

ORDINANCE NO. 05-08

AN ORDINANCE OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, RELATED TO MODIFICATION OF BOUNDARIES OF SE 272ND STREET BETWEEN THE EAST CITY LIMIT LINE OF COVINGTON, CROSSING SE 272ND STREET AND THE WEST CITY LIMIT LINE OF MAPLE VALLEY, CROSSING SE 272ND STREET TO REMOVE KING COUNTY'S JURISDICTION IN THAT PORTION OF THE AFFECTED ROADWAY, PURSUANT TO RCW 35A.21.210.

WHEREAS, the City Council has determined that a revision of the corporate boundaries within street right of way by substituting right of way lines is in the best interest of the City of Covington; and

WHEREAS, recent annexation of properties to the north and south of SE 272nd Street have cut the street right-of-way into two capital improvement projects; and

WHEREAS, the aforementioned annexation has placed a portion of the north right-of-way development into both city and county jurisdictions; and

WHEREAS, planned right-of-way improvements to SE 272nd Street require additional right of way dedication on both the north and south side of the existing street; and

WHEREAS, said dedication of right of way creates confusion between City and County agencies and residents as to ownership and responsibility for maintenance and operations of the street(s); and

WHEREAS, the Covington's Urban Growth Boundary is at the south right-of-way line and the corporate limits of Covington are on the north right-of-way line; and

WHEREAS, RCW 35A.21.210 grants the City of Covington and King County the authority to revise corporate boundaries within streets by substitution of corporate lines when approved by ordinance by the City Council and by ordinance or resolution of King County; and

WHEREAS, RCW 35A.21.210 states such boundary revision is not subject to potential review by a boundary review board;

NOW, **THEREFORE**, the City Council of the City of Covington, King County, Washington do ordain as follows:

Section 1. In order to simplify jurisdictional issues as well as the ongoing maintenance of SE 272nd Street, the City of Covington hereby expresses its intent to fully include the full width of SE 272nd Street from the existing City Limits East to the West border of Maple Valley East of 211th Avenue SE as outlined in the legal description of boundary modification as stated in Exhibit "A" as attached.

Section 2. The City Manager is hereby authorized to enter into any agreements or perform any other acts necessary to complete this revision of the City's corporate boundary along SE 272nd Street, so long as consistent with the intent of this ordinance and RCW 35A.21.210.

Section 3. This ordinance shall be in full force and effect five days after its passage, approval, posting and publication as provided by law. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

Section 4. If any provision of this ordinance, or ordinance modified by it is determined to be invalid or unenforceable for any reason, the remaining provision of this ordinance and ordinances and/or resolutions modified by it shall remain in force and effect.

Passed by the City Council on the 26th day of February, 2008.



Mayor Margaret Harto

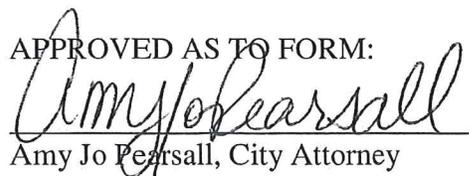
Attested:



Jackie R. Cronk, City Clerk

PUBLISHED: 03-05-08
EFFECTIVE: 03-10-08

APPROVED AS TO FORM:



Amy Jo Pearsall, City Attorney

Legal Description for the Incorporation of Boundary Roads
SE 272nd Street/SR – 516/Kent-Kangley Trunk Road/Charles M. Fouts Road
to the City of Covington

Those portions of Sections of 29, 30, 31 and 32, Township 22 North, Range 6 East, W. M., King County, Washington described as follows:

That portion of the SE 272nd Street / SR – 516 / Kent-Kangley Trunk Road / Charles M. Fouts Road right-of-way abutting and adjacent to the South City Limits of the City of Covington, as defined by City of Covington Ordinance No. 78-03, between the East City Limits of Covington, as annexed by City of Covington Ordinance No. 10-05, and the West City Limits of Maple Valley, as defined by King County Ordinance No. 12456.



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

September 9, 2008

Ordinance 16226

RECEIVED

DEC 30 2008

OFM DIRECTOR'S OFFICE

Proposed No. 2008-0404.1

Sponsors Dunn

1 AN ORDINANCE revising the corporate boundary of the
2 city of Covington to include a segment of the SE 272nd
3 Street right-of-way as provided for in RCW 35A.21.210.
4

5 **STATEMENT OF FACTS:**

- 6 1. The current city of Covington corporate boundary at SE 272nd Street
7 coincides with the north right-of-way line of SE 272nd Street between the
8 east city limit line of Covington and west city limit line of Maple Valley.
9 2. The city of Covington approved ordinance number 05-08 to revise its
10 corporate boundary at SE 272nd Street to fully include that segment of the
11 road right-of-way within the corporate limits of the city.
12 3. Recent annexations to the north and south of SE 272nd Street have
13 bisected the street right-of-way into two capital improvement projects for
14 the city.
15 3. The city's planned right-of-way improvements on SE 272nd Street
16 require additional right-of-way dedication on both the north and south
17 sides of the existing street.

18 4. The dedication of right-of-way will create confusion between city and
19 county agencies and residents as to ownership and responsibility for
20 maintenance and operations of the street.

21 5. It is in the city and King County's best interests to have the SE 272nd
22 Street right-of-way included within the corporate limits of the city of
23 Covington.

24 6. RCW 35A.21.210 authorizes "the governing bodies of a county and
25 any code city located therein may by agreement revise any part of the
26 corporate boundary of the city which coincides with the centerline, edge,
27 or any portion of a public street, road or highway right-of-way by
28 substituting therefore, a right-of-way line of the same public street, road or
29 highway so as fully to include or fully to exclude that segment of the
30 public street, road or highway from the corporate limits of the city."

31 7. Revision of the corporate boundary of a city is effective upon approval
32 by the city council and the county legislative authority as provided for in
33 RCW 35A.21.210.

34 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

35 SECTION 1. The revision of the corporate boundary of the city of Covington to
36

Ordinance 16226

37 include the segment of SE 272nd Street right-of-way, legally described as set forth in
38 Attachment A to this ordinance, is hereby approved.

39

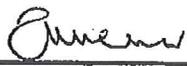
Ordinance 16226 was introduced on 8/25/2008 and passed by the Metropolitan King
County Council on 9/8/2008, by the following vote:

Yes: 7 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Mr. von Reichbauer, Mr.
Gossett, Mr. Phillips and Ms. Hague
No: 0
Excused: 2 - Ms. Lambert and Mr. Ferguson

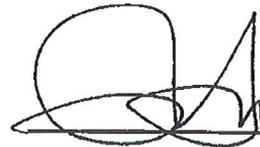
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Julia Patterson, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 15 day of SEPTEMBER 2008.


Ron Sims, County Executive

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KING COUNTY COUNCIL

Attachments A. Legal Description

Legal Description for the Incorporation of Boundary Roads
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