ORDINANCE NO. 3153

AN ORDINANCE of the City Council of the City of Kent, Washington, annexing to the city certain lands contiguous thereto, in the vicinity of South 222nd Street and 93rd Avenue South, commonly known as the Everson Annexation.

WHEREAS, on or about November 16, 1992, the owners of not less than ten percent in value, according to the assessed valuation for general taxation of a certain area of property for which annexation was sought, more commonly known as the "Everson Annexation" area, which is legally described on Exhibit A attached hereto and incorporated herein by this reference, notified the Kent City Council in writing of their intent to commence annexation proceedings; and

WHEREAS, on or about January 5, 1993, the Kent City Council accepted the initiating parties notice of intent to annex the "Everson Annexation" area; and

WHEREAS, on or about May 7, 1993, the owners of not less than sixty percent in value, according to the assessed valuation for general taxation of the Everson Annexation area, filed a petition for annexation of the Everson Annexation area to the City of Kent; and

WHEREAS, the aforementioned sixty percent petition was found to be proper and legally sufficient in all respects; and

WHEREAS, on or about August 20, 1993, the City of Kent finalized its State Environmental Policy Act ("SEPA") process and issued a Determination of Non-Significance ("DNS") regarding the proposed Everson Annexation; and
WHEREAS, on or about November 12, 1993, the Washington State Boundary Review Board for King County approved the proposed Everson Annexation; and

WHEREAS, the City published and posted notice of a public hearing on the Everson Annexation in accordance with RCW 35A.14.130 so that interested persons could voice their approval or disapproval of the annexation; and

WHEREAS, the City Council of the City of Kent held the public hearing on the Everson Annexation in the City Council Chambers at a regularly scheduled meeting of the Kent City Council at 7:00 pm on January 4, 1994; and

WHEREAS, it appears to the City of Kent that the Everson Annexation meets all requirements specified by law, to and including consideration of the passage of this ordinance, and that the land to be annexed is contiguous to the City of Kent and has not heretofore been incorporated in or as a city or town; NOW, THEREFORE,

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

Section 1. That there shall be annexed to the City of Kent, Washington certain property situated in King County, Washington, which property is legally described in Exhibit A attached hereto and incorporated herein by this reference, and having boundaries as outlined in the map attached hereto as Exhibit B and incorporated by this reference.

Section 2. That, in accordance with the Everson Annexation property owner's petition, 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 indebtedness has been
approved by the voters, contracted for, or incurred prior to, or
existing at the effective date of this annexation.

Section 3. The property annexed shall be subject to
the City of Kent's existing zoning regulations, specifically
those regulations that apply to newly annexed territory as set
forth in Kent City Code Sections 15.03.020(E) and 15.09.055.

Section 4. The annexation of the annexed property
will become effective upon the effective date of this Ordinance,
and the area shall become a part of the City of Kent, subject to
all the laws and ordinances of the City then and thereafter in
effect except as otherwise provided by law.

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 the 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. The City Clerk of the City of Kent,
pursuant to RCW 35A.14.700, 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 Office
of Financial Management of the State of Washington, and the City
Clerk shall thereafter submit said certificate in triplicate to
the Office of Financial Management of the State of Washington,
along with the population determination of the annexed territory.
Section 7. Upon passage of this annexation ordinance, the City Clerk of the City of Kent, pursuant to RCW 35A.14.140, shall send to the Office of the Clerk of the County Council a certified copy of this ordinance together with a copy of a letter from the Executive Secretary of the King County Boundary Review Board which letter contains a copy of the decision of the Boundary Review Board relating to this annexation.

Section 8. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be 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 ordinance.

Section 9. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

I hereby certify that this is a true copy of Ordinance No. 3153, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

Brenda Jacober (SEAL)
BRENDA JACOBER, CITY CLERK
THE LAND SITUATED IN THE COUNTY OF KING, STATE OF WASHINGTON DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTH 1/2 OF THE SE 1/4 OF SECTION 7, TOWNSHIP 22N, RANGE 5E DEFINED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF SAID S 1/2 OF THE SE 1/4 OF SECTION 7, TOWNSHIP 22N, RANGE 5E, BEING THE TRUE POINT OF BEGINNING OF PROPERTY HEREIN DESCRIBED, THENCE NORTH ALONG THE WEST LINE OF SAID SUBDIVISION WHICH LINE IS ALSO DEFINED WITHIN CITY OF KENT ORDINANCE #1006 TO THE NORTHWEST CORNER THEREOF; THENCE EAST ALONG THE NORTH LINE THEREOF, WHICH LINE IS ALSO DEFINED WITHIN CITY OF KENT ORDINANCE #1986, TO A POINT OF INTERSECTION WITH THE EAST MARGIN OF 93RD AVENUE SOUTH;

THENCE SOUTH ALONG SAID EAST MARGIN WHICH MARGIN IS ALSO DEFINED WITHIN CITY OF KENT ORDINANCE #1986 TO A POINT OF INTERSECTION WITH THE NORTH MARGIN OF SOUTH 222ND STREET; THENCE EAST ALONG SAID NORTH MARGIN WHICH SAID NORTH MARGIN IS ALSO DEFINED WITHIN CITY OF KENT #1986 TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE NE 1/4 OF THE SW 1/4 OF THE SE 1/4 OF SAID SECTION 7; THENCE NORTH ALONG THE EAST LINE THEREOF, WHICH LINE IS DEFINED WITHIN CITY OF KENT ORDINANCE #1986 TO THE NORTHEAST CORNER THEREOF

THENCE EAST ALONG THE NORTH LINE OF THE S 1/2 OF THE SE 1/4 OF SAID SECTION WHICH NORTH LINE IS DEFINED WITHIN CITY OF KENT ORDINANCE #2611 TO THE NORTHEAST CORNER OF W 1/2 OF NW 1/4 OF SE 1/4 OF SE 1/4 IN SAID SECTION; THENCE SOUTH ALONG THE EAST LINE THEREOF TO A POINT OF INTERSECTION WITH THE SOUTH MARGIN OF SOUTH 222ND STREET; THENCE WEST ALONG SAID SOUTH MARGIN A DISTANCE OF 13 FEET;

THENCE SOUTH PARALLEL WITH AND 13 FEET WEST OF THE EAST LINE OF THE W 1/2 OF THE SW 1/4 OF THE SE 1/4 OF THE SE 1/4 OF SAID SECTION, TO A POINT ON THE SOUTH LINE OF SAID SECTION, THENCE WEST ALONG SAID SOUTH LINE TO THE TRUE POINT OF BEGINNING.

EXHIBIT A