

**CITY OF SAMMAMISH  
WASHINGTON**

ORDINANCE NO. O2010-280

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**AN ORDINANCE OF THE CITY OF SAMMAMISH ANNEXING THE ALDARRA ESTATES AND MONTAINE SUBDIVISIONS EFFECTIVE JULY 10, 2010.**

WHEREAS, RCW 35A.14.120 provides that “proceedings for initiating annexation of unincorporated territory to a charter code city or non-charter code city may be commenced by the filing of a petition of property owners of the territory proposed to be annexed,” but that “prior to the circulation of a petition for annexation, the initiating party or parties, who shall be the owners of not less than ten percent in value, according to the assessed valuation for general taxation of the property for which annexation is sought, shall notify the legislative body of the code city in writing of their intention to commence annexation proceedings;” and

WHEREAS, the Aldarra subdivision is contiguous and located in unincorporated King County directly north of SE Duthie Hill Road and east of Trossachs Boulevard SE in a Potential Annexation Area (PAA) adopted by the City Council in 2006 and 2007; and

WHEREAS, the Montaine Subdivision is located south of SE Duthie Hill Road and just east of 273<sup>rd</sup> Avenue SE in a Potential Annexation Area (PAA) adopted by the City Council in 2006 and 2007; and

WHEREAS, on April 21, 2008 the City Council adopted Ordinances O2008-O228 and –O229, which adopted contingent zoning and comprehensive plan land use designations for such PAAs to be effective upon their annexation; and

WHEREAS, on February 27, 2009, residents of the Aldarra/Montaine subdivisions notified the city of their intent to commence annexation proceedings, by submitting a letter with the signatures of the owners of not less than ten percent in value of the proposed annexation area; and

WHEREAS, on April 7, 2009 as part of the regular City Council meeting the City Council approved resolution R2009-362 that accepted the 10 percent annexation petition and authorized the initiating parties to circulate an annexation petition seeking the signatures of the owners of at least 60% of the assessed valuation of property within the annexation area; and

WHEREAS, on February 1, 2010 a petition was submitted to the City of Sammamish that included the signatures of the owners of at least 60% of the assessed valuation of property within the annexation area; and

WHEREAS, pursuant to RCW 35A.01.040 (9), the petition was forwarded to the King County Assessor for a determination as to the sufficiency of signatures thereon; and

WHEREAS, on February 24, 2010 the King County Assessor determined that the petition contains the signatures of the owners of 60% of the assessed valuation of property located within the proposed Aldarra/Montaine subdivisions, and so notified the City of Sammamish of that determination in writing; and

WHEREAS, on March 2, 2010 and March 16, 2010 the Sammamish City Council held a public hearing following publication of notice thereof as provided in RCW 35A.14.130; and

WHEREAS, the City of Sammamish desires to annex the area described and shown in the petition.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. Annexation. The City of Sammamish hereby annexes those portions of the Aldarra/Montaine subdivisions which are legally described in Exhibit A and depicted on the map in Exhibit B (“Aldarra/Montaine Property”), which exhibits are attached hereto and incorporated herein by reference. The City Manager or designee is authorized to prepare and submit a Notice of Intention to annex the Aldarra/Montaine Property to the King County Boundary Review Board.

Section 2. Conditions Upon Annexation.

A. Comprehensive Plan and zoning designations. All properties within the Aldarra/Montaine Property shall be subject to the Comprehensive Plan and zoning designations previously adopted and set forth in City of Sammamish Ordinance Nos. 2008-0228 and 2008-0229.

B. Assumption of Existing Indebtedness. All property within the Aldarra/Montaine subdivisions shall be assessed and taxed at the same rate and on the same basis as the property in the City of Sammamish is assessed and taxed to pay for the portion of outstanding city indebtedness, if any, which indebtedness has been approved by the voters, contracted for, or incurred prior to, or existing at, the effective date of the annexation in Section 1 of this Ordinance.

Section 3. Effective Date. **This ordinance shall be effective on July 10, 2010, following passage and publication as provided by law and the King County Boundary Review Board’s approval of the annexation of the Aldarra/Montaine Property.**

Section 4. Certification of Ordinance to King County. Pursuant to RCW 35A.14.140, upon passage the City Clerk is directed to file a certified copy of this Ordinance with the King County Council.

Section 5. 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.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE 16<sup>th</sup> DAY OF March, 2010**

CITY OF SAMMAMISH

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Deputy Mayor Nancy Whitten

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

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Approved as to form:

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Bruce L. Disend, City Attorney

Filed with the City Clerk:	February 22, 2010
Public Hearing:	March 2, 2010
First Reading:	March 2, 2010
Public Hearing:	March 16, 2010
Passed by the City Council:	March 16, 2010
Publication Date:	March 19, 2010
Effective Date:	July 10, 2010