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**RESOLUTION NO. 4176**

A RESOLUTION ESTABLISHING AUGUST 21, 2007 AS THE DATE OF A SPECIAL ELECTION ON THE QUESTION OF ANNEXATION TO THE CITY OF AUBURN, OF AN UNINCORPORATED AREA KNOWN AS THE "LEA HILL ANNEXATION AREA"

WHEREAS, on January 16, 2007, the City Council of the City of Auburn adopted Resolution No. 4138 which directed the filing of a notice of intent to annex the Lea Hill Annexation Area with the King County Boundary Review Board, and

WHEREAS, the Boundary Review Board held a public hearing on the proposed annexation on March 6, 2007, and

WHEREAS, the Boundary Review Board approved the annexation on April 16, 2007, and

WHEREAS, the City has determined to call for a special election to be held in conjunction with the primary election on August 21, 2007 and to submit the question of annexation as a ballot question as authorized by RCW 35A.14.085.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

**SECTION 1. Findings:**

A. The City Council of the City of Auburn, by Resolution No. 4138, has determined that it is in the public interest and general welfare to provide for the annexation of an area known as the Lea Hill Annexation Area, in accordance with Chapter 35A.14 RCW.

B. Auburn Resolution No. 4138 satisfies the provisions of Chapter 35A.14 RCW for qualification for annexation.

C. Auburn Resolution No. 4138, initiated the annexation of the Lea Hill Potential Annexation Area.

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D. The King County Boundary Review Board received a request for review under Chapter 36.93 RCW, and on April 16, 2007, the Review Board deemed the proposed City of Auburn Lea Hill Annexation file approved.

E. Pursuant to Chapters 29A.04 and 35A.14 RCW, the Auburn City Council deems an emergency exists for the purpose of calling a special election to be held on the question of this annexation on August 21, 2007.

SECTION 2. A special election shall be held on the 21st day of August, 2007 in accordance with Chapter 35A.14 RCW within the territory of the proposed annexation, for the purpose of submitting the question of annexation of the Lea Hill annexation area.

SECTION 3. The number of registered voters within the subject area is estimated at 4,986 as nearly as may be determined from available records.

SECTION 4. Pursuant to RCW 29A.04.321 and 35A.14.050, it is hereby deemed that an emergency exists for purposes of calling a special election. The King County director of the records, elections and licensing services division is hereby requested to assume jurisdiction to call and conduct a special election and submit to the registered voters within the subject area of the propositions as set forth in section 4 of this resolution. The Clerk of the Council is hereby authorized and directed to transmit this proposition to the director of the records, elections and licensing services division in substantially the following form, with such additions, deletions or modifications in the ballot title as may be required for the proposition listed below by the King County prosecutor:

PROPOSITION 1: The Auburn City Council passed Resolution No. 4176 concerning annexation of the Lea Hill

Annexation Area which would authorize annexation of that area of unincorporated King County known as the Lea Hill Annexation Area as legally described in Resolution No. 4138. Shall that area of unincorporated King County known as the Lea Hill Annexation Area as legally described in City of Auburn Resolution No. 4138 be annexed to the City of Auburn?

For annexation

Against annexation

SECTION 5. The director of the records, elections and licensing services division is hereby authorized and requested to prepare and distribute a local voters' pamphlet, pursuant to K.C.C. 1.10.010, for the special election called for in this resolution, the cost of the pamphlet to be included as part of the cost of the special election.

SECTION 6. The boundaries of the territory proposed for annexation are hereby described in city of Auburn Resolution No. 4138 as contained in Attachment A to this resolution.

SECTION 7. Pursuant to RCW 29A.32.280, the following individuals are appointed to serve on the voters' pamphlet committees, each committee to write a statement for or against the proposed annexation ballot measure:

FOR

AGAINST

1. \_\_\_\_\_

1. \_\_\_\_\_

2. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

3. \_\_\_\_\_

It is provided, however, that if insufficient names of volunteers willing to serve on the voters' pamphlet committees are identified by the date that this

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Resolution is passed, the Mayor shall be authorized to add such names as are subsequently received and submit those names to the County Auditor.

SECTION 8. A certified copy of this Resolution shall be filed with the King County Department of Records and Elections and the King County Council.

SECTION 9. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

SECTION 10. This resolution shall be in full force and effect upon passage and signatures hereon.

DATED and SIGNED this 16<sup>th</sup> day of April, 2007.

CITY OF AUBURN

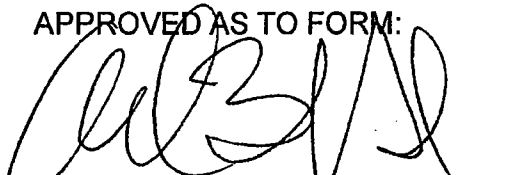
  
PETER B. LEWIS  
MAYOR

ATTEST:



Danielle E. Daskam,  
City Clerk

APPROVED AS TO FORM:

  
Daniel B. Heid,  
City Attorney

## RESOLUTION NO. 4138

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, REQUESTING THAT THE ANNEXATION OF AN UNINCORPORATED AREA CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY BE PLACED BEFORE THE VOTERS OF THE PROPOSED ANNEXATION AREA - ANNEXATION OF AN AREA COMMONLY KNOWN AS THE "LEA HILL ANNEXATION AREA"

WHEREAS, the City of Auburn has areas of unincorporated territory contiguous to the corporate limits of the City, which includes unincorporated territory known as the "Lea Hill" Potential Annexation Area; and,

WHEREAS, the City is authorized to initiate annexations via election pursuant to RCW 35A.14.015; and,

WHEREAS, when the Auburn City Council determines that the best interests and general welfare of the City would be served by the annexation of the unincorporated territory contiguous to such city, it would thusly be appropriate to call for an election to be held to submit to the voters of such territory the proposal for annexation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, HEREBY RESOLVES as follows:

**Section 1.** That the Auburn City Council has determined that the best interests and general welfare of the City would be served by the annexation of the unincorporated territory contiguous to such city, and that it is appropriate to call for an election to be held to submit to the voters of such territory the proposal for annexation.

**Section 2.** That the description of the boundaries of the area to be annexed, hereinafter identified and known as the "Lea Hill" annexation area, is as follows:

Those portions of Sections 3, 4, 5, 7, 8, 9, 10, 16, and 17, Township 21 North, Range 5 East, and Sections 32, and 33, Township 22 North, Range 5 East, Willamette Meridian in King County, Washington described as follows:

Beginning at the northwest corner of the northeast quarter of the southwest quarter of said Section 32, said point also being a point on the City Limits of Kent, as annexed under Kent City Ordinance No. 3241;

Thence east along said City Limits of Kent and along the north line of the southwest quarter of said Section 32, and along the north line of the southeast quarter of said Section 32 to the northwest corner of the southwest quarter of said Section 33;

Thence south along said City Limits of Kent and along the west line of the southwest

quarter of said Section 33 to the southwest corner of the north half of the north half of the north half of the northwest quarter of the southwest quarter of said Section 33;

Thence east along said City Limits of Kent and along the south line of last said subdivision to the west line of the north half of the northeast quarter of the southwest quarter of said Section 33;

Thence south along said City Limits of Kent and along said west line of the north half of the northeast quarter of the southwest quarter of said Section 33 to the northwest corner of the west 165.00 feet of the south half of the north half of the northeast quarter of the southwest quarter of said Section 33;

Thence east 165.00 feet along said City Limits of Kent and along the north line of the west 165.00 feet of the south half of the north half of the northeast quarter of the southwest quarter of said Section 33;

Thence south along said City Limits of Kent and along the east line of the west 165.00 feet of the south half of the north half of the northeast quarter of the southwest quarter of said Section 33 to the south line of the north half of the northeast quarter of the southwest quarter of said Section 33;

Thence east along said City Limits of Kent and along the south line of the north half of the northeast quarter of the southwest quarter of said Section 33 to the west line of the northwest quarter of the southeast quarter of said Section 33;

Thence southerly 30 feet along said City Limits of Kent and along last said west line to the south line of the north 30 feet of the south half of the northwest quarter of the southeast quarter of said Section 33;

Thence easterly along said City Limits of Kent, along the south line of the north 30 feet of the south half of the northwest quarter of the southeast quarter of said Section 33 and along the south right of way margin of Southeast 282 Street to its intersection with the south line of the north half of the northeast quarter of the southeast quarter of said Section 33;

Thence east along said City Limits of Kent and along the south line of the north half of the northeast quarter of the southeast quarter of said Section 33 to a line parallel with and 30 feet west of the east line of the southeast quarter of said Section 33;

Thence south along said City Limits of Kent and along said parallel line to the south line of the southeast quarter of said Section 33;

Thence east along said City Limits of Kent and along said south line to the west line of the southwest quarter of said Section 34;

Thence northerly along said City Limits of Kent and along the west line of the southwest

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quarter of said Section 34 a distance of 30-feet, more or less, to the north margin of Southeast 288th Street;

Thence easterly along said City Limits of Kent and along said north margin to the westerly right of way margin of SR-18;

Thence is a southwesterly direction along said westerly right of way margin of SR-18 to an intersection with the south line of the northwest quarter of the northeast quarter of said Section 16;

Thence in a westerly direction along said south line to the west line of the east half of said Section 16;

Thence in a southerly direction along said east line to the north line of the south half of said Section 16;

Thence in a westerly direction, along said north line, and along the north line of the south half of said Section 17, to the west boundary of the east half of the southeast quarter of the northeast quarter of said Section 17 and an intersection with the City Limits of Auburn as annexed under Auburn City Ordinance No. 5346;

Thence in a northerly direction along said west boundary of the east half of the southeast quarter of the northeast quarter of said Section 17 to an angle point in the City Limits of Auburn as annexed under Auburn City Ordinance No. 5346;

Thence in a northeasterly direction along said City Limits and along the southerly boundary of the plat of Spring Vista as recorded in Volume 74 of Plats at page 90, records of King County, Washington, to the southeast corner of Lot 1 of said plat of Spring Vista;

Thence in a northerly direction along said City Limits annexed under Auburn City Ordinance No. 5346, along the east line of said Lot 1 and along the southeasterly right of way line of 116<sup>th</sup> Avenue Southeast to the southwest corner of Lot 1 of the plat of College Green as recorded in Volume 83 of Plats at page 92, records of King County, Washington;

Thence in a northerly direction along said City Limits and along the east right of way margin of 116<sup>th</sup> Avenue Southeast to the southwest corner of Lot 1 of the Plat of College Green North as recorded in Volume 110 of plats at pages 5 and 6, records of said county and the southwest corner of the City Limits of Auburn as annexed under Auburn City Ordinance No. 5937;

Thence in easterly, northerly, and westerly directions, along said City Limits and along the boundaries of last said Lot 1 of the Plat of College Green North to the east right of way margin of 116<sup>th</sup> Avenue Southeast and an intersection with the City Limits of Auburn as annexed under said Auburn City Ordinance No. 5346;

Thence in a northerly direction along said east right of way margin of 116<sup>th</sup> Avenue Southeast and along said City Limits to the north line of the south 97 feet of the north 4 acres of the southwest quarter of the southwest quarter of the southwest quarter of said Section 9 and the southwest corner of the City Limits of Auburn as annexed under Auburn City Ordinance No. 5986;

Thence in an easterly direction along last said north line and along said City Limits to the east line of the west half of the southwest quarter of the southwest quarter and the southeast corner of the City Limits of Auburn as annexed under Auburn City Ordinance No. 5986;

Thence in a northerly direction along last said east line and along said City Limits to the north line of the south 201.5 feet of the northwest quarter of the southwest quarter of the southwest quarter of said Section 9 and the northeast corner of the City Limits of Auburn as annexed under Auburn City Ordinance No. 5986;

Thence in a westerly direction along last said north line and along said City Limits to the east right of way margin of 116<sup>th</sup> Avenue Southeast and an intersection with the City Limits of Auburn as annexed under said Auburn City Ordinance No. 5346;

Thence northerly along said east right of way margin of 116<sup>th</sup> Avenue Southeast and along said City Limits to the south right of way margin of Southeast 312<sup>th</sup> Street;

Thence westerly, northwesterly, southwesterly and southerly along said City Limits and along the southerly right of way margin of Southeast 312<sup>th</sup> Street and Lea Hill Road Southeast to an intersection with the City Limits of Auburn as annexed under Auburn City Ordinance No. 5088, said intersection being on the north boundary of Lot 20 Block 7 of C. D. Hillman's Auburndale Addition to the City of Seattle, Division No. 1 as recorded in Volume 13 of Plats at Page 62, records of King County, Washington;

Thence continuing southwesterly along said City Limits of Auburn and along the southeasterly right of way margin of Lea Hills Road Southeast to the north right of way margin of Southeast 320<sup>th</sup> Street and the most westerly corner of said City Limits of Auburn as annexed under Auburn City Ordinance No. 5088;

Thence east along said north right of way margin and along said City Limits of Auburn as annexed under Auburn City Ordinance No. 5088 to an intersection with the City Limits of Auburn as annexed under Auburn City Ordinance No. 5346;

Thence southerly along said City Limits of Auburn to the north boundary of the northwest quarter of said Section 17;

Thence westerly along said City Limits of Auburn and along said north boundary of the northwest quarter of said Section 17 to the easterly right of way margin of 104<sup>th</sup> Place Southeast;



Thence southerly along said City Limits of Auburn and along said easterly right of way margin to the southerly right of way margin of Southeast 320<sup>th</sup> Street;

Thence westerly along said City Limits of Auburn and along said southerly right of way margin of Southeast 320<sup>th</sup> Street to the westerly bank of the Green River and the southeast corner of the City Limits of Auburn as annexed under Auburn City Ordinance No. 2220;

Thence northwesterly along said City Limits of Auburn annexed under Auburn City Ordinance No. 2220 and along the west bank of the Green River to an intersection with the east line of the City Limits of Auburn as annexed under Auburn City Ordinance No. 1300;

Thence northerly along said City Limits of Auburn annexed under Auburn City Ordinance No. 1300 and along the west bank of the Green River to the north line of the southwest quarter of said Section 8 and an intersection with the south line of the City Limits of Auburn annexed under Auburn City Ordinance No. 5516;

Thence easterly along said City Limits of Auburn annexed under Auburn City Ordinance No. 5516 and along said north line of the southwest quarter of said Section 8 to the extended east right of way margin of 104<sup>th</sup> Avenue Southeast;

Thence northerly along said City Limits of Auburn, along said extended east right of way margin, and along the east right of way margin of 104<sup>th</sup> Avenue Southeast to the northwest corner of Lot 15, Block 4 of C. D. Hillman's Auburndale Addition to the City of Seattle, Division No. 1 as recorded in Volume 13 of Plats at Page 62, records of King County, Washington;

Thence easterly along said City Limits of Auburn and along the north boundary of said Lot 15 and the north boundary of Lot 5 of said Block 4 of C. D. Hillman's Auburndale Addition to the City of Seattle, Division No. 1, and along said north boundary of said Lot 5 extended, to the east right of way margin of 108<sup>th</sup> Avenue Southeast;

Thence northerly along said City Limits of Auburn and along said easterly right of way margin of 108<sup>th</sup> Avenue Southeast to the south right of way margin of Southeast 304<sup>th</sup> Street;

Thence continuing northerly along said City Limits of Auburn to the intersection of the west margin of 108<sup>th</sup> Avenue Southeast as shown on the plat of Hazelwood Heights as recorded in Volume 71 of Plats at Page 37, records of King County, Washington and the north margin of Southeast 304<sup>th</sup> Way;

Thence northwesterly and westerly along said City Limits of Auburn and along the north margin of Southeast 304<sup>th</sup> Way to the southwest corner of Lot 24 of said plat of Hazelwood Heights;

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Thence northwesterly along said City Limits of Auburn and along the southwesterly boundary of said Lot 24 to the northwest corner thereof;

Thence northeasterly and northerly along said City Limits of Auburn and along the northwest and west boundary of said plat of Hazelwood Heights to an intersection with the east line of the City Limits of Auburn as annexed under Auburn City Ordinance No. 3266;

Thence north along said City Limits of Auburn annexed under Auburn City Ordinance No. 3266 and along the east line of the southwest quarter of said Section 5 to the northeast corner of the southwest quarter of said Section 5;

Thence west along said City Limits of Auburn and along the north line of the southwest quarter of said Section 5 to a point 208.71 feet east of the northwest corner of the northeast quarter of said southwest quarter of said Section 5;

Thence north along said City Limits of Auburn and parallel with the east line of Government Lot 6 of said Section 5 a distance of 417.40 feet;

Thence west along said City Limits of Auburn and parallel with the south line of the southeast quarter of the northwest quarter of said Section 5 to the east line of said Government Lot 6;

Thence north along said City Limits of Auburn and along the east line of said Government Lot 6 to the northeast corner thereof and to the southeast corner of the City Limits of Auburn annexed under Auburn City Ordinance No. 4710 and the southeast corner of Government Lot 4 of said Section 5;

Thence north along said City Limits of Auburn annexed under Auburn City Ordinance No. 4710, along the east line of said Government Lot 4 and along the east line of Government Lot 2 in said Section 32 to an intersection with the southeast corner of the City Limits of Kent annexed under Kent City Ordinance 3171;

Thence north along said City Limits of Kent and along the east lines of Lots 1, 2 and 3 of King County Short Plat SP279079R, recorded under King County Recording number 8011070875 and along the east lines of Lots 2, 3 and 4 of King County Short Plat SP1078096R, recorded under King County Recording number 8011070874 to the point of beginning;

Except those portions as annexed to the City of Auburn under Auburn City Ordinances 3889, 5980, 5982, and 5983, and those portions as annexed to the City of Kent under Kent City Ordinances 2743.

**Section 3.** That the number of voters residing therein as nearly as may be determined is 4,986.

**Section 4.** That the City shall pay the cost of the annexation election.

**Section 5.** That upon annexation, it is the intent that the territory so annexed shall be subject to a proposed zoning regulation to be developed and adopted through the pre-zoning process.

**Section 6.** That a certified copy of the resolution shall be filed with the legislative authority for King County, and with the King County Boundary Review Board.

**Section 7.** That the Mayor is authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation, including providing notices pursuant to RCW 35A.14.070, and filing a Notice of Intent to Annex to the King County Boundary Review Board, and communicate the City's request that the King County Boundary Review Board waive or decline review. The Mayor, or designee, is further authorized to take such other steps as is reasonably necessary to have the annexation placed on the ballot before the appropriate voters.

**Section 8.** That this Resolution shall take effect and be in full force upon passage and signatures hereon.

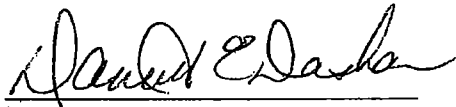
Dated and Signed this 16<sup>th</sup> day of January, 2007.

CITY OF AUBURN



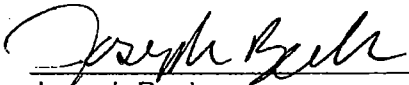
PETER B. LEWIS  
MAYOR

ATTEST:



Danielle E. Daskam,  
City Clerk

APPROVED AS TO FORM:



Joseph Beck,  
Assistant City Attorney

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STATE OF WASHINGTON )  
COUNTIES OF KING AND PIERCE ) ss.

I, Danielle Daskam, the duly appointed, qualified City Clerk of the City of Auburn, a Municipal Corporation and Code City, situate in the counties of King and Pierce, State of Washington, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 4176 of the resolutions of the City of Auburn, entitled "RESOLUTION NO. 4176."

I certify that said Resolution No. 4176 was duly passed by the Council and approved by the Mayor of the said City of Auburn on the 16th day of April, 2007.

Witness my hand and the seal of the City of Auburn this 24th day of April, 2007.



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Danielle Daskam, City Clerk  
City of Auburn