

04-27-09
05-04-09

ORDINANCE NO. M-3914

AN ORDINANCE relating to approval of an annexation pursuant to RCW 35.13.125; establishing the geographic extent, defining the comprehensive plan and land use designations; and determining the assumption of all or any portion of existing city indebtedness; accepting the certified petitions supporting annexation; and providing for an effective date for the 148-acre Alcoa Annexation.

WHEREAS, pursuant to RCW 35.13.005, no city located in a county in which urban growth areas have been designated under RCW 36.70A.110 may annex territory beyond an urban growth area; and,

WHEREAS, pursuant to RCW 36.70A, the City of Vancouver has an urban growth area designated under the Growth Management Act; and,

WHEREAS, the Alcoa Annexation is located in Vancouver's urban growth area, and is an unincorporated island contiguous to the City of Vancouver to the north, east and west; and,

WHEREAS, the annexation request conforms to the general principles of the Interlocal Agreement between the City and Clark County, dated December 2007; and,

WHEREAS, pursuant to RCW 35.13.125, the City of Vancouver received a signed annexation petition from the only property owner other than the state with land located in the Alcoa Annexation Area; and,

WHEREAS, pursuant to RCW 35.13.410, on March 16, 2009, Vancouver City Council met with the initiating party and voted in support of the annexation request; defined the geographic extent of the proposed annexation; required the simultaneous adoption of the comprehensive plan designations as provided for in VMC Chapter 20.230; and did not require assumption of all or any portion of the existing city indebtedness by the area to be annexed; and,

WHEREAS, pursuant to RCW 35.13.130, staff collected the petition signature from the Alcoa property owner; and,

WHEREAS, pursuant to RCW 35.21.005, on April 20, 2009, the Clark County Assessor certified that the signatures represent property owners controlling over seventy-five percent of the total assessed valuation of the 148-acre area proposed for annexation.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Location of Annexation Area: Pursuant to RCW 35.13, and as discussed and voted on by City Council on March 16, 2009 (Resolution M-3678), the 148-acre Alcoa Annexation Area is unincorporated land located in Vancouver's urban growth area, and is an unincorporated island contiguous to the City of Vancouver to the north, east and west. The legal description of such annexing land is set forth in Exhibit "A", attached hereto and incorporated herein. A parcel map of such annexing land is set forth in Exhibit "B", attached hereto and incorporated herein.

Section 2. Comprehensive Plan and Zoning Designations: Pursuant to VMC 20.230, and as discussed and voted on by City Council on March 16, 2009, (Resolution M-3678) the City shall designate the city comprehensive plan and zoning designations for the annexing land so as to correspond as reasonably close to the county zoning designation of such land, as provided for in VMC Table 20.230.030-1.

Section 3. Comprehensive Plan and Zoning Maps: The comprehensive plan and zoning designations provided for in Section 2 are hereby applied to the land being annexed, as shown on the maps attached hereto and incorporated herein as Exhibits "C" and "D".

Section 4. Indebtedness: As decided by City Council on March 16, 2009, (Resolution M-3678) the city will not require the Alcoa Annexation property owners to accept any of the existing city indebtedness.

Section 5. Signature Certification: Pursuant to RCW 35.21.005, on April 20, 2009, the County Assessor issued the Certification of Sufficiency regarding the signature support for the Alcoa Annexation, as set forth in Exhibit "E".

Section 6. Signature Acceptance: City Council hereby accepts the certified signatures supporting annexation of the 148-acre Alcoa Annexation area.

Section 5. Effective Date: This ordinance shall become effective thirty (30) days following the date of final adoption.

Read first time: *April 27, 2009*

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers *Campbell, Smith, Leavitt, Stewart, Harris, Jockota, Pollard*

Nays: Councilmembers *None*

Absent: Councilmembers *None*

Read second time: *May 4, 2009*

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers *Campbell, Smith, Stewart, Harris, Socolata, Pollard*

Nays: Councilmembers *None*

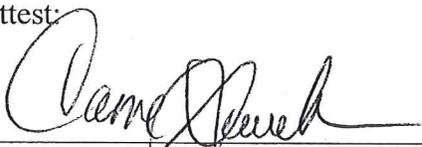
Absent: Councilmembers *Leavitt*

Signed this *27th* day of *May*, 2009.



Royce E. Pollard, Mayor

Attest:



R. Lloyd Tyler, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:



Ted H. Gathe, City Attorney

SUMMARY

ORDINANCE NO. M-39124

AN ORDINANCE relating to approval of an annexation pursuant to RCW 35.13.125; establishing the geographic extent, defining the comprehensive plan and land use designations; and determining the assumption of all or any portion of existing city indebtedness; accepting the certified petitions supporting annexation; and providing for an effective date for the 148-acre Alcoa Annexation thirty (30) days following the date of final adoption.

**LEGAL DESCRIPTION
FOR ANNEXATION**

A tract of land lying in the Patrick Markey and the John H. Mathews DLC's, lying in the South 1/2 of Section 18, the North 1/2 of Section 19, T. 2 N., R. 1 E., W.M., Clark County, Washington said tract being more particularly described as follows:

Beginning at the east end of the north line the Aluminum Company of America parcel as shown in Record of Survey recorded in Book 22, Page 154 records of said county, said point being noted as the True Point of Beginning (T.P.O.B), said point also being on the current city limit boundary as described in the Port of Vancouver Annexation in ordinance M-3152;

Thence South 22° 50' 14" West 435.37 feet along the East line;
Thence South 67° 09' 46" East 109.74 feet along said East line;
Thence South 21° 17' 54" East 68.71 feet along said East line;
Thence North 67° 09' 46" West 29.58 feet along said East line;
Thence South 22° 50' 14" West 253.81 feet along said East line;
Thence South 67° 09' 46" East 440.83 feet along said East line;
Thence South 22° 50' 14" West 40.02 feet along said East line;
Thence South 67° 09' 46" East 22.50 feet along said East line;
Thence South 22° 50' 14" West 214.78 feet along said East line;
Thence South 10° 49' 08" East 56.11 feet along said East line;
Thence South 67° 09' 46" East 483.24 feet along said East line;
Thence South 22° 05' 33" West 602.55 feet along said East line;
Thence North 67° 09' 46" West 25.00 feet along said East line;
Thence North 22° 50' 14" East 17.79 feet along said East line;



Thence North 67° 11' 22" West 491.24 feet along said East line;

Thence South 22° 50' 14" West 332.68 feet along said East line to a point on the North line of that tract of land, commonly known as the Aluminum Company of America Parcel A, the following bounds and calls are shown in Record of Survey Book 22, Page 155 records of said county;

Thence South 67° 27' 01" East 540.50 feet to a point of intersection with the East line of said Parcel A;

Thence South 22° 32' 59" West 427.48 feet along said East line to a point on the meanders of the Patrick Markey Donation Land Claim which bears North 0° 34' 49" East 79.42 feet and South 68° 53' 14" East 197.92 feet from the Southeast corner of the John H. Mathews Donation Land Claim;

Thence southwesterly along a line that lies at a right angle to the Washington State boundary to a point on said Washington State boundary;

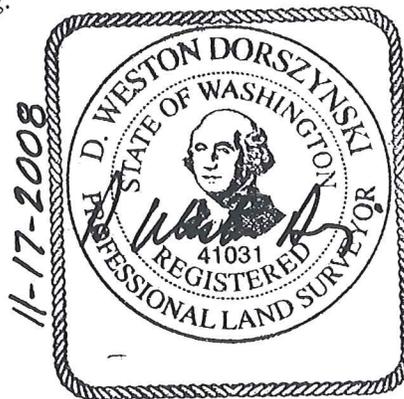
Thence, leaving current city limit boundary, northwesterly along said Washington State boundary to a point of intersection with a line running northerly and at a right angle to said Washington State boundary and through the Southwest corner of the Aluminum Company of America tract surveyed and shown in Book 22 of Surveys, page 154, records of said county, said Southwest corner being North 66° 36' 45" West 2187.28 feet and North 9° 00' 40" East 177.12 feet from the Southeast corner of the John Mathews Donation Land Claim in the Northeast 1/4 of said Section 19, said point being on the current city limit boundary as described in the Port of Vancouver Annexation in ordinance M-3152;

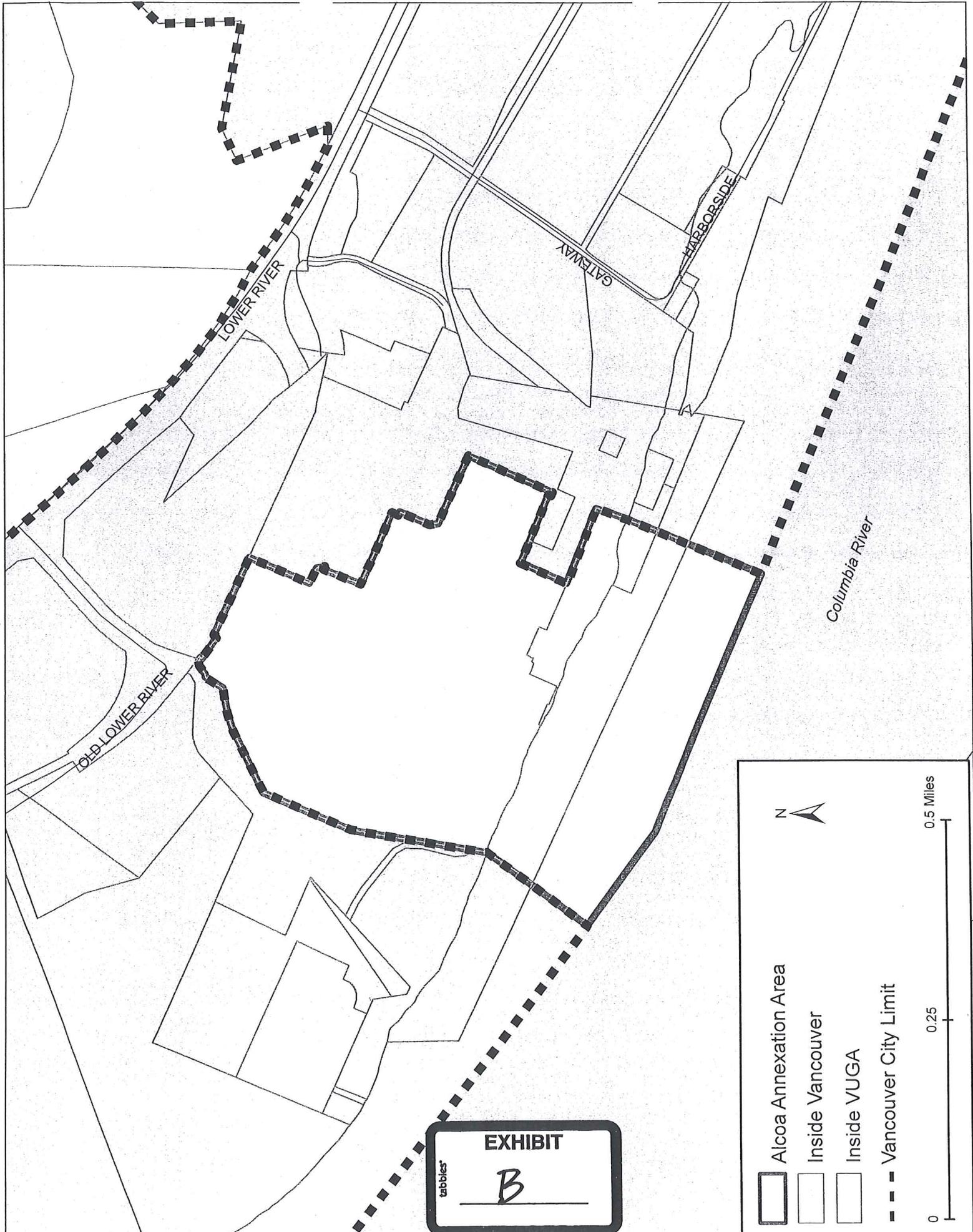
Thence northerly along said line (at a right angle to the Washington State boundary) to the said Southwest corner of the Aluminum Company of America tract;

Thence North 9° 00' 40" East 861.81 feet along the West line of said tract;

Thence North 22° 15' 29" East 269.20 feet along said West line;
Thence North 23° 06' 05" East 461.27 feet along said West line;
Thence North 62° 49' 08" East 360.64 feet along said West line to a point of curvature, the radius of which bears South 25° 00' 15" East 1175.77 feet;
Thence northeasterly along said curve right through a central angle of 18° 26' 37" for a distance of 378.48 feet along said West line;
Thence North 27° 38' 47" East 135.55 feet along said West line to a point of curvature, the radius of which bears North 10° 39' 30" West 117.00 feet;
Thence along said curve left through a central angle of 33° 40' 07" for 68.75 feet along said West line to the North line of said tract to a point of curvature the radius of which bears southeasterly 50.00 feet;
Thence northeasterly along said curve right through a central angle of 79° 51' 27" for 69.69 feet along said North line;
Thence South 54° 28' 10" East 263.44 feet along said North line;
Thence North 35° 31' 50" East 32.00 feet along said North line;
Thence South 67° 09' 46" East 562.15 feet along said North line to a point on the East line of said tract and the True Point of Beginning.

Described tract includes approximately 148 acres.





tabbles
EXHIBIT
B

Alcoa Annexation Area

Inside Vancouver

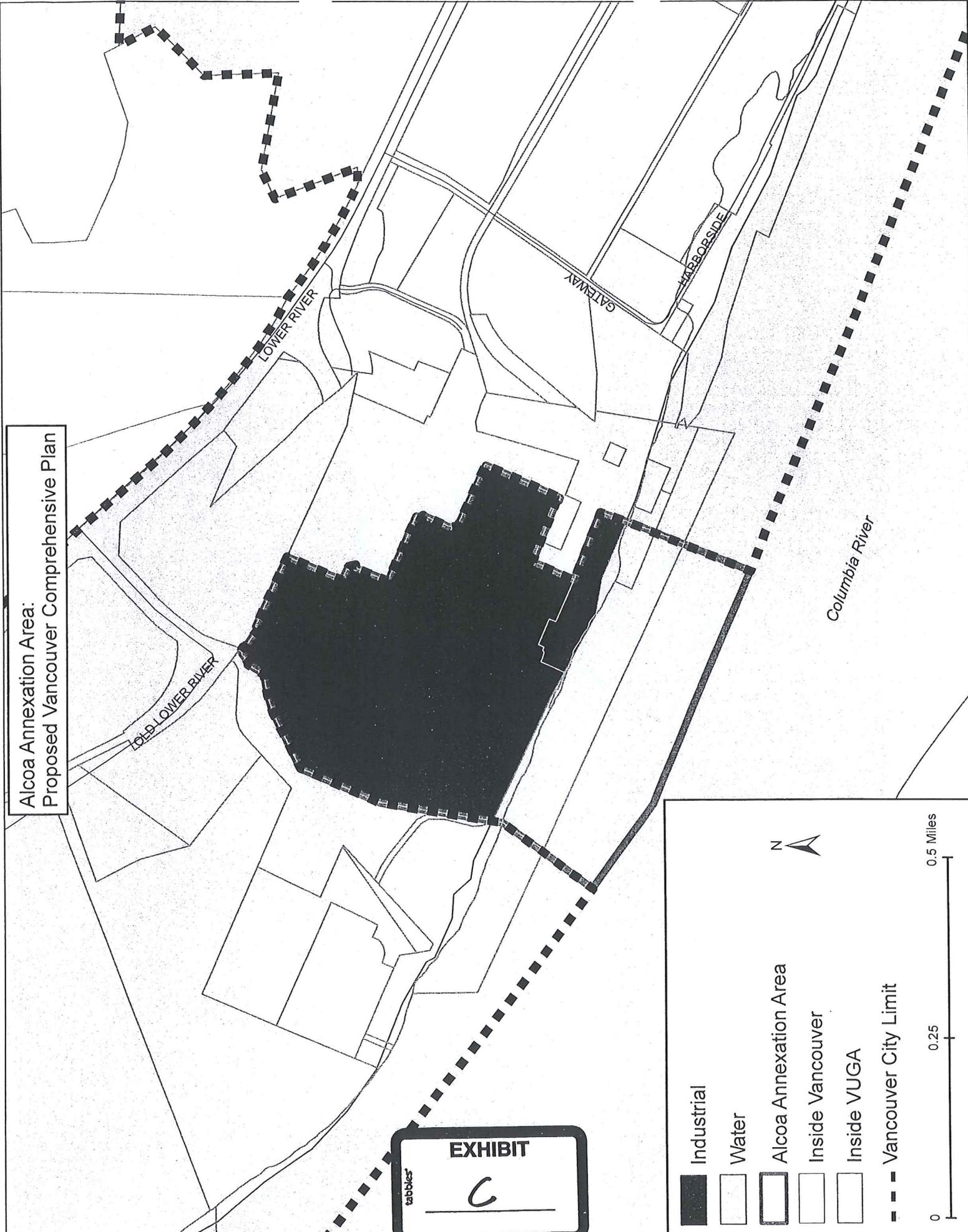
Inside VUGA

- - - Vancouver City Limit

N

0 0.25 0.5 Miles

Alcoa Annexation Area:
Proposed Vancouver Comprehensive Plan



tabbles
EXHIBIT
C

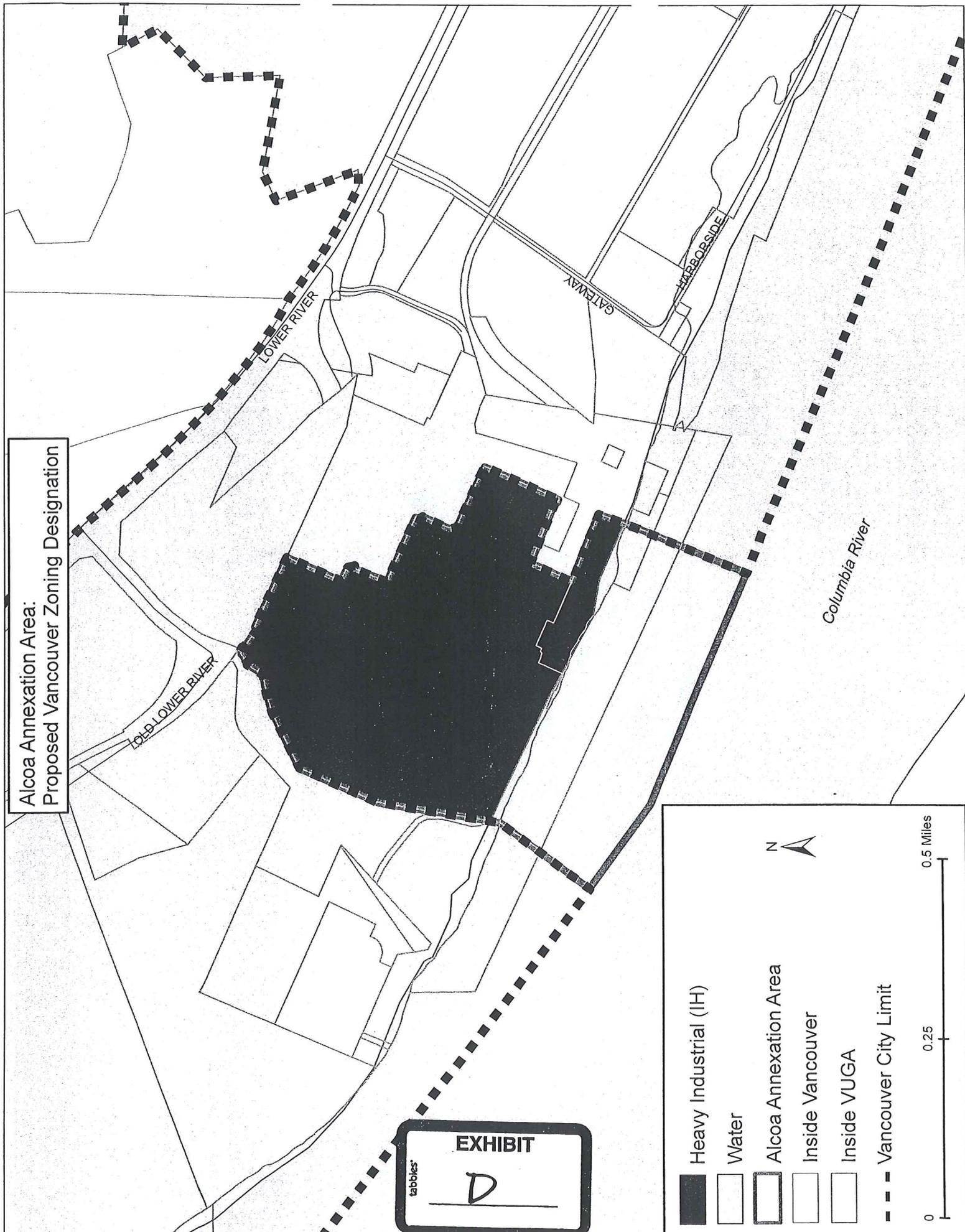
Legend:

- Industrial (Solid Black)
- Water (White)
- Alcoa Annexation Area (Thick Black Outline)
- Inside Vancouver (Thin Black Outline)
- Inside VUGA (Thin Black Outline)
- Vancouver City Limit (Dashed Line)

Scale: 0, 0.25, 0.5 Miles

North Arrow: N

Alcoa Annexation Area:
Proposed Vancouver Zoning Designation



tabbles
EXHIBIT
D

Legend:

- Heavy Industrial (IH)
- Water
- Alcoa Annexation Area
- Inside Vancouver
- Inside VUGA
- Vancouver City Limit

Scale: 0, 0.25, 0.5 Miles

Certification of Sufficiency
Section 30 Annexation.

Exhibit E

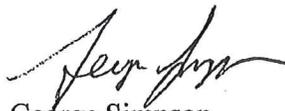
The city of Vancouver on April 6, 2009, submitted for review by the Clark County Assessor, a petition to annex to the city approximately 148 acres of land known as the ALCOA Annexation. Subject to the requirements of RCW 35.21.005, I now certify the following in my capacity as Clark County Assessor:

1. On April 6, 2009 the city of Vancouver submitted for certification by the Clark County Assessor a petition to annex to the city 4 parcels of land and associated road and public utility rights-of-way, totaling approximately 148 acres.
2. The legal description and map of the area proposed for annexation, as provided by the city of Vancouver, are attached to this certification. According to the map provided by the city, this area is located in unincorporated Clark County and within the urban growth boundary.
3. The city is completing annexation pursuant to the direct petition method of annexation, RCW 35.13.125 through RCW 35.13.170.
4. The Clark County Assessor initiated determination of petition sufficiency on April 7, 2009 which is the "terminal date" as defined in RCW 35.21.005.
5. The area proposed for annexation has a certified annexation value for general taxation of \$ 10,387,700.
6. Petition signatures provided by the city of Vancouver represent signatures, in compliance with the RCW 35.13.125 through 35.13.170, of a combined total assessed value for general taxation of not less than 75% of the total assessed value for general taxation of all property in the proposed annexation area. This review did not address the legal sufficiency of any proxy or utility covenant, only the sufficiency of the presence of signatures thereon.

Therefore, based on the petition certification request and supporting materials submitted by the city of Vancouver, I hereby declare and certify that the petition represents the affirmative consent of properties totaling more than 75% of the value according to the assessed valuation for general taxation purposes of the property proposed for annexation.

Given under my hand and seal this 20th day of April 2009.

Linda Franklin
Clark County Assessor



George Simpson
Clark County Deputy Assessor