

ORDINANCE NO. O2015-004

AN ORDINANCE of the City Council of the City of Tumwater, Washington, annexing certain contiguous property located adjacent to 93rd Avenue SW, Blomberg Road, and Interstate 5, in Thurston County, Washington, to the City of Tumwater.

WHEREAS, on June 27, 2014, pursuant to RCW 35A.14.120, the owners, of not less than ten percent (10%) in value according to the assessed valuation for general taxation of the property hereinafter described, notified the Tumwater City Council of their intent to commence proceedings for the annexation to the City of Tumwater of said property; and

WHEREAS, on August 19, 2014, at a regularly scheduled meeting, the Tumwater City Council met with the initiating parties and accepted the proposal to annex, determined the proposed annexation boundaries, and determined that properties within the newly annexed area will assume a proportionate share of indebtedness; and

WHEREAS, on December 23, 2014, the Thurston County Assessor certified that the petition to annex meets the sufficiency requirements of RCW 35A.01.040, including the requirement that it be signed by owners of more than sixty percent (60%) in value according to the assessed valuation for general taxation of said property; and

WHEREAS, on January 6, 2015, said petition was thereafter filed with the Tumwater City Council; and

WHEREAS, on January 6, 2015 the Tumwater City Council scheduled a public hearing on the proposed annexation for February 3, 2015; and

WHEREAS, the City Clerk of the City of Tumwater caused Notice of Public Hearing on the petition for annexation to be posted and published in the manner provided by law; and

WHEREAS, the annexation is consistent with the City of Tumwater adopted annexation policies, the County-wide Planning Policies, and the Joint Plan adopted by Thurston County and the City of Tumwater; and

WHEREAS, on February 3, 2015, a public hearing on said petition for annexation was held in the City Council Chambers of the City Hall; and the Tumwater City Council, having determined that the annexation of the hereinafter

described property to the City of Tumwater would be in the public interest and for the public welfare and in the best interest of the City of Tumwater and the citizens thereof; and

WHEREAS, on May 5, 2015 the Thurston County Boundary Review Board returned the annexation to the City of Tumwater for final action; and

WHEREAS, on May 19, 2015, the Tumwater City Council, having determined that the annexation of the hereinafter described property to the City of Tumwater would be in the public interest and for the public welfare and in the best interest of the City of Tumwater and the citizens thereof;

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

Section 1. The property described in Exhibit A and depicted in Exhibit B attached hereto and by this reference incorporated herein as if fully set forth, is hereby annexed to the City of Tumwater.

Section 2. It is hereby further declared that upon annexation, the property described in Section 1 above shall be subject to existing indebtedness of the City of Tumwater. Zoning and land use designations shall be applied which are consistent with the Tumwater Comprehensive Plan. The Floodplain Overlay Zone shall be applied pursuant to the Tumwater Municipal Code and the Tumwater Comprehensive Plan. The Aquifer Protection Overlay Zone shall also be applied to the property described in Section 1 above.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 4. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 5. Effective Date. This ordinance shall become effective 12:00 a.m. Monday, June 1, 2015.

ADOPTED this 19th day of May, 2015.

CITY OF TUMWATER

Pete Kmet, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

Published:_____

Effective Date:_____