

ORDINANCE NO. 2021-30

**AN ORDINANCE OF THE CITY OF BATTLE GROUND WASHINGTON,
PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY
KNOWN AS THE “SARKINEN ANNEXATION,” SUBJECT TO ASSUMPTION
OF INDEBTEDNESS, AND ADOPTING PREANNEXATION ZONING
CONTROLS FOR SUCH PROPERTY.**

WHEREAS, on May 7, 2021 the City of Battle Ground received an initial Notice of Intent to annex the area located in the north eastern portion of the City comprised of approximately 79 acres, further described in Exhibit A; and,

WHEREAS, the area further described in Exhibit A , referred to herein as the “Sarkinen Annexation Area” is being annexed by this Ordinance by use of the direct petition method pursuant to RCW 35A.14.120; and,

WHEREAS, on June 7, 2021 the City Council conducted a meeting with the initiating parties as required by RCW 35A.14.120 and accepted the notice of intent to annex, specified that the adopted pre-annexation zoning would apply to the property upon annexation, and that the property proposed to be annexed would be subject to any outstanding indebtedness; and,

WHEREAS, on October 4, 2021, the City Council held a public hearing on the annexation proposal pursuant to RCW 35A.14.130; and,

WHEREAS, on October 8, 2021 the annexation petition was submitted to the Clark County Assessor for certification pursuant to RCW 35A.01.040; and,

WHEREAS, on October 20, 2021, the Clark County Assessor indicated the petition contained valid signatures representing more than the required 60% of the total assessed value, and provided Certification of Sufficiency of the petition pursuant to RCW 35A.01.040; and

WHEREAS, the City Council finds that the proposed annexation is consistent with the Comprehensive Plan and will allow for future orderly growth; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BATTLE GROUND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The property, as set forth in Exhibit “A” and for which the petition for annexation is filed, shall be and is hereby made a part of the City of Battle Ground and annexed thereto.

Section 2. Pursuant to the terms of the annexation petition, all property within this territory to be annexed hereby shall be assessed and taxed at the same rate and on the same basis as the property within the City of Battle Ground, including assessments and taxes or taxes in payment of any bond issued or debts contracted by order existing at the time of annexation.

Section 3. In accordance with RCW 35A.14.330, and the City of Battle ground pre-annexation zoning map adopted under Ordinance No. 07-016, all property within the territory annexed by this ordinance is hereby zoned R5 and shall be subject to all development regulations of the City of Battle Ground in effect at the time of annexation.

Section 4. The City Clerk is hereby directed to file with the Board of County Commissioners of Clark County a certified copy of this ordinance. The City Clerk is further directed to file with the Office of Financial Management a certificate as required by RCW 35A.14.700 within thirty (30) days of the effective date of annexation.

Section 5. This Ordinance shall become effective 45 days from the date of adoption.

ADOPTED AT THE REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF BATTLE GROUND, WASHINGTON, THIS 1ST DAY OF NOVEMBER 2021.

CITY OF BATTLE GROUND

Adrian Cortes, Mayor

Attest:

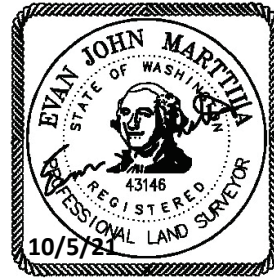
Approved as to form:

Kay Kammer, City Clerk

Christine Hayes, City Attorney



EXHIBIT "A"
October 05, 2021



SARKINEN ANNEXATION:

A portion of the Southeast quarter of the Northeast quarter and the Northeast quarter of the Southeast quarter of Section 35, and a portion of the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 36, all in Township 4 North, Range 2 East of the Willamette Meridian, Clark County, Washington more particularly described as follows:

Commencing at the quarter corner common to Section 35 and Section 36, thence North 89°22'50" West along the North line of the Southeast quarter of Section 35, for a distance of 330.01 feet to the TRUE POINT OF BEGINNING; thence North 00°58'43" East parallel to the East line of Section 35, for a distance of 666.90 feet; thence North 57°01'05" East along the North right of way of NE Heisson Road, for a distance of 194.36 feet; thence along the North right of way of NE Heisson Road on a non-tangent curve turning to the left with a delta angle of 04°51'40", a radius of 1870.25 feet, an arc length of 158.67 feet, and whose long chord bears North 55°38'14" East, a distance of 158.63 feet; thence North 53°12'24" East along the North right of way of NE Heisson Road, for a distance of 100.28 feet to the extension of the East edge of NE 152nd Ave; thence South 00°58'13" West along the East edge of NE 152nd Ave, a distance of 432.42 feet to the South line of the Hulse Tract described in Auditor's File 5004652; thence South 89°24'54" East a distance of 1289.38 feet to the Southeast corner of the Graybill Tract described in Auditor's File 5241999; thence South 01°11'54" West a distance of 493.92 feet to the Southeast corner of the Southwest quarter of the Northwest quarter of Section 36; thence South 01°34'42" West a distance of 1319.53 feet to the Southeast corner of the Northwest quarter of the Southwest quarter of Section 36; thence North 89°25'47" West a distance of 1330.93 feet to the Southwest corner of the Northwest quarter of the Southwest quarter of Section 36; thence North 01°43'49" East a distance of 0.39 feet to the Northeast corner of Short Plat Book 1, Page 720; thence North 89°29'00" West a distance of 555.31 feet to the Southwest corner of the Sarkinen Tract described in Auditor's File 5256502; thence North 89°31'58" West along the South line of the Tharp Tract described in Auditor's File No. 4745438, a distance of 108.73 feet; thence North 89°28'28" West along the South line of said Tharp Tract, a distance of 144.28 feet; thence North 01°48'55" East, along the West line of said Tharp Tract, for a distance of 876.50 feet; thence along the North line of the Railroad Right of Way, on a non-tangent curve turning to the right with a delta angle of 02°02'46", a radius of 2050.00 feet, an arc length of 73.21 feet, and whose long chord bears North 88°22'00" East, a distance of 73.20 feet; thence North 89°23'23" East, along the North line of the Railroad Right of Way a distance of 67.65 feet; thence North 89°31'59" East, along the North line of the Railroad Right of Way a distance of 112.38 feet to the West line of said Sarkinen Tract; thence North 01°48'55" East, along the West line of said Sarkinen Tract, for a distance of 438.15 feet to the North line of the Southeast quarter of Section 35; thence South 89°22'50" East a distance of 223.32 feet to the TRUE POINT OF BEGINNING.