

# CITY OF ALGONA, WASHINGTON

## ORDINANCE NO. 1071-13

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### **AN ORDINANCE OF THE CITY OF ALGONA, WASHINGTON, DIRECTING A BOUNDARY REVISION ACTION TO INCLUDE PORTIONS OF PUBLIC RIGHT-OF-WAY ALONG WEST VALLEY HIGHWAY SOUTH OF THE INTERSECTION AT 1ST AVENUE WITHIN THE CITY'S CORPORATE BOUNDARY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

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WHEREAS, consistent with statutory provisions of RCW 35A.21.210 that allow the revision of city boundaries to fully include that segment of the public street within the corporate limits of the city upon agreement of the city and King County; and

WHEREAS, the Transportation Improvement Board is funding certain improvements to West Valley Highway requiring a turn lane be added on West Valley Highway at 1st Avenue ("Project"); and

WHEREAS, King County has jurisdiction over the southbound lane of West Valley Highway and Algona has jurisdiction over the northbound lane of West Valley Highway south of the West Valley Highway intersection at 1<sup>st</sup> Avenue; and

WHEREAS, City ownership and control will greatly aid in the design, permitting, and costs associated with this Project;

WHEREAS, the boundary revision will result in the City taking operational responsibility for the unincorporated 212 feet of this right-of-way ("ROW"); and

WHEREAS, the City intends to revise its corporate boundary to include this portion of public ROW upon agreement of King County as reflected in an ordinance adopted by the King County Council; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALGONA, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City hereby agrees to include the following described property located along West Valley Highway south of the intersection at 1st Avenue within the corporate boundaries of the City of Algona, Washington:

**WESTERLY 1/2 OF WEST VALLEY HIGHWAY, APPROXIMATELY 212' X 30' FOR  
CITY OF ALGONA BOUNDARY LIMIT REVISION**

That portion of the Northwest Quarter of the Southeast Quarter of Section 26, Township 21 North, Range 4 East, W.M. described as follows:

BEGINNING at the intersection of the center line of West Valley Highway and the Northerly line of said subdivision;

THENCE Southerly along said centerline of the West Valley Highway to the intersection with the Easterly extension of the Southerly line of Tract 'B', Block 146, Jovita Heights, according to the Plat thereof recorded in Volume 20 of Plats, Page 12, in King County, Washington;

THENCE Westerly along said Southerly line to the Westerly Right of Way line of said West Valley Highway;

THENCE Northerly along said Westerly Right of Way line to the intersection with the Northerly line of said Northwest Quarter of the Southeast Quarter of Section 26;

THENCE Easterly along said Northerly line to the POINT OF BEGINNING.

Situate in the County of King, State of Washington.

Section 2. The ROW described in Section 1 shall be included within the City's corporate boundaries upon adoption of an ordinance by King County reflecting the County's agreement with this boundary revision.

Section 3. The property described in Section 1 of this ordinance is classified City of Algona Heavy Commercial pursuant to the City's zoning regulations.

Section 4. The Comprehensive Plan of the City of Algona shall be deemed to apply to the property from the effective date of the boundary revision.

Section 5. A certified copy of this ordinance shall be filed with the King County Council of King County, Washington, the county in which said property is located.

Section 6. 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.

Section 7. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED** BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 26TH DAY OF MARCH, 2013.

CITY OF ALGONA

  
\_\_\_\_\_  
Mayor David E. Hill

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Diana Quinn, CMC  
City Administrator/Clerk Treasurer

Approved as to form:

  
\_\_\_\_\_  
Kari L. Sand  
Kenyon Disend, PLLC  
City Attorney

Filed with the City Clerk:  
Passed by the City Council:  
Ordinance No.  
Date of Publication: