CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2016-405

AN ORDINANCE OF THE CITY OF SAMMAMISH ANNEXING CERTAIN PROPERTY KNOWN AS THE MYSTIC LAKE PROPERTY TO THE CITY OF SAMMAMISH; ESTABLISHING AN EFFECTIVE DATE AS SET FORTH IN SECTION 4; AND PROVIDING FOR SEVERABILITY.

WHEREAS, RCW 35A.14.295 through 35A.14.299 provide for annexation of an unincorporated island of territory to a code city by passing a resolution, holding a public hearing, and adopting an ordinance identifying the island area and voting population to be annexed; and

WHEREAS, the City of Sammamish ("City") is a code city planning under the requirements of RCW 36.70A; and

WHEREAS, the Mystic Lake Property ("Property") is located in unincorporated King County north of NE 14th Street and West of 244th Avenue NE entirely within a City of Sammamish Potential Annexation Area (PAA); and

WHEREAS, the Property qualifies as an unincorporated island of territory under RCW 35A.14.295(1)(b) as it shares more than 80% of it's boundary with the City and is located in King County; and

WHEREAS, the Property is currently one single parcel of property of approximately 45.23 acres with no residents, no voters, and one owner; and

WHEREAS, the Property use is residential in character and the site is currently under development to accommodate 115 new single family homes by subdivision initiated through King County; and

WHEREAS, annexation of the Property provides for optimal consistency in service delivery to the future residents of the subdivision; and

WHEREAS, on April 21, 2008, the City Council adopted Ordinances 2008-0228 and 2008–0229, which adopted contingent comprehensive plan land use and zoning designations for such PAAs to be effective upon their annexation; and

WHEREAS, on December 1, 2015, the City Council passed Resolution No. R2015-651 which declared the City's intent to annex the Property and set a date for public hearing on such; and

WHEREAS, copies of Resolution No. R2015-651 were filed with the King County Council and with the Washington State Boundary Review Board for King County ("BRB") on December 11, 2015, in accordance with RCW 35A.14.015; and

WHEREAS, the BRB approved the proposed Mystic Lake Annexation conditioned on any changes subsequently required by the King County Department of Transportation Road Services Division ("King County Roads"); and

WHEREAS, King County Roads required that the area of annexation include the unincorporated section of 244th Ave NE public right-of-way adjacent to the eastern boundary of the Property; and

WHEREAS, the legal description of the Mystic Lake Property included in Attachment A hereto has been amended to include the unincorporated section right-of-way as required by King County Roads and the BRB's conditional approval; and

WHEREAS, the City Council held a public hearing on February 2, 2016 to consider the adoption of this ordinance to annex the Property into the City; and

WHEREAS, the City Council accordingly desires to annex the Property as described in Attachment A into the City; and

WHEREAS, the City has determined that it is in the public interest and general welfare to provide for the annexation of the Property, in accordance with Chapter 35A.14 RCW; and

WHEREAS, RCW 35A.14.299 provides that an annexation ordinance shall be subject to referendum for 45 days after the passage thereof; and

WHEREAS, after the expiration of the day 45 from, but excluding, the date of passage of the annexation ordinance, if no timely and sufficient referendum petition has been filed, the Property shall become a part of the City upon the date fixed in the ordinance below;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the above recitals in support of the annexation of the Mystic Lake Property. The City Council further finds that the best interests and general welfare of the City of Sammamish would be served by such annexation.

Section 2. Annexation. The City of Sammamish hereby annexes the Mystic Lake Property, which is legally described in Attachment A and depicted on the map in Attachment B, which are attached hereto and fully incorporated herein by this reference.

Section 3. Conditions Upon Annexation.

A. Comprehensive Plan and Zoning Designations. The Mystic Lake Property shall be subject to the Comprehensive Plan and zoning designations previously adopted and set forth in City of Sammamish Ordinances 2008-0228 and 2008–0229.

B. Assessment and Taxation. The Mystic Lake Property shall be assessed and taxed at the same rate and on the same basis as property in the City of Sammamish is assessed and taxed to pay for the portion of outstanding City indebtedness contracted for, incurred prior to, or existing at the effective date of the annexation of the Mystic Lake Property as set forth herein. As of such annexation date, the City of Sammamish had no indebtedness approved by the voters.

Section 4. Referendum. Pursuant to RCW 35A.14.299, this annexation ordinance shall be subject to referendum for 45 days after adoption. After the expiration of day 45 from, but excluding, the date of passage of the annexation ordinance, if no timely and sufficient referendum petition has been filed, the area annexed shall become a part of the City on March 23, 2016.

Section 5. Effective Date. For purposes of property taxation and the levy of property taxes in calendar year 2016 under RCW 84.09.030, this Ordinance shall be effective and the boundaries of the City shall include the Mystic Lake Property as of March 23, 2016. For all other purposes, including but not limited to the purposes set forth in RCW 35.13.110, this Ordinance shall be effective and the boundaries of the City shall include the Mystic Lake Property as of March 23, 2016.

Section 6. Certification of Ordinance to King County. Pursuant to RCW 35A.14.140, upon passage the City Clerk is directed to file a certified copy of this Ordinance with the King County Council.

Section 7. Authorizations. The proper City officials are authorized to perform such duties as are necessary or required by law to ensure that a census of the Mystic Lake Property is completed and proper information submitted to the Washington State Office of Financial Management ("OFM"), the Washington State Department of Revenue ("DOR"), and such other entities as is required or appropriate.

Section 8. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 2nd DAY OF FEBRUARY, 2016

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson

Melonie Anderson, City Clerk

Approved as to form:

Mike Kenyon, City Attorney

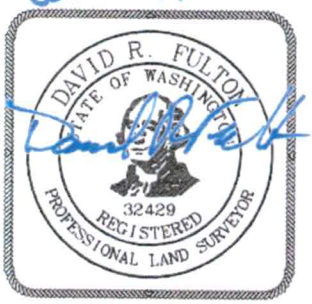
Filed with the City Clerk:	December 16, 2015
First Reading:	January 6, 2016
Public Hearing:	February 2, 2016
Passed by the City Council:	February 2, 2016
Date of Publication:	February 5, 2016
Effective Date:	February 10, 2016

Mystic Lake Property Description

THE EAST THREE-FOURTHS OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER;
THE EAST THREE-FOURTHS OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;
THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; ALL IN SECTION 27, TOWNSHIP 25 NORTH, RANGE 6 EAST, W. M., KING COUNTY, WASHINGTON;
INCLUSIVE OF THAT PORTION CONVEYED TO KING COUNTY FOR ROAD, BY DEED RECORDED UNDER RECORDING NUMBER 4781250 RECORDS OF KING COUNTY, WASHINGTON; AND THAT PORTION CONVEYED TO THE CITY OF SAMMAMISH FOR ROAD, BY DEED RECORDED UNDER RECORDING NUMBER 20111003001465 RECORDS OF KING COUNTY, WASHINGTON

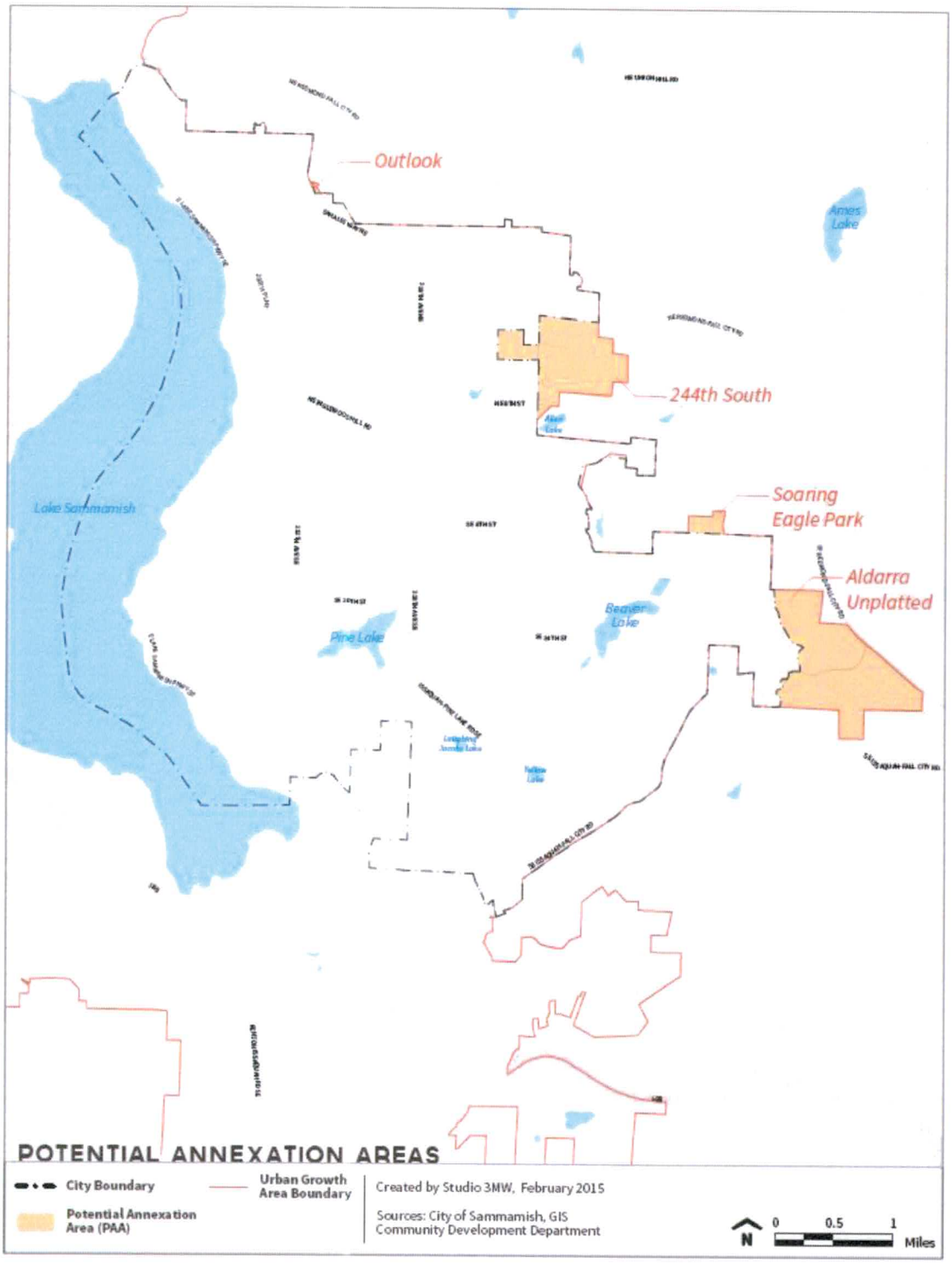
TOGETHER WITH THE WEST 30 FEET OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 25 NORTH, RANGE 6 EAST, W. M., AS CONVEYED TO KING COUNTY FOR ROAD, BY DEED RECORDED IN VOLUME 3661 OF DEEDS, PAGES 553 AND 554 RECORDS OF KING COUNTY, WASHINGTON;

Jan 29, 2016



Attachment B
Mystic Lake Annexation
Property Depiction

City of Sammamish 2015 Comprehensive Plan Potential Annexation Areas Map



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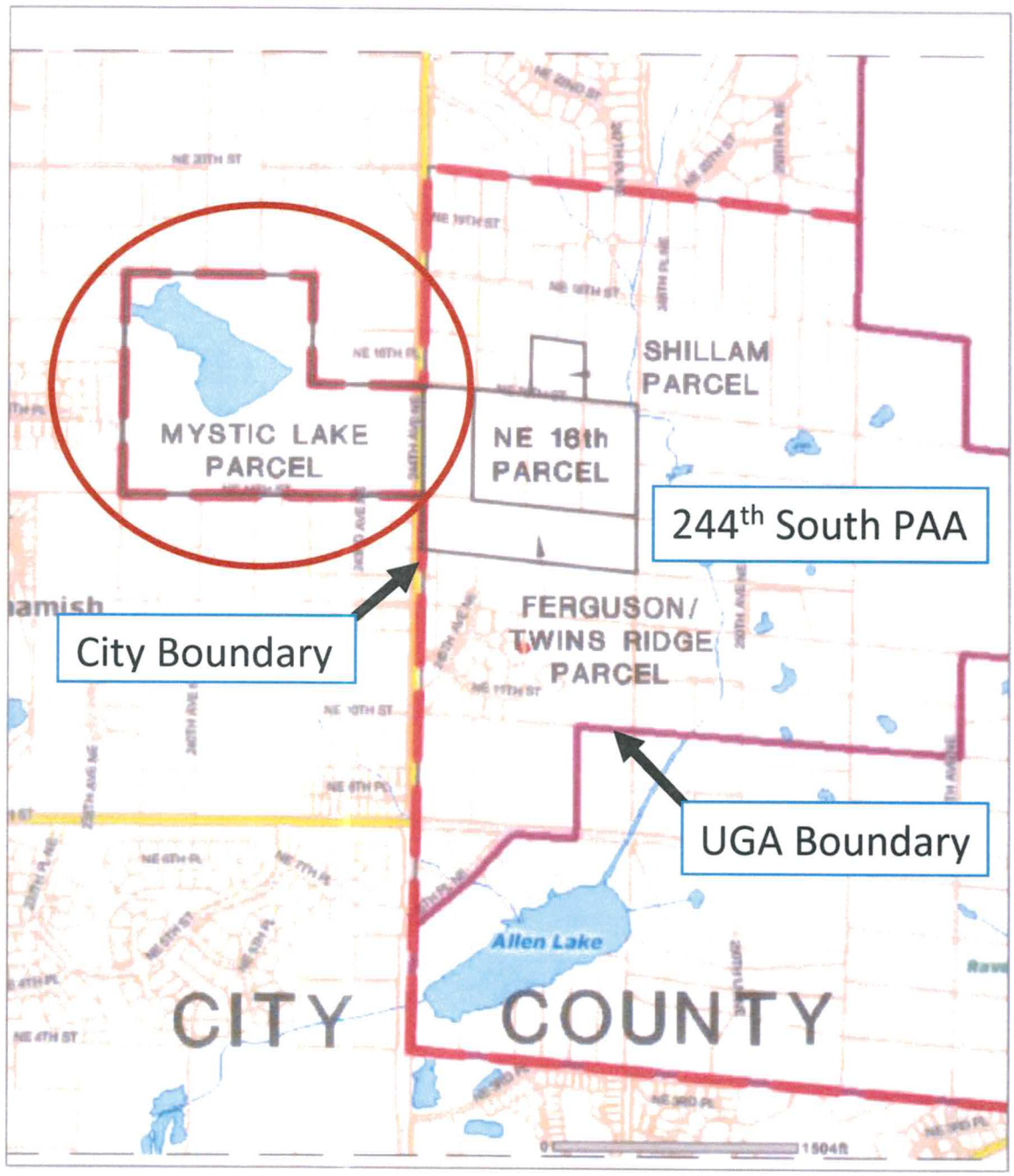
Mystic Lake Property Site Map