

ORDINANCE NO. O2015-004

AN ORDINANCE of the City Council of the City of Tumwater, Washington, annexing certain contiguous property located adjacent to 93rd Avenue SW, Blomberg Road, and Interstate 5, in Thurston County, Washington, to the City of Tumwater.

WHEREAS, on June 27, 2014, pursuant to RCW 35A.14.120, the owners, of not less than ten percent (10%) in value according to the assessed valuation for general taxation of the property hereinafter described, notified the Tumwater City Council of their intent to commence proceedings for the annexation to the City of Tumwater of said property; and

WHEREAS, on August 19, 2014, at a regularly scheduled meeting, the Tumwater City Council met with the initiating parties and accepted the proposal to annex, determined the proposed annexation boundaries, and determined that properties within the newly annexed area will assume a proportionate share of indebtedness; and

WHEREAS, on December 23, 2014, the Thurston County Assessor certified that the petition to annex meets the sufficiency requirements of RCW 35A.01.040, including the requirement that it be signed by owners of more than sixty percent (60%) in value according to the assessed valuation for general taxation of said property; and

WHEREAS, on January 6, 2015, said petition was thereafter filed with the Tumwater City Council; and

WHEREAS, on January 6, 2015 the Tumwater City Council scheduled a public hearing on the proposed annexation for February 3, 2015; and

WHEREAS, the City Clerk of the City of Tumwater caused Notice of Public Hearing on the petition for annexation to be posted and published in the manner provided by law; and

WHEREAS, the annexation is consistent with the City of Tumwater adopted annexation policies, the County-wide Planning Policies, and the Joint Plan adopted by Thurston County and the City of Tumwater; and

WHEREAS, on February 3, 2015, a public hearing on said petition for annexation was held in the City Council Chambers of the City Hall; and the Tumwater City Council, having determined that the annexation of the hereinafter

described property to the City of Tumwater would be in the public interest and for the public welfare and in the best interest of the City of Tumwater and the citizens thereof; and

WHEREAS, on May 5, 2015 the Thurston County Boundary Review Board returned the annexation to the City of Tumwater for final action; and

WHEREAS, on May 19, 2015, the Tumwater City Council, having determined that the annexation of the hereinafter described property to the City of Tumwater would be in the public interest and for the public welfare and in the best interest of the City of Tumwater and the citizens thereof;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The property described in Exhibit A and depicted in Exhibit B attached hereto and by this reference incorporated herein as if fully set forth, is hereby annexed to the City of Tumwater.

Section 2. It is hereby further declared that upon annexation, the property described in Section 1 above shall be subject to existing indebtedness of the City of Tumwater. Zoning and land use designations shall be applied which are consistent with the Tumwater Comprehensive Plan. The Floodplain Overlay Zone shall be applied pursuant to the Tumwater Municipal Code and the Tumwater Comprehensive Plan. The Aquifer Protection Overlay Zone shall also be applied to the property described in Section 1 above.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 4. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 5. Effective Date. This ordinance shall become effective 12:00 a.m. Monday, June 1, 2015.

ADOPTED this 19th day of May, 2015.

CITY OF TUMWATER



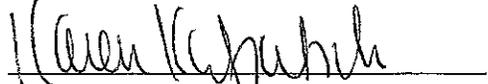
Pete Kmet, Mayor

ATTEST:



Melody Valiant, City Clerk

APPROVED AS TO FORM:



Karen Kirkpatrick, City Attorney

Published: 05-20-2015

Effective Date: 06-01-2015

BRACY & THOMAS

LAND SURVEYORS

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December 9, 2014

Description for the City of Tumwater**Proposed Puget Western – 93rd Avenue Annexation**

Those portions of Sections 16, 17, 20 and 21, Township 17 North, Range 2 West, W.M., described as follows:

Beginning at the one-quarter corner between said Sections 20 and 21;
running thence North 88°16'27" West along the South line of the Northeast quarter of said Section 20 a distance of 30.00 feet to the West right of way margin of Blomberg Street SW;
thence North 2°28'47" East along said West right of way margin and said margin extended Northerly 2,632.22 feet to the North line of said Northeast quarter of Section 20;
thence North 1°50'36" East parallel with and 30 feet Westerly of, when measured at right angles thereto, the East line of the Southeast quarter of said Section 17 a distance of 30.00 feet to the North right of way margin of 93rd Avenue SW;
thence South 88°08'11" East along said North right of way margin 30.00 feet to the West line of the Southwest quarter of said Section 16;
thence continuing along said North right of way margin of 93rd Avenue SW, South 88°14'32" East 525.92 feet to the Southwest corner of Lot 1 of Short Subdivision No. SS-1151 as recorded May 11, 1979 under Thurston County Auditor's File No. 1076774;
thence North 1°51'55" East along the West line of said Lot 1 a distance of 630.00 feet to its Northwest corner; said Northwest corner lies on the North line of the South 660 feet of the Southwest quarter of the Southwest quarter of said Section 16;
thence South 88°14'32" East along said North line and the North line of said Lot 1 a distance of 131.00 feet to the Northeast corner of said Lot and to the West line of the East half of said Southwest quarter of the Southwest quarter;
thence North 1°51'55" East along said West line 668.89 feet to the Northwest corner of said East half of the Southwest quarter of the Southwest quarter;
thence South 88°14'21" East along the North line of said East half of the Southwest quarter of the Southwest quarter 657.42 feet to the Northeast corner thereof; said point being on the West line of the Northeast quarter of said Southwest quarter;
thence North 1°53'14" East along said West line of the Northeast quarter of the Southwest quarter 664.43 feet to its intersection with the South line of the South 330 feet of the West 1,350 feet of the North quarter of said Southwest quarter;
thence South 88°14'15" East along said South line 34.66 feet to the East line of the West 1,350 feet of the North quarter of said Southwest quarter;

thence North $1^{\circ}50'36''$ East along said East line 330.00 feet to the Northeast corner of said South 330 feet of the West 1,350 feet of the North quarter of the Southwest quarter; thence North $88^{\circ}14'15''$ West along the North line of said South 330 feet of the West 1,350 feet of the North quarter of said Southwest quarter 34.40 feet to the West line of the Northeast quarter of said Southwest quarter; thence North $1^{\circ}53'14''$ East along said West line 334.43 feet to the Northwest corner of said Northeast quarter of the Southwest quarter; thence South $88^{\circ}14'09''$ East along the North line of said Northeast quarter of the Southwest quarter and the North line of the Northwest quarter of the Southeast quarter of said Section 16 a distance of 2,563.66 feet to the Easterly right of way margin of Primary State Highway No. 1, (SR-5), Maytown to Tunwater; said Easterly right of way margin lies 200 feet Southeasterly at right angles to the centerline of said Primary State Highway No. 1, (SR-5); thence South $13^{\circ}07'45''$ West along said Easterly right of way margin 1352.03 feet to its intersection with the South line of said Northwest quarter of the Southeast quarter and to an angle point in said Easterly right of way margin; thence continuing along said Easterly right of way margin, North $88^{\circ}25'33''$ West along said South line 51.03 feet to an angle point in said Easterly right of way margin, said angle point being a point on a line 150 feet Southeasterly of, when measured at right angles thereto, the centerline of said Primary State Highway No. 1; thence continuing along said Easterly right of way margin, South $13^{\circ}07'45''$ West 415.20 feet to its intersection with the right of way margin of the BA Line of the Lathrop Road Interchange, as delineated on Sheet 52 of 105 sheets, of Primary State Highway No. 1 (SR-5), Lewis County Line to Trosper Road, approved May 31, 1967; thence along the right of way margin of said BA Line, South $12^{\circ}41'33''$ East 682.46 feet and South $1^{\circ}25'27''$ West 207.43 feet to a point 50 feet Northerly and opposite of Highway Engineer's Station DB 15+10 as delineated on said Lathrop Road Interchange; thence South $1^{\circ}25'27''$ West 100.00 feet to a point 50 feet Southerly and opposite of said Highway Engineer's Station DB 15+10; said point is on the right of way margin of the CB Line of said Lathrop Road Interchange; thence along said right of way margin of the CB Line, South $1^{\circ}25'27''$ West 221.08 feet and South $40^{\circ}28'57''$ West 880.32 feet to a point on the Easterly right of way margin of said Primary State Highway No. 1, (SR-5), which lies 150 feet Southeasterly of, when measured at right angles thereto, the centerline of said Primary State Highway No. 1; thence South $13^{\circ}07'45''$ West along said Easterly right of way margin 2,477.67 feet to its intersection with the South line of the North 750 feet of the Northeast quarter of the Southwest quarter of said Section 21; thence leaving said Easterly right of way margin, along said South line of the North 750 feet, North $88^{\circ}16'27''$ West 408.06 feet to a point on the Westerly right of way margin of said Primary State Highway No. 1; said point lies 250 feet Northwesterly of, when measured at right angles thereto, the centerline of said Primary State Highway No. 1; thence South $13^{\circ}07'45''$ West along said Westerly right of way margin 586.92 feet to the South line of said Northeast quarter of the Southwest quarter and to an angle point in said Westerly right of way margin; thence continuing along said Westerly right of way margin, South $88^{\circ}24'15''$ East along said South line 102.06 feet to an angle point in said Westerly right of way margin; said

angle point lies 150 feet Northwesterly of, when measured at right angles thereto, the centerline of said Primary State Highway No. 1;
thence South $13^{\circ}07'45''$ West 840 feet, more or less, to the centerline of Hopkins Ditch;
thence Northwesterly along said centerline of Hopkins Ditch 800 feet, more or less, to the West line of the Southeast quarter of the Southwest quarter of said Section 21;
thence North $1^{\circ}21'58''$ East 580 feet, more or less, to the Northwest corner of said Southeast quarter of the Southwest quarter;
thence North $88^{\circ}24'15''$ West along the South line of the East half of the Northwest quarter of the Southwest quarter of said Section 21, said South line also being the South line of Lot 3 of Large Lot Subdivision No. LL-0247, recorded November 14, 1983 under Thurston County Auditor's File No. 8311140075, a distance of 658.92 feet to the Southwest corner of said East half of the Northwest quarter of the Southwest quarter and of said Lot 3;
thence North $1^{\circ}08'00''$ East along the West line of said Lot 3, said West line being the West line of the East half of the Northwest quarter of the Southwest quarter, a distance of 1328.69 feet to the Northwest corner of said Lot 3 and the Northwest corner of said East half of the Northwest quarter of the Southwest quarter;
and thence North $88^{\circ}16'27''$ West along the North line of said Northwest quarter of the Southwest quarter 664.33 feet to the one-quarter corner between said Sections 20 and 21 and to the point of beginning.
Situate in Thurston County, Washington.

