

## **Ordinance No. O2015-008**

**AN ORDINANCE** of the City Council of the City of Tumwater, Washington, annexing certain contiguous property referred to as the "Eastside UGA," located within the Tumwater Urban Growth Area between the Deschutes River and Old Highway 99, in Thurston County, Washington, as more particularly described herein, to the City of Tumwater.

**WHEREAS**, on January 6, 2015, at a regularly scheduled meeting, the Tumwater City Council approved the proposed Eastside UGA annexation boundaries, and determined that properties within the newly annexed area will assume a proportionate share of indebtedness; and

**WHEREAS**, on April 13, 2015 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**, 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 May 12, 2015, the Tumwater City Council held a public hearing on said petition for annexation in the Logan Room of South Sound Manor located at 455 North Street SE, Tumwater, WA;

**WHEREAS**, on May 12, 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 approved Resolution R2015-008 and forwarded the annexation to the Boundary Review Board for Thurston County;

**WHEREAS**, on September 17, 2015, the Boundary Review Board for Thurston County returned the annexation to the City of Tumwater for final action;

**WHEREAS**, on October 6, 2015, the City Council of the City of Tumwater held a public meeting to discuss effectuating the annexation via ordinance O2015-008;

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

**Section 1.** The Tumwater City Council hereby annexes the property described in Exhibit A and depicted in Exhibit B attached hereto and by this reference incorporated herein as fully set forth,

**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.

**Section 3.** Zoning and land use designations shall be applied which are consistent with the Tumwater Comprehensive Plan.

**Section 4.** The Floodplain Overlay Zone shall be applied pursuant to the Tumwater Municipal Code and the Tumwater Comprehensive Plan.

**Section 5.** The Airport Overlay Zone shall be applied pursuant to the Tumwater Municipal Code.

**Section 6.** The Aquifer Protection Overlay Zone shall also be applied to the property described in Section 1 above.

**Section 7. Corrections.** The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 8. Ratification.** Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

**Section 9. 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 10. Effective Date.** This ordinance shall be effective on January 1, 2016.

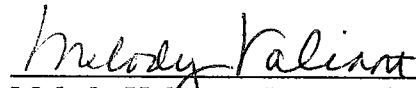
Adopted this 6<sup>th</sup> day of October, 2015.

CITY OF TUMWATER



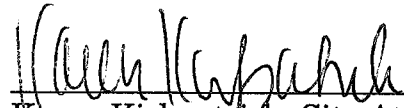
Pete Kmet, Mayor

ATTEST:



Melody Valiant, City Clerk

APPROVED AS TO FORM:



Karen Kirkpatrick, City Attorney

Published: 10-08-2015

Effective Date: 01-01-2016

March 24, 2015

**Eastside UGA Annexation**

Those portions of the Southeast quarter of the Southwest quarter of Section 36, Township 18 North, Range 2 West, W.M., and of Sections 1, 2, 11, 12, 13 and 14, Township 17 North, Range 2 West, W.M., and of Sections 6 and 7, Township 17 North, Range 1 West, W.M., lying within the following described boundary:

Beginning at the Southeast corner of said Southeast quarter of the Southwest quarter of Section 36; running thence North  $1^{\circ}27'55''$  East along the East line thereof 396.66 feet to a point on the Northerly right of way margin of the Oregon-Washington Railroad and Navigation Company right of way; said point is on a curve the radius point of which bears North  $7^{\circ}21'31''$  East 2,814.79 feet distant; thence Westerly along said Northerly right of way margin and along said curve, through a central angle of  $1^{\circ}30'59''$  an arc distance of 74.50 feet; thence North  $8^{\circ}52'30''$  East radially to said curve and along said Northerly right of way margin a distance of 12.50 feet; thence continuing Westerly along said Northerly right of way margin and along a curve having a radius of 2,802.29 feet through a central angle of  $10^{\circ}00'00''$  an arc distance of 489.09 feet; thence South  $18^{\circ}52'30''$  West radially to said curve and along said Northerly right of way margin a distance of 12.50 feet; thence continuing Westerly along said Northerly right of way margin and along a curve having a radius of 2,814.79 feet through a central angle of  $2^{\circ}00'00''$  an arc distance of 98.25 feet to a point at which a spiral curve begins; thence continuing along said Northerly right of way margin and along said spiral curve through a spiral angle of  $0^{\circ}54'00''$  a spiral arc distance of 89.25 feet (the chord bearing and distance of said spiral is North  $68^{\circ}31'30''$  West 89.25 feet); thence continuing along said Northerly right of way margin North  $68^{\circ}13'30''$  West 585.78 feet to a point on the Easterly right of way of Henderson Boulevard SE; said point lies 40.00 feet at right angles to the West line of said Southeast quarter of the Southeast quarter; thence South  $1^{\circ}33'13''$  West along said Easterly right of way of Henderson Boulevard SE and parallel to said West line a distance of 769.71 feet to the Section line common to said Sections 36 and Section 1; thence continuing along the Easterly right of way of Henderson Boulevard SE, along a line that lies 40 feet Easterly of, when measured at right angles thereto, the West line of the Northeast quarter of the Northwest quarter of said Section 1, South  $2^{\circ}36'20''$  West 400 feet, more or less, to DesChutes River; thence Westerly and Northerly along DesChutes River to its intersection with the North line of the Northeast

quarter of said Section 2; thence North  $88^{\circ}06'19''$  West along said North line 530 feet, more or less, to the Northeast corner of the West half of the Northeast quarter of the Northwest quarter of the Northeast quarter of said Section 2; thence South  $2^{\circ}46'51''$  West along the East line of said West half of the Northeast quarter of the Northwest quarter of the Northeast quarter a distance of 674.23 feet to the Southeast corner thereof; thence North  $88^{\circ}07'58''$  West along the South line thereof 330.80 feet to the Southwest corner of said West half of the Northeast quarter of the Northwest quarter of the Northeast quarter; thence South  $2^{\circ}45'59''$  West along the East line of the Southwest quarter of the Northwest quarter of the Northeast quarter of said Section 2, a distance of 20 feet to the Southeast corner of the North 20 feet of said Southwest quarter of the Northwest quarter of the Northeast quarter; thence North  $88^{\circ}07'58''$  West along the South line of said North 20 feet a distance of 661.59 feet to the West line of said Northwest quarter of the Northeast quarter; thence South  $2^{\circ}44'16''$  West along said West line 654.69 feet to the Northwest corner of the Southwest quarter of the Northeast quarter of said Section 2; thence South  $88^{\circ}09'37''$  East along the North line of said Southwest quarter of the Northeast quarter 1,322.54 feet to the Northeast corner thereof; thence South  $2^{\circ}47'43''$  West along the West line of the West half of the Southeast quarter of the Northeast quarter of said Section 2, a distance of 636.49 feet to the Northwest corner of the South 690 feet of said West half of the Southeast quarter of the Northeast quarter; thence South  $88^{\circ}08'37''$  East along the North line of said South 690 feet of said West half of the Southeast quarter of the Northeast quarter 660.95 feet to the Northeast corner thereof; thence South  $2^{\circ}49'27''$  West along the East line of said West half of the Southeast quarter of the Northeast quarter 26.70 feet to the Northwest corner of the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 2; thence South  $88^{\circ}09'07''$  East along the North line of said Southeast quarter of the Southeast quarter of the Northeast quarter 660.94 feet to the Northeast corner thereof; thence South  $2^{\circ}51'11''$  West along the East line of said Section 2 a distance of 473.50 feet to the Northwest corner of Lot 3 of Short Subdivision No. SS-2312, recorded June 16, 1989 under Auditor's File No. 8906160013, records of Thurston County, Washington; thence South  $75^{\circ}05'49''$  East along the Northerly line thereof 145 feet, more or less, to a point on the Westerly right of way margin of Henderson Boulevard SE; said point is on a curve the radius point of which bears South  $62^{\circ}26'55''$  East 746.25 feet distant; thence Northerly along said Westerly right of way margin and along said curve, through a central angle of  $4^{\circ}00'39''$  an arc distance of 52.24 feet to a point opposite the Northwest corner of Lot 3 of Short Subdivision No. SS-1145 recorded June 4, 1979 under Auditor's File No. 1079293, records of said county; thence South  $58^{\circ}26'15''$  East radially to said curve 60.00 feet to said Northwest corner of Lot 3; thence along the Northerly and Easterly boundaries of said Lot 3, South  $75^{\circ}47'23''$  East 259.68 feet and South  $11^{\circ}08'34''$  West 116.28 feet to the Southeast corner of said Lot 3 and to a point on the North line of the Northwest quarter of the Northwest quarter of the Southwest quarter of said Section 1; said point is also on the North line of Parcel A of BLA-01-0520-TC recorded July 25, 2001 under Auditor's File No. 3367919, records of said county; thence South  $88^{\circ}39'15''$  East along said North lines 213.00 feet to the Northeast corner of said Northwest quarter of the Northwest quarter of the Southwest quarter and to the Northeast corner of said Parcel A; thence along the boundaries of said Parcel A, South  $2^{\circ}18'00''$  West 328.42 feet and North  $88^{\circ}42'35''$  West 228.71 feet to the Northwest corner of the South 332.71 feet of the East

228.71 feet of said Northwest quarter of the Northwest quarter of the Southwest quarter; thence South  $2^{\circ}18'00''$  West along the boundary of said Parcel and the West line of the East 228.71 of said subdivision a distance of 104.00 feet to the North line of the South 228.71 feet of said subdivision; thence North  $88^{\circ}42'35''$  West 417.06 feet to the Easterly right of way margin of Henderson Boulevard SE and to a point on a curve the radius point of which bears South  $75^{\circ}43'54''$  East 980.00 feet distant; thence Southerly along said right of way margin and along said curve, through a central angle of  $11^{\circ}59'13''$ , an arc distance of 205.03 feet; thence continuing along said right of way margin South  $2^{\circ}16'53''$  West 25.54 feet to a point on the Westerly extension of the North line of the Southwest quarter of the Northwest quarter of the Southwest quarter of said Section 1; thence continuing along said right of way margin, South  $88^{\circ}42'35''$  East along said Westerly extension and said North line 11.01 feet to the East line of the West 10 feet of the North three-quarters of the Southwest quarter of the Northwest quarter of the Southwest quarter of said Section 1; thence continuing along said right of way margin and along said East line, South  $2^{\circ}16'52''$  West 496.34 feet to the South line of said North three-quarters of the Southwest quarter of the Northwest quarter of the Southwest quarter; thence continuing along said right of way margin, along said South line North  $88^{\circ}45'06''$  West 10.00 feet to the East line of the Southeast quarter of said Section 2; thence continuing along said right of way margin, along said East line South  $2^{\circ}16'52''$  West 195.45 feet to a point on a line running 30 feet Southerly of, when measured at right angles thereto, the North line of the Southeast quarter of the Southeast quarter of Section 2; thence North  $88^{\circ}05'28''$  West along said parallel line and along the Southerly margin of Airdustrial Way Extension as delineated on that certain map of definite location now of record and on file in the office of the Thurston County Department of Roads and Transportation Services, Olympia, Washington, Airdustrial Way Extension – County Road Project Number (CRP) 61094, a distance of 327.30 feet to the Easterly boundary of the Plat of Monaco Park as recorded in Volume 22 of Plats at page 26, records of Thurston County, Washington; thence continuing along said Southerly right of way margin of Airdustrial Way Extension, South  $2^{\circ}12'41''$  West along said Easterly boundary 5.00 feet, North  $88^{\circ}05'28''$  West 370.03 feet, North  $2^{\circ}12'41''$  East 5.00 feet, North  $88^{\circ}05'28''$  West 590.22 feet to the West boundary of said Plat of Monaco Park; thence continuing along said Southerly right of way margin, South  $2^{\circ}23'17''$  West along said West boundary 15.00 feet to a point on a line 45 feet Southerly of when measured at right angles thereto, the County Engineer's centerline of said CRP 61094, Airdustrial Way Extension; thence continuing along said Southerly right of way margin, North  $88^{\circ}05'28''$  West 285.46 feet to a point opposite County Engineer's Centerline Station 33+00 and 45 feet distant therefrom, thence South  $1^{\circ}54'32''$  West 5.00 feet to a point 50 feet distant from said Centerline Station 33+00, thence North  $88^{\circ}05'28''$  West 150.00 feet to a point opposite County Engineer's Station 31+50, thence South  $80^{\circ}35'56''$  West 152.97 feet to a point opposite County Engineer's Station 30+00 and 80 feet distant therefrom, thence North  $88^{\circ}05'28''$  West 50.00 feet to a point opposite County Engineer's Centerline Station 29+50 and 80 feet therefrom, thence North  $63^{\circ}51'48''$  West 109.66 feet to a point opposite County Engineer's Centerline Station 28+50 and 35 feet therefrom, and thence continuing along said Southerly right of way margin, parallel to said centerline, North  $88^{\circ}05'28''$  West 618.48 feet to the West line of the Southeast quarter of said Section 2; thence leaving said Southerly right of way margin, along said West line of the Southeast

quarter, South 2°14'49" West 1,286.16 feet to the quarter corner common to Sections 2 and 11, said Township and Range; thence North 88°03'17" West along the Section line between said Sections 2 and 11 a distance of 784.12 feet to the Easterly right of way margin of Bonniewood Drive SE; thence South 15°35'22" East along said Easterly right of way margin 1,331.95 feet to the Southeasterly boundary of Parcel A of Boundary Line Adjustment No. BLA-0395 recorded August 6, 1986 under Auditor's File No. 8608060076, records of Thurston County, Washington; thence along the Southeasterly and Northeasterly boundaries of said Parcel A, North 52°35'29" East 277.41 feet and North 15°47'31" West 216.12 feet to the most Northerly corner of said Parcel A; thence North 52°35'29" East along the Northwesterly boundary of Parcel B of said BLA-0395 a distance of 869.30 feet to the most Northerly corner of said Parcel B; said corner lies on the Easterly line of unrecorded plat of Capitol City Garden Tracts No. 2; thence South 37°26'23" East along said Easterly line South 37°26'23" East 732.28 feet to a point that lies 314.97 feet South 37°26'23" East of the intersection of said Easterly line with that certain line established by Superior Court Cause No. 87-2-00459-4; said point being the most Northerly corner of Parcel A as delineated on survey recorded under Auditor's File No. 8510170094, records of said county; thence South 52°35'29" West along the Southeasterly line of said Parcel A and said Southeasterly line extended 1,290.00 feet to the Northeasterly right of way margin of Old Highway 99 SE (Olympia-Tenino Road); said right of way margin lies 30 feet Northerly of, when measured at right angles or radially to, the centerline thereof; thence South 37°26'23" East along said right of way 200 feet to the Northwesterly right of way margin of Durell Road SE; thence North 52°35'29" East along said Northwesterly right of way margin 300.00 feet; thence South 37°26'23" East 180.00 feet; thence South 52°35'29" West 300.00 feet to said Northeasterly right of way margin of Old Highway 99 SE; thence along said Northeasterly right of way margin, being 30 feet Northeasterly of, when measured at right angles or radially thereto, the centerline of said Old Highway 99 SE, South 37°26'23" East 1328.20 feet, along a curve to the left having a radius of 42,941.83 feet and through a central angle of 0°32'07" for an arc distance of 401.18 feet, South 37°58'30" East 1,112.22 feet, along a curve to the right having a radius of 5,759.58 feet through a central angle of 5°53'58" for an arc distance of 594.40 feet, and South 32°04'32" East 1,087.06 feet to its intersection with the South line of the North 285 feet of the Northwest quarter of Section 13, said Township and Range; thence North 88°21'18" West 277.26 feet to the West line of said Northwest quarter and to the East line of the Northeast quarter of the Northeast quarter of Section 14, said Township and Range; thence South 1°50'19" West along said East line 285.00 feet to the South line of the North 570 feet of said Northeast quarter of the Northeast quarter; thence North 88°02'42" West along said South line 1,320.61 feet to the West line of said Northeast quarter of the Northeast quarter; thence South 1°51'28" West along said West line 3.14 feet to the Northwest corner of the South 750 feet of the West 596 feet of said Northeast quarter of the Northeast quarter; thence South 87°59'42" East along the North line of said South 750 feet of the West 596 feet of the Northeast quarter of the Northeast quarter 596.00 feet to its Northeast corner; thence South 1°51'28" West along the East line thereof 750.00 feet to its Southeast corner; thence South 87°59'42" East along the South line of said Northeast quarter of the Northeast quarter 724.86 feet to the Southeast corner thereof; thence South 2°00'18" West along the East line of the North 360 feet of the

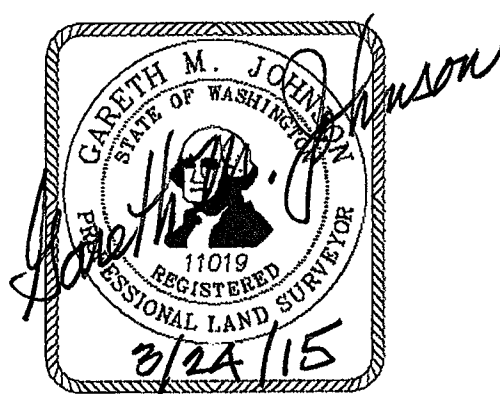
Southeast quarter of the Northeast quarter of said Section 14 a distance of 360.00 feet to the Southeast corner thereof; thence North  $87^{\circ}59'42''$  West along the South line of said North 360 feet and along the North line of Parcel A of Boundary Line Adjustment No. BLA-04-103163-TC recorded June 4, 2004 under Auditor's File No. 3646817, records of said county, for a distance of 392.49 feet to the Northeast corner of Parcel B of said BLA-04-103163-TC; thence along the East and South boundaries of said Parcel B, South  $1^{\circ}50'53''$  West 234.00 feet and North  $87^{\circ}59'42''$  West 268.00 feet to its Southwest corner; said corner lies on the East line of the Northwest quarter of the Southeast quarter of the Northeast quarter of said Section 14; thence South  $1^{\circ}50'53''$  West along said East line 67.86 feet to the Southeast corner of said Northwest quarter of the Southeast quarter of the Northeast quarter; thence North  $87^{\circ}58'12''$  West along the South line of said Northwest quarter of the Southeast quarter of the Northeast quarter 330.27 feet to the Southwest corner of the East half of said Northwest quarter of the Southeast quarter of the Northeast quarter; thence South  $1^{\circ}51'11''$  West along the East line of the West half of the Southwest quarter of the Southeast quarter of the Northeast quarter of said Section 14 a distance of 636.98 feet to the Northerly right of way margin of 88<sup>th</sup> Ave. SE and to a point on a curve the radius point of which bears North  $7^{\circ}08'47''$  West 1,922.65 feet distant; said Northerly right of way margin lies 30 feet Northerly of when measured at right angles or radially thereto, the centerline of said 88<sup>th</sup> Ave. SE; thence Easterly along said Northerly right of way margin and along said curve through a central angle of  $21^{\circ}52'34''$  for an arc distance of 734.09 feet to its intersection with the West line of the East 305 feet of the Southeast quarter of the Northeast quarter of said Section 14; thence North  $1^{\circ}50'19''$  East along said West line and along said Northerly right of way margin 6.99 feet to a point on a curve the radius point of which bears North  $29^{\circ}07'47''$  West 1916.65 feet distant; thence Easterly along said Northerly right of way margin and along said curve through a central angle of  $9^{\circ}40'09''$  for an arc distance of 323.45 feet to a point opposite the intersection of the Southerly right of way margin of 88<sup>th</sup> Ave SE with the East line of said Southeast quarter of Section 14; thence South  $38^{\circ}47'56''$  East radially to said curve 66.00 feet to said intersection; thence South  $1^{\circ}50'19''$  West along said East line 423.01 feet to the quarter corner common to said Sections 13 and 14; thence South  $88^{\circ}43'16''$  East along the South line of the Northwest quarter of said Section 13 a distance of 1,315.89 feet to the Southwest corner of Parcel A of Boundary Line Adjustment No. BLA-0862, recorded January 25, 1990 under Auditor's File No. 9001250001, records of said county; thence along the Westerly and Northerly boundaries of said Parcel A, North  $3^{\circ}58'44''$  East 562.32 feet and North  $79^{\circ}14'33''$  East 67.29 feet to a point on the Southwesterly right of way margin of 60-foot wide right of way of Old Highway 99 SE and to a point on a curve the radius point of which bears North  $54^{\circ}53'45''$  East 2,895.00 feet distant; thence North  $54^{\circ}53'45''$  East radially to said curve 60.00 feet to a point on the Northeasterly right of way margin of said 60-foot wide right of way of Old Highway 99 SE; thence Southerly along said Northeasterly right of way margin, along a curve having a radius of 2,835.00 feet through a central angle of  $5^{\circ}41'47''$  for an arc distance of 281.85 feet and South  $40^{\circ}48'02''$  East 529.62 feet to its intersection with the South line of the Northwest quarter of said Section 13; thence South  $88^{\circ}43'16''$  East along said South line 642.03 feet to the Southwest corner of the Northeast quarter of said Section 13; thence South  $88^{\circ}43'16''$  East along the South line of said Northeast quarter 234.69 feet; thence North  $1^{\circ}16'44''$  East 300.00 feet; thence North



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88°43'16" West 231.58 feet to the East line of said Northwest quarter of Section 13; thence North 1°52'24" East 550 feet, more or less, to DesChutes River; thence Northerly along DesChutes River to a point that lies 850 feet, more or less, South 2°21'24" West of the point of beginning; and thence North 2°21'24" East 850 feet, more or less, to the point of beginning.

Situate in Thurston County, Washington.



# TUMWATER EASTSIDE UGA ANNEXATION B

ORDINANCE O2015-008

