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1-2-2002 02:46pm \$14.00
PIERCE COUNTY, WASHINGTON

When Recorded, Return To:
City of Tacoma City Clerk's Office
General Services Department
747 Market Street, Room 220
Tacoma WA 98402-3769

<p>DOCUMENT TITLE: ORDINANCE NO. 26889 26909</p> <p>I, DORIS SORUM, City Clerk of the City of Tacoma, Pierce County, Washington, do hereby certify that the attached is a full, true and correct copy of Ordinance No. 26909.</p> <p>WITNESS MY HAND and the Seal of said City this 31st day of December 2001.</p>  <p>BORIS SORUM City Clerk</p>
Grantor: City of Tacoma, a Municipal Corporation
Grantee:
Legal Description: Complete legal description on page 5
Reference Number:
Assessor's Parcel Number: N/A



STATE OF WASHINGTON, County of Pierce
ss: I, Julie Anderson, of the above
entitled county, do hereby certify that this
forgoing instrument is a true and correct copy

Req. #8876



ORDINANCE NO. 26909

1 AN ORDINANCE annexing a certain portion of unincorporated Pierce County lying
2 contiguous to the City of Tacoma, and fixing the date that said annexation
shall become effective.

3 WHEREAS, pursuant to RCW 35.13.125, the owner of certain real property
4 filed with the City of Tacoma ("City") a notice of intent to commence proceedings to
5 annex the property to the City (the "Area to be Annexed"), and
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7 WHEREAS, subsequent to a public meeting duly held with the property
8 owner, and as set forth in Resolution No. 35132, the City Council determined that
9 the City would accept the proposed annexation petition, provided that the City will
10 require the Area to be Annexed to assume that portion of the City's then-current
11 bonded indebtedness for Emergency Medical Services, but will not require the Area
12 to be Annexed to assume any other voter-approved, bonded indebtedness that
13 existed as of the date of annexation, and
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15 WHEREAS, subsequent to the public meeting, the owner of more than
16 75 percent in value of the property included within the Area to be Annexed filed, in
17 the form prescribed by law, a petition for annexation of the property to the City,
18 which petition was accepted by the City, and
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20 WHEREAS, pursuant to RCW 35.13.140, the City Council fixed a date when
21 a public hearing on the petition would be held, and the City Clerk thereafter caused
22 notice of the hearing to be published and posted in the form and manner provided
23 by law, and
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1 WHEREAS, on April 24, 2001, a hearing was held, at which time all
2 interested persons were given the opportunity to appear and voice approval or
3 disapproval of the annexation, and

4 WHEREAS, pursuant to RCW 35.21.005, the petition has been certified by
5 the Pierce County Assessor, and

6 WHEREAS a notice of intent to annex was filed with the Pierce County
7 Boundary Review Board (the "Board") on October 11, 2001, and more than 45 days
8 have elapsed since filing of said notice with the Boundary Review Board without any
9 individual or entity invoking said Board's jurisdiction, and
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11 WHEREAS all preliminary proceedings have been taken as required by law;
12 Now, Therefore,

13 BE IT ORDAINED BY THE CITY OF TACOMA:

14 Section 1. That the City Council of the City of Tacoma does hereby
15 determine that the annexation, as requested in the petition described above, shall
16 be made; and that, pursuant to this determination, the territory described in
17 Exhibit "A" is hereby annexed to and made a part of the City.
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19 Section 2. That the annexation of the territory described in Exhibit "A" shall
20 become effective on the latter of a date ten days after publication of this ordinance,
21 or on January 1, 2002, and that the territory described in Exhibit "A" shall on that
22 date become subject to all the laws and ordinances of the City now in force or which
23 may hereafter be enacted.
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1 Section 3. That the territory herein annexed shall assume and be subject to
2 the Emergency Medical Services levy existing as of the date of annexation, but the
3 territory shall not assume any other voter-approved, bonded indebtedness that
4 existed as of that date.

5 Section 4. That the proper officers of the City shall promptly proceed with
6 such procedures as are proper: (1) to issue the holder of any franchise providing
7 garbage collection services in the territory herein, and canceled as a result of this
8 annexation, a franchise authorizing continued garbage collection activities, all in
9 accordance with RCW 35.13.280; and (2) the proper officers of the City are further
10 authorized to negotiate an alternative agreement with the holder of any such
11 canceled franchise as may be in the best interests of the City, subject to final action
12 by the City Council.
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15 Section 5. That, pursuant to RCW 35.13.150, a certified copy of this
16 ordinance shall be filed with Pierce County; and, pursuant to RCW 35.13.260,
17 proper certification shall be given to the State Office of Financial Management, all
18 such notifications and certifications to be provided by the appropriate City officers.
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20 Section 6. That if any section, sentence, clause, or phrase of this ordinance
21 should be held to be invalid or unconstitutional, then the invalidity or
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1 unconstitutional shall not affect any other sections, clauses, or phrases of this
2 ordinance.

3
4 Passed DEC 18 2001

5
6 *Mike Bow*
7 Mayor

8 Attest:

9 *Doris Sorum*
10 City Clerk

11 Approved as to form and legality:

12 *Cliff Carlisle*
13 Assistant City Attorney
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Legal description approved:

15 *David J. Maroon*
16 Chief Surveyor, Public Works Dept.
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EXHIBIT "A"

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Annexation in the Southwest quarter of Section 34, Township 20, Range 3
East, W.M. (Mitchell Anderson)

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The West 100 feet of the following described property:

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Beginning on the east line of McKinley Avenue (Princeton Street) 1193.67 feet
north of the intersection of the north line of East 96th Street (Elm Avenue) with
the east line of McKinley Avenue (Princeton Street) of SOUTH TACOMA LAND
COMPANY'S FIRST ADDITION TO THE CITY OF TACOMA, according to the
plat thereof recorded in Volume 4 on page 62, records of Pierce County,
Washington; thence North 309.32 feet; thence East 273.50 feet; thence
South 309.32 feet; thence West 273.50 feet to the point of beginning.

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Together with the South 10 feet of East 91st Street vacated per
Resolution No. 11186.

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