

ORDINANCE NO. 980

AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF RIDGEFIELD APPROXIMATELY 46 ACRES OF CERTAIN REAL PROPERTIES LOCATED WITHIN THE RIDGEFIELD URBAN GROWTH AREA, AND ASSIGNING THE ZONING OF THE ANNEXED AREA AS PUBLIC FACILITY

WHEREAS, annexations to the City of Ridgefield are regulated by Chapter 35A.14 RCW (Annexation by Code Cities); and,

WHEREAS, RCW 35A.14.005 prohibits annexations beyond urban growth areas; and

WHEREAS, RCW 35A.14.010 provides that an unincorporated area lying contiguous to a code city may become part of the charter code city or noncharter code city by annexation; and

WHEREAS, RCW 35A.14.420 provides an alternative direct petition annexation method which requires that prior to circulating a petition for annexation, the initiating party or parties, who shall be owners of not less than ten percent of the acreage for which annexation is sought, shall notify the legislative body of a charter code city or noncharter code city; and,

WHEREAS, on August 31, 2007, the Superintendent of Ridgefield School District No. 122 submitted to the City of Ridgefield a notice of intent to annex certain Ridgefield School District No. 122 real property located in the southeast quarter of Section 29, the southwest quarter of Section 29, and the northeast quarter of Section 32, all in Township 4 North, Range 1 East, Willamette Meridian; and

WHEREAS, on September 27, 2007, the City Council of the City of Ridgefield adopted Resolution No. 345 to accept the proposed annexation with authorization to commence annexation proceedings; and,

WHEREAS, on October 24, 2007 according to RCW 35A.14.420 and RCW 28A.335.110, members of the Board of School District No. 122, acting as the sole owner of the proposed annexation area, and the Superintendent of Ridgefield School District No. 122 signed and submitted a petition for the proposed annexation; and

WHEREAS, the proposed annexation area is within the Ridgefield Urban Growth Area as shown on RIDGEFIELD URBAN GROWTH AREA COMPREHENSIVE PLAN MAP as adopted by Board of Clark County Commissioners on September 25, 2007, Ordinance No. 2007-09-13; and

WHEREAS, the proposed annexation boundary is contiguous to the east boundary of an area annexed through Ordinance No. 617; and,

WHEREAS, RCW 43.21C.222 exempts annexation of territory by a city or town from compliance with the chapter entitled State Environmental Policy; and

WHEREAS, RCW 35A.14.430 provides that the legislative body of a code city may entertain a petition for annexation and fix a date for a public hearing thereon and cause notice of the hearing to be published in one or more issues of a newspaper of general circulation in the city, and post in three public places within the territory proposed for annexation, and shall specify the time and place of hearing and invite interested persons to appear and voice approval or disapproval of the annexation; and,

WHEREAS, the City Council set February 14, 2008 for a public hearing at the regular meeting of the City Council, notice of the hearing was published in the January 30, 2008 The Reflector, and notice was posted in three public places and on site; and

WHEREAS, the City Council of the City of Ridgefield held and closed a public hearing on the proposed annexation at its regular meeting on February 14, 2008; and

WHEREAS, RCW 35A.14.440 provides that after the public hearing, if the legislative body determines to effect the annexation, then they shall do so by ordinance and file a copy of the ordinance with the board of county commissioners

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Annexation. The City of Ridgefield hereby annexes into the corporate limits of the City of Ridgefield the area as shown in dark boundary on Exhibit 1, consisting of: 1) an area that is to abut and be contiguous to any adjacent boundaries of the existing corporate limits and being all of that portion of a survey record in Book 53 of Surveys, Page 153; and 2) that portion of the entire right-of-way of NW Hillhurst Road that abuts said survey above and as shown in survey record in Book 24 of Surveys, Page 33, and terminating in the northwesterly direction along the existing corporate limits and in the southeasterly direction long the easterly extension of the southerly boundary line of said survey recorded in Book 53, Page 153, to the easterly right-of-way of NW Hillhurst Road, being within the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29 and the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 32, all in Township 4 North, Range 1 East, W.M., Clark County, Washington.

SECTION 2. Zoning. The zoning of the annexed area shall be Public Facility, and the Urban Holding-20 designation shall be removed as a result of annexation.

SECTION 3. The City of Ridgefield will require the assumption of all existing city indebtedness by the area to be annexed to the extent authorized by law.

SECTION 4. City Filing of Certificate with Washington State Office of Financial Management. A Certificate of Annexation shall be filed with the Washington State

Office of Financial Management within thirty (30) calendar days of the effective date of this ordinance.

SECTION 5. City Filing with Clark County. A certified copy of the adopted ordinance shall be separately filed with the Board of Clark County Commissioners and the Clark County Department of Assessment and GIS.

SECTION 6. Severability. If any section, sentence, clause or phrase of this ordinance shall 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 7. Effective Date. This ordinance shall be in full force and effect five (5) calendar days after adoption and publication pursuant to law.

SECTION 8. Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical 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.

ADOPTED AT A REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF
RIDGEFIELD, WASHINGTON THIS 14th DAY OF FEBRUARY, 2008.

CITY OF RIDGEFIELD

Matt Swindell
Mayor Pro Tempore

Attest:

Kay Kammer, City Clerk

Approved as to Form:

Chris Sundstrom, City Attorney

Date of First Reading:	January 24, 2008
Date of Public Hearing:	February 14, 2008
Date of Adoption:	February 14, 2008
Date of Publication:	February 20, 2008
Effective Date:	February 5, 2008