



ORDINANCE NO. 2017-08

AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN PROPERTY TO THE CITY OF LA CENTER (WOLVERTON *et al.*) and REZONING THAT PROPERTY CONSISTENT WITH THE LA CENTER COMPREHENSIVE PLAN

The La Center City Council adopts the following findings:

WHEREAS, Lincoln and Joan Wolverton (Proponents), Brian Scheubel and the Rashford Tree Farms and Investment Company are the record owners of certain real property (the "Annexation Territory"), approximately 31.09 acres, situated in unincorporated Clark County Washington, within the LaCenter Urban Growth Area, contiguous with the corporate limits of the City of LaCenter; and

WHEREAS, the Annexation Territory is more precisely described as:

A parcel of property in the Southeast quarter and the Southwest quarter of the Northeast quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian, in Clark County, Washington, described as follows:

BEGINNING at the Southeast corner of said Northeast quarter of Section 34:

THENCE North 00° 50' 44" East along the East line of said Northeast quarter of Section 34 a distance of 973.05 feet to the Southeast corner of that tract conveyed as Exhibit A, Park 3 to Rashford Tree Farm & Investment Co. LLC under Auditor's File No. 364200, records of Clark County;

THENCE North 87° 48' 17" West along the South line of said parcel and the Westerly projection of said South line 1387.36 feet to point on the West line of NE North Fork Ave., said point on a non-tangent 330.00 foot radius curve to the left from which the Radius point bears South 65° 46' 36: East;

THENCE along said West line and around said 330.00 foot radius curve to the left a distance of 130.88 feet;

THENCE South 01° 30' 00" West along said West line 266.87 feet to an angle point;

THENCE South 02° 00' 00" West along said West line 269.87 feet to a 155.00 foot radius curve to the right;

THENCE along said West line and around said 155.00 foot radius curve to the right 102.53 feet to a point on a 188.00 foot radius curve to the right;

THENCE along said West line and around said 188.00 foot radius curve to the right 103.32 feet;

THENCE South 71° 23' 21" West along said West Line 454.06 feet to the South line of said Northeast quarter of Section 34;

THENCE South 88° 04' 08" East long said South line 1910.16 feet to the POINT OF BEGINNING; and

WHEREAS, the Proponents presented the City with a Notice of Intent to Annex pursuant to the so-called Direct Petition Method of RCW 35A.14.120, which the City Council accepted at its April 20, 2016 regular meeting; and

WHEREAS, the Proponents then submitted a Petition for Annexation, which included signatures of the owners of record of 72.2% of the assessed value of the Annexation Territory and a legal description and map thereof; and

WHEREAS, the City caused the SEPA Determination of Non-Significance relating to rezoning of the subject land to be published on May 16, 2017 and the City, thereafter, received no comments or appeals; and

WHEREAS, the City provided public notice of and an opportunity for comment thereon by all interested citizens at a duly noticed public meeting on June 14, 2017; and

WHEREAS, the Clark County Assessor certified sufficiency of the proponent's petition; 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 and zone change 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. Property Tax Assessor's Parcels 258903000, 258898000, 258909000, 258914000, 258968000, 258913000 and 258910000, more particularly described and illustrated in Exhibit A (the "Annexation Territory"), attached hereto and incorporated herein by this reference, along with all public rights-of-way immediately adjacent there to, is hereby annexed, incorporated into and made a part of the City of La Center.

Section 2 - Land Use Designation and Zoning. The Annexation Territory shall have a comprehensive plan land use designation of Residential and shall be zoned in accordance with LCMC 18.130 as Low Density Residential (LDR-7.5). An Urban Holding (UH-10) zoning overlay is also applied per LCMC 18.190 and shall be maintained until a capital facilities analysis is accepted by the City per Resolution 05-262, at which point the City will remove the Urban Holding overlay.

Section 3 – Assessment and Taxation. 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 4 – 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 5 – 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 6 – Effective Date: This ordinance shall be effective 10 days following its passage by the City Council and publication as required by law.

Approved and adopted this 14th day of June 2017 by a majority of the La Center City Council.

AYES: _____
NAYS: _____
ABSTAIN: _____
ABSENT: _____

Greg Thornton, Mayor of La Center

ATTEST:

APPROVED AS TO FORM:

Suzanne Levis, Finance Director/Clerk

Daniel Kearns, City Attorney

Wolverton *et al.* Annexation: Exhibit A



LAND SURVEYORS
ENGINEERS

(360) 695-1385
222 E. Evergreen Blvd.
Vancouver, WA
98660

LEGAL DESCRIPTION FOR AREA TO BE ANNEXED
Perimeter Description of Assessor's Parcels No.258903-000, 258914-000,
258898-000, 258909-000, 258968-000, 258913-000, & 258910-000

April 17, 2017

A parcel of property in the Southeast quarter and the Southwest quarter of the Northeast quarter of Section 34, Township 5 North, Range 1 East, of the Willamette Meridian, in Clark County, Washington, described as follows:

BEGINNING at the Southeast corner of said Northeast quarter of said Section 34;

THENCE North 00° 50' 44" East along the East line of said Northeast quarter of Section 34 a distance of 973.05 feet to the Southeast corner of that tract conveyed as Exhibit A, Part 3 to Rashford Tree Farm & Investment Co. LLC under Auditor's File No. 3642400, records of Clark County;

THENCE North 87° 48' 17" West along the South line of said parcel and the Westerly projection of said South line 1387.36 feet to point on the West line of NE North Fork Ave, said point on a non-tangent 330.00 foot radius curve to the left from which the Radius point bears South 65° 46' 36" East:

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