ORDINANCE NO. 3210

AN ORDINANCE of the City Council of the City of Kent, Washington, annexing to the City certain contiguous lands, comprising approximately 200 acres generally located north of James Street, lying astride of 94th Avenue South (approximately 1250 feet lying east of 94th and 600 feet lying west of 94th) extending northerly to approximately South 222nd Street, and commonly known as the Beck Annexation.

WHEREAS, in accordance with Chapter 35A.14 RCW, the owners of not less than 60 percent of the assessed valuation for general taxation of certain real property, the "Beck Annexation" area, which is more particularly described in Exhibit A to this ordinance, have petitioned the Kent City Council to annex the Beck Annexation Area to the City of Kent, which annexation area is indicated on the map marked Exhibit B, which is attached and incorporated herein by this reference; and

WHEREAS, the City has determined the Beck Annexation area annexation petition to be sufficient in all respects; and

WHEREAS, in accordance with Chapter 35A.14 RCW various proceedings were had; and
WHEREAS, the City filed a Notice of Intention document with the Washington State Boundary Review Board for King County ("BRB"); and

WHEREAS, jurisdiction was not invoked for review by the BRB, and the BRB has deemed the proposed Beck Annexation approved as of January 13, 1995; and

WHEREAS, the City has published and posted notice of a public hearing on the proposed Beck 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 Beck Annexation in the City Council Chambers at a regularly scheduled meeting of the Kent City Council at 7:00 p.m. on February 7, 1995; and

WHEREAS, it appears to the City of Kent that the Beck 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. The foregoing recitals are incorporated by this reference and made a part hereof.

Section 2. 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 by this reference, and having the boundaries indicated in the map attached hereto as Exhibit B and incorporated by this reference.

Section 3. That, in accordance with the Beck 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 4. That this annexation will become effective upon the effective date of this Ordinance, and the annexation area shall become a part of the City of Kent, subject to all the
laws and ordinances of the City except as otherwise provided by law.

Section 5. Within thirty (30) days from the effective date 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 that shall be made in accordance with the practices and policies and subject to approval of the State of Washington's Office of Financial Management and which population shall be determined as of the effective date of this 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, 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 State Office of Financial Management, and the City Clerk shall thereafter submit said certificate in triplicate to the Office of Financial Management together 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 BRB's Executive Secretary of the King County Boundary Review Board that declares the BRB's decision relating to this annexation (Exhibit C).

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 commencing 11:59 p.m., February 28, 1995, which date is more than five (5) days from and after the date of passage of this ordinance.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK
APPROVED AS TO FORM:

[signature]

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED 7th day of February, 1995.
APPROVED 8th day of February, 1995.
PUBLISHED 14th day of February, 1995.

I hereby certify that this is a true copy of Ordinance No. 3210, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

[signature]

BRENDA JACOBER, CITY CLERK
Those portions of the East half of Section 18, Township 22 North, Range 5 East, W.M., in King County, Washington, lying Easterly of Kent City Limits as established under Ordinances 1282 and 1000 and lying Westerly of 98th Avenue South and lying Westerly of Kent City Limits as established under Ordinances 3127, 2703, and 1375 and lying Northerly of Kent City Limits established under Ordinances 2627, 2149 and 1003; including all public roads therein and/or adjacent thereto; AND ALSO the Northeast quarter of the Northeast quarter of the Northeast quarter of said Section 18, EXCEPT the South 198 feet thereof; together with 100th Avenue Southeast lying adjacent thereto; AND ALSO that portion of the West 30 feet of the Northwest quarter of the Northwest quarter of the Northwest quarter of Section 17, Township 22 North, Range 5 East, W.M., in King County, Washington, lying Northerly of Kent City Limits established under Ordinance 2703; AND ALSO the East 13 feet of Tract 37 and all of Tracts 38, 39 and 40, Uneedan Orchard Tracts unrecorded lying within a portion of the Southeast quarter of the Southeast quarter of Section 7, Township 22 North, Range 5 East, W.M., in King County, Washington, lying South of the Southerly margin of South 222nd Street; together with 100th Avenue Southeast lying adjacent thereto; AND ALSO that portion of the West 30 feet of the Southwest quarter of the Southwest quarter of the Southwest quarter of Section 8, Township 22 North, Range 5 East, W.M., in King County, Washington, lying South of the Southerly margin of S.E. 222nd Street.

EXHIBIT A
APPLICATION NAME: Beck

NUMBER: #AN-94-4

REQUEST: Annexation

DATE: September 6, 1994

EXHIBIT B

LEGEND

Application site
Railroad tracks
Kent City Limits
January 17, 1995

The Honorable City Council
City of Kent
220 - 4th Avenue South
Kent, WA 98032-5895

RE: CLOSING LETTER
FILE NO. 1898 - CITY OF KENT - BECK ANNEXATION

Dear Madam of Sir:

You have been advised that the above file was filed effective: November 29, 1994.

The Board has received no request for review as specified in RCW 36.93. Therefore, the 45-day filing period having elapsed, this notice is hereby deemed approved as of January 13, 1995.

Sewer and water district proposals and some other actions are also subject to approval by the Metropolitan King County Council. If there are changes by the Council, the Board may be required to hold a public hearing at that time.

In order for the proposed action to be finalized, it is necessary that you complete the other statutory requirements or procedures specified in your Notice of Intention. Where required, please file one certified copy of your final resolution or ordinance accomplishing this action with the Council Administration, Room 402 King County Courthouse, Seattle, Washington 98104, ATTN: Ms. Kathy Nelson, together with a copy of this letter.

Alda H. Wilkinson
Executive Secretary

CC: King County Division of Records and Elections
    ATTN: Bob Bruce, Elections Superintendent
    King County Council Administration, ATTN: Kathy Nelson
    King County Council Administration, ATTN: John Lombard (W or S only)
    King County Department of Assessee, ATTN: Diane Murdock
    King County Parks, Planning & Resources Department,
    ATTN: Jim Reid, Manager, Planning Division
    King County Department of Public Works, ATTN: William Vlcek
    King County "911" Program

EXHIBIT C