

ORDINANCE NO. 09-931

AN ORDINANCE OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON ANNEXING PURSUANT TO RCW 35A.14.140 CERTAIN UNINCORPORATED TERRITORY; PROVIDING FOR THE ASSUMPTION OF THE EXISTING INDEBTEDNESS; AND ZONING SAID TERRITORY IN ACCORDANCE WITH CHAPTER 18 OF THE BLACK DIAMOND MUNICIPAL CODE (ZONING)

WHEREAS, a Petition for Annexation (circulation of which was authorized pursuant to Black Diamond Resolution No. 629) has been filed with the City of Black Diamond, and said Petition was valid in form; and

WHEREAS, the Petition for Annexation was signed by owners of property not less than 60% of the value of all property in the proposed annexation area, according to the assessed valuation for general taxation of the property described in said Petition; and

WHEREAS, pursuant to RCW 35A.14.130, a public hearing on said proposed annexation was held before the City Council on September 24, 2009; and

WHEREAS, on October 21, 2009 the Notice of Intent to Annex was delivered to the Washington State Boundary Review Board for King County as required by state law and subsequently approved by such Board as no formal request for review as specified in RCW 36.93 was filed within the required 45- day filing period; and

WHEREAS, pursuant to the State Environmental Policy Act RCW 43.21C.222, annexations are exempt from SEPA; and

WHEREAS, the Black Diamond City Council finds said proposed annexation to be within the public interest,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND AS FOLLOWS:

Section 1. The property legally described in Exhibit A and depicted on the map in Exhibit B attached hereto and incorporated herein by this reference ("Annexation Area") is hereby annexed to the City of Black Diamond.

Section 2. Pursuant to RCW 35A.14.150, the Annexation Area shall be assessed and taxed at the same rate and on the same basis as other property within the City of Black Diamond is assessed and taxed to pay for the portion of any pre-existing, outstanding indebtedness of the city of Black Diamond, which indebtedness has been approved by the voters, contracted for, or incurred prior to, or existing at the effective date of this ordinance.

Section 3. Pursuant to RCW 35A.14.150 and consistent with Ordinance No. 909, the Annexation Area shall be zoned R-4 and shall be governed by the provisions of Chapter 18 of the Black Diamond Municipal Code (Zoning) applicable to said zoning designation. The Community Development Director is hereby directed to make the necessary modifications and extensions of the Zoning Map of the City of Black Diamond to so reflect.

Section 4. The City Clerk is hereby directed to file certified copies of this annexation ordinance with the King County Council and with the State of Washington Office of Financial Management, together with such additional offices as may be required by law or regulation. In addition, the clerk is authorized and directed to file the Annexation Certificate provided for in 35A.14.700 with the Office of Financial Management within 30 days of the effective date of the annexation.

Section 5. Upon passage and publication this ordinance and annexation shall be effective on December 27, 2009, which is 5 days after the date of publication as required by law.

Introduced and passed by the City Council of Black Diamond in open meeting this 17th day of December, 2009.

Approved by the Mayor on the 17th day of December, 2009



Mayor Howard Botts

ATTEST:



Brenda Martinez, City Clerk

APPROVED AS TO FORM:

Yvonne Ward, City Attorney

Published: 12-22-09
Posted: 12-18-09
Effective Date: 12-27-09

EXHIBIT A

LAWSON HILLS
EAST ANNEXATION AREA REVISED LEGAL DESCRIPTION:

TRIAD JOB # 04-058
NOVEMBER 26, 2007
REVISED DECEMBER 3, 2009

THAT PORTION OF THE EAST HALF OF SECTION 13, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON, AS SHOWN ON A RECORD OF SURVEY FOR THE EAST ANNEXATION TO THE CITY OF BLACK DIAMOND, WASHINGTON, RECORDED UNDER KING COUNTY RECORDING NUMBER 20091118900009, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION;

TOGETHER WITH THAT PORTION OF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTH HALF, THENCE NORTH 00°17'23" EAST, ALONG THE WEST LINE OF SAID SOUTH HALF, 493.15 FEET;
THENCE SOUTH 35°28'21" EAST 617.91 FEET TO THE SOUTH LINE OF SAID SOUTH HALF;
THENCE NORTH 88°24'03" WEST, ALONG THE SOUTH LINE OF SAID SOUTH HALF, 361.22 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER,
THENCE NORTH 01°06'43" EAST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 1324.33 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER;
THENCE SOUTH 88°24'03" EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 69.04 FEET;
THENCE SOUTH 55°11'17" EAST 488.42 FEET;
THENCE SOUTH 01°50'22" WEST 240.07 FEET;
THENCE SOUTH 31°16'37" WEST 939.98 FEET TO THE POINT OF BEGINNING.

TOTAL AREA = 50.00 ACRES

WRITTEN: ARJ
CHECKED: MSH



S:\PROJECTS\04058\CORRSP\NC\PURCHASE LEGALS\EAST ANNEX AREA-120309.doc

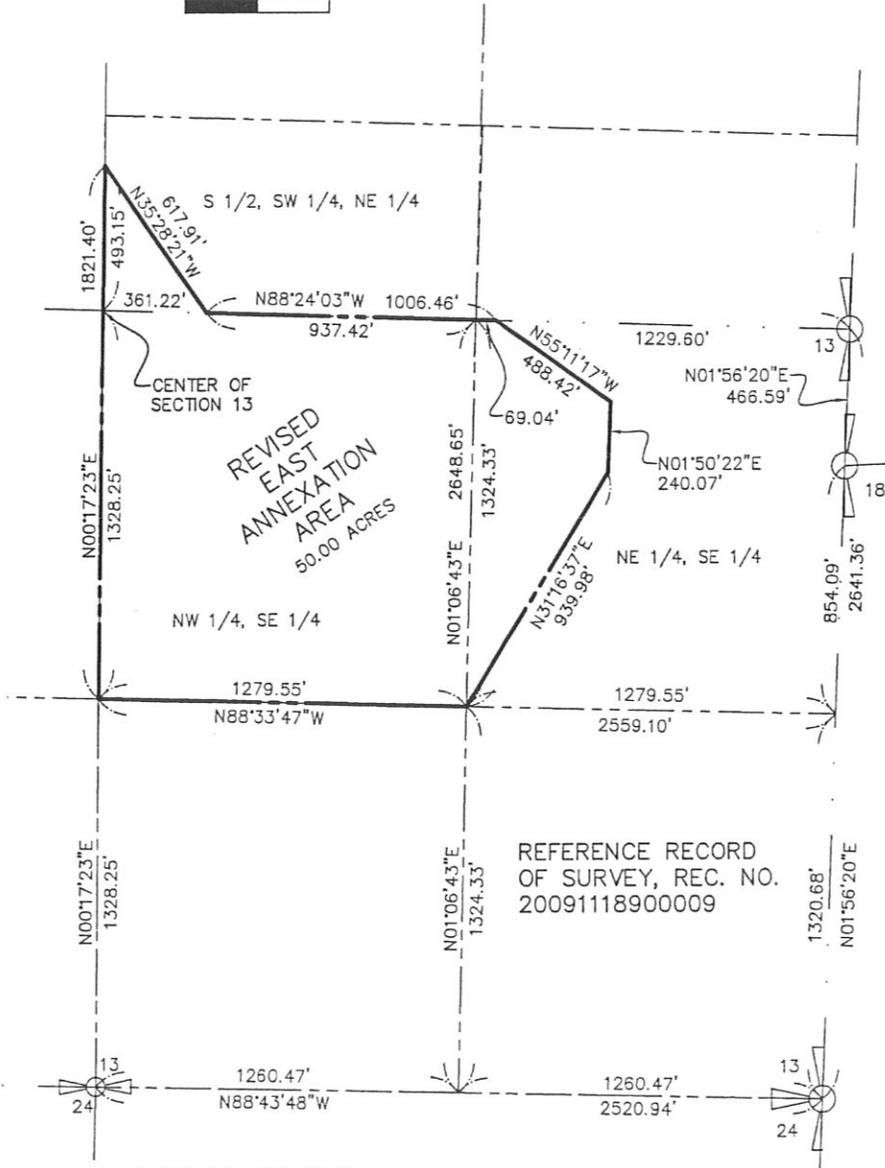
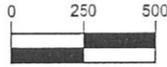
12112 115th Avenue NE Kirkland, Washington 98034-9623
425.821.8448 · 800.488.0756 · Fax 425.821.3481
www.triadassoc.com

Land Development Consultants

SEC. 13, TWP. 21N, RNG 6E, W.M.



SCALE: 1" = 500'



04058EX-EASTANNEX-120309.DWG

MANAGER:	ARR/
DESIGNER:	
CADD:	
CHECKED:	MSH
DATE:	12/03/09
SCALE:	HORIZ: 1"=500'
	VERT: N/A
JOB NUMBER:	04-058
SHEET NUMBER:	1 OF 1

**EAST ANNEXATION AREA
EXHIBIT B**

LAWSON HILLS

CITY OF BLACK DIAMOND, WASHINGTON

TRIAD ASSOCIATES
 12112 115th Ave. NE
 Kirkland, WA 98034-6923
 425.821.8448
 www.triadassoc.com
 Land Development Consultants



Washington State Boundary Review Board For King County

Yesler Building, Room 240, 400 Yesler Way, Seattle, WA 98104
Phone: (206) 296-6800 • Fax: (206) 296-6803 • <http://www.kingcounty.gov/annexations>

December 8, 2009

City of Black Diamond
Attn: Steve Munson, City Planner
Post Office Box 599
Black Diamond, WA 98010

RE: CLOSING LETTER FOR COMPLETED ACTION – File No. 2305 – City of Black Diamond – East Area Annexation

Dear Mr. Munson

We are writing to advise you that the Boundary Review Board has now completed the required Evaluation, as specified in RCW 36.93, for the above-referenced proposed action filed with the Board effective: October 21, 2009.

The Boundary Review Board also provided a 45-day public review period October 21 – December 7, 2009, as prescribed by RCW 36.93. The Board received no request for a public hearing of this proposed action during the public review period.

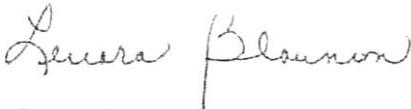
The Boundary Review Board, therefore, hereby deems this proposed action approved effective: December 8, 2009. Final approval of the proposed action is also subject to the following actions, where applicable:

1. Sewer and Water District actions and some other actions are also subject to approval by the Metropolitan King County Council. If the Council makes changes to the proposal, the Board may then be required to hold a public hearing.
2. Filing with King County of franchise application(s), as required, accompanied by a copy of this letter.
3. Filing with King County of permit application(s), as required, accompanied by a copy of this letter.
4. Fulfillment of all other statutory requirements and/or procedures specified in your Notice of Intention.

5. Notification in writing of your intended effective date of annexation. This notification should be provided as early as possible. Please send this information to Gwen Clemens, Chinook Building, King County Office of Strategic Planning & Performance Management (OSPPM), 401 Fifth Avenue, Suite 810, Seattle, Washington 98104, and
6. Filing with King County Council of: (1) one certified copy of final resolution or ordinance accomplishing this proposed action; and (2) a copy of this letter. This document should be filed with the Clerk of the Council (Attn: Anne Noris), King County Courthouse, Room 1025, Seattle, Washington 98104

If you have questions or would like additional information, please contact our office at 206-296-6800.

Sincerely,



Lenora Blauman
Executive Secretary

cc: Anne Noris, Clerk of the Council
Dave Wilson, Elections Division
Kaaren Kane, Department of Assessment
Lydia Reynolds-Jones, Manager, Project Support Services
King County "911" Program
Paul Reitenbach, Department of Development & Environmental Services
Paula Adams, Department of Development & Environmental Services
Gwen Clemens, Office of Strategic Planning & Performance Management (OSPPM)
Connie Wong, Facilities Management Division, Real Estate Section
Anne Lockmiller, Facilities Management Division, Real Estate Section



Washington State Boundary Review Board For King County

Yesler Building, Room 240, 400 Yesler Way, Seattle, WA 98104
Phone: (206) 296-6800 • Fax: (206) 296-6803 • <http://www.kingcounty.gov/annexations>

December 8, 2009

City of Black Diamond
Attn: Steve Munson, City Planner
Post Office Box 599
Black Diamond, WA 98010

RE: NOTIFICATION OF OFFICIAL FILING
File No. 2305 – City of Black Diamond- East Area Annexation

Dear Mr. Munson:

We have received approval from King County engineering staff of the legal description for the above-referenced Notice of Intention. The Notice of Intention is now considered complete and has been officially filed effective: **December 8, 2009**. You will be advised of any further changes in the status of the Notice before the Board.

Please be aware that any future final ordinance or resolution on the proposed action must incorporate the legal description approved by King County engineering staff, including any revisions made in response to the engineering staff review.

Sincerely,

Lenora Blauman
Executive Secretary

Atch: King County Road Services Division letter dated December 8, 2009

cc: Anne Noris, Clerk of the Council (w/o atch)
Lydia Reynolds-Jones, Manager, Project Support Services (w/o atch)



King County

Road Services Division

Department of Transportation
KSC-TR-0231
201 South Jackson Street
Seattle, WA 98104-3856
www.kingcounty.gov/roads

RECEIVED

DEC 08 2009

WA State Boundary Review
Board For King Co

December 8, 2009

Lenora Blauman
Executive Secretary
Boundary Review Board
YES-BR-0240

RE: City of Black Diamond – East Area Annexation (BRB File 2305)

Dear Ms. Blauman:

Thank you for the opportunity to review the revised legal description for the proposed East Area Annexation to the City of Black Diamond transmitted with your December 4, 2009 letter. Staff reviewed the enclosed revised legal description and found it satisfactory and complete.

Please see my previous letter, dated November 9, 2009 for a detailed listing of King County Road Services Division's property research and findings.

If you have any questions, please contact Nicole Keller, Vacations and Boundaries Engineer, at 206-296-3731, or via e-mail at Nicole.Keller@kingcounty.gov.

Sincerely,

Lydia Reynolds-Jones
Manager
Project Support Services

LRJ:NK:mr

Enclosures

Lenora Blauman
December 8, 2009
Page 2

cc: Anne Noris, Clerk of the King County Council (w/ enclosures)
Karen Wolf, Division Manager, Strategic Planning and Policy, Office of Strategic
Planning and Performance Management
Gwen Clemens, Senior Policy Analyst, Strategic Planning and Policy, Office of
Strategic Planning and Performance Management
Karen Freeman, Senior Policy Analyst, Strategic Planning and Policy, Office of
Strategic Planning and Performance Management
Hazel Gantz, Business and Finance Officer, Department of Assessments
Daisy Tamayo, GIS Specialist, Department of Assessments
Paul McCombs, GIS Specialist, Department of Development and Environmental
Services
Matthew Nolan, P.E., Acting County Road Engineer, Road Services Division
Richard A. Brater, P.E., Manager, Engineering Services Section, Road Services
Division
Mary Coltrane, Intergovernmental Relations Coordinator, Road Services Division
Rey Sugui, Program Analyst, Road Services Administration, Road Services
Division
Nicole Keller, Engineer II, Engineering Services Section, Road Services Division