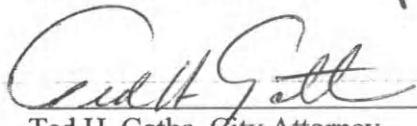
Ayes: Councilmembers Smith, Lewis, Stewart, Harkins
Jellison + Mayor problem Tonkovich
Nays: Councilmembers none
Absent: Councilmembers Mayor Pollard

Signed this 4th day of June, 2007.

Attest:


R. Lloyd Tyler, City Clerk
By: ~~Carrie Lewellen, Deputy City Clerk~~


~~Royce E. Pollard, Mayor~~
Daniel Tonkovich, Mayor
Approved as to form: problem


Ted H. Gathe, City Attorney

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE relating to approval of an annexation pursuant to RCW 35.13.125; establishing the geographic extent, defining the comprehensive plan and land use designations, and determining the assumption of all or any portion of existing city indebtedness; accepting the certified petitions supporting annexation; and providing for an effective date for the 0.39-acre Wilson II Annexation thirty (30) days following the date of final adoption.

LEGAL DESCRIPTION

A tract of land lying in a portion of Van Atta's Subdivision, the Joseph Gher Donation Land Claim and the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 9, T 2 North, R 2 East of the Willamette Meridian, Clark County, Washington, being more particularly described as follows:

Beginning at an iron rod shown as set at the Southwest corner of Tax Lot 3/6 on Book 52, Page 16 of surveys, sheet 2 of 3, Clark County records, said point also being on the North line of Rosewood Avenue;

Thence South $1^{\circ}33'26''$ West a distance of 63.6 feet more or less to the South line of said Rosewood Avenue and the Northwest corner of Lot 1, Block A, Van Atta's Subdivision, Book D of Plats, Page 5, Clark County records;

Thence southerly along the West line of said Van Atta's Subdivision a distance of 462.76 feet more or less to the North line of Fourth Plain Avenue and the Southwest corner of Lot 9, Block A, of said Van Atta's Subdivision said point being on the present City of Vancouver boundary (M-3758);

Thence northeasterly along said North line a distance of 226.06 feet more or less to the Southeast corner of Lot 9, Block B, of said Van Atta's Subdivision;

Thence northerly a distance of 15 feet more or less along the East line of Lot 9, Block B of said Van Atta's Subdivision to a point 43 feet northerly of the construction centerline of NE 4th Plain Road as shown on Book 55, Page 76 of surveys, Clark County records, and the True Point of Beginning;

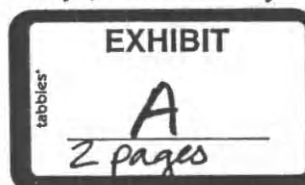
Thence leaving the present City of Vancouver boundary, northerly along the East line of said Lot 9 and Lot 7 a distance of 120.57 feet more or less to the Northeast corner of said Lot 7;

Thence easterly 15 feet to the Northwest corner of Lot 17 of said Block B;

Thence easterly along the North line of said Lot 17 and Lot 18, 100 feet more or less to the West line of NE 112th Avenue;

Thence South $88^{\circ}37'04''$ East a distance of 60.83 feet more or less the East line of said NE 112th Avenue, said point being on a nontangent 220 foot radius curve to the left with a chord bearing South $07^{\circ}57'28''$ East;

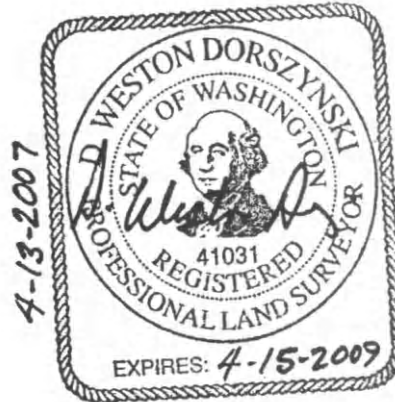
Thence southerly along said curve a distance of 34.88 feet to a point 30 feet opposite when measured at right angle from Engineers station 10+72.35 NE 112th Avenue as shown on Book 55, Page 76 of surveys, Clark County records;

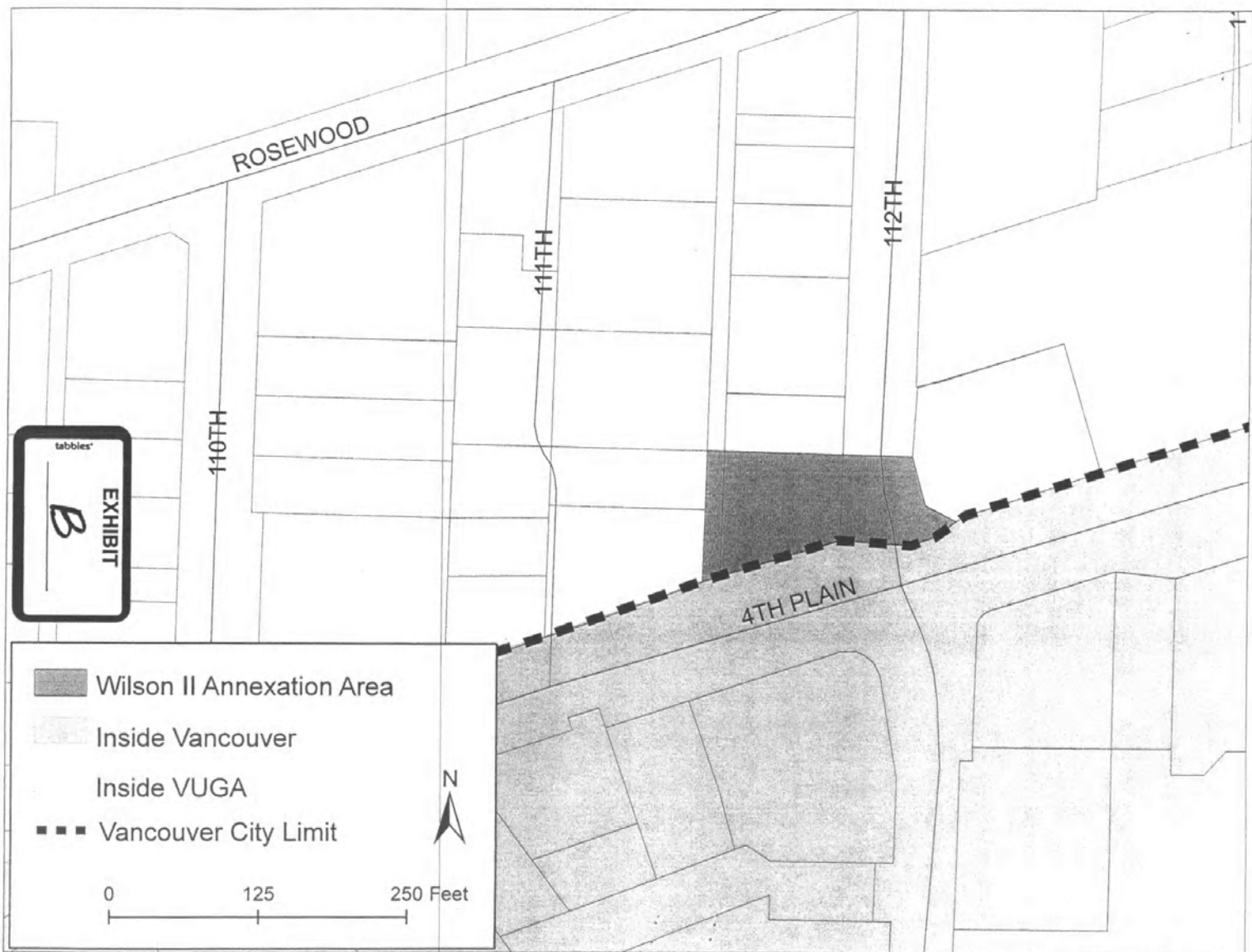


Thence South $59^{\circ}57'55''$ East a distance of 36.85 feet to a point 43 feet opposite when measured at right angle from Engineers station 46+63.19 NE 4th Plain Road as shown on said survey, sheet 8 of 10, said point being on the present City of Vancouver boundary (M-3742);

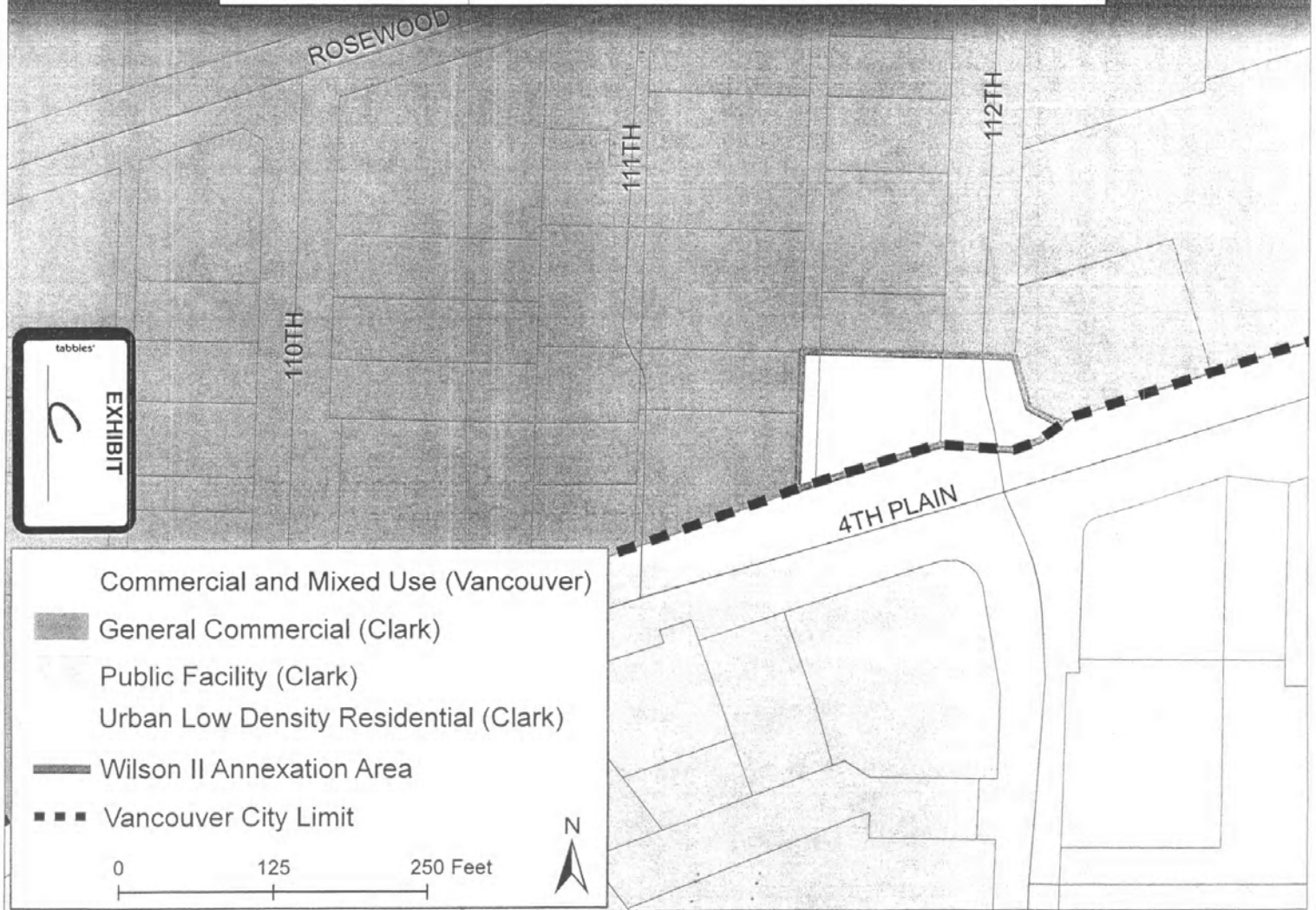
Thence southwesterly along the North line of said 4th Plain Road a distance of 224.81 feet more or less to the True Point of Beginning;

Contains approximately 0.39 Acres

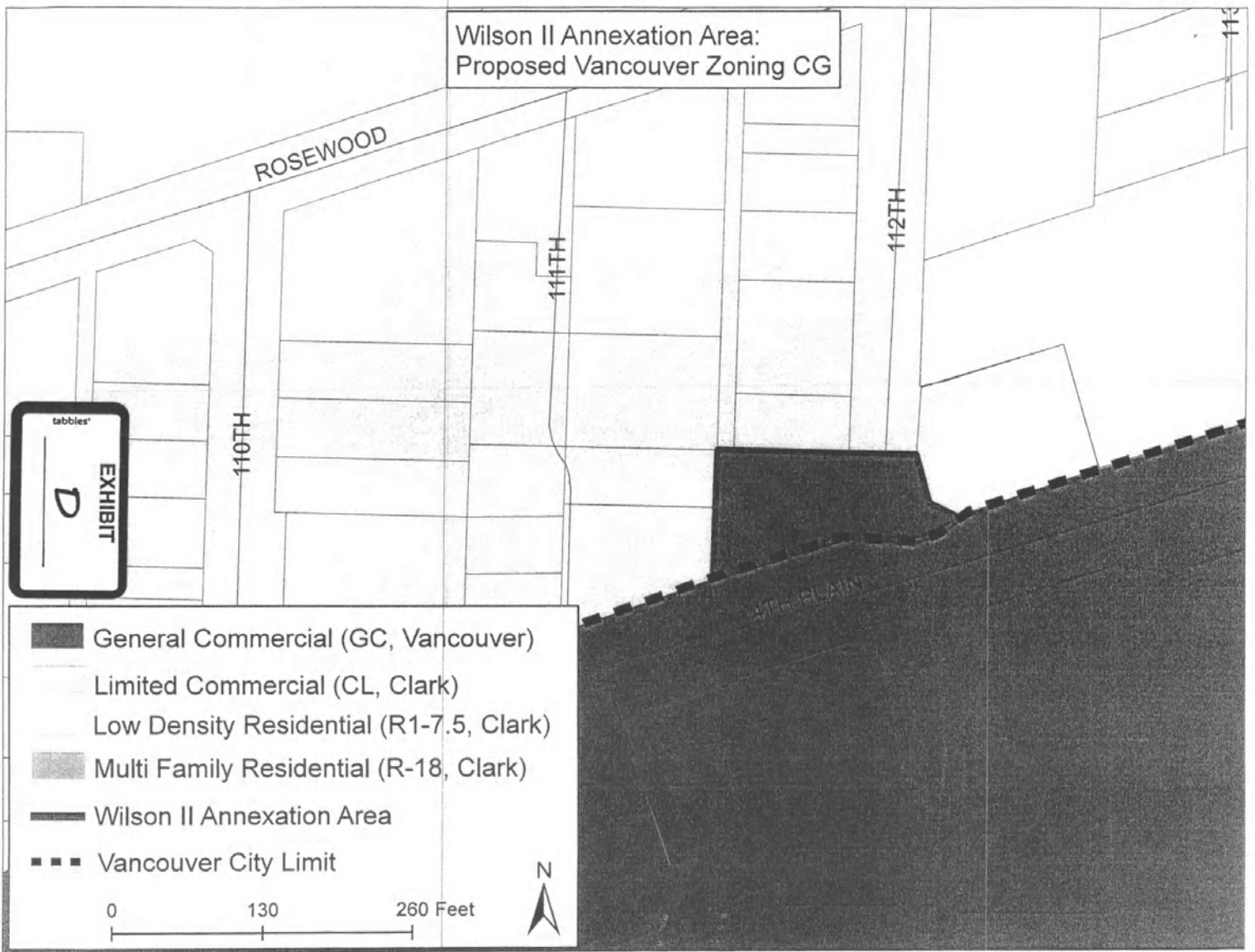




Wilson II Annexation Area:
Proposed Vancouver Comprehensive Plan, Commercial and Mixed Use



Wilson II Annexation Area:
Proposed Vancouver Zoning CG




Certification of Sufficiency
Wilson 2 Annexation

The city of Vancouver on April 24, 2007 submitted for review by the Clark County Assessor, a petition to annex to the city approximately .39 acres of land known as the Wilson 2 Annexation. Subject to the requirements of RCW 35.21.005, I now certify the following:

1. On April 24, 2007 the city of Vancouver submitted for certification by the Clark County Assessor a petition to annex to the city one parcel of land (107355-000) and associated road and public utility rights-of-way, totaling approximately .39 acres.
2. The legal description and map of the area proposed for annexation are attached to this certification. This area is located in unincorporated Clark County and within Vancouver's urban growth boundary.
3. The city is completing annexation pursuant to the direct petition method of annexation, RCWs 35.13.125 through 35.13.170.
4. The county initiated the determination of petition sufficiency on May 7, 2007 which is the "terminal date" as defined in RCW 35.21.005.
5. The area proposed for annexation has a certified annexation value for general taxation of \$298,500.
6. Utility service covenants provided by the city of Vancouver represent signatures, in compliance with RCW 35.13.125 through RCW 35.13.170, of a combined total assessed value for general taxation of not less than 75% of the total assessed value for general taxation of all property in the proposed annexation area.

Therefore, based on the petition certification request and supporting materials submitted by the city of Vancouver, I hereby declare and certify that the petition represents the affirmative consent of properties totaling more than 75% of the value according to the assessed valuation for general taxation purposes of the property proposed for annexation.

Given under my hand and seal this 7th day of May 2007.


Linda Franklin
Clark County Assessor

