



ORDINANCE NO. 2008-016

**AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN PROPERTY
TO THE CITY OF LA CENTER (Sunset View Estates)**

The La Center City Council adopts the following findings:

WHEREAS, James D & Carol Grahmert, TH & Marta Rupprecht, Fred & Bette Hollis, Jim & Shirley Tapia, Douglas & Barbara Burtwell, John H & Kathy D Oliver and Julia D & Gregory L Thornton are the owners of certain real property (the "Annexation Territory") that includes seven parcels totaling approximately 35.75 acres contiguous with the City's corporate limits and located within the La Center Urban Growth Boundary. The Annexation Territory is more precisely described as Assessor Parcel Numbers 258632-000 (Grahmert), 258756-000 (Rupprecht), 258760-000 (Hollis), 258762-000 (Tapia), 258764-000 (Burtwell), 258765-000 (Oliver), and 258767-000 (Thornton), which are also known as Lots 10, 141, 145, 147, 149, 150 and 152, respectively within the southeast quarter of Section 33, Township 5 North, Range 1 East, Willamette Meridian, Clark County, Washington; and

WHEREAS, the Proponents presented the City with a Notice of Intent to Annex pursuant to the so-called Direct Petition Method of RCW 35A.14.120, and the City Council accepted the proposal at its April 12, 2006 regular meeting; and

WHEREAS, the Proponents submitted a Petition for Annexation, which included signatures of the owners of record of more than 60% of the assessed value of the Annexation Territory on September 16, 2006; and

WHEREAS, the Clark County Assessor certified sufficiency of the petition on October 18, 2006; and

WHEREAS, a SEPA Determination of Non-Significance on the annexation proposal was published on September 13, 2006, and no comments were received during the 14-day comment period; and

WHEREAS, the City provided public notice of the Petition and has provided an opportunity for comment thereon by all interested citizens at a duly called and noticed public meeting; and

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WHEREAS, at its regular meeting on December 10, 2008, the City Council received and reviewed all of the documentation associated with this annexation proposal, received public testimony, and found that the Petition met the applicable requirements of RCW 35A.01.040 and accepted the Petition pursuant to the Direct Petition Method in RCW 35A.14.120 and LCMC 18.290; and

WHEREAS, the Clark County Boundary Review Board has been disbanded and therefore has no jurisdiction to invoke over the proposed annexation; and

WHEREAS, the City Council finds this annexation to be in the public's interest;

NOW THEREFORE, based on the foregoing Findings, the LaCenter City Council ordains as follows:

Section 1 - Annexation. That the Annexation Territory known as Assessor Parcel Numbers 258632-000 (Grahmert), 258756-000 (Rupprecht), 258760-000 (Hollis), 258762-000 (Tapia), 258764-000 (Burtwell), 258765-000 (Oliver), and 258767-000 (Thornton), and, alternatively, as Lots 10, 141, 145, 147, 149, 150 and 152, respectively, within the southeast quarter of Section 33, Township 5 North, Range 1 East, Willamette Meridian, Clark County, Washington), illustrated in Exhibit A, attached hereto and incorporated herein by this reference, is hereby annexed and incorporated into the City of La Center.

Section 2 - Land Use Designation and Zoning. The Annexation Territory is hereby designated as Low Density Residential and zoned in accordance with LCMC 18.130 as Low Density Residential (LDR-7.5). An Urban Holding (UH-10) zoning overlay is also applied per LCMC 18.190 and shall be maintained until a capital facilities analysis is accepted by the City per Resolution 05-262, at which point the City will entertain a request to rezone the Property.

Section 3 – Assessment and Taxation. The Annexation Territory shall be assessed and taxed by the City in the same manner as other similarly situated property within the City as of the effective date of this Ordinance.

Section 4 – Severability: If any portion of this ordinance is found to be invalid or unenforceable for any reason, such finding shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5 – Transmittal: The City Clerk shall:

1. File a certified true copy of this Ordinance, with the Clark County Board of Commissioners and the Clark County Assessor pursuant to LCMC 18.290.050.
2. Record a certified true copy of this Ordinance with the County Auditor pursuant to LCMC 18.290.050.
3. Provide notice of this annexation to the Office of Financial Management pursuant to RCW 35A.14.700.

Section 6 – Effective Date: This ordinance shall go into effect immediately upon its passage by the City Council and publication as required by law.

Approved and adopted this 10th day of December 2008 by a majority of the La Center City Council.

AYES: _____
NAYS: _____
ABSTAIN: _____
ABSENT: _____

Mayor of La Center

ATTEST:

APPROVED AS TO FORM:

Suzanne Levis, Finance Director/Clerk

Daniel Kearns, City Attorney