

**CITY OF ENUMCLAW
WASHINGTON
RESOLUTION NO. 1376**

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON ACCEPTING THE 60% ANNEXATION PETITION FOR A CERTAIN UNINCORPORATED TERRITORY KNOWN AS THE HARKNESS ANNEXATION; EXPRESSING THE INTENT TO ANNEX; AND PROVIDING FOR SUBMISSION OF A NOTICE OF INTENT TO THE KING COUNTY BOUNDARY REVIEW BOARD.

WHEREAS, on May 21, 2009, the City of Enumclaw received a Notice of Intent pursuant to RCW 35A.14.120 to annex certain real property commonly referred to as the Harkness Annexation; and

WHEREAS, the Notice of Intent was signed by the owners of the property representing at least ten percent (10%) in value (according to the assessed valuation for general taxation) of the real property; and

WHEREAS, on August 24, 2009, the City Council adopted Resolution 1347, accepting the proposed annexation and authorizing the initiating party to circulate an annexation petition seeking the signatures of the owners of 60% of the assessed valuation of property within the proposed annexation area; and

WHEREAS, on October 21, 2009, a petition for annexation of an area contiguous to the City of Enumclaw was made in writing, and signed by owners of property representing not less than sixty percent (60%) in value (according to the assessed valuation for general taxation) of the property for which annexation is petitioned, a copy of which is attached as Exhibit A, legally described in Exhibit B, and depicted on Exhibit C; and

WHEREAS, upon submittal, the City of Enumclaw accepted the signed 60% petition with the request to remove certain areas added under Section 2 "Boundary Revised" of Resolution 1347 identified and labeled on Exhibit B of Resolution 1347 as "McHugh," attached hereto as Exhibit D; and

WHEREAS, on October 23, 2009, eight of the nine property owners within the "McHugh" area submitted to the City of Enumclaw a signed petition to support the removal of

the “McHugh” area from inclusion in the Harkness Annexation petition, a copy of the signatures is attached as Exhibit E hereto; and

WHEREAS, pursuant to RCW 35A.01.040 (4), the petition was submitted to the King County Department of Assessments for the determination as to the sufficiency of signatures thereon; and

WHEREAS, on October 27, 2009 the King County Assessor, Lynn Gering, determined that the petition contains the signatures of the owners of 60% of the assessed valuation of property located within the proposed Harkness Annexation Area, and so notified the City of Enumclaw of that determination in writing, a copy of the letter is attached as Exhibit F hereto; and

WHEREAS, on March 22, 2010, the City of Enumclaw City Council held a public hearing following publication of notice thereof as provided in RCW 35A.14.130; and

WHEREAS, said proposed annexation area is within the Urban Growth Area boundary as established by the City of Enumclaw and by King County; and

WHEREAS, the City Council has determined the annexation to be consistent with the Growth Management Act, including RCW 36.70A.110 (1);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON DO ORDAIN AS FOLLOWS:

SECTION 1. Accept Sixty Percent Annexation Petition. The City of Enumclaw hereby accepts the sixty percent petition for the approximately three hundred (300) acres of real property known as the “Harkness Annexation,” located in King County, Washington, lying adjacent and contiguous to the City of Enumclaw, which is legally described in Exhibit B and depicted on the map in Exhibit C, which exhibits are attached hereto and incorporated herein by reference.


SECTION 2. Assumption of Debt/Taxation. All property within the territory annexed pursuant to Section 1 shall be assessed and taxed at the same rate and on the same basis as other property in the City of Enumclaw is assessed and taxed, to pay for the now outstanding indebtedness to the City contracted prior to or existing at the time of annexation.

SECTION 3. Notice of Intent to Boundary Review Board. The Community Development Director, is hereby authorized and instructed to prepare and submit a Notice of Intention to Annex to the King County Boundary Review Board as soon as practicable in order to obtain approval for the annexation. The aforementioned authority is hereby authorized and directed to take such other steps with respect to said Notice of Intention or otherwise as deemed necessary to implement the annexation in Section 1 of this Resolution.

SECTION 4. Severability. If any section, sentence, clause or phrase of this resolution should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution.

SECTION 5. Effective Date. This resolution shall take effect and be in force five (5) days from and after its passage, approval and publication as required by law.

PASSED IN REGULAR AND OPEN SESSION this 12th day of April, 2010.

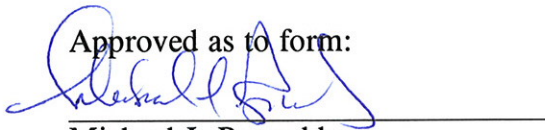

Mayor Liz Reynolds
INTRODUCED 3-22-10
PASSED 4-12-10
APPROVED 4-13-10
PUBLISHED _____

Attested:



Marcia Hopkins
City Clerk

Approved as to form:



Michael J. Reynolds
City Attorney