ORDINANCE NO. 12-03

AN ORDINANCE REGARDING THE ANNEXATION OF UNINCORPORATED TERRITORY TO THE CITY OF BATTLE GROUND, WASHINGTON, AND FIXING ITS ZONE FOR LAND USE.

WHEREAS, On January 5th, 2012 the City of Battle Ground received an initial Notice of Intent to annex approximately .31 acres located at the southern boundary of the City limits, south of NE 179th Street, known as the Stonehill Annexation; and,

WHEREAS, on February 21st, 2012, the City Council conducted a meeting with the initiating parties as required by RCW 35A.14.120 and accepted the notice of intent to annex, specified that the adopted preannexation zoning would apply to the property upon annexation and that the property proposed to be annexed would be subject to any outstanding indebtedness; and,

WHEREAS, a complete and sufficient annexation petition was submitted to the City of Battle Ground on February 29th, 2012. The petition was transmitted to the Clark County assessor on March 6th, 2012 to determine its sufficiency. On March 13, 2012, the City received a response from the assessor indicating the petition contained valid signature representing more than the required 60% of the total assessed value; and,

WHEREAS, on March 19th, 2012, the City Council held a public hearing on the annexation proposal pursuant to RCW 35A.14.231; and,

WHEREAS, The City Council finds that the proposed annexation is consistent with the Comprehensive Plan and will allow for future orderly growth;

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

Section 1. The property, as set forth in Exhibit "A" and for which the petition for annexation is filed, shall be and is hereby made a part of the City Of Battle Ground and annexed thereto.

Section 2. Pursuant to the terms of the annexation petition, all property within this territory to be annexed hereby shall be assessed and taxed at the same rate and on the same basis as the property within the City of Battle Ground, including assessments or taxes or taxes in payment of any bond issued or debts contracted by order existing at the time of annexation.

Section 3. In accordance with RCW 35A.14.330, the annexation area shall be subject to the zoning classifications established by the Covenant Running With the Land, Parcel No. 195264000, recorded January 1, 2012.

Section 4. The City Clerk is hereby directed to file with the Board of County Commissioners of Clark County a certified copy of this ordinance. The City Clerk is further directed to file with the Office of Financial Management a certificate as required by RCW 35A.14.700 within thirty (30) days of the effective date of annexation.

Section 5. This Ordinance shall become effective 30 days from the date of adoption.

ADOPTED AT THE REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF BATTLE GROUND, WASHINGTON, THIS 19th DAY OF MARCH 2012.

CITY OF BATTLE GROUND

Lisa Walters

Lisa Walters, Mayor

Attest:

Tamara Gunter

Tamara Gunter, Acting City Clerk

Approved as to form:

Brian H. Wolfe, City Attorney

Exhibit "A"
Legal Description

That portion of the following described property bounded on the West by the East right-of-way line of SR 503 and bounded on the East by the West right-of-way line of NE 122nd Avenue.

Beginning at the Northwest corner of Section 15, Township 3 North, Range 2 East of the Willamette Meridian; thence South 891.00 feet; thence East to a point 300.00 feet West of the East line of Northwest quarter of Section 15; thence North 293.50 feet; thence East to the East line of the said Northwest quarter; thence North 60.00 feet; thence West 300.00 feet; thence North 537.50 feet to the North line of Section 15; thence West to the point of beginning.