

ORDINANCE 1364

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, REVISING THE CITY LIMITS TO INCLUDE ALL OF SE 136TH STREET RIGHT-OF-WAY

WHEREAS, the City is currently designing and constructing a sewer system to serve the Tanner and Truck Town areas of the City under the financing of Utility Local Improvement District No. 6; and

WHEREAS, the City of North Bend's corporate boundary currently extends along the north margin of SE 136th Street from 436th Avenue SE eastward to the terminus of SE 136th Street, and

WHEREAS, a portion of the sewer system is planned to be located in the right-of-way of SE 136th Street which is currently within the jurisdiction of King County; and

WHEREAS, the proposed location of the sewer main is the most advantageous for routing and future service to the area; and

WHEREAS, it is in the City and King County's best interest to have this right-of-way under the City's jurisdiction so that the City may accomplish the construction of the sewer main in the roadway and other necessary road repairs under City codes and standards; and

WHEREAS, RCW 35.21.790 allows a revision of corporate boundaries within a public street, road, or highway by substitution of a right-of-way line so as to fully include the right-of-way within one particular jurisdiction; and

WHEREAS, a revision of corporate boundaries to include all of SE 136th Street in the City of North Bend would be a timely solution to allowing a sewer main in the roadway;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Revision of Corporate Boundaries. Upon approval of a similar ordinance or resolution by the Metropolitan King County Council, the corporate boundaries of the City of North Bend are and shall be revised to include all of SE 136th Street East in King County, Washington, between 436th Avenue SE and the easterly terminus of SE 136th Street, along with that portion of 436th Avenue SE at the intersection with SE 136th Street. The revised right-of-way, all of which is now included within the corporate boundaries of the City of North Bend, is legally described on the attached Exhibit "A"

and depicted on the map attached hereto as Exhibit "B", both of which exhibits are incorporated herein by this reference as if set forth in full.

Section 2. The Official Zoning Map as designated pursuant to Section 18.08.010 of the North Bend Municipal Code shall be amended to reflect incorporation of the real property described in Exhibit "A".

Section 3. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date: This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 6TH DAY OF OCTOBER, 2009.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: October 14, 2009
Effective: October 19, 2009

Cheryl Proffitt, City Clerk

City of North Bend/King County Boundary Adjustment

Legal Description

Those portions of the Northwest Quarter and the Southwest Quarter of Section 14 and the Northeast Quarter and the Southeast Quarter of Section 15, Township 23 North, Range 08 East, W.M., in King County, Washington described as follows:

Beginning at the Northwest corner of the Southwest Quarter of Section 14, Township 23 North, Range 08 East, W.M., in King County, Washington, also being the True Point of Beginning;

Thence east along the north line of said Quarter to the intersection of the East margin of 436th Avenue SE and the South margin of SE 136th Street;

Thence continuing East, North, East, and South East along said South margin of SE 136th Street to the West line of Lot 2, King County Short Plat 486045 under Recording No 8710191150;

Thence Northeast along the westerly line of said Lot 2 to the Northern most property corner of said Lot 2 and the former centerline of SR 90 – Echo Lake Interchange to Tanner per approved June 18, 1971 plans;

Thence North 36 40' 10" East along the Southeasterly right-of-way line of SE 136th Street, 60 feet to the Northeast right-of-way line of SE 136th Street;

Thence following said Northeast right-of-way line Northwest and West to the West right-of-way line of 436th Avenue SE;

Thence Southerly to the intersection of the South margin of SE 136th Street and the West margin of 436th Avenue SE;

Thence Southerly along said West margin of 436th Avenue SE to the North line of the Southeast Quarter of Section 15, Range 23 North, 08 East, W.M.;

Thence East along the North line of said Section to the True Point of Beginning.

City Of North Bend

Exhibit B Boundary Adjustment Map



Legend

- Existing City of North Bend Boundary
- City of North Bend Boundary Adjustment
- Parcel Boundary
- River, Lake, or Pond
- Creek or Stream
- Urban Growth Area Limits



GIS

0 250 500 Feet

North
SE
East
West

City of North Bend
GIS
Ground Information Boundary Value Exhibit A.mxd
Ground Information Boundary Value Exhibit B.pdf



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

March 9, 2010

Ordinance 16766

Proposed No. 2010-0071.1

Sponsors Lambert and Phillips

1 AN ORDINANCE revising the corporate boundary of the
2 city of North Bend to include all of SE 136th Street right-
3 of-way, as provided for in RCW 35.21.790.

4 **STATEMENT OF FACTS**

- 5 1. The city is currently designing and constructing a sewer system to
6 serve the Tanner and Truck Town areas of the city.
- 7 2. A portion of the sewer main is planned to be located in the right-of-way
8 of SE 136th Street.
- 9 3. The proposed location of the sewer main is the most advantageous for
10 routing and for future service to the area.
- 11 4. It is in the city and the county's best interests to have this right-of-way
12 under the city's jurisdiction so the city may accomplish the construction of
13 the sewer main in the roadway and other necessary road repairs under city
14 codes and standards.
- 15 5. The city's corporate boundary currently extends along the north margin
16 of SE 136th Street from 436th Avenue SE eastward to the terminus of SE
17 136th Street.

18 6. The city approved Ordinance number 1364 to revise its corporate
19 boundary at SE 136th Street to include all of the road right-of-way within
20 the corporate limits of the city.

21 7. RCW 35.21.790 authorizes "The governing bodies of a county and any
22 city or town located therein may by agreement revise any part of the
23 corporate boundary of the city or town which coincides with the
24 centerline, edge, or any portion of a public street, road or highway right-
25 of-way by substituting therefor a right-of-way line of the same public
26 street, road or highway so as fully to include or fully to exclude that
27 segment of the public street, road or highway from the corporate limits of
28 the city or town."

29 8. Revision of the corporate boundary of a city is effective upon approval
30 by the city council and the county legislative authority as provided for in
31 RCW 35.21.790.

32 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

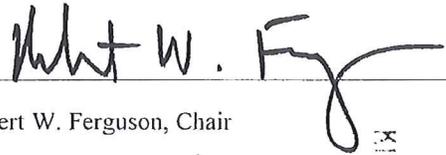
33 SECTION 1. The revision of the corporate boundary of the city of North Bend to

- 34 include the segment of SE 136th Street right-of-way, legally described as set forth in
35 Attachment A to this ordinance, is hereby approved.

Ordinance 16766 was introduced on 2/1/2010 and passed by the Metropolitan King County Council on 3/8/2010, by the following vote:

Yes: 9 - Ms. Drago, Mr. Phillips, Mr. von Reichbauer, Mr. Gossett,
Ms. Hague, Ms. Patterson, Ms. Lambert, Mr. Ferguson and Mr. Dunn
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Robert W. Ferguson, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 10th day of March, 2010.



Dow Constantine, County Executive

Attachments: A. City of North Bend-King County Boundary Adjustment Legal Description

RECEIVED
2010 MAR 11 PM 4:15
CLERK
KING COUNTY COUNCIL

ATTACHMENT A

**City of North Bend/King County Boundary Adjustment
Legal Description**

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Thence Northeast along the westerly line of said Lot 2 to the Northern most property corner of said Lot 2 and the former centerline of SR 90 – Echo Lake Interchange to Tanner per approved June 18, 1971 plans;

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Thence following said Northeast right-of-way line Northwest and West to the West right-of-way line of 436th Avenue SE;

Thence Southerly to the intersection of the South margin of SE 136th Street and the West margin of 436th Avenue SE;

Thence Southerly along said West margin of 436th Avenue SE to the North line of the Southeast Quarter of Section 15, Range 23 North, 08 East, W.M.;

Thence East along the North line of said Section to the True Point of Beginning.