

**ORDINANCE NO. 2475**

**AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON ANNEXING APPROXIMATELY 12 ACRES OF REAL PROPERTY KNOWN AS THE "ABBOTT-BLICK" ANNEXATION, REQUIRING THAT THE PROPERTY IN THE ANNEXATION AREA SHALL BE ASSESSED AND TAXED AT THE SAME RATE AND ON THE SAME BASIS AS OTHER PROPERTY WITHIN THE CITY OF ENUMCLAW, ADOPTING A PROPOSED ZONING REGULATION FOR THE REAL PROPERTY, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE (ABBOTT-BLICK ANNEXATION; FILE NO. 09147).**

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**Whereas**, on July 14, 2009, the City of Enumclaw received a Notice of Intent pursuant to RCW 35A.14.120 to annex certain real property commonly referred to as the Abbott-Blick Annexation; and

**Whereas**, the Notice of Intent was signed by the owners of the property representing at least ten percent (10%) in value (according to the assessed valuation for general taxation) of the real property; and

**Whereas**, on September 28, 2009, the City Council adopted Resolution 1349, accepting the proposed annexation and authorizing the initiating party to circulate an annexation petition seeking the signatures of the owners of 60% of the assessed valuation of property within the proposed annexation area; and

**Whereas**, on March 24, 2010 the King County Assessor, Lloyd Hara, determined that the petition contains the signatures of the owners of 60% of the assessed valuation of property located within the proposed Abbott-Blick Annexation Area, and so notified the City of Enumclaw of that determination in writing; and

**Whereas**, on August 9, 2010, the City of Enumclaw City Council held a public hearing (subsequent to publication of notice thereof as provided in RCW 35A.14.130), following the conclusion of the hearing, City Council adopted Resolution No. 1386 accepting the 60% petition and directing city staff to file a Notice of Intent to Annex with the King County Boundary Review Board; and

**Whereas**, The Notice of Intention to annex was filed with the King County Boundary Review Board; and

**Whereas**, the 45 day review period before the King County Boundary Review Board expired effective November 1, 2010, and jurisdiction was not invoked; and

**Whereas**, the City of Enumclaw is authorized, pursuant to RCW 35A.14.330 and RCW 35A.14.340, to prepare proposed zoning regulations to become effective upon the annexation of any area which might reasonably be expected to be annexed by the City at any future time; and

**Whereas**, the City desires to establish a proposed zoning regulation for the Abbott-Blick Annexation area of R-2 – Moderate Density Single-Family Residential pursuant to EMC Chapter 18.08, as depicted on Exhibit “B” to become effective upon annexation; and

**Whereas**, the proposed zoning regulation is consistent with the Comprehensive Plan, EMC 18.04.060 and with RCW 35A.14.330, and would be in the interest of the public health, safety, morals, and the general welfare; and

**Whereas**, following publication and posting of notice as provided in RCW 35A.14.130, the City Council held public hearings on the annexation and proposed zoning regulation on January 10, 2011 and February 14, 2011 to accept public testimony, said dates being more than thirty (30) days apart consistent with the requirements of RCW 35A.14.340; and

**Whereas**, the City conducted the required environmental review under the State Environmental Policy Act (SEPA) and on January 26, 2011, the City issued a SEPA Determination of Non-Significance (DNS) for the non-project action of adopting a zoning regulation. The City received no comments or appeals on the SEPA DNS; and

**Whereas**, all statutory requirements have been complied with, including RCW 35A.14 and RCW 36.93 inclusive.

**Now, therefore, the City Council of the City of Enumclaw, King County, Washington do ordain as follows:**

**Section 1. Annexation Area.** The property known as the “Abbott-Blick Annexation” legally described in Exhibit “A” is hereby annexed to the City of Enumclaw, Washington.

**Section 2. Proposed Zoning Regulation.** The City adopts for the Abbott-Blick Annexation a proposed zoning regulation of R-2 – Moderate Density Single-Family Residential pursuant to EMC Chapter 18.08, as depicted on Exhibit “B” which becomes effective upon annexation.

**Section 3. Assumption of Indebtedness.** The property hereby annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Enumclaw is assessed and taxed to pay for any outstanding general indebtedness of the City.

**Section 4. Comprehensive Plan.** This action is consistent with the Comprehensive Plan.

**Section 5. Filings and Recordings.** The City Clerk is authorized and directed to file a certified copy of this ordinance with the King County Division of Records and the King County Council, and the King County Division of Records is requested to record the ordinance.

**Section 6: Severability.** If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or

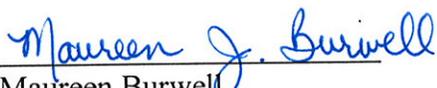
unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

**Section 7:** Effective Date. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as required by law.

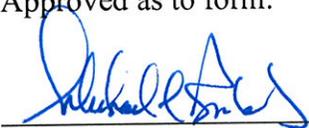
  
\_\_\_\_\_  
Mayor Liz Reynolds

INTRODUCED 1-10-11  
PASSED 2-14-11  
APPROVED 2-15-11  
PUBLISHED 2-23-11

Attested:

  
\_\_\_\_\_  
Maureen Burwell  
Interim City Clerk

Approved as to form:

  
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Michael J. Reynolds  
City Attorney

**EXHIBIT A**  
**TO ORDINANCE NO. 2475**

*Legal Description for an Area of Annexation to the City of Enumclaw*

Those portions of the northeast quarter of Section 24 AND the southeast quarter of Section 13, Township 20 North, Range 6 East, Willamette Meridian, King County, Washington, more particularly described as follows:

Commencing at the north quarter corner of said Section 24, with said being the TRUE POINT OF BEGINNING;

THENCE, southerly along the north-south centerline of said section 24, to a point on said centerline at the westerly prolongation of the northerly boundary of the plat of Chinook Winds, Recorded in said King County Records in Volume 154 of Plats, Pages 6-8, a distance of 360.00 feet, more or less;

THENCE, easterly along said prolongation line, a distance of 30.61 feet, more or less, to the northwesterly corner of lot 38 of said plat of Chinook Winds;

THENCE, easterly along the northerly boundaries of lots 35 through 38, inclusive, a distance of 297.88 feet to the southwest corner of Tract "B" of said plat;

THENCE, northerly along the westerly line of said Tract "B", a distance of 30.00 feet, to the northwest corner of said tract;

THENCE, easterly along the northerly boundaries of Tract "B" and Tract "C" of said plat, a distance of 981.01 feet, to the northeast corner of said Tract "C";

THENCE, southerly along the easterly boundaries of Tract "C", Lots 21 through 23, inclusive, a distance of 235.41 feet, to the southeast corner of said lot 23;

THENCE, northeasterly along the northwesterly boundary of a 24-foot wide strip of land condemned by Drainage District No. 5 under King County Superior Court Cause No. 122614, to a point at the northerly 20.00 foot right-of-way boundary of SE 432nd ST, with said point being located 20.00 feet northerly of the common centerline between said Sections 13 and 24;

THENCE, westerly along the said northerly 20.00 foot right-of-way line, a distance of 1688.00 feet, more or less, to a point at the intersection of the westerly prolongation of the said right-of-way with the north-south centerline of said Section 13; and with said point being 20.00 feet northerly, more or less, of said north quarter corner of Section 24;

THENCE, southerly along the said north-south centerline of Section 13, a distance of 20.00 feet, more or less, to the TRUE POINT OF BEGINNING.