

City of Spokane  
Department of Engineering Services  
808 W. Spokane Falls Blvd  
Spokane, WA 99201-3343

Ordinance No. **C 34170**

AN ORDINANCE AMENDING ORDINANCE C34042 TO PROVIDE FOR A NEW EFFECTIVE DATE FOR THE NORTH DIVISION ANNEXATION; AND DECLARING AN EMERGENCY.

WHEREAS, on April 16, 2007, the Spokane County Boundary Review Board executed a Resolution and Hearing Decision ("BRB Approval") approving the City's proposed annexation of a 120-acre area of land lying south of Cascade Way, west of Division Street and north of Francis Avenue in a portion of the east half of the east half of Sections 19 and 30, Township 26, Range 43, E.W.M. in Spokane County, commonly referred to as the North Division Annexation; and

WHEREAS, on June 4, 2007, the City Council adopted Ordinance C-34042 providing for annexation of the North Division Annexation Area, to become effective upon the later of either 30 days after its enactment or the effective date of the BRB Approval ("Annexation Ordinance"); and

WHEREAS, a copy of the Annexation Ordinance with attachments is attached to this ordinance as Exhibit "A"; and

WHEREAS, on May 15, 2007, the County filed a Notice of Appeal of the BRB Approval under Spokane County Superior Court Cause No. 07-2-02115-3 ("BRB Lawsuit"); and

WHEREAS, the parties have entered into an interlocal agreement concerning the impacts of the North Division Annexation, and have agreed to a stipulated dismissal of the BRB Lawsuit ("Settlement"); and

WHEREAS, as part of the Settlement, the parties agreed that the City would amend the Annexation Ordinance to provide for an effective date of April 1, 2008; and

WHEREAS, the City Council finds that providing for an effective date of April 1, 2008 for the North Division Annexation is necessary for the immediate preservation of the public peace, health or safety or for the immediate support of city government and its existing public institutions.

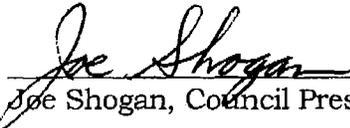
NOW, THEREFORE, the City of Spokane does ordain:

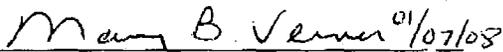
Section 1. Section 5 of Ordinance C34042 is hereby amended to read as follows:

Section 5. This Ordinance shall take effect and be in force on April 1, 2008. ~~the later of either 30 days after its enactment or the effective date of the Boundary Review Board's written decision under File NO. 607-07.~~

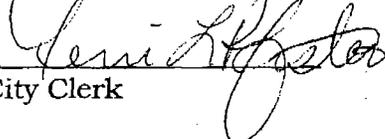
Section 2. This ordinance, passed pursuant to City Charter Section 19(a)(1) by a majority plus one of the whole membership of the City Council as a public emergency ordinance necessary for the immediate preservation of the public peace, health or safety or for the immediate support of city government and its existing institutions, shall be effective immediately upon its passage.

Passed by the City Council on January 2, 2008.

  
\_\_\_\_\_  
Joe Shogan, Council President

  
\_\_\_\_\_  
Mary Verner, Mayor (date)

Attest:

  
\_\_\_\_\_  
City Clerk

Approved as to form: 01-02-08  
EFFECTIVE DATE

  
\_\_\_\_\_  
Assistant City Attorney