CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2010-280

AN ORDINANCE OF THE CITY OF SAMMAMISH ANNEXING THE ALDARRA ESTATES AND MONTAINE SUBDIVISIONS EFFECTIVE JULY 10, 2010.

WHEREAS, RCW 35A.14.120 provides that "proceedings for initiating annexation of unincorporated territory to a charter code city or non-charter code city may be commenced by the filing of a petition of property owners of the territory proposed to be annexed," but that "prior to the circulation of a petition for annexation, the initiating party or parties, who shall be the owners of not less than ten percent in value, according to the assessed valuation for general taxation of the property for which annexation is sought, shall notify the legislative body of the code city in writing of their intention to commence annexation proceedings;" and

WHEREAS, the Aldarra subdivision is contiguous and located in unincorporated King County directly north of SE Duthie Hill Road and east of Trossachs Boulevard SE in a Potential Annexation Area (PAA) adopted by the City Council in 2006 and 2007; and

WHEREAS, the Montaine Subdivision is located south of SE Duthie Hill Road and just east of 273rd Avenue SE in a Potential Annexation Area (PAA) adopted by the City Council in 2006 and 2007; and

WHEREAS, on April 21, 2008 the City Council adopted Ordinances O2008-O228 and –O229, which adopted contingent zoning and comprehensive plan land use designations for such PAAs to be effective upon their annexation; and

WHEREAS, on February 27, 2009, residents of the Aldarra/Montaine subdivisions notified the city of their intent to commence annexation proceedings, by submitting a letter with the signatures of the owners of not less than ten percent in value of the proposed annexation area; and

WHEREAS, on April 7, 2009 as part of the regular City Council meeting the City Council approved resolution R2009-362 that accepted the 10 percent annexation petition and authorized the initiating parties to circulate an annexation petition seeking the signatures of the owners of at least 60% of the assessed valuation of property within the annexation area; and

WHEREAS, on February 1, 2010 a petition was submitted to the City of Sammamish that included the signatures of the owners of at least 60% of the assessed valuation of property within the annexation area; and

WHEREAS, pursuant to RCW 35A.01.040 (9), the petition was forwarded to the King County Assessor for a determination as to the sufficiency of signatures thereon; and

WHEREAS, on February 24, 2010 the King County Assessor determined that the petition contains the signatures of the owners of 60% of the assessed valuation of property located within the proposed Aldarra/Montaine subdivisions, and so notified the City of Sammamish of that determination in writing; and

WHEREAS, on March 2, 2010 and March 16, 2010 the Sammamish City Council held a public hearing following publication of notice thereof as provided in RCW 35A.14.130; and

WHEREAS, the City of Sammamish desires to annex the area described and shown in the petition.

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

Section 1. Annexation. The City of Sammamish hereby annexes those portions of the Aldarra/Montaine subdivisions which are legally described in Exhibit A and depicted on the map in Exhibit B ("Aldarra/Montaine Property"), which exhibits are attached hereto and incorporated herein by reference. The City Manager or designee is authorized to prepare and submit a Notice of Intention to annex the Aldarra/Montaine Property to the King County Boundary Review Board.

Section 2. Conditions Upon Annexation.

A. Comprehensive Plan and zoning designations. All properties within the Aldarra/Montaine Property shall be subject to the Comprehensive Plan and zoning designations previously adopted and set forth in City of Sammamish Ordinance Nos. 2008-0228 and 2008-0229.

B. Assumption of Existing Indebtedness. All property within the Aldarra/Montaine subdivisions shall be assessed and taxed at the same rate and on the same basis as the property in the City of Sammamish is assessed and taxed to pay for the portion of outstanding city indebtedness, if any, which indebtedness has been approved by the voters, contracted for, or incurred prior to, or existing at, the effective date of the annexation in Section 1 of this Ordinance.

Section 3. Effective Date. **This ordinance shall be effective on July 10, 2010, following passage and publication as provided by law and the King County Boundary Review Board's approval of the annexation of the Aldarra/Montaine Property.**

Section4. 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 5. 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 16h DAY OF March, 2010

CITY OF SAMMAMISH

Nancy S Whitten

Deputy Mayor Nancy Whitten

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Melonie Anderson

Approved as to form:

TBD

Bruce L. Disend, City Attorney

Filed with the City Clerk:	February 22, 2010
Public Hearing:	March 2, 2010
First Reading:	March 2, 2010
Public Hearing:	March 16, 2010
Passed by the City Council:	March 16, 2010
Publication Date:	March 19, 2010
Effective Date:	July 10, 2010

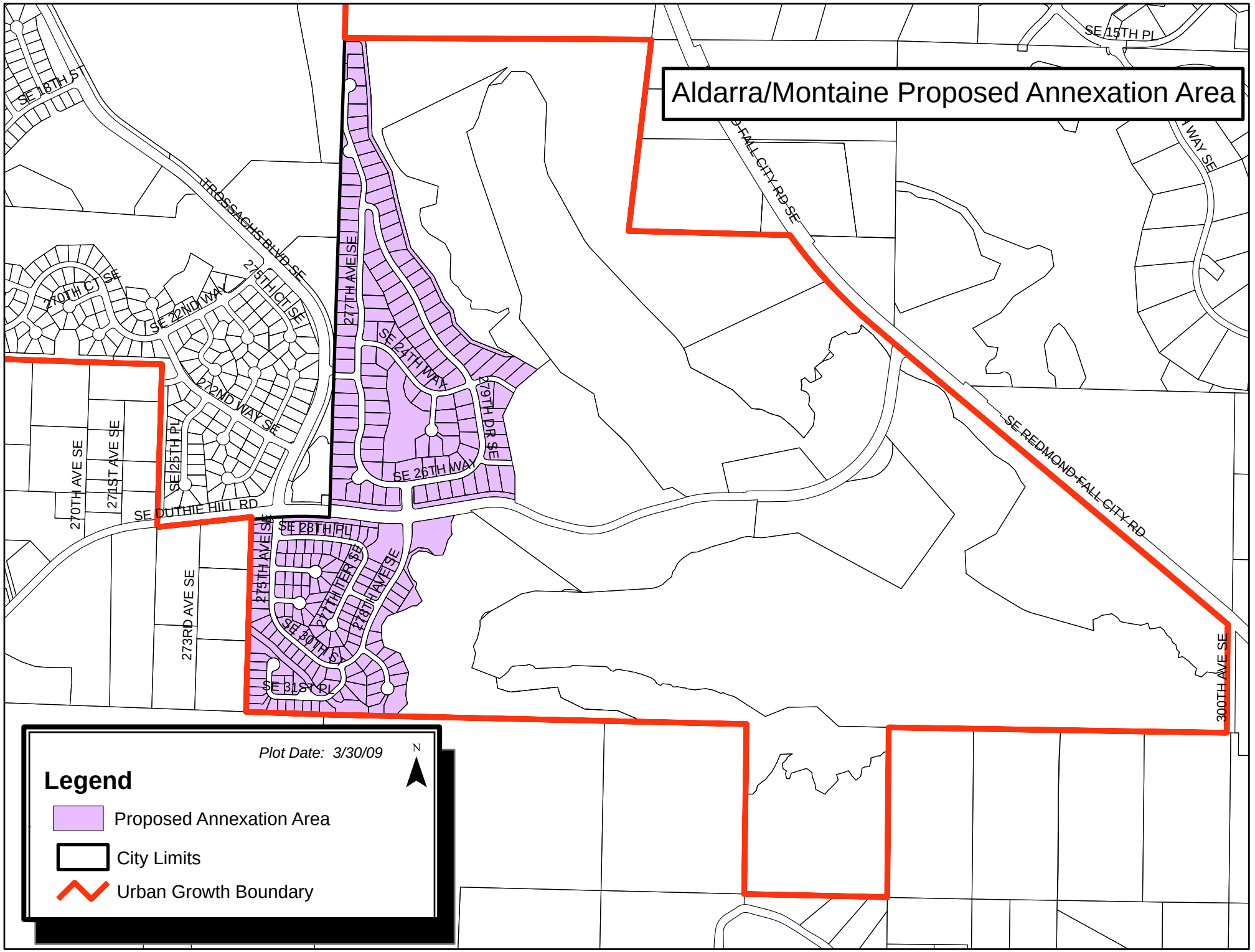
EXHIBIT 'A'
ALDARRA DIVISION NO. 1, 3, & 4
ANNEXATION LEGAL DESCRIPTION

That portion of the Northeast quarter, of Section 12, Township 24 North, Range 6 East, W.M., and the Northwest quarter, of Section 7, and the Southwest quarter, of Section 6, Township 24 North, Range 7 East, W.M. and described as follows:

BEGINNING at the Northwest corner of Lot 'A', of King County Boundary Line Adjustment No. L97L0174, recorded under recording No. 9904229003 and amended by 20010403001504; THENCE Southerly 20.18 feet, along the Westerly line of said Lot 'A' to the Northwest corner of Aldarra Division No. 4, as recorded in Volume 226 of Plats, at pages 1-8 and recorded under Auditor's Fee Number 20050111001069, records of King County, Washington; THENCE Southerly, along the West line of said Plat, to the Southwest corner of said Plat; THENCE Easterly, along the Southerly line of said Plat of Aldrarra Division No. 4 and the Southerly line of Aldarra Division No. 3, as recorded in Volume 218 of Plats, at pages 84-93 and recorded under Auditor's Fee Number 2003112500507, records of King County, Washington to the Southeast corner of Tract 'AD' of said Division No. 3; THENCE Northerly, along the Easterly line of Tract 'AD', Lots 65-70, Tract 'Z', Lot 71, Tract 'W' and Tract 'U' to the Southerly margin of said SE Duthie Hill Road; THENCE Easterly, along said Southerly margin, to the Southerly extension of the Easterly line of Lot 8 of Aldarra Division No. 1, as recorded in Volume 199 of Plats, at pages 72-88 and recorded under Auditor's File Number 20010508000780, records of King County, Washington; THENCE Northerly, along said Southerly extension and the Easterly line of Lot 8, the SE 26th St. right-of-way, Lots 9-12, Lot 14, the SE 24th St. right-of-way, the Easterly and Northeasterly lines of Lot 15, and the Northeasterly line of Lot 16 and the Northeasterly and Easterly line of Tract 'H', to the Northeast corner of said Tract 'H'; THENCE Westerly to the Northwest corner of said Tract 'H' and the Westerly line of said Plat of Aldarra Division No. 1; THENCE Southerly, along the Westerly line of said plat of Aldarra Division No. 1 and its Southerly extension to the Northerly line of Lot 'A' of King County Boundary Line Adjustment No. L97L0174, recorded under recording No. 9904229003, and amended by 20010403001504 ; THENCE Westerly, along said Northerly line of said Lot 'A', to the POINT OF BEGINNING.

3-10-2010

Exhibit B


Aldarra/Montaine Proposed Annexation Area
SE 15TH PL
SE 18TH ST
TROSSACHS BLVD SE
270TH CT SE
SE 22ND WAY
275TH CT SE
272ND WAY SE
277TH AVE SE
SE 24TH WAY
279TH DR SE
SE 26TH WAY
SE 25TH PL
271ST AVE SE
270TH AVE SE
SE DUTHIE HILL RD
SE 28TH PL
273RD AVE SE
273RD AVE SE
277TH TER SE
278TH AVE SE
SE 30TH ST
SE 31ST PL
SE REDMOND-FALL CITY RD
300TH AVE SE
Plot Date: 3/30/09
N
Legend
Proposed Annexation Area
City Limits
Urban Growth Boundary