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ORDINANCE NO. 2606

AN ORDINANCE OF THE CITY OF ISSAQUAH, WASHINGTON, ANNEXING PROPERTY COMMONLY KNOWN AS THE ISSAQUAH POINTE ANNEXATION AREA; DESCRIBING THE BOUNDARIES THEREOF; PROVIDING THAT THE PROPERTY WILL BE REQUIRED TO ASSUME EXISTING BONDED INDEBTEDNESS; AND FIXING THE EFFECTIVE DATE OF SAID ANNEXATION.

WHEREAS, Port Blakely Communities owns a 78 acre parcel of property commonly known as the WSDOT Parcel which consists of 35 acres within the Urban Growth Boundary, known as Issaquah Pointe, and the remainder in the Rural area, and

WHEREAS, the City has been working to effect a transfer of development rights from the Park Pointe property located on the east edge of the city at the base of Tiger Mountain to a more appropriate area where the infrastructure can support development and preserve Park Pointe for public open space purposes, which the City Council deems is a municipal purpose, and

WHEREAS, the current owner of Park Pointe is willing to sell development rights to prospective purchasers of Issaquah Pointe which will be designated a receiving site for transfer of development rights; and

WHEREAS, Port Blakely Communities, as owner of Issaquah Pointe, and the City will enter into a purchase and sale agreement which will convey Issaquah Pointe to the City and the City will then subsequently convey the Issaquah Pointe property to certain entities previously authorized by the Council, and

WHEREAS, RCW 35A. 14.300 authorizes the City to annex property to the City for

municipal purposes, and

WHEREAS, the City Council has determined that the property should be annexed pursuant to RCW 35A.14.300, and

WHEREAS, the City Council has determined that the property should be required to assume existing City bonded indebtedness, and

WHEREAS, pursuant to RCW 36.93.090(1), annexations of City owned property for municipal purposes are not required to be submitted to the Boundary Review Board, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Annexation. The real property commonly known as the Issaquah Pointe Annexation Area, as shown on the area map and legally described in "Exhibit A", attached hereto and incorporated in full by this reference, should be and is hereby annexed and made a part of the City of Issaquah.

Section 2. Bonded Indebtedness. All property within the area annexed shall be assessed and taxed at the same rate and on the same basis as the property within the City is assessed and taxed to pay for all outstanding indebtedness of the City.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should 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 4. Effective date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect and the

property be annexed to the City upon closing of the purchase and sale agreement referenced above and conveyance of the Issaquah Pointe property to the City, which is more than five days after passage and publication in the City's Official Newspaper as provided by law.

Passed by the City Council of the City of Issaquah, the 20th day of December, 2011.

Approved by the Mayor of the City of Issaquah the 23rd day of December, 2011.

APPROVED:

AVA FRISINGER, MAYOR

ATTEST/AUTHENTICATED:

CITY CLERK, CHRISTINA EGGERS

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

PUBLISHED: December 29, 2010
EFFECTIVE DATE: Upon Closing of Purchase & Sale Agreement and Conveyance of Issaquah Pointe
ORDINANCE NO. 2606/AB 6210