CERTIFICATION

STATE OF WASHINGTON)
: ss
COUNTY OF CLARK)

I, Carrie Lewellen, Deputy City Clerk of the City of Vancouver, Washington, do hereby certify that the attached document is a true and correct copy of the original **Ordinance M-3949, 330-Acre Columbia River Annexation,** as on file in the office of the City Clerk of the City of Vancouver, Washington.

Dated this 16th day of March, 2010.

Carrie Lewellen, Deputy City Clerk

3-08-10
3-15-10

ORDINANCE NO. M-3949

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 330-acre Columbia River 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 Columbia River annexation area is located in Vancouver's unincorporated urban growth boundary along the Columbia River at SE 192nd Avenue; and

WHEREAS, the annexation request conforms to the general principles of the Interlocal Agreement between the City and Clark County, dated December 2007; and

WHEREAS, pursuant to RCW 35.13.125, on August 28, 2006, Vancouver City Council met with the initiating party 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 36.70A, on February 2, 2009, the City of Vancouver, in anticipation of annexation, adopted the Riverview Gateway Subarea Plan, which further defined the comprehensive plan and zoning designations that would go into effect upon annexation; and

WHEREAS, pursuant to RCW 35.13.125, the City of Vancouver collected signed annexation petitions from the Columbia River annexation area property owners; and

WHEREAS, pursuant to RCW 35.21.005, on February 10, 2010, the Clark County Assessor certified that the signatures represent the required amount of support for the 330-acre annexation request.

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 August 28, 2006 (M-3556), the 330-acre Columbia River annexation area is located in Vancouver's unincorporated urban growth boundary, situated along the Columbia River at SE 192nd Avenue. 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 August 28, 2006, (M-3556) City Council shall designate the city comprehensive plan and zoning designations for the annexing land so as to be most similar to the county designations of such land, absent adoption of a different designation approved by Council. City staff worked with area stakeholders between the summer of 2006 and winter of 2008/09 to develop a future vision for the land located in this annexation area, as well as land located in the previously annexed WSDOT quarry. On February 2, 2009, Council adopted the resulting *Riverview Gateway Subarea Plan*. This plan identifies what comprehensive plan and zoning designations will apply to the area. In summary, the Urban Low Density Residential (LDR), Urban High Density Residential (HDR), Commercial Mixed Use (CMX) and Industrial (I) comprehensive plan designations will apply upon annexation. The R-4, Office Commercial Industrial (OCI) and Heavy Industrial (IH) zoning designations will apply south of SR-14, while the newly created Riverview Gateway Mixed Use (RGX) zoning designation, which requires master planning prior to urban development, will apply to the area north of SR-14. Also upon annexation, the property north of SR-14 will retain the Surface Mining overlay zoning designation; the County's Urban Holding-40 and Urban Holding-20 overlay zoning designations will be removed.

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 August 28, 2006, (M-3556) the city will not require the Columbia River annexation property owners to accept any of the existing city indebtedness.

Section 5. Signature Certification: Pursuant to RCW 35.21.005, on February 11, 2010, the County Assessor issued the Certification of Sufficiency regarding the signature support for the Columbia River annexation, as set forth in Exhibit "E".

Section 6. Signature Acceptance: City Council hereby accepts the certified signatures supporting annexation of the 330-acre Columbia River annexation area.

Section 7. Effective Date: This ordinance shall become effective thirty (30) days following the date of final adoption.

Read first time: March 8, 2010

PASSED BY THE FOLLOWING VOTE:

Ayes:	Councilmembers	Hansen, Burkman, Campbell, Smith, Stewart, Harris, Leavitt
Nays:	Councilmembers	None
Absent:	Councilmembers	None

Read second time: March 15, 2010

PASSED BY THE FOLLOWING VOTE:

Ayes:	Councilmembers	Hansen, Burkman, Smith, Leavitt
Nays:	Councilmembers	Campbell
Absent:	Councilmembers	Stewart, Harris

Signed this 15th day of March, 2010.

Timothy D. Leavitt, Mayor

Attest:

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

Approved as to form:

Ted H. Gathe, City Attorney

SUMMARY

ORDINANCE NO. M-3949

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 petition supporting annexation; and providing for an effective date for the 330-acre Columbia River Annexation thirty (30) days following the date of final adoption.

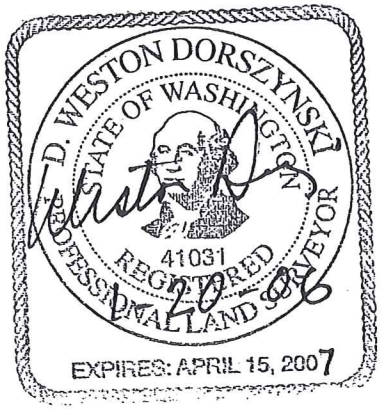
LEGAL DESCRIPTION

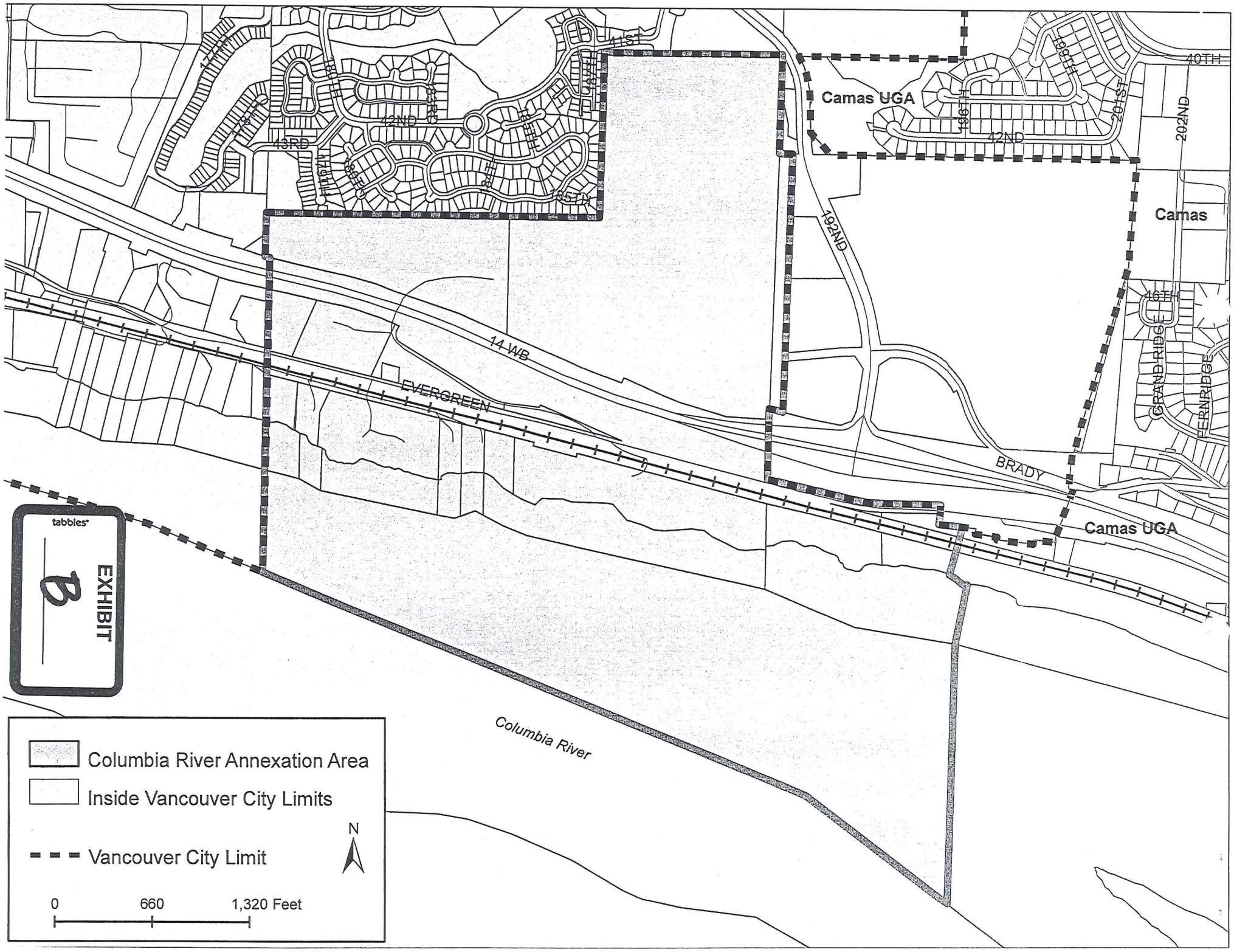
A tract of land lying in Section 7 and the West ½ of Section 8, T 1 N, R 3 E of the Willamette Meridian in Clark County, Washington being described as follows:

Beginning at the Northwest corner of said Section 8 and on the present City of Vancouver boundary (Ordinance Number M-3277) marked by a 1 ½" iron pipe as shown in Book 52 of Surveys, Page 190, Clark County records; thence Westerly 1,220 feet more or less along the South line of Section 6, T1N, R3E to a point of intersection with the East line of the Wiberg Tract, Book 25 of Deeds, Page 291 as shown on Book 17 of Surveys, Page 189; thence South 0° 55'17" East 1,118.70 feet along said East line to a 5/8" iron rod; thence South 88 26' 10" West 627.23 feet along the North line of Parcel 1 as shown on said Book 17 of Surveys, Page 189 to a 5/8" iron rod; thence South 88 19' 00" West 1,612.55 feet along said North line to a 5/8" iron rod and to a point on the West line of said Wiberg Tract; thence South 1° 41' 05" East 1,800 feet more or less along the West line and its southerly extension to a point of intersection with the State Boundary in the Columbia River; thence southeasterly 4,564 feet more or less along several courses of the State Boundary to a point that meets with the southwesterly extension of the East line of Parcel #4 & 5 of the Joel Knight Donation Land Claim as described in Quit Claim Deed recorded under AFN 3066858 Records of Clark County, Washington; thence northeasterly along said southwesterly extension of the East line of Parcel #4 & 5 to the Southeast corner of said parcel; thence northerly along said East line of Parcel #4 & 5 to the Northeast corner thereof; thence northerly across the 100 foot wide railroad Right-Of-Way to the Southwest corner of

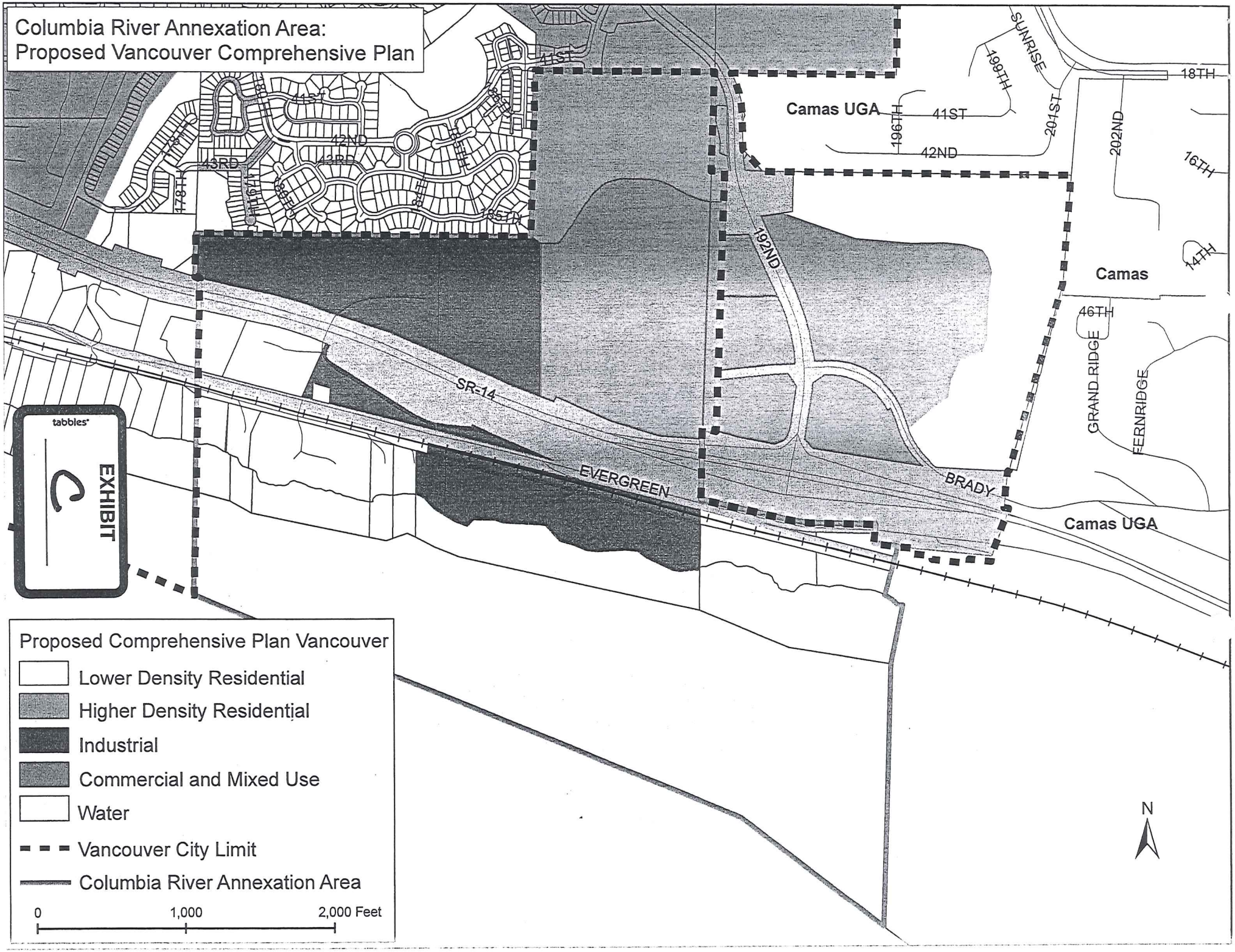
EXHIBIT
A
2 pages

Parcel #45 of the Joel Knight Donation Land Claim as shown in Book 34 of Surveys, page 194, records of Clark County, Washington; thence North 17° 19' 15" East 63.95 feet to the northwest corner of Parcel #45 of the Joel Knight Donation Land Claim, the South Right-Of-Way line of Washington State Service Road 14 (SR 14) and the present City of Vancouver boundary (Ordinance Number M-3707); thence westerly along said South Right-Of-Way line and the present City of Vancouver boundary to a point of intersection with the West line of said SW ¼; thence northerly along said West line to the ¼ corner common to Section 7 and 8; T 1 N, R 3 E, Willamette Meridian as shown on Book 23 of Surveys , Page 112, Clark County records; thence North 0° 30' 21" West 349.75 feet along the West line of said NW ¼; thence North 88° 37' 10" East 88.72 feet along the East line of the Gilbert Quarry tract as shown on said Book 23 of Surveys, Page 112, Clark County records; thence North 0° 30' 21" West 1,624.87 feet along said East line; thence South 88° 10' 20" West 88.73 feet along said East line to a point on the West line of said NW ¼; thence North 0° 30' 21" West 657.98 feet along said West line to the point of beginning.





Camas UGA
Camas
Camas UGA
40TH
42ND
43RD
41ST
185TH
192ND
196TH
201ST
202ND
46TH
GRAND RIDGE
FERNRIDGE
14 WB
EVERGREEN
BRADY
Columbia River
tabbies
EXHIBIT
B
Columbia River Annexation Area
Inside Vancouver City Limits
Vancouver City Limit
N
0
660
1,320 Feet


Columbia River Annexation Area:
Proposed Vancouver Comprehensive Plan
Camas UGA
Camas
Camas UGA
SR-14
EVERGREEN
BRADY
192ND
196TH
198TH
201ST
202ND
SUNRISE
18TH
16TH
14TH
41ST
42ND
43RD
46TH
GRAND RIDGE
FERNRIDGE
N
Proposed Comprehensive Plan Vancouver
Lower Density Residential
Higher Density Residential
Industrial
Commercial and Mixed Use
Water
Vancouver City Limit
Columbia River Annexation Area
0
1,000
2,000 Feet
EXHIBIT
C

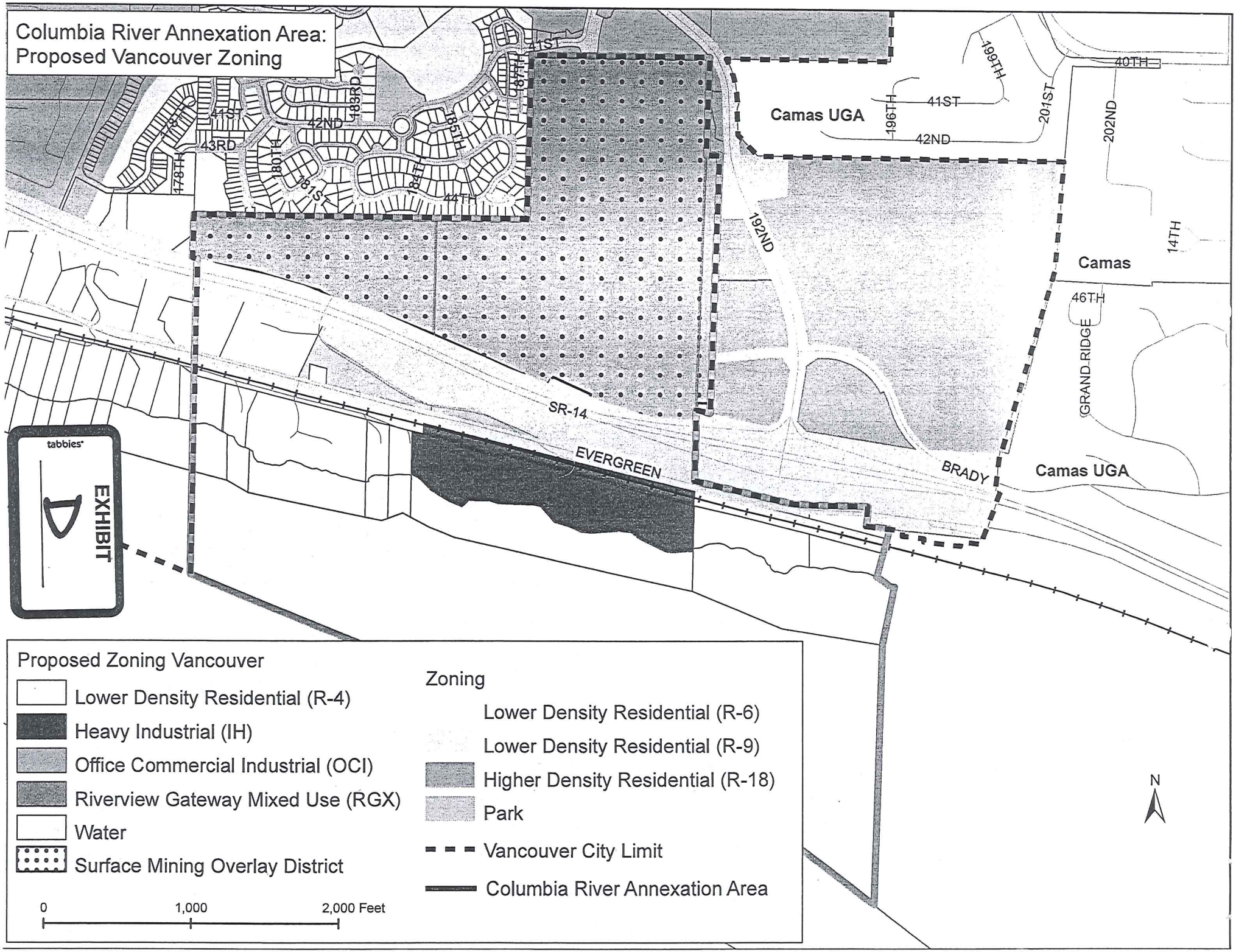

Columbia River Annexation Area:
Proposed Vancouver Zoning
41ST
42ND
43RD
44TH
178TH
180TH
181ST
183RD
184TH
185TH
187TH
192ND
196TH
199TH
201ST
202ND
40TH
14TH
46TH
Camas UGA
Camas
Camas UGA
GRAND RIDGE
SR-14
EVERGREEN
BRADY
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EXHIBIT
Proposed Zoning Vancouver
Lower Density Residential (R-4)
Heavy Industrial (IH)
Office Commercial Industrial (OCI)
Riverview Gateway Mixed Use (RGX)
Water
Surface Mining Overlay District
Zoning
Lower Density Residential (R-6)
Lower Density Residential (R-9)
Higher Density Residential (R-18)
Park
Vancouver City Limit
Columbia River Annexation Area
0
1,000
2,000 Feet
N

Certification of Sufficiency
Columbia River Annexation

The city of Vancouver on February 3, 2010, submitted for review by the Clark County Assessor, a petition to annex to the city approximately 335.21 acres of land known as the Columbia River Annexation. Subject to the requirements of RCW 35.21.005, I now certify the following in my capacity as Clark County Assessor:

1. On February 3, 2010 the city of Vancouver submitted for certification by the Clark County Assessor a petition to annex to the city 24 parcels of land and associated road and public utility rights-of-way, totaling approximately 335.21 acres.

2. The legal description and map of the area proposed for annexation, as provided by the city of Vancouver, are attached to this certification. According to the map provided by the city, this area is located in unincorporated Clark County and within the urban growth boundary.

3. The city is completing annexation pursuant to the direct petition method of annexation, RCW 35.13.125 through RCW 35.13.170.

4. The Clark County Assessor initiated determination of petition sufficiency on February 9, 2010 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 $10,565,529.

6. Petition signatures provided by the city of Vancouver represent signatures, in compliance with the RCW 35.13.125 through 35.13.170, of a combined total assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area. This review did not address the legal sufficiency of any proxy or utility covenant, only the sufficiency of the presence of signatures thereon.

Therefore, based on the petition certification request and supporting materials submitted by the city of Vancouver, I herby declare and certify that the petition represents the affirmative consent of properties totaling more than 60% 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 10th day of February 2010.

Linda Franklin
Clark County Assessor

George Simpson
Clark County Deputy Assessor

RECEIVED
FEB 11 2010
LONG RANGE PLANNING
DEPARTMENT

EXHIBIT
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