

ORDINANCE NO. 2017-01

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

WHEREAS, the East Parkway Annexation area is being annexed by this ordinance by use of the direct petition method per RCW 35A.14.120; and,

WHEREAS, on June 6, 2016, the City of Battle Ground received an initial Notice of Intent to annex approximately 28 acres located on the east side of N Parkway, starting on the southeast corner of NW 25th ST and N Parkway extending south along N Parkway; and,

WHEREAS, on July 18, 2016, August 1, 2016, and August 15, 2016 the City Council conducted a meetings 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, a complete and sufficient annexation petition was submitted to the City of Battle Ground on October 14, 2016. The petition was transmitted to the Clark County Assessor; and,

WHEREAS, on January 10, 2017 the city received a response from the Clark County assessor indicating the petition contained valid signature representing more than the required 60% of the total assessed value; and,

WHEREAS, on January 3, 2017, the City Council held a public hearing on the annexation proposal pursuant to RCW 35A.14.130; and,

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

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.

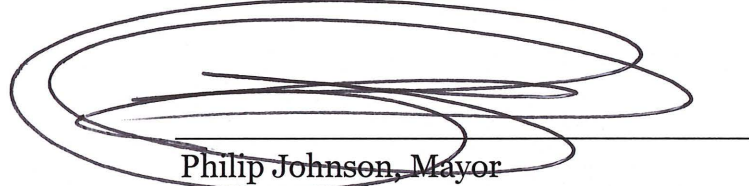
Section 3. In accordance with RCW 35A.14.330, and the City of Battle ground pre-annexation zoning map adopted under Ordinance No. 07-016, all property within the territory annexed by this ordinance is hereby zoned R3 and shall be subject to all development regulations of the City of Battle Ground in 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 RVW 35A.14.700 within thirty (30) days of the effective date of annexation.

Section 5. This Ordinance shall become effective 30 days from the date of adoption.


ADOPTED AT THE REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF BATTLE GROUND, WASHINGTON THIS 6 TH DAY OF FEBRUARY, 2017.

CITY OF BATTLE GROUND




Philip Johnson, Mayor

Attest:

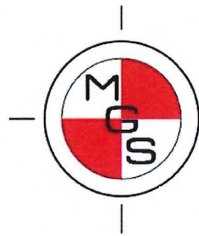


Kay Kammer, City Clerk

Approved as to form:



Scott S. Anders, City Attorney



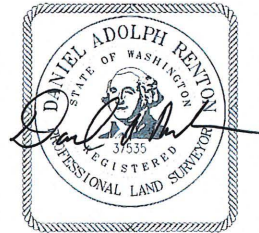
**MINISTER-GLAESER
SURVEYING INC.**

*Vancouver Office – 2200 E. Evergreen Blvd., Vancouver, Washington 98661
(360) 694-3313 (360) 694-8410 FAX
Pasco Office – 6303 Burden Blvd. Suite E, Pasco, Washington 99301
(509) 544-7802 (509) 544-7862 FAX*

12/19/16

December 19, 2016

EXHIBIT “A”



BATTLE GROUND ANNEXATION AREA

A portion of the Southwest quarter of the Southwest quarter of Section 26, Township 4 North, Range 2 East, Willamette Meridian, Clark County, Washington, described as follows:

BEGINNING at the Northwest corner of the Southwest quarter of the Southwest quarter of said Section 26;

Thence East along the North line the Southwest quarter of the Southwest quarter of Section 26 to the Northeast corner thereof;

Thence South to the Southeast corner of the North half of the North half of the Southwest of the Southwest quarter of Section 26;

Thence West to the Northwest corner of the East 7 acres of the South half of the North half of the Southwest quarter of the Southwest quarter of Section 26;

Thence South to the Southwest corner of the East 7 acres of the South half of the North half of the Southwest quarter of the Southwest quarter of Section 26;

Thence East to the Northeast corner of the North half of the South half of the Southwest quarter of the Southwest quarter of Section 26;

Thence South to the Northeast corner of the South half of the South half of the South half of the Southwest quarter of the Southwest quarter of Section 26;

Thence West to the Northwest corner of the South half of the South half of the South half of the Southwest quarter of the Southwest quarter of Section 26;

s:\jobs_16\16-595\legals\legal 16-595.docx

Thence North along the West line of the Southwest quarter of the Southwest quarter of Section 26 to the **TRUE POINT OF BEGINNING**.

EXCEPT any portion of the above described area which lies in Northeast 132nd Avenue.