AN ORDINANCE of the City of Kent, Washington, annexing certain territory to the City of Kent, Washington for a stormwater detention facility for Garrison Creek.

WHEREAS, RCW 35A.14.300 authorizes the Legislative body of Municipal Code Cities, by majority vote, to annex certain territory outside its city limits, whether contiguous or non-contiguous, for municipal purposes, and

WHEREAS, the City of Kent owns a parcel of land, approximately 2.56 acres in size, which is legally described in Exhibit A attached hereto and incorporated herein by this reference, and which is contiguous to the existing territorial limits of the City of Kent; and

WHEREAS, the City of Kent's Public Works Department plans to utilize this parcel for the development of a stormwater detention facility for Garrison Creek; and

WHEREAS, pursuant to applicable rules and regulations governing the King County Boundary Review Board and RCW 26.93.090(1), the City may annex territory that it wholly owns for municipal purposes without filing a Notice of Intent with the King County Boundary Review Board so long as the property is owned by the City, is being annexed for a municipal purpose and is contiguous with the City's existing boundary; and

WHEREAS, the City has conducted its SEPA review of the proposed annexation after submittal of an environmental checklist, and the appropriate SEPA responsible official has issued a Determination of Nonsignificance regarding the proposes annexation,

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which Determination is attached hereto as Exhibit B; and

WHEREAS, it is in the best interest and benefit to the public, and in particular the citizens of Kent, to annex this parcel of property for City parks and recreation purposes; NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The above-mentioned findings and recitals are found to be true and correct in all respects.

Section 2. The property described in Exhibit A, attached hereto and incorporated herein by this reference, is hereby annexed to the City of Kent.

Section 3. The City Clerk shall transmit a certified copy of this ordinance to the King County Boundary Review Board and to the appropriate department(s) within King County.

Section 4. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 5. This ordinance shall take effect and be in force thirty (30) days from the time of its final approval and passage as provided by law.

DAN KELLEHER, MAYOR

** should read "stormwater detention facility for Garrison Creek" Initialed by Mayor
ATTEST:

Brenda Jacober
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 20th day of July, 1993.
APPROVED the 21st day of July, 1993.
PUBLISHED the 23rd day of July, 1993.

I hereby certify that this is a true and correct copy of Ordinance No. 3127, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent hereon indicated.

Brenda Jacober
BRENDA JACOBER, CITY CLERK
UPPER GARRISON CREEK
PROPOSED ANNEXATION LEGAL
May 25, 1993

THE EAST 220.00 FEET OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF
THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18
TOWNSHIP 22 NORTH RANGE 5 EAST, W.M., IN KING COUNTY WASHINGTON;

EXCEPT THE NORTH 137.00 FEET THEREOF; AND ALSO THE NORTH 300 FEET
OF THE EAST 160 FEET OF THE FOLLOWING-DESCRIBED PROPERTY;

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF
THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 22 N., RANGE 5 EAST.,
W.M. EXCEPT ROADS

AND ALSO THE EAST 150 FEET OF THE NORTH 137 FEET OF THE SOUTH HALF
OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST
QUARTER OF SECTION 18, TOWNSHIP 22 NORTH, RANGE 5 EAST, W.M., IN
KING COUNTY, WASHINGTON.

EXHIBIT A
Environmental Checklist No. #ENV-93-29 Project UPPER GARRISON CREEK AREA ANNEXATION

Description The proposal is to annex into the City approximately 2.6 acres located on the west side of 98th Avenue S. north of James Street. The three parcels to be annexed, along with other adjacent properties, will be used to develop a regional stormwater detention pond. The parcels are zoned GR-5-P, Growth Reserve, one unit per 5 acres, in the County. Upon annexation to Kent the area have an interim zoning classification of R1-20, one dwelling unit per 20,000 square feet, until final zoning is applied to the site by the City Council.

Location The proposed annexation encompasses an area in the east half of Section 18, Township 22 North, Range 5 East, W.M.; lying westerly of 98th Avenue S. and extending about 300 feet both northerly and southerly of the north end of 98th Avenue S.

Applicant City of Kent Public Works Department
220 Fourth Avenue S.
Kent, WA 98032

Lead Agency City of Kent

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This Determination of Nonsignificance is specifically conditioned on compliance with the conditions and mitigating measures described below. This information is available to the public on request.

There is no comment period for this DNS.

X This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 15 days from the date below. Comments must be submitted by July 16, 1993

Responsible Official James P. Harris

Position/Title Planning Director

Address 220 S. Fourth Avenue, Kent, WA 98032 Telephone: 859-3390

Dated July 1, 1993 Signature

Questions regarding procedures for appealing this agency decision may be directed to the Responsible Official.

CONDITIONS/MITIGATING MEASURES

NO CONDITIONS REQUIRED

EXHIBIT B