AN ORDINANCE of the City Council of the City of Kent, Washington, relating to modification of boundaries by 42nd Avenue South to remove King County’s jurisdiction in that portion of the affected roadway, pursuant to RCW 35A.21.210.

WHEREAS, on October 5, 1970, the City of Kent passed Ordinance No. 1681, attached and incorporated as Exhibit “A,” enacting its “McCann Annexation,” which was located generally west of the Green River and included portions of 42nd Avenue South, north of South 216th Street and south of South 212th Street; and

WHEREAS, on January 9, 1989, King County, passed its Ordinance No. 8820, attached and incorporated as Exhibit “B,” which approved the incorporation and established the city limits of the City of Sea-Tac, subject to an election approving that incorporation; and

WHEREAS, the legal descriptions of the City’s “McCann Annexation” and the City of Sea-Tac’s incorporated boundaries did not meet in the vicinity of 42nd Avenue South, north of South 216th Street and south of South 212th Street, leaving a half-street segment of 42nd Avenue South still within the jurisdiction of King County; and
WHEREAS, RCW 35A.21.210 provides a method for the City of Kent and King County to modify this boundary to remove King County's jurisdiction over this portion of 42nd Avenue South and to convey that jurisdiction to the City of Kent; NOW THEREFORE,

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

SECTION 1. In order to simplify jurisdictional issues as well as the ongoing maintenance of 42nd Avenue South, the City of Kent hereby expresses its intent to fully include the full width of 42nd Avenue South within the boundaries of the City of Kent. A description of that portion of 42nd Avenue South that still remains within the boundaries and jurisdiction of King County is attached and incorporated as Exhibit "C."

SECTION 2. The Mayor is authorized to enter into any agreements or perform any other acts necessary to complete this revision of the City's corporate boundary along 42nd Avenue South, so long as consistent with the intent of this ordinance and RCW 35A.21.210.

SECTION 3. – Severability. If any one or more section, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 4. – Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage as provided by law.

JIM WHITE, MAYOR

42nd Avenue South Boundary Revision
I hereby certify that this is a true copy of Ordinance No. 3506 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, CITY CLERK

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ORDINANCE NO. 1681

AN ORDINANCE of the City of Kent, Washington, annexing to the City certain lands contiguous thereto and commonly referred to as the "McCANN ANNEXATION".

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 no request for review by any person was received by the Board and the Board did not on its own motion invoke jurisdiction, then in accordance with RCW 36.93.100 of the Laws of the State of Washington, said notice of intention to annex was deemed to be approved as of September 8, 1970, and

WHEREAS, thereafter public hearings were held on said annexation pursuant to proper notices therefor 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:

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:

That portion of Section 10, Township 22, North Range 4 E.W.M., and Section 11, Township 22, North Range 4 E.W.M. in King County defined as follows:

Beginning at the center of Section 10 being the True Point of Beginning of property here-in described; thence North along the center line of 42nd Avenue South as defined by King County Survey Number "1058A" to its intersection with the North-South center section line of said section 10. Thence North along said center section line to the North margin of South 212th Street; Thence South and East along said North margin to the East margin of Russell Road; thence Southerly along said East margin to a point of intersection with the East line of Section 10 thence North along said East section line to the East one quarter corner of section 10 thence West along the East-West center section line of Section 10 to the True Point of Beginning.

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 upon the 16th day of November, 1970, the annexation of said property will become effective 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 herebefore 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 directions 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 area as above set forth, and further, along with a legal description and a map showing specifically the boundaries of the annexed territory.

Section 7. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law and subject to the provisions of Section 3 hereof.

ATTEST:

DONALD E. MIRK, City Attorney
Passed the 5th day of October, 1970.
Approved the 5th day of October, 1970.
Published the 5th day of October, 1970.

I hereby certify that this is a true copy of Ordinance No. 1681, passed by the City Council of the City of Kent and approved by the Mayor of the City of Kent as hereon indicated.

[Signature]
MARI JENSEN, City Clerk
AN ORDINANCE establishing the date for an election to determine whether an area known as Sea-Tac shall be incorporated as a non-charter code city.

PREAMBLE:
Pursuant to the provisions of Chapter 35A.03 of the Revised Code of Washington, a petition for incorporation as a non-charter code city, signed by qualified voters resident within the limits of the proposed city equal in number to ten percent of the votes cast in the proposed area at the last preceding general state election has been presented to the Records and Elections Division.

The petition for incorporation states: that the form of government under which the proposed city will operate in the event it is incorporated shall be Council-Manager, sets forth the proposed boundaries of the proposed corporation, states that the name shall be the City of Sea-Tac and that the number of inhabitants therein as nearly as may be is 38,000 and pray that it may be incorporated.

The Superintendent of Elections has determined that the petition for incorporation does not violate the prohibitions contained in RCW 35A.03.101 with regard to number of inhabitants and that there are a sufficient number of valid signatures on the petition.

Pursuant to the provisions of RCW 36.93.100 the Boundary Review Board (BRB) invoked jurisdiction and in accordance with RCW 36.39.160 on December 8, 1988, filed its written decision approving with modifications the proposed incorporation. No appeal has been filed.

Pursuant to Chapter 29.13.010 and RCW 35.02.078, the council deems an emergency exists for purpose of calling a special election.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County Boundary Review Board has deemed it matter of an election for incorporation of Sea-Tac approved as of December 1988.

SECTION 2. The name of the proposed city shall be City of Sea-Tac.

SECTION 3. The official population of the proposed City of Sea-Tac, if incorporated, shall be 38,000.
SECTION 4. A special election shall be held on the 14th day of March 1989, within the area of the proposed City of Sea-Tac, as hereinafter described, for the purpose of submitting to the qualified electors the determination of whether it shall be incorporated as a non-charter code city, under the Council-Manager plan of government proposed in the petition.

SECTION 5. The ballot title shall be as directed by statute.

SECTION 6. The boundaries of the territory proposed for annexation are hereby described as follows:

Beginning at the intersection of the North margin of South 128th Street with the West margin of Des Moines Memorial Drive South (Des Moines Way South), said point being located in the Southwest 1/4 Section 9, Township 23 N, Range 4 E, W.M., King County, Washington:

Thence East along said North margin of South 128th Street to its intersection with the East margin of Military Road South located in the SE 1/4 of Section 9, Township 23 N, Range 4 E, W.M.;

Thence Southerly along said margin of Military Road South to its intersection with the Southwesterly margin of said Pacific Highway South located in the SW 1/4 of Section 22, Township 23 N, Range 4 E, W.M.;

Thence Southwesterly along said margin of Pacific Highway South to its intersection with the North margin of South 160th Street;

Thence East along said margin of South 160th Street to its intersection with the East margin of 42nd Avenue South and city limits of Tukwila as established by Ordinance 1343;

Thence South, along the existing Westerly city limits of Tukwila, as established by Ordinance 1343 to the South line of the Southwest 1/4 of the Southwest 1/4 of said Section 22;

Thence continuing South, East, South, East, South and then East along the existing Westerly city limits of Tukwila; segments of which are established in part by Ordinances 1343, 1365 and 312 to its intersection with the line established by Ordinance 1205 being also on the North line of the Southwest 1/4 Section 26, Township 23 N, Range 4 E, W.M.;

Thence East and South along the Westerly city limits of Tukwila; segments of which are established in part by Ordinance 1205, to its intersection with the West margin of 53rd Avenue South; Thence South along said margin to its intersection with the West margin of the S.R. line as deeded from the State of Washington to King County in AFB107050294;
Thence Southerly along said west margin to its intersection with the North boundary of that area as annexed to Tukwila by Ordinance 314;

Thence West, South, East and Southerly along the existing city limits of Tukwila to the North line of the Northwest 1/4 of Section 35, Township 23N, Range 4E;

Thence Westerly and generally Southeasterly along the Westerly and Southerly city limits of Tukwila, segments of which are established in part by Ordinance 330, 247 and 269, to its intersection with the East margin of P.S.H. No. 1 (SR 5) in the SW 1/4 of the SW 1/4 Section 35, Township 23 N, Range 4 E, W.M.;

Thence generally Southwesterly along the East margin of P.S.H. No. 1 to the South line of the NE 1/4 of the SW 1/4 Section 3, Township 22N; Range 4E, W.M.;

Thence East to the Southeast corner of said subdivision;

Thence South 00'-11'-45 East 150 feet distance more or less to the Northwesterly margin of Orillia Road South;

Thence South along said margin to the West margin of 42nd Avenue South;

Thence South along said margin to the North margin of South 216th Street;

Thence Westerly along said margin and Northerly margins of 40th Place South and 37th Place South to the North line of the Southwest 1/4 of said Section 10;

Thence West along said North line to the East line of the West 1/2 of said Southwest 1/4 Section 10;

Thence South along said East line to its intersection with the North line of that area as annexed to Kent by Ordinance 1400;

Thence West and Southerly along said city limits to the South line of said Southwest 1/4 of Section 10;

Thence East along said South line and city limit of Kent to the West line of that area as annexed to Kent by Ordinance 1036;

Thence West, Southerly and Westerly along the Westerly city limits of Kent, segments of which are established in part by Ordinance 1036, 1347, 2095, and 1089 to the South line of the Northwesterly 1/4 of Section 15, Township 22 N, Range 4 E, W.M.;

Thence generally Southerly and Westerly along the Westerly city limits of Kent, segments of which are established in part by Ordinance 1089, 1317 and 1089 to the Northeasterly margin of Kent-Des Moines Road;

Thence Northwesterly along said margin to the East line of the Northeast 1/4 of Section 16, Township 22N, Range 4E, W.M., and city limits of Kent as established by Ordinance 1124;

Thence North and Northwesterly along said Kent city limits to its intersection with the city limits of Des Moines as established by Ordinance 365;

Thence continuing North along the Easterly city limits of Des Moines to the South line of the Northeast 1/4 of Section 9, Township 22N, Range 4E, W.M.;
Thence North 30 feet to the North margin of South 216th Street;
Thence Westerly along said North margin to the West margin of Pacific Highway South and city limits of Des Moines as established by Ordinance 731;
Thence Northerly and Westerly along said city limits to the East margin of 24th Avenue South;
Thence North along said margin of 24th Avenue South to the North margin of South 208th Street;
Thence Westerly along said North margin extended to the east line of the plat of Grove Addition to Des Moines as recorded in Vol. 4 of plats page 83;
Thence North along said East line 100 feet more or less to the North margin of South 208th Street (North Street);
Thence West along said North margin to the Westerly margin of Des Moines Memorial Drive South;
Thence Northerly along said margin to the Southwesterly margin of SR-509 right-of-way as located in the NE 1/4 Section 5, Township 22N, Range 4E, W.M.;
Thence Northwesterly, Northerly, and Northwesterly along the said Southwesterly margin of SR-509 to the intersection with the Western margin of Des Moines Memorial Drive South (Des Moines Wa; South) in the Southeast 1/4 of the Northwest 1/4 of Section 29, Township 23N, Range 4F, W.M.;
Thence Northerly along said West margin of Des Moines Memorial Drive South to its intersection with the North margin of South 128th Street and point of beginning.

SECTION 7. The notice of election shall be published as required by law.

SECTION 8. The election shall be conducted pursuant to Chapt 35.02 RCW as amended by Section 10, 12, 13 and 14 of Chapter 234 Laws of Washington, 1986.
SECTION 9. As provided in RCW 29.36.120 and King County Metio No. 7393, the King County council requests the manager of records and election department to conduct the election by mail.

INTRODUCED AND READ for the first time this 27th day of December, 1988.

PASSED this 9th day of January, 1989.

ATTEST:

APPROVED this 17th day of January, 1989.

KING COUNTY COUNCIL

Chairman

CREW OF THE COUNCIL

King County Executive
Legal Description for the City of Kent Annexation

A strip of land, 30.00 feet in width, over a portion of the northeast quarter and the northwest quarter of Section 10, Township 22 North, Range 4 East, W.M., King County, Washington, said strip having 15.00 feet on each side of the following described centerline:

COMMENCING at the center of said Section 10; thence S89°58'34"W along the south line of said northwest quarter, 15.00 feet to the POINT OF BEGINNING of the herein described centerline; thence N00°47'39"E parallel with the north-south centerline of said Section 10, a distance of 852.32 feet to a point of tangency with a 969.93 foot radius circular curve to the right; thence northerly along said curve, through a central angle of 09°11'00", an arc distance of 155.46 feet to a point of tangency; thence N09°58'39"E 303.02 feet to a point of tangency with a 271.48 foot radius circular curve to the left; thence northerly along said curve, through a central angle of 19°37'00", an arc distance of 92.95 feet to a point of tangency; thence N09°38'21"W 243.62 feet to a point of tangency with a 940.37 foot radius circular curve to the left; thence northwesterly along said curve, through a central angle of 04°15'11", an arc distance of 69.80 feet to the terminus of the herein described centerline.

The sidelines of the above described strip of land shall be lengthened or shortened, as required, to intersect at all interior angle points, and the southerly line of said northwest quarter of said Section 10.

EXCEPT any portion thereof lying within the northeast quarter of the northwest quarter of said Section 10.
**WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET**

Document Title: City of Kent Ordinance No. 3506 relating to modification of boundaries by 42nd Avenue South to remove King County's jurisdiction of the affected roadway pursuant 35A.21.210 RCW

Reference Number(s): N/A

Grantor(s): City of Kent, a Washington municipal corporation

Grantee(s): The Public

Abbreviated Legal Description: STR 102204, W.M. King County, State of Washington

Additional legal description on Exhibit "C" of document

Assessor's Property Tax Parcel/Account Number(s): N/A

Project Name: 42nd Avenue South Boundary Revision