

**CITY OF GIG HARBOR
ORDINANCE NO. 952**

AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO ANNEXATION AND ZONING, ANNEXATING APPROXIMATELY ELEVEN (11) ACRES OF PROPERTY LOCATED IN THE 2800 BLOCK OF 64TH STREET, EAST OF SOUNDVIEW DRIVE AND NORTH OF 64TH STREET LOCATED IN PIERCE COUNTY (ANX 03-02), ADOPTING ZONING REGULATIONS FOR THE ANNEXATION AREA, AND REQUIRING THE PROPERTY OWNERS TO ASSUME THEIR PROPORTIONATE SHARE OF INDEBTEDNESS.

WHEREAS, on June 4, 2003, the City of Gig Harbor received a Notice of Intent to Annex approximately 8.39 acres of property in the 2800 block of 64th street, east of Soundview Drive and north of 64th Street located in Pierce County, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully set forth in full; and

WHEREAS, the Notice of Intent was signed by the owners of not less than ten percent (10%) of the acreage of the property described in Exhibit A; and

WHEREAS, on June 5, 2003, the Notice of Intent was forwarded to the Chief Clerk of the Pierce County Boundary Review Board for review and comment; and

WHEREAS, on June 9, 2003, the City Council set a date of June 23, 2003 to meet with the initiating parties of the Notice of Intent; and

WHEREAS, as of June 17, 2003, the Chief Clerk of the Pierce County Boundary Review Board had not commented on the Notice of Intent; and

WHEREAS, on June 23, 2003, the City Council met with the initiators of the petition and voted to authorize circulation of the annexation petition subject to certain conditions including adoption of pre-annexation Single-Family Residential (R-1) zoning; modification of the geographic boundaries of the area proposed for annexation

thereby increasing the size of the annexation are to approximately eleven (11) acres; and requiring that the property owners assume a proportionate share of the City's indebtedness; and

WHEREAS, on June 25, 2003, the revised legal description and map was forwarded to the Chief Clerk of the Pierce County Boundary Review Board for review and comment; and

WHEREAS, on July 18, 2003, e-mailed revisions to the revised legal description were received by City staff from the Chief Clerk of the Pierce County Boundary Review Board; and

WHEREAS, on August 11, 2003, the City Council voted to accept the corrected legal description and map based on comments received from the Pierce County Boundary Review Board on July 18, 2003; and

WHEREAS, on August 14, 2003, a petition for annexation of the property described in Exhibit A was received by the City; and

WHEREAS, on August 15, 2003, the petition for annexation was forwarded to the Pierce County Assessor-Treasurer's Office for a determination of sufficiency; and

WHEREAS, on September 3, 2003, the petition for annexation was certified by the Pierce County Office of the Assessor-Treasurer and the Pierce County Auditor, as being legally sufficient, and as containing the signatures of the owners of a majority of the acreage of the area proposed for annexation and the signatures of a majority of the registered voters in the area described in Exhibit A; and

WHEREAS, on September 8, 2003, the City Council set a public hearing date of October 13, 2003 for the consideration of a resolution approving the annexation as proposed; and

WHEREAS, on September 24, 2003, notice of the October 13, 2003 public hearing was posted within three conspicuous areas within the area proposed for annexation; and

WHEREAS, on September 25, 2003, notice of the October 13, 2003 public hearing was mailed to all property owners of record within the area proposed for annexation and within three-hundred feet (300') of the area proposed for annexation; and

WHEREAS, on October 1 and October 8, 2003, notice of the October 13, 2003 public hearing was published in the Peninsula Gateway; and

WHEREAS, on October 13, 2003, the City Council, following a public hearing on the annexation petition, the City Council voted to approve the annexation with Single-Family Residential (R-1) zoning for the area of annexation, subject to Boundary Review Board approval (City of Gig Harbor Resolution No. 616); and

WHEREAS, on October 21, 2003, the Notice of Intention, together with supporting documentation, was submitted to the Chief Clerk of the Pierce County Boundary Review Board; and

WHEREAS, on October 22, 2003, the Chief Clerk of the Pierce County Boundary Review Board deemed the annexation proposal as complete, set the official filing date as October 22, 2003, initiated the forty-five (45) day review period, and noted

that the period during which jurisdiction could be invoked would expire on December 8, 2003; and

WHEREAS, the property described in Exhibit A and proposed to be annexed is within the City of Gig Harbor Urban Growth Area as established by Pierce County and included in the Comprehensive Plans of both the County and the City of Gig Harbor; and

WHEREAS, the City of Gig Harbor Comprehensive Plan, adopted in November, 1994, established a land use map designation for this area as Urban Residential Low Density, along with pertinent goals and objectives, to guide the development of the annexation area over the next twenty years; and

WHEREAS, the proposed Single-Family Residential (R-1) zoning of the property described in Exhibit A is consistent with the City of Gig Harbor Comprehensive Land Use Plan designation as Urban Residential Low Density; and

WHEREAS, the Gig Harbor Council has provided its intent to annex property in the 2800 block of 64th street, east of Soundview Drive and north of 64th Street located in Pierce County, contingent upon the following conditions:

- A. Assumption by the property owners of their proportionate share of the City of Gig Harbor's indebtedness; and
- B. Imposition of Single-Family Residential (R-1) zoning of the property; and

WHEREAS, on December 11, 2003, the Pierce County Boundary Review Board issued a written decision approving the annexation of the property as described in Exhibit A; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meeting's of January 12 and January 26, 2004; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON,
ORDAINS AS FOLLOWS:

Section 1. The Gig Harbor City Council hereby approves the annexation of property in the 2800 block of 64th street, east of Soundview Drive and north of 64th Street located in Pierce County, as described in Exhibit A, attached hereto, as part of the City of Gig Harbor, contingent upon compliance with the following conditions:

- A. Pursuant to the terms of the annexation petition, the property in the 2800 block of 64th street, east of Soundview Drive and north of 64th Street located in Pierce County, as described in Exhibit A, shall be assessed and taxed at the same rate and on the same basis as property within the City, including assessments for taxes and payment of any bonds issued or debts contracted prior to or existing as of the date of annexation; and
- B. All property within the area described in Exhibit A shall be zoned as Single-Family Residential (R-1) in accordance with the Gig Harbor Municipal Code, Title 17.

Section 2. The Community Development Director is hereby instructed to effectuate the necessary changes to the Official Zoning Map of the City in accordance with the zoning established in Section 1.

Section 3. The Gig Harbor City Clerk hereby declares the property described in Exhibit A to be contiguous with the boundaries of the City of Gig Harbor.

Section 4. The City Clerk is hereby directed to record a certified copy of this ordinance with the office of the Pierce County Auditor.

Section 5. This ordinance shall take effect five days after passage and publication as required by law.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 26th day of January 2004.

APPROVED:

MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY:

BY: _____

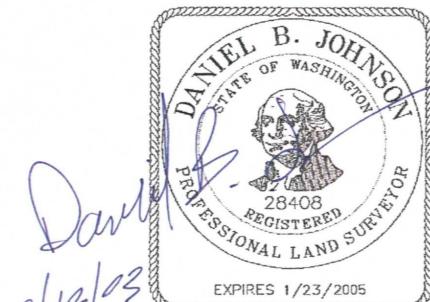
FILED WITH THE CITY CLERK: 1/7/03
PASSED BY THE CITY COUNCIL: 1/26/04
DATE OF PUBLICATION: 2/4/04
EFFECTIVE DATE: 2/9/04

Exhibit A
Hazen Annexation (ANX 03-02)
Legal Description

LEGAL DESCRIPTION
of
PROPOSED ANNEXATION TO GIG HARBOR
for
Joe & Linda Hazen

A parcel of land in the Southwest Quarter of the Southeast Quarter of Section 8, Township 21 North, Range 2 East, W.M., in Pierce County, Washington, described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of Section 8, Township 21 North, Range 2 East, W.M., in Pierce County, Washington; thence S 88°48'46" E along the south line of said southeast quarter, 200.64 feet; thence N 2°27'47" E, 30.00 feet to the north margin of 64th Street NW and the TRUE POINT OF BEGINNING; thence N 2°27'47" E, 104.03 feet; thence N 88°48'46" W, 49.93 feet; thence N 2°27'47" E, 96.02 feet; thence S 88°48'46" E, 179.96 feet; thence N 2°27'47" E, 294.94 feet to the southeast corner of Short Plat 79-531; thence N 88°48'46" W, 300.00 feet to the easterly margin of Soundview Drive; thence N 2°27'47" E along said margin, 135.00 feet; thence S 88°48'46" E, 930.00 feet; thence S 2°27'47" W, to the south line of Government Lot 5; thence west along said south line to the easterly margin of Reid Drive; thence northwest along the easterly margin of Reid Drive to the north margin of 64th Street NW; thence N 88°48'46" W, along said margin to the True Point of Beginning.



**SUMMARY OF ORDINANCE NO. 952
of the City of Gig Harbor, Washington**

On January 26, 2004 the City Council of the City of Gig Harbor, Washington, approved Ordinance No. 952, the summary of text of which is as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO ANNEXATION AND ZONING, ANNEXATING APPROXIMATELY ELEVEN (11) ACRES OF PROPERTY LOCATED IN THE 2800 BLOCK OF 64TH STREET, EAST OF SOUNDVIEW DRIVE AND NORTH OF 64TH STREET LOCATED IN PIERCE COUNTY (ANX 03-02), ADOPTING ZONING REGULATIONS FOR THE ANNEXATION AREA, AND REQUIRING THE PROPERTY OWNERS TO ASSUME THEIR PROPORTIONATE SHARE OF INDEBTEDNESS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR:

The full text of this ordinance will be mailed upon request.

APPROVED by the City Council at their regular meeting of January 26, 2004.

BY: _____
MOLLY M. TOWSLEE, CITY CLERK