

ORDINANCE NO. 1950 (2005)

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE AAGAARD ANNEXATION; CITY FILE NO. ANN2004-00002, PURSUANT TO THE DIRECT PETITION METHOD SET FORTH IN CHAPTER 35A.14 RCW; DESCRIBING THE BOUNDARIES THEREOF; REQUIRING SAID PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN SAID CITY; PLACING IN EFFECT THE INTERIM ZONING CLASSIFICATION OF R-40,000 ON SAID PROPERTY; DIRECTING THE PLANNING COMMISSION TO CONSIDER AND RECOMMEND PERMANENT ZONING; AND PROVIDING FOR AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

WHEREAS, pursuant to RCW 35A.14.120, the City received a notice of intent to annex certain property totaling approximately 2.54 acres of land, more commonly known as the proposed Aagaard Annexation; and

WHEREAS, the notice of intent to annex was signed by owners of property representing at least ten percent (10%) in value, according to assessed valuation for general taxation of the property, and

WHEREAS, pursuant to RCW 35A.14.120, the City Council of the City of Bothell met with the proponents of the Aagaard Annexation on March 14, 2005, to review the proposed annexation; expanded the proposed annexation to 3.07 acres to achieve more logical boundaries; found said modified proposed annexation to be a logical extension of the City corporate limits; and further found that 1) said property should assume its pro rata share of the City's bonded indebtedness and be assessed and pay taxes at the same rate and on the same basis as other property within the City; and that 2) said property should be assigned the interim R-40,000 zoning classification, consistent with the *Imagine Bothell...* Comprehensive Plan, to be effective upon annexation, with permanent zoning to follow; and authorized circulation of a petition to annex, to contain requirements 1 and 2 above, in accordance with state law, and to contain signatures representing the required sixty percent (60%) of the assessed valuation; and

WHEREAS, a valid petition was submitted in May, 2005; and

WHEREAS, after receipt of the valid petition the City notified the King County Boundary Review Board of the City's intent to annex the proposed area, and the Boundary Review Board reviewed and gave its approval of the proposed annexation; and

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WHEREAS, pursuant to RCW 35A.14.130 and proper notice, the City Council held a public hearing on November 21, 2005, to consider the proposed annexation; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Annexation. The real property commonly known as the Aagaard Annexation, City File No. ANN2004-00002, as legally described in Exhibit A and depicted in Exhibit B, both attached hereto and incorporated in full by this reference, shall be and is hereby annexed and made part of the City of Bothell.

Section 2. Assumption of Indebtedness. All property within the territory annexed hereby shall be assessed and taxed at the same rate and on the same basis as property within the City, including assessments for taxes and payment of any bonds issued or debts contracted prior to or existing as of the date of annexation.

Section 3. Zoning. The property as described in Exhibit A and depicted in Exhibit B attached hereto shall receive the interim zoning classification of R 40,000 pursuant to the *Imagine Bothell...* Comprehensive Plan and BMC 12.04.020 (Residential, 40,000 square feet minimum lot size). The Planning Commission is hereby directed to consider permanent zoning for this area in a public hearing and make a recommendation to the City Council, which shall hold its own hearing on the matter at least 30 days later, pursuant to RCW 35A.14.340.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Savings. The enactments of this ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this ordinance.

Section 6. Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 7. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect and the property shall be deemed annexed to the City (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED by the Bothell City Council this 21st day of November,
2005.



PATRICK EWING
MAYOR

ATTEST/AUTHENTICATED:



JOANNE TRUDEL
CITY CLERK

APPROVED AS TO FORM:



MICHAEL WEIGHT
OFFICE OF THE CITY ATTORNEY

FILED WITH THE CITY CLERK: November 10, 2005
PASSED BY THE CITY COUNCIL: November 21, 2005
PUBLISHED: December 23, 2005
EFFECTIVE DATE: December 7, 2005
ORDINANCE NO: 1950 (2005)

1950(2005)

SUMMARY OF ORDINANCE NO. 1950 (2005)

City of Bothell, Washington

On the 21st day of November, 2005, the City Council of the City of Bothell passed Ordinance No. 1950 (2005). A summary of the content of said Ordinance, consisting of the title, is provided as follows:

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE AAGAARD ANNEXATION, CITY FILE NO. ANN2004-00002, PURSUANT TO THE DIRECT PETITION METHOD SET FORTH IN CHAPTER 35A.14 RCW; DESCRIBING THE BOUNDARIES THEREOF; REQUIRING SAID PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN SAID CITY; PLACING IN EFFECT THE INTERIM ZONING CLASSIFICATION OF R-40,000 ON SAID PROPERTY; DIRECTING THE PLANNING COMMISSION TO CONSIDER AND RECOMMEND PERMANENT ZONING; AND PROVIDING FOR AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

The full text of this Ordinance will be mailed upon request.


JOANNE TRUDEL
CITY CLERK

FILED WITH THE CITY CLERK: November 10, 2005
PASSED BY THE CITY COUNCIL: November 21, 2005
PUBLISHED: December 2, 2005
EFFECTIVE DATE: December 7, 2005
ORDINANCE NO.: 1950 (2005)

1950(2005)

STATE OF WASHINGTON, COUNTY OF KING }
AFFIDAVIT OF PUBLICATION

PUBLIC NOTICE

Tom Meagher, being first duly sworn on oath that he is the Legal Advertising Representative of the

King County Journal

a daily newspaper, which newspaper is a legal newspaper of general circulation and is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in King County, Washington. The King County Journal has been approved as a Legal Newspaper by order of the Superior Court of the State of Washington for King County.

The notice in the exact form annexed was published in regular issues of the King County Journal (and not in supplement form) which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Public Notice

was published on December 2, 2005.

The full amount of the fee charged for said foregoing publication is the sum of \$98.00.


Tom Meagher

Legal Advertising Representative, King County Journal
Subscribed and sworn to me this 6th day of December, 2005.


Jody L. Barton

Notary Public for the State of Washington, Residing in Auburn, Washington
PO Number.

Cost of publishing this notice includes an affidavit surcharge.

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NO. 1950 (2005)**

City of Bothell, Washington
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the City Council of the City of Bothell
passed Ordinance No. 1950 (2005). A
summary of the content of said
Ordinance, consisting of the title, is
provided as follows:

AN ORDINANCE OF THE CITY
OF BOTHELL, WASHINGTON,
ANNEXING CERTAIN REAL
PROPERTY COMMONLY
KNOWN AS THE AAGAARD
ANNEXATION, CITY FILE NO.
ANN2004-00002, PURSUANT TO
THE DIRECT PETITION
METHOD SET FORTH IN
CHAPTER 35A.14 RCW;
DESCRIBING THE BOUND-
ARIES THEREOF; REQUIRING
SAID PROPERTY TO BE
ASSESSED AND TAXED AT THE
SAME RATE AND BASIS AS
OTHER PROPERTY WITHIN
SAID CITY; PLACING IN
EFFECT THE INTERIM ZONING
CLASSIFICATION OF R-40,000
ON SAID PROPERTY;
DIRECTING THE PLANNING
COMMISSION TO CONSIDER
AND RECOMMEND PERMAN-
ENT ZONING; AND PROVIDING
FOR AN EFFECTIVE DATE AND
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The full text of this Ordinance will
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JOANNE TRUDEL
CITY CLERK

FILED WITH THE CITY CLERK:

November 10, 2005

PASSED BY THE CITY COUNCIL:

November 21, 2005

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2005

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Published in the King County Journal

December 2, 2005. #848126

Ord. 1950 (2005)

Proposed Aagaard Annexation

Exhibit A Legal Description

That portion of the Section 8, Township 26 North, Range 5E, W.M., King County, Washington, described as follows:

Beginning at the southwest corner of the southeast quarter of the southwest quarter of said section 8;

Thence S 88°01'30" E, 250 feet;

Thence N 02°32'27" E, 165 feet to the south line of Lot 9 of Feaman Addition, Volume 63 of Plats, Page 64, records of King County Washington; which is also the south line of Lot 1 of King County Short Plat 177096, recording number 7705130585, King County Washington;

Thence easterly along said south line to the southeast corner thereof;

Thence northerly along the east line of said Lot 9 to the northeast corner thereof;

Thence westerly along the north line of said Lot 9 to the intersection with the southeast corner of Lot 8, of said plat;

Thence northerly along the east line of said Lot 8 to the northeast corner thereof;

Thence westerly along the north line of said Lot 8, and its extension thereof, to the west line of the east half of the southwest quarter of said section;

Thence southerly along said west line to the south line of said section 8, and the point of beginning.

