



ORDINANCE NO. 2011-03

AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN PROPERTY TO THE CITY OF LA CENTER (La Center Road et al.)

The La Center City Council adopts the following findings:

WHEREAS, the La Center City Council desires to annex 92 parcels of land and associated road and public utility rights-of-way comprising totaling approximately 583.14 acres of land within its Urban Growth Boundary, generally located west of the East Fork of the Lewis River, south of La Center Road (but including the gas station), east of the western edge of the I-5 right-of-way, north of 309th Street, as illustrated in Attachment A; and

WHEREAS, the City received a Notice of Intent to Annex pursuant to the so-called Direct Petition Method of RCW 35A.14.120, and the City Council accepted the proposal at its January 12, 2011, regular meeting; and

WHEREAS, the City received Petitions for Annexation which included signatures of the owners of record of more than 60% of the assessed value of the Annexation Territory on August 24, 2011; and

WHEREAS, the city submitted the Petitions for Annexation to the Clark County Assessor on August 19, 2011 for a determination of sufficiency; and

WHEREAS, the Clark County Assessor initiated determination of petition sufficiency on August 25, 2011 which is the "terminal date" as defined in RCW 35A.01.040, and

WHEREAS, the area proposed for annexation has a certified annexation value for general taxation of \$22,887,870, and

WHEREAS, the Clark County Assessor determined that the petition signatures, provided in compliance with RCW 35A.14.120 through 35A.14.150, have a combined total assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area, and

WHEREAS, the on August 26, 2011 Clark County Assessor declared and certified that the petition represents the affirmative consent of properties totaling more than 60% of the value according to the assessed valuation for general taxation purposes of the property proposed for annexation, and

WHEREAS, a SEPA Determination of Non-Significance on the annexation proposal was published on August 9, 2011; and

WHEREAS, the City provided public notice of the Petition and has provided an opportunity for comment thereon by all interested citizens at a duly called and noticed public meeting; and

WHEREAS, at its regular meeting on August 24, 2011, the City Council received and reviewed all of the documentation associated with this annexation proposal, received public testimony, and found that the Petition met the applicable requirements of RCW 35A.01.040 and accepted the Petition pursuant to the Direct Petition Method in RCW 35A.14.120 and LCMC 18.290; and

WHEREAS, the Clark County Boundary Review Board has been disbanded and therefore has no jurisdiction to invoke over the proposed annexation; and

WHEREAS, the City Council finds this annexation to be in the public's interest;

NOW THEREFORE, based on the foregoing Findings, the La Center City Council ordains as follows:

Section 1 - Annexation. The following real properties, described by Assessor's Parcel Number and current owner's name, including road and public utility rights-of-way, are proposed for annexation and consist of approximately 583.14 acres and 92 parcels of land (collectively the "Annexation Territory"): 211229-000 (BALINT DAVID M ESTATE OF); 211527-000 (BARNES GARY S & BARNES JERI TRUSTEES); 211465-000 (BECK LOREN P & BECK OVETA K TRUSTEES); 211278-000 (BEYER STAN & BEYER CYNTHIA); 986027-897 (BLACK RODNEY & BLACK STEPHANIE); 211449-000 (BRANNON LLOYD & BRANNON EDITH); 211459-000 (BRANNON LLOYD & BRANNON EDITH); 209283-000 (BRENOT DOROTHY); 601729-000 (BREWSTER RONALD G); 209284-005 (BROADWATER MICHAEL EDWARD & CARLSON CHRISTINE CLEESE CO-TRUSTEES); 209286-000 (BROADWATER TOM & BROADWATER DANIEL); 209284-000 (BROADWATER TOM & BROADWATER DANIEL); 211230-000 (BURK LAURA & BURK DEFORD MAHLON); 602310-000 (CARLSON CARL & CARLSON CORAMAE); 211225-000 (CARLSON CORAMAE 50%); 211243-000 (CARLSON INVESTMENTS LLC 50%); 211258-000 (CARLSON INVESTMENTS LLC 50%); 211262-000 (CARLSON INVESTMENTS LLC 50%); 211266-000 (CARLSON INVESTMENTS LLC 50%); 211245-000 (CARLSON INVESTMENTS LLC 50%); 211215-000 (CARLSON INVESTMENTS LLC); 211235-000 (CARLSON INVESTMENTS LLC); 211226-000 (CARLSON INVESTMENTS LLC); 211224-000 (CARLSON INVESTMENTS LLC); 211209-000 (CARLSON INVESTMENTS LLC); 211242-000 (CARLSON INVESTMENTS LLC); 211454-000 (CARROLL DAVID & CARROLL MARY); 211511-000 (CHRISTENSEN JERRY & CHRISTENSEN JEANNE E TRUSTEES); 211263-000 (CIRCLE C CORP); 211264-000 (CIRCLE C CORP); 211216-000 (COLF ROBERT); 211280-000 (COLF ROBERT); 209278-000 (DOYLE TRUDY MARTINE); 211526-000 (DYSON JAMES A & DYSON SHIRLENE N); 211484-000 (ERICKSON ELIZABETH K); 211520-000 (ERICKSON ELIZABETH K); 211521-000 (ERICKSON ELIZABETH K); 211446-000 (FIELDS EDNA RUTH);

211487-000 (FLACK JENNIFER M); 211452-000 (GAINNEY KENNETH C); 211482-000 (GOODWIN MARK & GOODWIN LAURIE); 209276-000 (HEADLEY STEVEN C & HEADLEY LESLIE A); 209290-000 (HEADLEY STEVEN C & HEADLEY LESLIE A); 610631-000 (HEADLEY STEVEN C & HEADLEY LESLIE A); 211505-000 (HOMOLA DELBERT D & HOMOLA HAZEL L TRUSTEES); 211460-000 (HORD MICHAEL & HORD RUTH); 610977-000 (HUDSON RONALD E & HUDSON L ROXANN); 211440-000 (HUDSON RONALD K); 211248-000 (JARAMILLO JESUS J & JARAMILLO HILDA); 211450-000 (JOHNSON ESTHER TRUSTEE); 607533-000 (KIRK MAXINE); 209284-010 (KRAEMER LARRY); 209703-000 (LANDON GLORIA); 209704-000 (LANDON GLORIA); 211255-000 (MARTIN RICHARD D TRUSTEE); 211279-000 (MCCUDDY MATT & MCCUDDY LAURIE); 211515-000 (MCLEAN ALAN & MCLEAN DAINA); 211261-000 (MEEK HOWARD S & MEEK JULIE E); 209738-000 (MINIT MANAGEMENT LLC); 211238-000 (MORRISON NORA H); 211470-000 (NORTHWEST NATURAL GAS COMPANY); 211471-000 (NORTHWEST PIPELINE); 211286-000 (OLIVA STEVEN & OLIVA JANICE); 211276-000 (OLIVA STEVEN J & OLIVA JANICE D); 211277-000 (OLIVA STEVEN J & OLIVA JANICE D); 211206-000 (OLIVA STEVEN J & OLIVA JANICE D); 211249-000 (OSTRAND PAUL); 211510-000 (PLOSS CRAIG R & PLOSS JOAN C); 211250-000 (REED GEORGE & REED KATHY); 211458-000 (RELYEA JAMES & RELYEA JUDITH ETAL); 211217-000 (RELYEA JAMES & RELYEA JUDITH); 607821-000 (RELYEA JAMES); 211457-000 (ROBINSON TRACY R); 211260-000 (SANDHU DIAL & SANDHU JASWANT); 211518-000 (SCHUTT PEGGY); 211517-000 (SCHUTT PEGGY); 211479-000 (SHORES DOUGLAS E & SHORES VICKI L); 211513-000 (SNYDER TONYA R & SNYDER JOHN W); 211523-000 (SODER LEE V); 211524-000 (SOLIAS JOELLEN & SOLIAS SOLIAS GENO); 211267-000 (SPITZER WILLIAM & SPITZER ANITA); 211519-000 (TERRY HASKELL HOWELL); 211461-000 (TIPTON GARY & TIPTON CHERYL 80%); 986027-898 (TIPTON GARY & TIPTON CHERYL 80%); 986027-899 (TIPTON GARY & TIPTON CHERYL 80%); 209708-000 (VANVESSEM JOHN & VANVESSEM SHANNA); 209284-015 (WEBSTER JUNIOR & WEBSTER DONNA); 211491-000 (WILSON PHILLIP W & WILSON MELODY A); 211257-000 (WING TODD & WING COLLEEN); 209282-000 (WOOLDRIDGE THOMAS W (C/S)); 211256-000 (ZARIK FRANK J), and; 211525-000 (ZUVER DAVID L & ZUVER JULIE A).

All of the Annexation Territory, as illustrated in Attachment A, attached hereto and incorporated herein by this reference, is hereby annexed and incorporated into the City of La Center.

Section 2 – Annexation of public rights-of-way. All federal, state, and local public rights-of-way within or abutting the Annexation Territory are hereby annexed and incorporated into the City of La Center.

Section 3 - Land Use Designation and Zoning. Land within the Annexation Territory is hereby designated as R1-7.5 (Urban Low Residential), MX (Mixed Use); C2 (Commercial); and TLI (Targeted Light Industrial) as illustrated in Attachment B, attached hereto and

incorporated herein by this reference. Any Urban Holding (UH-10) overlay designation within the Annexation Territory is hereby removed.

Section 4 - Assessment and Taxation. Land within the Annexation Territory shall be assessed and taxed by the City in the same manner as other similarly situated property within the City as of the effective date of this Ordinance.

Section 5 – Severability. If any portion of this ordinance is found to be invalid or unenforceable for any reason, such finding shall not affect the validity or enforceability of any other provision of this ordinance.

Section 6 –Transmittal. The City Clerk shall:

1. File a certified true copy of this Ordinance, with the Clark County Board of Commissioners and the Clark County Assessor pursuant to LCMC 18.290.050.
2. Record a certified true copy of this Ordinance with the County Auditor pursuant to LCMC 18.290.050.
3. Provide notice of this annexation to the Office of Financial Management pursuant to RCW 35A.14.700.

Section 7 -Effective Date: This ordinance shall be effective upon adoption and publication as required by law.

Approved and adopted this 14th day of September 2011 by a majority of the La Center City Council.

AYES: _____
 NAYS: _____
 ABSTAIN: _____
 ABSENT: _____

James T. Irish, Mayor

ATTEST:

Approved as to form:

Suzanne Levis, Finance Director/Clerk

Daniel Kearns, City Attorney