

ORDINANCE NO. O2013-007

AN ORDINANCE of the City Council of the City of Tumwater, Washington, annexing 27 acres of land in the Tumwater Urban Growth Area immediately adjacent to Prine Road into the City of Tumwater.

WHEREAS, on October 3, 2012, 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 November 20, 2012, 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 31, 2012, 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 8, 2013, said petition was thereafter filed with the Tumwater City Council; and

WHEREAS, on January 8, 2013 the Tumwater City Council scheduled a public hearing on the proposed annexation for February 5, 2013; 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 5, 2013, 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 April 25, 2013 the Thurston County Boundary Review Board returned the annexation to the City of Tumwater for final action; and

WHEREAS, on May 21, 2013, 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 thirty (30) days after passage, approval and publication as provided by law.

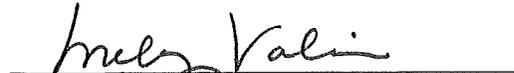
ADOPTED this 21st day of May, 2013.

CITY OF TUMWATER



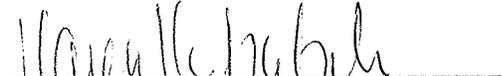
Pete Kmet, Mayor

ATTEST:



Melody Valiant, City Clerk

APPROVED AS TO FORM:



Karen Kirkpatrick, City Attorney

Published: 05-23-2013

Effective Date: 06-22-2013

EXHIBIT A
Legal Description

TAX PARCEL NO. 09230011001

LOT 2 OF THURSTON COUNTY SHORT SUBDIVISION NO. SS-2146, AS RECORDED JULY 10, 1986,
UNDER THURSTON COUNTY AUDITOR'S FILE NO. 8607100126.

TAX PARCEL NO. 09230011002

THAT PART OF THE CORNELL DONATION CLAIM NO. 40, TOWNSHIP 17 NORTH, RANGE 2 WEST,
W.M.; DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF GOVERNMENT LOT 1, SECTION 10, TOWNSHIP 17
NORTH, RANGE 2 WEST, W. M.; THENCE NORTH 1°57'20" EAST ALONG THE WEST LINE OF SAID
SECTION 10 282.00 FEET; THENCE NORTH 88°02'20" WEST 1268.56 FEET TO THE TRUE POINT OF
BEGINNING; THENCE SOUTH 1°57'40" WEST 298.34 FEET; THENCE NORTH 88°02'20" WEST 128.42
FEET; THENCE NORTH 33°32'47" WEST 175.00 FEET TO THE SOUTHERLY LINE OF A 30 FOOT ROAD AS
SHOWN ON THE FACE OF THE UNRECORDED PLAT OF ELLIS LAND COMPANY; THENCE
NORTH 44°54'01" EAST ALONG SAID SOUTHERLY LINE 212.94 FEET; THENCE CONTINUING ALONG
SAID SOUTHERLY LINE SOUTH 88°02'20" EAST 85.00 FEET TO THE TRUE POINT OF BEGINNING.

TAX PARCEL NO. 09230011003

LOT 1 OF THURSTON COUNTY SHORT SUBDIVISION NO. SS-2146, AS RECORDED JULY 10, 1986,
UNDER THURSTON COUNTY AUDITOR'S FILE NO. 8607100126.

TAX PARCEL NO. 09230011004

LOT 3 OF THURSTON COUNTY SHORT SUBDIVISION NO. SS-2146, AS RECORDED JULY 10, 1986,
UNDER THURSTON COUNTY AUDITOR'S FILE NO. 8607100126.

TAX PARCEL NO. 09230011004

LOT 4 OF THURSTON COUNTY SHORT SUBDIVISION NO. SS-2146, AS RECORDED JULY 10, 1986,
UNDER THURSTON COUNTY AUDITOR'S FILE NO. 8607100126.

TAX PARCEL NO. 09230017000

THAT PART OF CORNELL DONATION CLAIM NO. 40, TOWNSHIP 17 NORTH, RANGE 2 WEST, W.M.,
DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT 429.1 FEET WEST OF THE SOUTHWEST CORNER OF GOVERNMENT LOT 1 OF
SECTION 10, SAID TOWNSHIP AND RANGE; RUNNING THENCE NORTH 289 FEET, WEST 429.2 FEET,
AND SOUTH 101.5 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF TRACT CONVEYED TO FRED
SCOTT AND WIFE BY DEED DATED JULY 18, 1932 AND RECORDED IN VOLUME 142 OF DEEDS, PAGE
348; THENCE EAST 429.2 FEET AND NORTH 726 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;
EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR PRIMARY STATE HIGHWAY
NO. 1 RECORDED UNDER FILE NOS. 520231 AND 759011.

TAX PARCEL NO. 09230022000

PARCEL A:

THAT PART OF CORNELL DONATION CLAIM NO. 40, TOWNSHIP 17 NORTH, RANGE 2 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SECTION 9 SAID TOWNSHIP AND RANGE, 718 FEET SOUTH OF THE SOUTHWEST CORNER OF LOT 1 OF SECTION 10 SAID TOWNSHIP AND RANGE; RUNNING THENCE SOUTH ALONG SAID EAST LINE OF SECTION 9, 564 FEET; THENCE NORTH 89°30' WEST 858.3 FEET, NORTH 564 FEET AND SOUTH 89°30' EAST 858.3 FEET TO THE POINT OF BEGINNING; EXCEPT THAT PORTION LYING EAST OF STATE HIGHWAY; EXCEPTING THEREFROM ANY PORTION LYING IN 100 FOOT WIDE STRIP CONVEYED TO THE PORTLAND AND PUGET SOUND RAILROAD COMPANY BY DEED DATED NOVEMBER 29, 1890 AND RECORDED IN VOLUME 24 OF DEEDS PAGE 242; AND EXCEPTING ALSO PORTION CONVEYED TO THE STATE OF WASHINGTON FOR HIGHWAY PURPOSES;

PARCEL B

THAT PORTION OF THE CORNELL DONATION CLAIM NO 40, TOWNSHIP 17 NORTH, RANGE 2 WEST, W.M. DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 718 FEET SOUTH AND 858.3 FEET NORTH 89°30' WEST FROM THE SOUTHWEST CORNER OF TRACT CONVEYED TO FRED SCOTT AND WIFE BY DEED DATED JULY 18, 1932 AND RECORDED IN VOLUME 142 OF DEEDS, PAGE 348, RECORDS OF THURSTON COUNTY; THENCE SOUTH 145 FEET; THENCE NORTHWESTERLY IN AN ARC ALONG THE EXISTING FENCE LINE TO A POINT 21 FEET SOUTH OF THE SOUTH LINE OF THE FRED SCOTT TRACT ABOVE REFERRED TO AND 75 FEET 6 INCHES WEST OF THE EAST LINE OF THIS DESCRIPTION; THENCE WEST PARALLEL WITH SAID SOUTH LINE OF SAID FRED SCOTT TRACT TO THE COUNTY ROAD KNOWN AS PRINE ROAD; THENCE NORTHERLY ALONG THE COUNTY ROAD 21 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF THE FRED SCOTT TRACT; THENCE EASTERLY ALONG THE SOUTH LINE OF THE SAID FRED SCOTT TRACT TO POINT OF BEGINNING.

TAX PARCEL NO. 09230023000

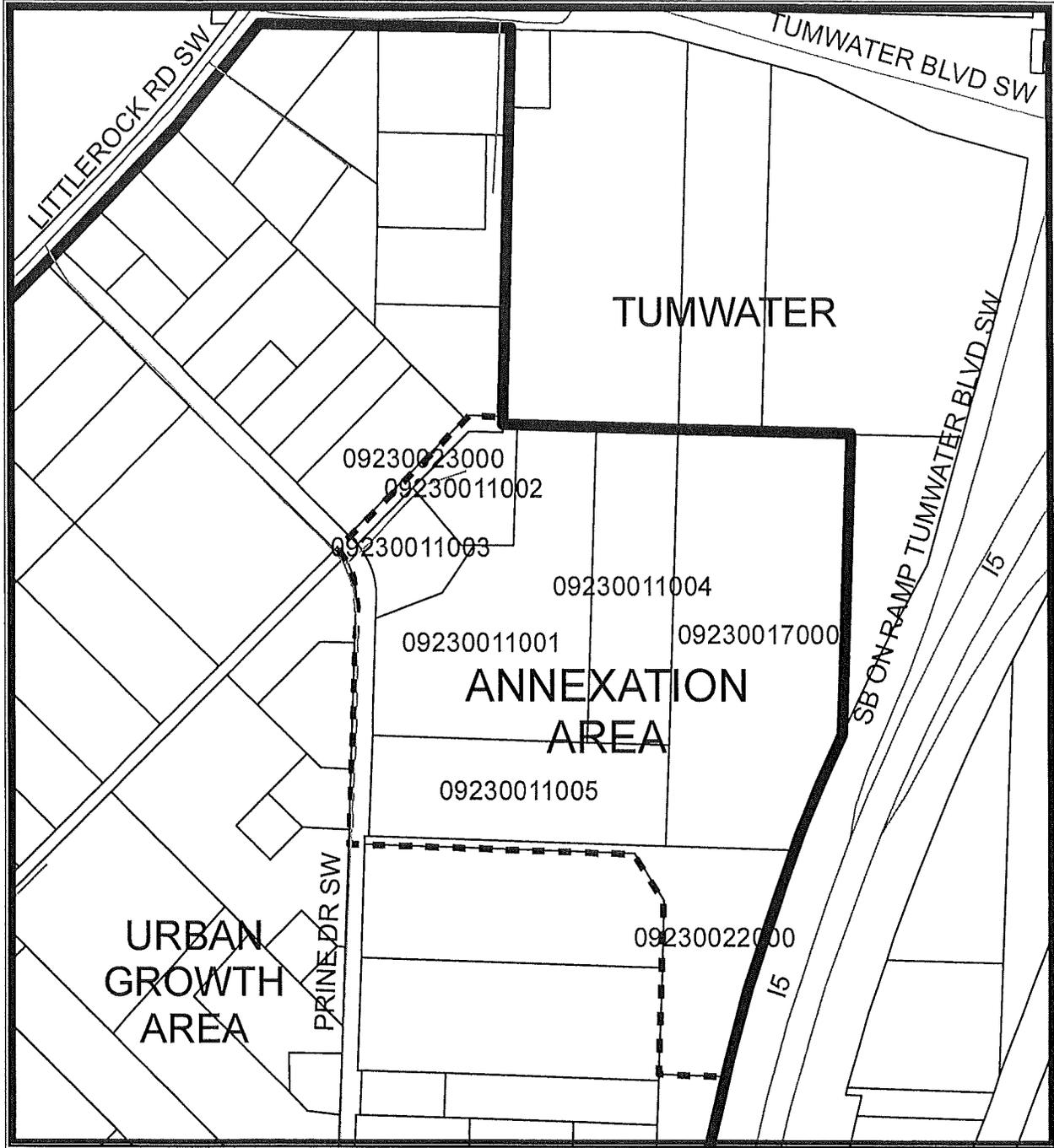
THAT PORTION OF THE 30 FOOT WIDE STRIP RESERVED FOR ROAD AS SHOWN ON THE UNRECORDED PLAT OF ELLIS LAND COMPANY LYING NORTHERLY AND EASTERLY OF PRINE DRIVE.

ALSO, ALL OF THE RIGHT-OF-WAY OF PRINE DRIVE ABUTTING THE ABOVE DESCRIBED PARCELS.



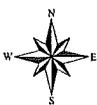
12/05/2012

Prine Drive SW Annexation (Ord. No. O2013-007)



Legend

-  PRINE DRIVE ANNEXATION AREA
-  Tumwater City Limits



1 inch = 400 feet

DISCLAIMER: The City of Tumwater does not warrant, guarantee, or accept any liability for the accuracy, precision, or completeness of any information shown hereon or for any inferences made therefrom.

Tumwater Community Development Department
June 4, 2013