



ORDINANCE NO. 2008-15

**AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN PROPERTY
TO THE CITY OF LA CENTER (MARUGG)**

The La Center City Council adopts the following findings:

WHEREAS, Michael and Tammy Marugg, and Jenny Lo on behalf of Pensco Trust Company ("Proponents"), are owners of certain real property (the "Annexation Territory") that includes three parcels totaling approximately 22.58 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 209064-000, 209069-000, 209121-000 and as Lots 39, 47 and 102 respectively, in the Southeast quarter of Section 2, Township 4 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 June 25, 2008 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 October 10, 2008; and

WHEREAS, the Clark County Assessor certified sufficiency of the petition on November 3, 2008; and

WHEREAS, a SEPA Determination of Non-Significance on the annexation proposal was published on October 16, 2008, and the City received one comment regarding development subsequent to annexation during the 14-day comment period; and

WHEREAS, the City has 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

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, found that the Petition met the requirements of RCW 35A.01.040 and accepted the Petition pursuant to the Direct Petition Method of 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 interest.

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

Section 1 - Annexation. The Property described in Exhibit A proposed for annexation is hereby annexed and incorporated into the City of La Center.

Section 2 - Land Use Designation and Zoning. The Property is hereby designated as Low Density Residential and zoned in accordance with LCMC 18.130 as Low Density Residential (LDR-7.5). The 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.

Section 3 – Assessment and Taxation. The Property described in Exhibit A and so annexed 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

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ATTEST:

APPROVED AS TO FORM:

Suzanne Levis, Finance Director/Clerk

Daniel Kearns, City Attorney