



## **ORDINANCE NO. 2011-03**

### **AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN PROPERTY TO THE CITY OF LA CENTER (La Center Road et al.)**

The La Center City Council adopts the following findings:

**WHEREAS**, the La Center City Council desires to annex 92 parcels of land and associated road and public utility rights-of-way comprising totaling approximately 583.14 acres of land within its Urban Growth Boundary, generally located west of the East Fork of the Lewis River, south of La Center Road (but including the gas station), east of the western edge of the I-5 right-of-way, north of 309<sup>th</sup> Street, as illustrated in Attachment A; and

**WHEREAS**, the City received a Notice of Intent to Annex pursuant to the so-called Direct Petition Method of RCW 35A.14.120, and the City Council accepted the proposal at its January 12, 2011, regular meeting; and

**WHEREAS**, the City received Petitions for Annexation which included signatures of the owners of record of more than 60% of the assessed value of the Annexation Territory on August 24, 2011; and

**WHEREAS**, the city submitted the Petitions for Annexation to the Clark County Assessor on August 19, 2011 for a determination of sufficiency; and

**WHEREAS**, the Clark County Assessor initiated determination of petition sufficiency on August 25, 2011 which is the "terminal date" as defined in RCW 35A.01.040, and

**WHEREAS**, the area proposed for annexation has a certified annexation value for general taxation of \$22,887,870, and

**WHEREAS**, the Clark County Assessor determined that the petition signatures, provided in compliance with RCW 35A.14.120 through 35A.14.150, have a combined total assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area, and

**WHEREAS**, the on August 26, 2011 Clark County Assessor declared and certified that the petition represents the affirmative consent of properties totaling more than 60% of the value according to the assessed valuation for general taxation purposes of the property proposed for annexation, and

**WHEREAS**, a SEPA Determination of Non-Significance on the annexation proposal was published on August 9, 2011; and

**WHEREAS**, the City provided public notice of the Petition and has provided an opportunity for comment thereon by all interested citizens at a duly called and noticed public meeting; and

**WHEREAS**, at its regular meeting on August 24, 2011, the City Council received and reviewed all of the documentation associated with this annexation proposal, received public testimony, and found that the Petition met the applicable requirements of RCW 35A.01.040 and accepted the Petition pursuant to the Direct Petition Method in RCW 35A.14.120 and LCMC 18.290; and

**WHEREAS**, the Clark County Boundary Review Board has been disbanded and therefore has no jurisdiction to invoke over the proposed annexation; and

**WHEREAS**, the City Council finds this annexation to be in the public's interest;

**NOW THEREFORE**, based on the foregoing Findings, the La Center City Council ordains as follows:

**Section 1 - Annexation.** The following real properties, described by Assessor's Parcel Number and current owner's name, including road and public utility rights-of-way, are proposed for annexation and consist of approximately 583.14 acres and 92 parcels of land (collectively the "Annexation Territory"): 211229-000 (BALINT DAVID M ESTATE OF); 211527-000 (BARNES GARY S & BARNES JERI TRUSTEES); 211465-000 (BECK LOREN P & BECK OVETA K TRUSTEES); 211278-000 (BEYER STAN & BEYER CYNTHIA); 986027-897 (BLACK RODNEY & BLACK STEPHANIE); 211449-000 (BRANNON LLOYD & BRANNON EDITH); 211459-000 (BRANNON LLOYD & BRANNON EDITH); 209283-000 (BRENOT DOROTHY); 601729-000 (BREWSTER RONALD G); 209284-005 (BROADWATER MICHAEL EDWARD & CARLSON CHRISTINE CLEESE CO-TRUSTEES); 209286-000 (BROADWATER TOM & BROADWATER DANIEL); 209284-000 (BROADWATER TOM & BROADWATER DANIEL); 211230-000 (BURK LAURA & BURK DEFORD MAHLON); 602310-000 (CARLSON CARL & CARLSON CORAMAE); 211225-000 (CARLSON CORAMAE 50%); 211243-000 (CARLSON INVESTMENTS LLC 50%); 211258-000 (CARLSON INVESTMENTS LLC 50%); 211262-000 (CARLSON INVESTMENTS LLC 50%); 211266-000 (CARLSON INVESTMENTS LLC 50%); 211245-000 (CARLSON INVESTMENTS LLC 50%); 211215-000 (CARLSON INVESTMENTS LLC); 211235-000 (CARLSON INVESTMENTS LLC); 211226-000 (CARLSON INVESTMENTS LLC); 211224-000 (CARLSON INVESTMENTS LLC); 211209-000 (CARLSON INVESTMENTS LLC); 211242-000 (CARLSON INVESTMENTS LLC); 211454-000 (CARROLL DAVID & CARROLL MARY); 211511-000 (CHRISTENSEN JERRY & CHRISTENSEN JEANNE E TRUSTEES); 211263-000 (CIRCLE C CORP); 211264-000 (CIRCLE C CORP); 211216-000 (COLF ROBERT); 211280-000 (COLF ROBERT); 209278-000 (DOYLE TRUDY MARTINE); 211526-000 (DYSON JAMES A & DYSON SHIRLENE N); 211484-000

(ERICKSON ELIZABETH K); 211520-000 (ERICKSON ELIZABETH K); 211521-000 (ERICKSON ELIZABETH K); 211446-000 (FIELDS EDNA RUTH); 211487-000 (FLACK JENNIFER M); 211452-000 (GAINNEY KENNETH C); 211482-000 (GOODWIN MARK & GOODWIN LAURIE); 209276-000 (HEADLEY STEVEN C & HEADLEY LESLIE A); 209290-000 (HEADLEY STEVEN C & HEADLEY LESLIE A); 610631-000 (HEADLEY STEVEN C & HEADLEY LESLIE A); 211505-000 (HOMOLA DELBERT D & HOMOLA HAZEL L TRUSTEES); 211460-000 (HORD MICHAEL & HORD RUTH); 610977-000 (HUDSON RONALD E & HUDSON L ROXANN); 211440-000 (HUDSON RONALD K); 211248-000 (JARAMILLO JESUS J & JARAMILLO HILDA); 211450-000 (JOHNSON ESTHER TRUSTEE); 607533-000 (KIRK MAXINE); 209284-010 (KRAEMER LARRY); 209703-000 (LANDON GLORIA); 209704-000 (LANDON GLORIA); 211255-000 (MARTIN RICHARD D TRUSTEE); 211279-000 (MCCUDDY MATT & MCCUDDY LAURIE); 211515-000 (MCLEAN ALAN & MCLEAN DAINA); 211261-000 (MEEK HOWARD S & MEEK JULIE E); 209738-000 (MINIT MANAGEMENT LLC); 211238-000 (MORRISON NORA H); 211470-000 (NORTHWEST NATURAL GAS COMPANY); 211471-000 (NORTHWEST PIPELINE); 211286-000 (OLIVA STEVEN & OLIVA JANICE); 211276-000 (OLIVA STEVEN J & OLIVA JANICE D); 211277-000 (OLIVA STEVEN J & OLIVA JANICE D); 211206-000 (OLIVA STEVEN J & OLIVA JANICE D); 211249-000 (OSTRAND PAUL); 211510-000 (PLOSS CRAIG R & PLOSS JOAN C); 211250-000 (REED GEORGE & REED KATHY); 211458-000 (RELYEA JAMES & RELYEA JUDITH ETAL); 211217-000 (RELYEA JAMES & RELYEA JUDITH); 607821-000 (RELYEA JAMES); 211457-000 (ROBINSON TRACY R); 211260-000 (SANDHU DIAL & SANDHU JASWANT); 211518-000 (SCHUTT PEGGY); 211517-000 (SCHUTT PEGGY); 211479-000 (SHORES DOUGLAS E & SHORES VICKI L); 211513-000 (SNYDER TONYA R & SNYDER JOHN W); 211523-000 (SODER LEE V); 211524-000 (SOLIAS JOELLEN & SOLIAS SOLIAS GENO); 211267-000 (SPITZER WILLIAM & SPITZER ANITA); 211519-000 (TERRY HASKELL HOWELL); 211461-000 (TIPTON GARY & TIPTON CHERYL 80%); 986027-898 (TIPTON GARY & TIPTON CHERYL 80%); 986027-899 (TIPTON GARY & TIPTON CHERYL 80%); 209708-000 (VANVESSEM JOHN & VANVESSEM SHANNA); 209284-015 (WEBSTER JUNIOR & WEBSTER DONNA); 211491-000 (WILSON PHILLIP W & WILSON MELODY A); 211257-000 (WING TODD & WING COLLEEN); 209282-000 (WOOLDRIDGE THOMAS W (C/S)); 211256-000 (ZARIK FRANK J), and; 211525-000 (ZUVER DAVID L & ZUVER JULIE A).

All of the Annexation Territory, as illustrated in Attachment A, attached hereto and incorporated herein by this reference, is hereby annexed and incorporated into the City of La Center.

**Section 2 – Annexation of public rights-of-way.** All federal, state, and local public rights-of-way within or abutting the Annexation Territory are hereby annexed and incorporated into the City of La Center.

**Section 3 - Land Use Designation and Zoning.** Land within the Annexation Territory is hereby designated as R1-7.5 (Urban Low Residential), MX (Mixed Use); C2 (Commercial); and TLI (Targeted Light Industrial) as illustrated in Attachment B, attached hereto and incorporated herein by this reference. Any Urban Holding (UH-10) overlay designation within the Annexation Territory is hereby removed.

**Section 4 - Assessment and Taxation.** Land within the Annexation Territory shall be assessed and taxed by the City in the same manner as other similarly situated property within the City as of the effective date of this Ordinance.

**Section 5 – Severability.** If any portion of this ordinance is found to be invalid or unenforceable for any reason, such finding shall not affect the validity or enforceability of any other provision of this ordinance.

**Section 6 –Transmittal.** The City Clerk shall:

1. File a certified true copy of this Ordinance, with the Clark County Board of Commissioners and the Clark County Assessor pursuant to LCMC 18.290.050.
2. Record a certified true copy of this Ordinance with the County Auditor pursuant to LCMC 18.290.050.
3. Provide notice of this annexation to the Office of Financial Management pursuant to RCW 35A.14.700.

**Section 7 -Effective Date:** This ordinance shall be effective upon adoption and publication as required by law.

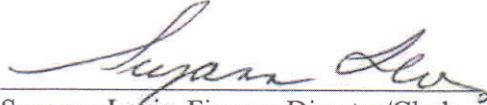
Approved and adopted this 14<sup>th</sup> day of September 2011 by a majority of the La Center City Council.

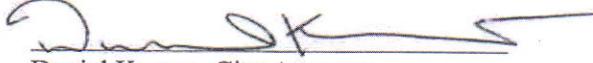
AYES:	<u>5</u>
NAYS:	<u>0</u>
ABSTAIN:	<u>0</u>
ABSENT:	<u>0</u>

  
James T. Irish, Mayor

ATTEST:

Approved as to form:

  
Suzanne Levis, Finance Director/Clerk

  
Daniel Kearns, City Attorney

**CITY OF LACENTER ANNEXATION  
LEGAL DESCRIPTION**

A PORTION OF LAND IN SECTION 3, 4, 5, 8, 9, AND 10, ALL IN TOWNSHIP 4 NORTH,  
RANGE 1 EAST OF THE WILLAMETTE MERIDIAN IN CLARK COUNTY, WASHINGTON,  
DESCRIBED AS FOLLOWS.

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF NW LA CENTER ROAD AND  
THE RIGHT BANK OF THE EAST FORK LEWIS RIVER AS SHOWN ON RECORD OF SURVEY  
IN BOOK 45 AT PAGE 197, RECORDS OF SAID CLARK COUNTY, WASHINGTON, SAID  
POINT BEING ON THE SOUTH LINE OF THE LA CENTER CITY LIMITS, AND BEARS  
N04°53'51"E 296.17 FEET FROM THE CENTER OF SAID SECTION 3;  
THENCE WESTERLY ALONG THE RIGHT BANK OF SAID EAST FORK LEWIS RIVER TO THE  
WESTERLY RIGHT OF WAY LINE OF NW LACENTER ROAD;  
THENCE LEAVING THE LA CENTER CITY LIMITS IN A SOUTHWESTERLY AND WESTERLY  
DIRECTION ALONG THE WESTERLY AND NORTHERLY RIGHT OF WAY LINE OF SAID NW  
LA CENTER ROAD THROUGH PORTIONS OF SAID SECTIONS 3 AND 4 TO THE  
SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED RECORDED  
UNDER AUDITORS FILE #4239509D, RECORDS OF SAID CLARK COUNTY;  
THENCE NORTH ALONG THE EAST LINE OF SAID TRACT TO THE NORTHEAST CORNER  
THEREOF;  
THENCE WEST ALONG THE NORTH LINE OF SAID TRACT TO THE NORTHWEST CORNER  
THEREOF AND THE EAST RIGHT OF WAY LINE OF PARADISE PARK ROAD SHOWN ON  
SHEETS 5 AND 6 OF 12 OF THE RIGHT OF WAY PLANS FOR SR 5 (I-5) RIDGEFIELD  
JUNCTION TO WOODLAND DATED AUGUST 10, 1965, SAID POINT BEING 69.65 FEET AS  
MEASURED PERPENDICULARLY TO THE "FR-9" LINE;  
THENCE WEST ALONG A LINE THAT IS PERPENDICULAR TO THE CENTER LINE ("L" LINE)  
OF STATE ROUTE 5 (I-5) TO THE WEST RIGHT OF WAY LINE OF THE SOUTHBOUND OFF  
RAMP ("AD" LINE) FOR I-5;

THENCE SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE TO A POINT 104.7 FEET WEST OF AND PERPENDICULAR TO THE "AD" LINE AT STATION AD 49+55.0, SAID POINT ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF NW 319<sup>TH</sup> STREET AND THE "DB" LINE ;

THENCE WESTERLY ALONG THE NORTH RIGHT OF WAY LINE OF NW 319<sup>TH</sup> STREET TO A POINT 20 FEET NORTH OF AS MEASURED PERPENDICULAR TO THE CENTER LINE OF NW 319<sup>TH</sup> STREET AT STATION "DB" 9+50;

THENCE SOUTH PERPENDICULAR TO THE CENTERLINE OF NW 319<sup>TH</sup> STREET 40.0 FEET TO THE SOUTH RIGHT OF WAY LINE THEREOF;

THENCE EASTERLY AND SOUTHERLY ALONG THE SOUTH RIGHT OF WAY LINE OF NW 319<sup>TH</sup> STREET AND THE WESTERLY RIGHT OF WAY LINE OF NW 31<sup>ST</sup> AVENUE (COUNTY ROAD #25 TO A POINT 50 FEET WEST AS MEASURED PERPENDICULAR TO THE CENTERLINE OF NW 31<sup>ST</sup> AVENUE AT STATION 40+50;

THENCE EAST 100 FEET TO THE EAST RIGHT OF WAY LINE OF NW 31<sup>ST</sup> AVENUE;

THENCE NORTH ALONG THE EAST RIGHT OF WAY LINE OF NW 31<sup>ST</sup> AVENUE 91.24 FEET TO THE WESTERLY RIGHT OF WAY OF I-5;

THENCE EAST ALONG THE RIGHT OF WAY OF I-5 TO A POINT ON THE WEST RIGHT OF WAY LINE OF I-5 THAT IS 160.0 FEET WEST OF AS MEASURED PERPENDICULAR TO STATION "L" 541+19.05;

THENCE SOUTHERLY ALONG THE WEST RIGHT OF WAY LINE OF SAID I-5 TO THE WESTERLY PROJECTION OF THE SOUTH LINE OF THAT TRACT OF LAND DESCRIBED IN AUDITOR'S FILE #3760459, RECORDS OF SAID COUNTY;

THENCE EAST ALONG SAID WESTERLY PROJECTION OF SAID SOUTH LINE TO THE EASTERLY RIGHT OF WAY LINE OF SAID I-5, SAID POINT BEING THE SOUTHWEST CORNER OF SAID AUDITOR'S FILE #3760459;

THENCE EAST ALONG THE SOUTH LINE OF SAID AUDITOR'S FILE #3760459 TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN AND THE SOUTHEAST CORNER THEREOF;

THENCE NORTH ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER AND THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9 TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED BY DEED UNDER AUDITOR'S FILE #8707240061;

THENCE EAST ALONG SOUTH LINE OF SAID PARCEL TO THE WEST LINE OF THAT PARCEL OF LAND DESCRIBED BY DEED UNDER AUDITOR'S FILE #4354118D, SAID POINT BEING ON THE WEST LINE OF NW 18<sup>TH</sup> AVENUE, A 60 FOOT WIDE PRIVATE ROAD;

THENCE SOUTHERLY ALONG WEST LINE OF NW 18<sup>TH</sup> STREET AND THE WEST LINE OF SAID PARCEL (AF # 4354118D) TO THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED BY DEED RECORDED UNDER AUDITOR'S FILE #920618265;

THENCE WEST ALONG THE NORTH LINE OF SAID PARCEL TO THE NORTHWEST CORNER THEREOF;

THENCE SOUTH ALONG THE WEST LINE OF SAID PARCEL TO THE SOUTHWEST CORNER THEREOF;

THENCE EAST ALONG THE SOUTH LINE OF SAID PARCEL TO THE SOUTHEAST CORNER THEREOF, SAID POINT BEING ON THE WEST LINE OF THAT PARCEL OF LAND DESCRIBED BY DEED UNDER AUDITOR'S FILE #9009170158 AND THE WEST LINE OF NW 18<sup>TH</sup> AVENUE, A 60 FOOT WIDE PRIVATE ROAD;

THENCE SOUTHERLY ALONG THE WEST LINE OF NW 18<sup>TH</sup> AVENUE, A 60 FOOT WIDE PRIVATE ROAD AND THE WEST LINE OF SAID PARCEL TO THE SOUTHWEST CORNER THEREOF;

THENCE EAST ALONG THE SOUTH LINE OF SAID PARCEL TO THE SOUTHEAST CORNER THEREOF AND THE WEST LINE OF THAT PARCEL OF LAND DESCRIBED BY DEED RECORDED UNDER AUDITOR'S FILE #9712160003;

THENCE SOUTH ALONG THE WEST LINE OF SAID PARCEL TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9;

THENCE EAST ALONG SAID SOUTH LINE TO THE QUARTER CORNER COMMON TO SAID SECTION 9 AND SECTION 10;

THENCE NORTHEAST ALONG THE SOUTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED BY DEED UNDER AUDITOR'S FILE #9007310217 TO THE WEST LINE OF THAT PARCEL OF LAND DESCRIBED BY DEED UNDER AUDITOR'S FILE #4085129;

THENCE SOUTH ALONG THE WEST LINE OF SAID PARCEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10;

THENCE EAST ALONG SAID SOUTH LINE TO THE EAST RIGHT OF LINE OF THE 60 FOOT WIDE RIGHT OF WAY OF NW TIMMEN ROAD (OLD PACIFIC HIGHWAY) AS DEPICTED IN RECORD OF SURVEY BOOK 29 AT PAGE 114;

THENCE SOUTHERLY ALONG SAID EAST RIGHT OF WAY LINE 23.32 FEET TO A HELD FENCE LINE FOR A BOUNDARY LINE AGREEMENT RECORDED UNDER AUDITOR'S FILE #9101250046, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED BY DEED RECORDED UNDER AUDITOR'S FILE #4653978D;

THENCE EASTERLY ALONG SAID BOUNDARY LINE FENCE AND THE FENCE LINE FOR A BOUNDARY LINE AGREEMENT RECORDED UNDER AUDITOR'S FILE #9008130103 TO TO ITS EASTERLY TERMINOUS, SAID TERMINOUS BEING THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED BY DEED RECORDED UNDER AUDITOR'S FILE #4600570D;

THENCE NORTHWESTERLY ALONG THE EASTERLY LINE OF THE LAST MENTIONED PARCEL AND THE EASTERLY LINE OF THAT PARCEL DESCRIBED BY DEED RECORDED UNDER AUDITOR'S FILE #3645820 TO THE NORTHEAST CORNER THEREOF, SAID POINT BEING THE THREAD OF THAT CREEK DESCRIBED UNDER AUDITOR'S FILE #3645820;

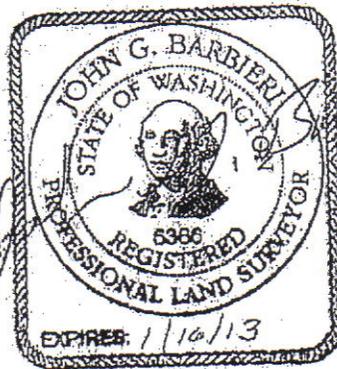
THENCE SOUTHWESTERLY ALONG THE NORTH LINE OF SAID PARCEL AND THE THREAD OF SAID CREEK TO THE EAST LINE OF THAT PARCEL OF LAND DESCRIBED BY DEED RECORDED UNDER AUDITOR'S FILE #3972611;

THENCE NORTH ALONG SAID EAST LINE TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTHWESTERLY ALONG THE NORTH LINE OF SAID PARCEL TO THE EASTERLY RIGHT OF WAY LINE OF NW TIMMEN ROAD (OLD PACIFIC HIGHWAY);

THENCE IN A NORTHWESTERLY DIRECTION FOLLOWING THE EASTERLY RIGHT OF WAY LINE OF NW TIMMEN ROAD TO THE CENTER LINE OF A SMALL CREEK AND THE

SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED BY DEED RECORDED UNDER AUDITOR'S FILE # 4661085D;  
THENCE NORTHERLY ALONG THE CENTER LINE OF SAID SMALL CREEK AND THE EAST LINE OF SAID PARCEL TO THE EASTERLY RIGHT OF WAY LINE OF NW POLLOCK ROAD;  
THENCE NORTHERLY ALONG THE EAST RIGHT OF WAY LINE OF SAID NW POLLOCK ROAD TO A POINT ON THE LEFT BANK OF THE EAST FORK LEWIS RIVER;  
THENCE NORTHERLY ALONG SAID LEFT BANK TO THE INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF NW LA CENTER ROAD AS DESCRIBED BY DEED RECORDED UNDER AUDITOR'S FILE #G 700618 AND AS SHOWN ON SHEET 10 OF 14 OF THE PLANS FOR NW LA CENTER ROAD (COUNTY ROAD PROJECT 51522) DATED JUNE 30, 1975;  
THENCE CONTINUING IN A NORTHERLY DIRECTION ALONG THE EASTERLY RIGHT OF WAY LINE OF NW LA CENTER ACROSS THE EAST FORK LEWIS RIVER TO THE RIGHT BANK THEREOF AND THE SOUTH LINE OF THE LA CENTER CITY LIMITS;  
THENCE WESTERLY ALONG THE RIGHT BANK OF THE EAST FORK LEWIS RIVER AND THE SOUTH LINE OF THE LA CENTER CITY LIMITS TO THE INTERSECTION OF THE CENTER LINE OF NW LA CENTER ROAD AND THE POINT OF BEGINNING.



8/18/11

