ORDINANCE NO. 09-932

AN ORDINANCE OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON ANNEXING PURSUANT TO RCW 35A.14.120 ET SEQ. CERTAIN UNINCORPORATED TERRITORY; PROVIDING FOR THE ASSUMPTION OF THE EXISTING INDEBTEDNESS; AND ZONING SAID TERRITORY IN ACCORDANCE WITH CHAPTER 18 OF THE BLACK DIAMOND MUNICIPAL CODE (ZONING)

WHEREAS, a Petition for Annexation (circulation of which was authorized pursuant to Black Diamond Resolution No. 628) has been filed with the City of Black Diamond, and said Petition was valid in form; and

WHEREAS, said Petition was signed by owners of property not less than 60% of the value of the all property in the proposed annexation area, according to the assessed valuation for general taxation of the property described in said Petition; and

WHEREAS, pursuant to RCW 35A.14.130, a public hearing on said proposed annexation was held before the City Council on September 24, 2009; and

WHEREAS, on October 21, 2009 the Notice of Intent to Annex was delivered to the Washington State Boundary Review Board for King County as required by state law and subsequently approved by such Board as no formal request for review as specified in RCW 36.93 was filed within the required 45- day filing period; and

WHEREAS, pursuant to the State Environmental Policy Act RCW 43.21C.222, annexations are exempt from SEPA; and

WHEREAS, the Black Diamond City Council finds said proposed annexation to be within the public interest,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND AS FOLLOWS:

Section 1. The property legally described in Exhibit A and depicted on the map in Exhibit B attached hereto and incorporated herein by this reference ("Annexation Area") is hereby annexed to the City of Black Diamond.

Section 2. Pursuant to RCW 35A.14.150, the Annexation Area shall be assessed and taxed at the same rate and on the same basis as other property within the City of Black Diamond is assessed and taxed to pay for the portion of any pre-existing, outstanding indebtedness of the city of Black Diamond, which indebtedness has been approved by the voters, contracted for, or incurred prior to, or existing at the effective date of this annexation ordinance.

Section 3. Pursuant to RCW 35A.14.150 and consistent with Ordinance No. 909, the Annexation Area shall be zoned R-4 and MPD, and shall be governed by the provisions of Chapter 18 of the Black Diamond Municipal Code (Zoning) applicable to said zoning designations. The Community Development Director is hereby directed to make the necessary modifications and extensions of the Zoning Map of the City of Black Diamond to so reflect.

Section 4. The City Clerk is hereby directed to file certified copies of this annexation ordinance with the King County Council and with the State of Washington Office of Financial Management, together with such additional offices as may be required by law or regulation. In addition, the clerk is authorized and directed to file the Annexation Certificate provided for in 35A.14.700 with the Office of Financial Management within 30 days of the effective date of the annexation.

Section 5. Upon passage and publication this ordinance and annexation shall be effective on December 27, 2009, which is 5 days after the date of publication as required by law.

Introduced and passed by the City Council of Black Diamond in open meeting this 17th day of December, 2009.

Approved by the Mayor on the 17th day of December, 2009.

Mayor Howard Botts

ATTEST:

Brenda L Martinez

Brenda Martinez, City Clerk

APPROVED AS TO FORM:

Yvonne Ward, City Attorney

Published: 12-22-09
Posted: 12-18-09
Effective Date: 12-27-09

EXHIBIT A
URBAN GROWTH AREA ANNEXATION LEGAL DESCRIPTION

TRIAD JOB # 05-336
OCTOBER 24, 2008

THAT PORTION OF SECTION 23, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 23;

THENCE EASTERLY ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER;

THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 23;

THENCE EASTERLY, ALONG THE NORTH LINE OF SAID SOUTH HALF, TO THE EASTERLY MARGIN OF STATE ROUTE 169;

THENCE SOUTHEASTERLY, ALONG SAID EASTERLY MARGIN, TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23;

THENCE WESTERLY, ALONG SAID SOUTH LINE, TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 23;

THENCE WESTERLY, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 23;

THENCE SOUTHERLY, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER, TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER;

THENCE WESTERLY, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 23, TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER;

THENCE NORTHERLY, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 23, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 23;

THENCE NORTHERLY, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, TO THE NORTHWEST CORNER OF SAID SECTION 23, THE POINT OF BEGINNING.

WRITTEN: ARJ
CHECKED: CHS

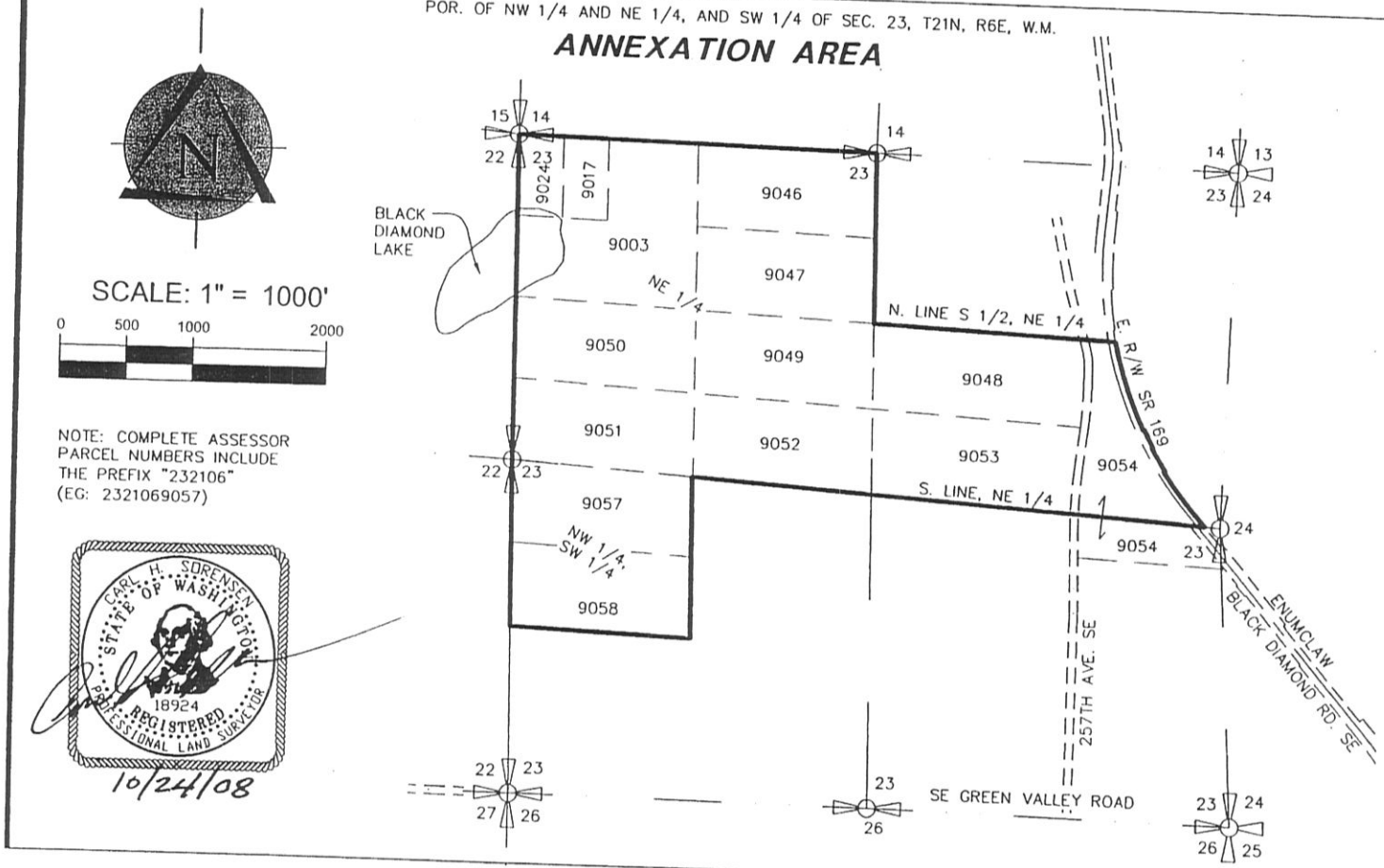
CARL H. SORENSEN
STATE OF WASHINGTON
18924
REGISTERED
PROFESSIONAL LAND SURVEYOR

10/24/08

TRIAD ASSOCIATES
S:\PROJECTS\05336\CORRSPNC\TRIAD LEGALS\053362008-10-24 UGA Annex.doc
12112 115th Avenue NE Kirkland, Washington 98034-9623
425.821.8448 · 800.488.0756 · Fax 425.821.3481
www.triadassoc.com
Land Development Consultants

POR. OF NW 1/4 AND NE 1/4, AND SW 1/4 OF SEC. 23, T21N, R6E, W.M.

ANNEXATION AREA



NOTE: COMPLETE ASSESSOR PARCEL NUMBERS INCLUDE THE PREFIX "232106" (EG: 2321069057)

CARL H. SORENSEN
STATE OF WASHINGTON
18924
REGISTERED PROFESSIONAL LAND SURVEYOR

10/24/08

TRIAD ASSOCIATES
12112 115th Ave. NE
Kirkland, WA 98034-6929
425.821.8448
www.triadassoc.com

BLACK DIAMOND

URBAN GROWTH AREA ANNEXATION EXHIBIT B

CITY OF BLACK DIAMOND, WASHINGTON

MANAGER:	AL FURE, PE
DESIGNED:	
CADD:	ARJ
CHECKED:	CHS
DATE:	10-24-08
SCALE:	HORIZ.: 1"=1000'
	VERT.:

JOB NUMBER 05-336

SHEET NUMBER 1 OF 1

10-06-08

Washington State Boundary Review Board
For King County

Yesler Building, Room 240, 400 Yesler Way, Seattle, WA 98104
Phone: (206) 296-6800 • Fax: (206) 296-6803 • http://www.kingcounty.gov/annexations

December 8, 2009

City of Black Diamond
Attn: Steven Munson, City Planner
Post Office Box 599
Black Diamond, WA 98010

RE: CLOSING LETTER FOR COMPLETED ACTION – File No. 2306 – City of Black Diamond – South Area Annexation

Dear Mr. Munson:

We are writing to advise you that the Boundary Review Board has now completed the required Evaluation, as specified in RCW 36.93, for the above-referenced proposed action filed with the Board effective: **October 21, 2009**.

The Boundary Review Board also provided a 45-day public review period **October 21 – December 7, 2009**, as prescribed by RCW 36.93. The Board received no request for a public hearing of this proposed action during the public review period.

The Boundary Review Board, therefore, hereby deems this proposed action approved effective: **December 7, 2009**. Final approval of the proposed action is also subject to the following actions, where applicable:

1. Sewer and Water District actions and some other actions are also subject to approval by the Metropolitan King County Council. If the Council makes changes to the proposal, the Board may then be required to hold a public hearing.

2. Filing with King County of franchise application(s), as required, accompanied by a copy of this letter.

3. Filing with King County of permit application(s), as required, accompanied by a copy of this letter.

4. Fulfillment of all other statutory requirements and/or procedures specified in your Notice of Intention.

THESE TWO

5. Notification in writing of your intended effective date of annexation. This notification should be provided as early as possible. Please send this information to Gwen Clemens, Chinook Building, King County Office of Strategic Planning & Performance Management (OSPPM), 401 Fifth Avenue, Suite 810, Seattle, Washington 98104, and

6. Filing with King County Council of: (1) one certified copy of final resolution or ordinance accomplishing this proposed action; and (2) a copy of this letter. This document should be filed with the Clerk of the Council (Attn: Anne Noris), King County Courthouse, Room 1025, Seattle, Washington 98104

If you have questions or would like additional information, please contact our office at 206-296-6800.

Sincerely,

Lenora Blauman

Lenora Blauman
Executive Secretary

cc: Anne Noris, Clerk of the Council
Dave Wilson, Elections Division
Kaaren Kane, Department of Assessment
Lydia Reynolds-Jones, Manager, Project Support Services
King County "911" Program
Paul Reitenbach, Department of Development & Environmental Services
Paula Adams, Department of Development & Environmental Services
Gwen Clemens, Office of Strategic Planning & Performance Management (OSPPM)
Connie Wong, Facilities Management Division, Real Estate Section
Anne Lockmiller, Facilities Management Division, Real Estate Section