

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF FEDERAL WAY, WASHINGTON, ANNEXING
APPROXIMATELY 700 ACRES CONTIGUOUS TO THE
CITY'S EASTERN BOUNDARY

WHEREAS, RCW 35A.14.010 authorizes all cities operating pursuant to the Optional Municipal Code to annex any portion of a county not incorporated as part of a city or town but lying contiguous to the code city; and

WHEREAS, on April 7, 1994, pursuant to RCW 35A.14.120, Weyerhaeuser Company ("Weyerhaeuser"), as owner of not less than ten percent (10%) in assessed valuation of the property proposed for annexation, filed a Notice of Intention to Petition for Annexation to the City of Federal Way of approximately 700 acres lying contiguous to the City's eastern boundary, which property is legally described in Exhibit A attached hereto and incorporated by this reference (the "Subject Property"); and

WHEREAS, on April 19, 1994, the City Council authorized the preparation of a Petition for Annexation, requiring the preparation of a proposed zoning regulation and requiring the assumption of a pro-rata proportion of existing city indebtedness by the area to be annexed; and

WHEREAS, on April 22, 1994, Weyerhaeuser submitted its Petition for Annexation representing at least sixty percent (60%) in assessed valuation of the Subject Property, as certified by the City Clerk; and

WHEREAS, all environmental review required by the State Environmental Policy Act, RCW 43.21C, has been completed; and

WHEREAS, on June 7, 1994, the City Council and Planning Commission jointly held public hearings, after public notice as required by law, on the adoption of interim Comprehensive Plan designations and on the adoption of pre-annexation zoning regulations for the Subject Property; and

WHEREAS, on July 19, 1994, the City Council held a public hearing, after public notice as required by law, on the adoption of the proposed interim Comprehensive Plan designations, on the adoption of pre-annexation zoning regulations, and on the proposed annexation of the Subject Property; and

WHEREAS, on July 19, 1994, the City adopted Resolution No. 94-178, declaring and giving notice of its intention to annex the Subject Property; and

WHEREAS, on August 2, 1994, the City of Federal Way, by Resolution No. 94-180, adopted interim Comprehensive Plan designations for the Subject Property and amended the City's official Comprehensive Plan Map effective upon annexation of the Subject Property; and

WHEREAS, on August 16, 1994, the City adopted Ordinance No. 94-219, establishing proposed zoning regulations for the Subject Property, to become effective upon annexation; and

WHEREAS, more than 45 days has elapsed since the adoption of the City's Notice of Intent to Annex the Subject Property, and no appeal of the proposed annexation has been filed with the

Washington State Boundary Review Board for King County, and the board has not objected to the proposed annexation; and

WHEREAS, Weyerhaeuser, Puget Power, and the Chase Trust have each entered into Concomitant Pre-Annexation Zoning Agreements with the City of Federal Way, as required by Resolution No. 94-178; and

WHEREAS, the City Council finds it would promote the health, safety and welfare of the citizens of Federal Way to annex the Subject Property; NOW, THEREFORE,

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

Section 1. Annexation. The City of Federal Way hereby annexes approximately 700 acres lying adjacent to the eastern boundary of the City of Federal Way, legally described in Exhibit A and as depicted on Exhibit B attached hereto and incorporated by this reference, ("Annexed Property"). The Annexed Property shall become a part of the City of Federal Way, Washington, as of the effective date of this Ordinance, subject to laws and ordinances, regulations and plans of the City, as they now exist or may hereafter be amended or adopted.

Section 2. Indebtedness. The Annexed Property shall assume its pro rata share of existing City indebtedness, and shall be assessed and taxed at the same rate and on the same basis as other property within the City to pay for any and all outstanding indebtedness of the City approved by the voters, contracted for or

incurred prior to or existing as of the effective date of this Ordinance.

Section 3. Comprehensive Plan Designations. The interim Comprehensive Plan designation of the Federal Way Comprehensive Plan, as approved by Resolution No. 94-180, shall apply to the Annexed Property as of the effective date of this Ordinance.

Section 4. Zoning Designations. The zoning regulations designating the Annexed Property, as adopted by Ordinance No. 94-219, shall take effect as of the effective date of this Ordinance.

Section 5. Filing. The City Manager is hereby directed to file forthwith a copy of this Ordinance, duly certified as a true and correct copy, with the County Council of King County, pursuant to RCW 35A.14.140.

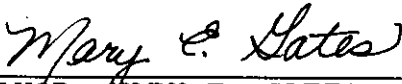
Section 6. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 7. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 7. Effective Date. This ordinance shall take effect from and after its passage and the expiration of five (5) days after its publication, as provided by law.

PASSED by the City Council of the City of Federal Way
this 21st day of September, 1994.


CITY OF FEDERAL WAY


MAYOR, MARY E. GATES

ATTEST:


for CITY CLERK, MAUREEN M. SWANEY, CMC

APPROVED AS TO FORM:


CITY ATTORNEY, LONDI K. LINDELL

FILED WITH THE CITY CLERK: September 13, 1994
PASSED BY THE CITY COUNCIL: September 21, 1994
PUBLISHED: September 27, 1994
EFFECTIVE DATE: October 2, 1994
ORDINANCE NO. 94-220

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09/12/94

EXHIBIT A

ESM inc.



A CIVIL ENGINEERING, LAND SURVEY, AND PROJECT MANAGEMENT CONSULTING FIRM

East Campus
Job No. 191-41-930-001
Revision of June 7, 1994

LEGAL DESCRIPTION FOR
PROPOSED ANNEXATION TO THE CITY OF FEDERAL WAY

That portion of the west half of the northwest quarter AND of the northwest quarter of the southwest quarter of Section 15; AND of the northeast quarter AND of the southeast quarter of Section 16; AND of the northeast quarter AND of the east half of the northwest quarter AND of the northeast quarter of Section 21; AND of the west half of the southwest quarter AND of the west half of the northwest quarter AND of the northeast quarter of the northwest quarter of Section 22, all in Township 21 North, Range 4 East, W.M., more particularly described as follows:

BEGINNING at the north quarter corner of said Section 22;

THENCE southerly along the north-south centerline of said Section to the southerly margin of State Route 18;

THENCE southwesterly along said southerly margin to the east line of the west half of the northwest quarter of said Section 22;

THENCE southerly along said east line to the northeast corner of the northwest quarter of the southwest quarter of said Section 22;

THENCE southerly along the east line of said northwest quarter of the southwest quarter to the north line of the south 100 feet of said subdivision;

THENCE westerly along said north line to the west line of the east 200 feet of said subdivision;

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East Campus

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THENCE southerly along said west line to the south line of said subdivision;

THENCE westerly along said south line to a point lying N 89°20'48" E, 910 feet from the southwest corner of said subdivision, as measured along the south line thereof;

THENCE S 26°35'00" W, 345 feet;

THENCE S 04°45'00" W, 240 feet;

THENCE S 20°30'00" W, 255 feet;

THENCE southwesterly to a point on the south line of said southwest quarter of the southwest quarter, 275 feet east of the southwest corner thereof;

THENCE westerly, along said south line, 275 feet to said southwest corner;

THENCE northerly along the west line of said southwest quarter of the southwest quarter to the northerly shore line of Lake Killarney as shown on the plat of "East Tacoma Central Addition" as per plat filed in Volume 4 of Plats, Page 26, Records of King County, Washington;

THENCE westerly along said northerly line to the west line of the east 26 feet of the southeast quarter of said Section 21;

THENCE northerly along said west line to the easterly extension of the northerly line of Block 10 of said plat;

THENCE easterly along said easterly extension to the east line of said southeast quarter;

THENCE northerly along said east line to the southerly margin of So. 349th Street;

THENCE westerly along said southerly margin to the southerly extension of the westerly margin of 32nd Avenue South;

THENCE northerly along said southerly extension to the northerly margin of So. 349th Street;

THENCE westerly along said northerly margin to a line 10 feet easterly of and parallel with the easterly line of Block 6 of said plat of "East Tacoma Central Addition";

THENCE northerly along said parallel line to the easterly extension of the southerly line of Lot 7 of said Block 6;

THENCE westerly along said easterly extension, said southerly line and the westerly extension thereof to the centerline of the alley in said Block 6;

THENCE northerly along said centerline to the south line of the north half of said southeast quarter of Section 21;

THENCE westerly along said south line to said southerly margin of State Route 18;

THENCE westerly along said southerly margin to the west line of said southeast quarter;

THENCE northerly along said west line to the northerly margin of said State Route 18;

THENCE in a general northerly direction along said northerly margin of State Route 18 and along the easterly margin of Interstate Highway 5 to the southerly margin of So. 320th Street;

THENCE in a generally easterly direction along said southerly margin to the east line of the northwest quarter of the northwest quarter of said Section 15;

THENCE southerly along said east line to the southeast corner of said subdivision;

THENCE westerly along the south line of said northwest quarter of the northwest quarter to the northwesterly corner of Tract 8 of the unrecorded plat of "Golden's North Lake Tracts";

THENCE southerly along the westerly line of Tracts 8 through 3, inclusive, of said unrecorded plat to the ordinary high water of North Lake;

THENCE southwestery, southerly, and southeasterly along said line of ordinary high water to the northerly line of the plat of "Louise's North Lake Tracts" as filed in Volume 40 of Plats, Page 23, Records of King County, Washington;

THENCE southeasterly along said northerly line to the northeasterly corner of Lot 5 of said plat;

THENCE southerly along the easterly line of said Lot 5 to the northerly margin of South 337th Street;

THENCE easterly along said northerly margin to the northwesterly margin of 33rd Place South;

THENCE northeasterly along said northwesterly margin to the westerly extension of the northerly line of Lot 27 of the unrecorded plat of "Richard's North Lake Acres";

THENCE easterly along said westerly extension and the northerly line of said Lot 27 to the northeasterly corner thereof;

THENCE northeasterly along the westerly line of Lots 21, 22, and 23 of said unrecorded plat to the northwesterly corner of said Lot 21;

THENCE easterly along the northerly line said Lot 21 AND along the north line of the northwest quarter of said Section 22 to the POINT OF BEGINNING.

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TOGETHER WITH any portion of North Lake and Lake Killarney
that would attach to the above by operation of law.

See attached Exhibit "A".

Written by: C.A.G.
Checked by: R.J.W.

1914116



PROPOSED WEYERHAEUSER ANNEXATION

MAP #2
PROPERTY OWNERSHIP

EXHIBIT B

SCALE: 1" = 1,200'

April 1994

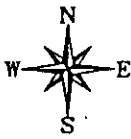
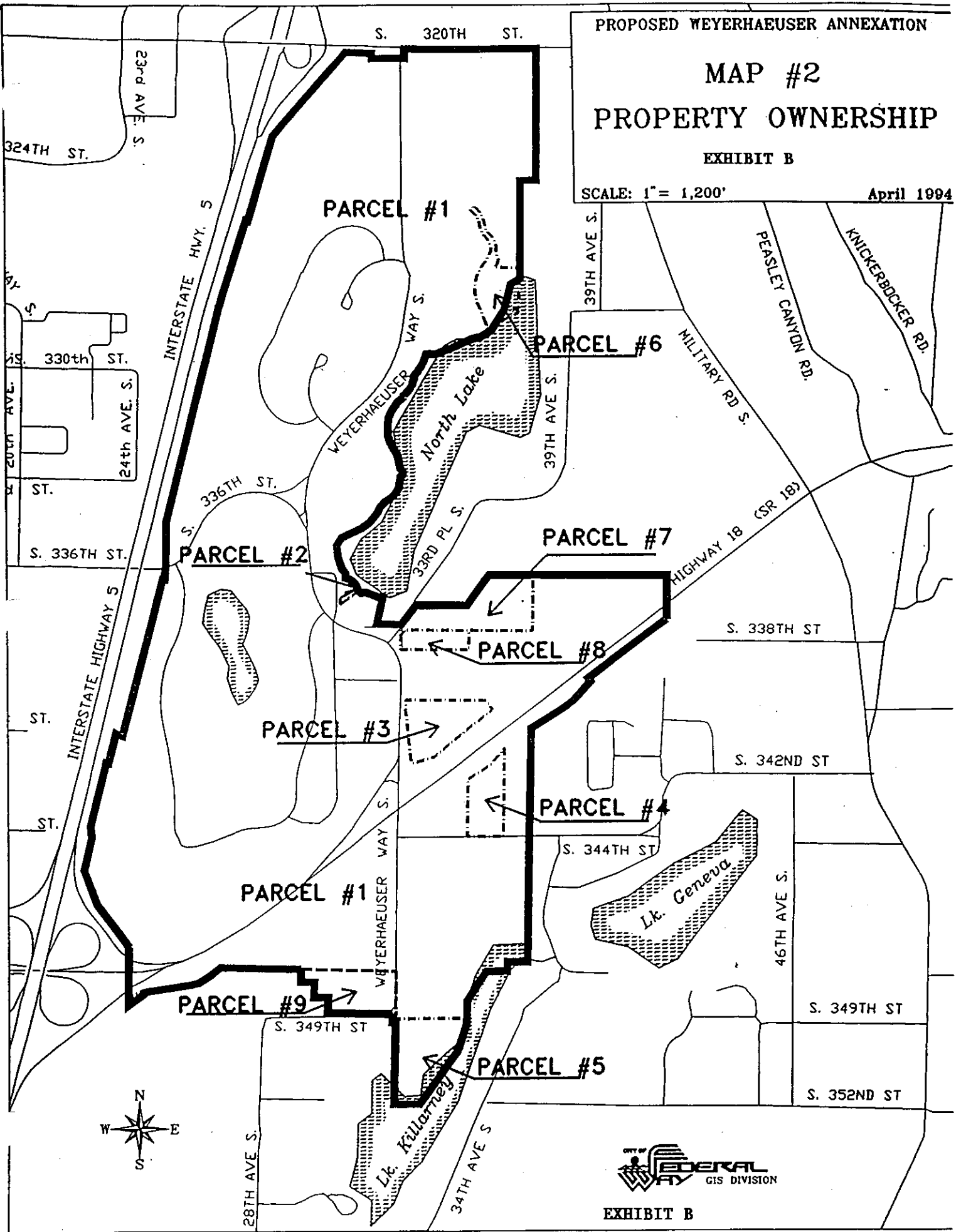


EXHIBIT B