DATE: October 23, 1979
TO: City Council
FROM: Mayor Hogan
REFERENCE: ORDINANCE 2187

I have vetoed Ordinance 2187 for the following reasons:

1. Proposed development would further impact Kent-Kangley traffic congestion.

2. Left turns on Kent-Kangley will contribute to accident potential.

3. No assured water capacity for additional customers. (Report on supply and demand due on 11/13/79)

4. Surface water drainage -- anticipated solution to detention in Mill Creek may be delayed due to soils analysis (Report due 11/13/79).
ORDINANCE NO. 2187

AN ORDINANCE of the City of Kent, Washington, annexing to the City certain lands contiguous thereto and commonly referred to as the "ROWLEY ANNEXATION NO. 2".

WHEREAS in accordance with RCW 35A.14 of the Laws of the State of Washington, the owners of not less than seventy-five (75) percent in value according to the assessed valuation for general taxation of certain lands situated in King County, Washington, and more particularly described hereinafter in this Ordinance, filed with the City Council of the City of Kent, Washington their petition in writing to have annexed to the City the said described land, and

WHEREAS in accordance with RCW 35A.14 of the Laws of the State of Washington various proceedings were had, and

WHEREAS notice of intention to annex was filed with the King County Boundary Review Board, and

WHEREAS the Board declined to invoke jurisdiction and the statutory period has expired during which jurisdiction could be invoked and the annexation is deemed to be approved as a matter of law, and

WHEREAS public hearings were held on said annexation pursuant to proper notices before the Kent City Council, and

WHEREAS it appears to the City Council of the City of Kent, Washington, that said annexation meets the requirements specified by law; the procedures from the filing with the City of Kent by the requisite number of property owners of their notice of intention to commence annexation proceedings, to and including the consideration of the passage of this Ordinance also meet the requirements specified by law; and the lands sought to be annexed are contiguous to the City of Kent and have not heretofore been incorporated in or as a City or Town, NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO ORDAIN AS FOLLOWS:

FILED for Record at Request of
Name City of Kent
Address Jane
Section 1. That there shall be annexed to the City of Kent, Washington, the following described land situated in the County of King, State of Washington, to-wit:

Lots 33, 44, 45 and 46 of R.O. Smith's Orchard Tracts according to plat recorded in Volume 12 of Plats, Page 27, records of King County, Washington, together with those portions of South 252nd St. and 100th Avenue SE lying adjacent to;

Together with those portions of the southeast quarter and of the northeast quarter of Section 19, Township 22 North, Range 5 East, W.M., and those portions of the southwest quarter and of the northwest quarter of Section 20, Township 22 North, Range 5 East, W.M., more particularly described as follows:

The south 30 feet of that portion of said northeast quarter of Section 19 lying easterly of the centerline of 94th Avenue So.; and the north 30 feet of that portion of said southeast quarter of Section 19 lying easterly of the northerly projection of the West line of Lot 36 of said R.O. Smith's Orchard Tracts; and also the north half of the northeast quarter of the southeast quarter of said Section 19; and also

The south 30 feet of the southwest quarter of the southeast quarter of said Section 20; and also

The northwest quarter of the northwest quarter of the southwest quarter of said Section 20, all in Township 22 North, Range 5 East, W.M., in King County, Washington.

Section 2. That the property hereby annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Kent is assessed and taxed to pay for any outstanding general indebtedness of the City to which the area was annexed and which was contracted prior to or in existence at the effective date of this annexation.

Section 3. That the annexation of said property will become effective upon the effective date of this Ordinance, and said property shall become a part of the City of Kent, subject to all of the laws and ordinances of the City then and thereafter in effect except as otherwise provided by law.

Section 4. Notice is hereby given that as of the effective date of this annexation all franchises or permits here-
tofore granted to any person, firm or corporation by the State of Washington, or by the governing body of the annexed territory, authorizing or otherwise permitting the operation of any public transportation, garbage collection and/or disposal or other similar public service business or facility within the limits of the annexed territory are cancelled; but the holder of any such franchise or permits herewith cancelled are herewith granted by the City of Kent the franchise to continue such business within the annexed territory for a period of five (5) years from the effective date of this annexation.

Section 5. Within thirty (30) days from the passage, approval and publication of this Ordinance as provided by law, the City Clerk of the City of Kent shall under the direction of the Mayor of the City of Kent determine the resident population of the annexed territory which population determination shall consist of an actual enumeration of the population which shall be made in accordance with practices and policies and subject to approval of the Planning and Community Affairs Agency of the State of Washington and which population shall be determined as of the effective date of annexation as specified in this Ordinance.

Section 6. Within thirty (30) days after the effective date of the annexation referred to in this Ordinance, the City Clerk of the City of Kent shall prepare a certificate signed by the Mayor and attested by the City Clerk in such form and containing such information as shall be prescribed by the Planning and Community Affairs Agency of the State of Washington and said City Clerk shall thereafter submit said certificate in triplicate to the Planning and Community Affairs Agency of the State of Washington, along with the population determination of the annexed territory.

Section 7. Within ten (10) days after the effective date of the annexation referred to in this Ordinance, the City Clerk of the City of Kent shall send to the King County Executive or his designee seven (7) certified copies of this Ordinance together with a copy of a letter from G. Brice Martin, Chief Clerk of the King County Boundary Review Board which letter contains a copy of the decision of the Boundary Review Board relating to the annexation.

Section 8. This Ordinance shall take effect and be
in force five (5) days from and after its passage, approval and publication as provided by law.

ISABEL HOGAN, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY

PASSED the 15 day of October, 1979.
APPROVED the day of October, 1979.
PUBLISHED the day of October, 1979.
Passed on the vote 11/5/79
Published the 9 day of Nov, 1979

I hereby certify that this is a true copy of Ordinance No. 2187, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK (SEAL)