

RESOLUTION NO. 4177

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 "WEST HILL ANNEXATION AREA"

WHEREAS, on January 16, 2007, the City Council of the City of Auburn adopted Resolution No. 4139 which directed the filing of a notice of intent to annex the West 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 20, 2007, and

WHEREAS, the Boundary Review Board approved the annexation on April 12, 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. 4139, has determined that it is in the public interest and general welfare to provide for the annexation of an area known as the West Hill Annexation Area, in accordance with Chapter 35A.14 RCW.

B. Auburn Resolution No. 4139 satisfies the provisions of Chapter 35A.14 RCW for qualification for annexation.

C. Auburn Resolution No. 4139, initiated the annexation of the West Hill Potential Annexation Area.

D. The King County Boundary Review Board received a request for review under Chapter 36.93 RCW, and on April 12, 2007, the Review Board deemed the proposed City of Auburn West 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 West Hill annexation area.

SECTION 3. The number of registered voters within the subject area is estimated at 2,575 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 2: The Auburn City Council passed Resolution No. 4177 concerning annexation of the West Hill

Annexation Area which would authorize annexation of that area of unincorporated King County known as the West Hill Annexation Area as legally described in Resolution No. 4139. Shall that area of unincorporated King County known as the West Hill Annexation Area as legally described in City of Auburn Resolution No. 4139 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. 4139 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

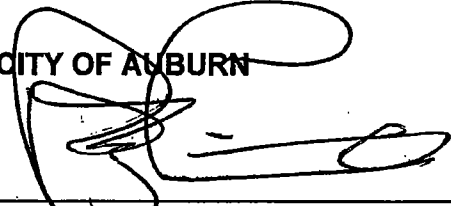
Resolution is passed, the Mayor shall be authorized to add such names as are subsequently received and submit those names to the County Auditor.

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.

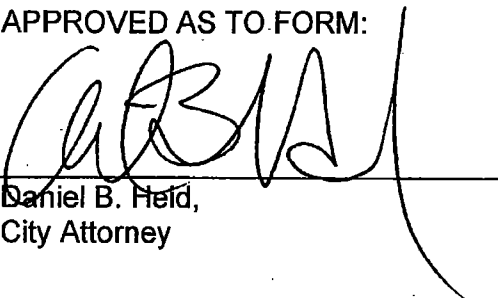
DATED and SIGNED this 16th day of April, 2007.

CITY OF AUBURN

PETER B. LEWIS
MAYOR

ATTEST:


Danielle E. Daskam,
City Clerk

APPROVED AS TO FORM:


Daniel B. Held,
City Attorney

RESOLUTION NO. 4139

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 "WEST 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 "West 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 "West Hill" annexation area, is as follows:

Those portions of Sections 2, 3, 10, 11, 14, and 15, Township 21 North, Range 4 East, and Sections 34, 35 and 36, Township 22 North, Range 4 East, Willamette Meridian in King County, Washington described as follows:

Beginning at the intersection of the north right-of-way margin of South 288th Street and the west right-of-way margin of 55th Avenue South (aka Harry A. Able Road, County Road No. 2515), in the southwest quarter of the southwest quarter of said Section 35;

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Thence in a northerly direction, along said west right of way margin, to an intersection with the north line of the south half of the southwest quarter of the southwest quarter of said Section 35;

Thence easterly, along said north line, to an intersection with the east line of the west half of the west half of said Section 35;

Thence northerly, along said east line, to an intersection with the north line of the south half of the south half of said Section 35;

Thence easterly along said north line to the east line of said Section 35;

Thence continuing easterly along the north line of the south half of the south half of said Section 36, to an intersection with the east right-of-way margin of SR - 181 (aka 68th Avenue South, West Valley Highway);

Thence southerly, along said east margin, to an intersection with the City Limits of Auburn as annexed under Auburn City Ordinance No. 3990 and the northeast corner of the south 486.18 feet of the west 30 feet of the southwest quarter of said Section 36;

Thence west along said City Limits of Auburn, along the north line of the south 486.18 feet of the southwest quarter of said Section 36, and along the north line of the south 486.18 feet of the southeast quarter of said Section 35 to the northwest corner of said City Limits of Auburn;

Thence south along said City Limits of Auburn and along the west line of the east 1321.29 feet of the southeast quarter of said Section 35 to the south line of said Section 35;

Thence east along said City Limits of Auburn and along said south line of said Section 35 to the northwest corner of the City Limits of Auburn as annexed under Auburn City Ordinance No. 2605;

Thence south along said City Limits of Auburn and along a line parallel with the east line of Government Lot 1 of said Section 2 a distance of 351.12 feet;

Thence east along said City Limits of Auburn and along a line parallel with the north line of said Government Lot 1 a distance of 33.0 feet;

Thence south along said City Limits of Auburn and along a line parallel with said east line of Government Lot 1 to a point on the north line of the south 1236 feet of the southeast quarter of the northeast quarter of said Section 2 and 1108.8 feet west of the east line of said Section 2;

Thence east along said City Limits of Auburn and along said north line of the south 1236 feet of the southeast quarter of the northeast quarter of said Section 2 to the northerly right of way margin of South 292nd Street (Meredith Road);

Thence east along said City Limits of Auburn and along said northerly right of way margin of South 292nd Street to the northwest corner of the City Limits of Auburn as annexed under Auburn City Ordinance No. 4139;

Thence south along said City Limits of Auburn to the southwest corner of said City Limits annexed under Auburn City Ordinance 4139;

Thence east along said City Limits of Auburn to the east line of the northeast quarter of said Section 2 and an intersection with the City Limits of Auburn as annexed under Auburn City Ordinance 1913;

Thence south along said City Limits of Auburn and along the east line of the east half of said Section 2 to an intersection with the City Limits of Auburn as annexed under Auburn City Ordinance 4606, said intersection being at the northeast corner of the south half of the northeast quarter of the southeast quarter of the southeast quarter of said Section 2;

Thence west along said City Limits of Auburn and along the north line of last said subdivision to the northwest corner of the south half of the northeast quarter of the southeast quarter of the southeast quarter of said Section 2;

Thence south along said City Limits of Auburn and along the west line of the east half of the east half of the east half of said Section 2 to an intersection with the City Limits of Auburn as annexed under Auburn City Ordinance 1999;

Thence south along said City Limits of Auburn and along the west line of the east half of the east half of the east half of said Section 2 to an angle point in the boundary of said City Limits of Auburn as annexed under Auburn City Ordinance 1999 ;

Thence west along said City Limits of Auburn and along the north line of the south half of the southwest quarter of the southeast quarter of the southeast quarter of said Section 2 to the most westerly northwest corner of said City Limits of Auburn as annexed under Auburn City Ordinance 1999;

Thence south along said City Limits of Auburn and along the west line of the southwest quarter of the southeast quarter of the southeast quarter of said Section 2 to the southwest corner of said City Limits of Auburn as annexed under Auburn City Ordinance 1999, the south line of the southeast quarter of said Section 2, and an intersection with the City Limits of Auburn as annexed under Auburn City Ordinance 1913;

Thence west along said City Limits of Auburn and along the south line of said southeast quarter of said Section 2 to the southeast corner of the southwest quarter of said Section 2 and the northeast corner of the City Limits of Auburn as annexed under Auburn City Ordinance 3915;

Thence west along said City Limits of Auburn and along the south line of said southwest quarter of said Section 2 to the northwest corner said City Limits of Auburn annexed under Auburn Ordinance 3915 and the northwest corner of Lot 6, Block 3 of Auburn Heights Park Division No. 2 recorded in Volume 49 of Plats at Page 99, records of King County, Washington;

Thence south along said City Limits of Auburn and along the west line of said Lot 6 to the southwest corner of said Lot 6 and the north right of way margin of South 305th Street;

Thence easterly and southeasterly along said City Limits of Auburn and along said north right of way margin and along the northeast right of way margin of 58th Avenue South to the most westerly corner of the City Limits of Auburn annexed under Auburn Ordinance 3457;

Thence continuing southeasterly along said City Limits of Auburn and along said northeast right of way margin of 58th Avenue South to the most southerly corner of the City Limits of Auburn annexed under Auburn Ordinance 3457 and the most southerly corner of Lot 93 of the Plat of Morning Crest recorded in Volume 116 of Plats at Pages 4 and 5, records of King County, Washington;

Thence northeasterly along said City Limits of Auburn and along the southeasterly line of said plat of Morning Crest to the east line of the northwest quarter of said Section 11 and an intersection with the City Limits of Auburn annexed under Auburn Ordinance 1913;

Thence south along said City Limits of Auburn and along the east line of the northwest quarter of said Section 11 to the southeast corner of the northeast quarter of the northwest quarter of said Section 11;

Thence west along said City Limits of Auburn and along the south line of said northeast quarter of the northwest quarter of said Section 11 to the southwest corner of said northeast quarter of the northwest quarter of said Section 11;

Thence south along said City Limits of Auburn and along the east line of the southwest quarter of the northwest quarter of said Section 11 and along the east line of the northwest quarter of the southwest quarter of said Section 11 to an angle point in the City Limits of Auburn annexed under Auburn Ordinance 1913 at the southeast corner of the northwest quarter of the southwest quarter of said Section 11;

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Thence east along said City Limits of Auburn and along the north line of the southeast quarter of the southwest of said Section 11 to the northwest corner of the City Limits of Auburn annexed under Auburn Ordinance 4979;

Thence south along said City Limits of Auburn and along the west line of the Plat of Dorrie Lane as recorded in Volume 194 of Plats at Page 72, records of King County, Washington to the southwest corner of Lot 9 of said Plat of Dorrie Lane;

Thence east along said City Limits of Auburn and along the south line of the Plat of Dorrie Lane to the northwest corner of the City Limits of Auburn annexed under Auburn Ordinance 5153;

Thence south along said City Limits of Auburn to the southwest corner of the City Limits of Auburn annexed under Auburn Ordinance 5153 and the north right of way margin of South 318th Street;

Thence east along said City Limits of Auburn and along said north right of way margin of South 318th Street to the east line of the southeast quarter of the southwest quarter of said Section 11 and an intersection with the City Limits of Auburn annexed under Auburn Ordinance 1913;

Thence south along said City Limits of Auburn and along the east line of the southeast quarter of the southwest quarter of said Section 11 to the southeast corner of the southwest quarter of said Section 11 and an intersection with the City Limits of Auburn annexed under Auburn Ordinance 1387;

Thence south along said City Limits of Auburn and along the east line of the northwest quarter of said Section 14 to the easterly extension of the north line of Tract 40 of the plat of West Auburn Five Acre Tracts as recorded in Volume 15 of Plats at page 12, records of King county, Washington, and the northeast corner of the City Limits of Auburn annexed under Auburn Ordinance 5987;

Thence west along said City Limits of Auburn, along said easterly extension of the north line of said Tract 40, along the north line of said Tract 40, and along its westerly extension to the west line of 58th Avenue South;

Thence south along said City Limits of Auburn and along the west line of 58th Avenue South to an intersection with the City Limits of Auburn annexed under Auburn Ordinance 5988;

Thence south along said City Limits of Auburn and along the west line of 58th Avenue South to the north right of way margin of South 328th Street and an angle point in the City Limits of Auburn annexed under Auburn Ordinance 5988;

Thence west along said City Limits of Auburn and along the north right of way

margin of South 328th Street to the east right of way margin of 56th Avenue South and the northwest corner of the City Limits of Auburn annexed under Auburn Ordinance 5988;

Thence south along said City Limits of Auburn and along the east right of way margin of 56th Avenue South to the southwest corner of Tract 59 of said Plat of West Auburn Five Acre Tracts and the southwest corner of the City Limits of Auburn annexed under Auburn Ordinance 5988;

Thence east along said City Limits of Auburn, along the south line of said Tract 59, and along its easterly extension to the east right of way margin of 58th Avenue South and an intersection with the City Limits of Auburn annexed under Auburn Ordinance 3242;

Thence south along said City Limits of Auburn and along the east right of way margin of 58th Avenue South to the southwest corner of Tract 71 of said Plat of West Auburn Five Acre Tracts and an intersection with the City Limits of Auburn annexed under Auburn Ordinance 5981;

Thence south along said City Limits of Auburn and along a line that is parallel with the west line of the east half of the east half of the southwest quarter of said Section 14 to the south right of way margin of South 331st Street and an angle point in the City Limits of Auburn annexed under Auburn Ordinance 5981;

Thence west along said City Limits of Auburn and along the south right of way margin of South 331st Street to the northwest corner of Tract 76 of said Plat of West Auburn Five Acre Tracts;

Thence south along said City Limits of Auburn and along the west line of said Tract 76 to the north right of way margin of State Route 18 (aka P.S.H. No. 2);

Thence east along said City Limits of Auburn and along the north right of way margin of State Route 18 to the east line of the southwest quarter of said Section 14 and an intersection with the City Limits of Auburn annexed under Auburn Ordinance 1387;

Thence south along said City Limits of Auburn and along said east line of the southwest quarter of said Section 14 to the southeast corner of the southwest quarter of said Section 14 and an angle point in the City Limits of Auburn annexed under Auburn Ordinance 1387;

Thence west along said City Limits of Auburn and along the south line of the southwest quarter of said Section 14 to an intersection with the City Limits of Auburn annexed under Auburn Ordinance 2543;

Thence west along said City Limits of Auburn, along the north right of way

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margin of South 336th Street and along the south line of the southwest quarter of said Section 14 to the northwest corner of the City Limits of Auburn annexed under Auburn Ordinance 2543;

Thence west along the north right of way margin of South 336th Street and along the south line of the southwest quarter of said Section 14 to an intersection with the east line of the west half of the west half of said Section 14;

Thence north along said east line to the southerly right of way margin of relocated Peasley Canyon Road as described in Governor's Deed recorded under recording number 7308300450, records of King County, Washington;

Thence west along said southerly right of way margin of Peasley Canyon Road to the east line of said Section 15;

Thence north along said east line of said Section 15 to the northerly right of way margin of State Route 18 (P.S.H. No. 2);

Thence west along said northerly right of way margin of State Route 18 to the easterly right of way margin of South Peasley Canyon Road;

Thence northwesterly along said easterly right of way margin of South Peasley Canyon Road to the south right of way margin of south 321st Street;

Thence easterly and northeasterly along said south right of way margin of South 321st Street to the east right of way margin of 51st Avenue South;

Thence northerly along said east right of way margin of 51st Avenue South to a point 250 feet south of the south right of way margin of South 304th Street;

Thence west perpendicular to said margin of 51st Avenue South to the west right of way margin of said 51st Avenue South;

Thence north along said west right of way margin a distance of 250 feet to the south right of way margin of South 304th Street;

Thence west, 12.00 feet, more or less, along said south margin of South 304th Street to the southerly extension of the west right of way margin of 51st Avenue South;

Thence north along said southerly extension, along the west right of way margin of 51st Avenue South and along its northerly extension to the north right of way margin of South 288th Street;

Thence east along said north right of way margin of South 288th Street to an

intersection with the west right of way margin of 55th Avenue South and the point of beginning.

Section 3. That the number of voters residing therein as nearly as may be determined is 2,575.

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. 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.

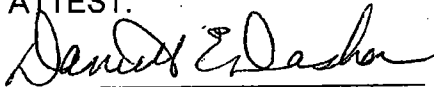
Section 8. That this Resolution shall take effect and be in full force upon passage and signatures hereon.

Dated and Signed this 16th day of January, 2007.

CITY OF AUBURN

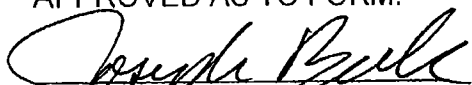

PETER B. LEWIS
MAYOR

ATTEST:



Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



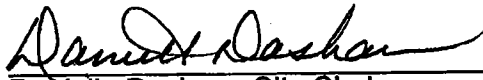
Joseph Beck, Assistant City Attorney

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. 4177 of the resolutions of the City of Auburn, entitled "RESOLUTION NO. 4177."

I certify that said Resolution No. 4177 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.



Danielle Daskam, City Clerk
City of Auburn