

## **RESOLUTION NO. 749**

**A RESOLUTION OF THE CITY OF GIG HARBOR, RELATING TO ANNEXATION, 1) PROVIDING THE CITY COUNCIL'S ACCEPTANCE OF THE ANNEXATION PETITION FOR APPROXIMATELY 216 ACRES OF PROPERTY LOCATED ALONG AND TO THE EAST OF STATE ROUTE 16 (SR-16), EXTENDING TO THE CITY BOUNDARY ALONG BURNHAM DRIVE, NORTH OF ROSEDALE STREET, AND SOUTH OF 96TH STREET, WITHIN THE CITY'S URBAN GROWTH AREA, LOCATED IN PIERCE COUNTY, 2) DECLARING THE CITY COUNCIL'S INTENT TO ADOPT PROPOSED ZONING REGULATIONS FOR THE ANNEXATION AREA, AND, 3) REFERRING THE PETITION FOR ANNEXATION TO THE PIERCE COUNTY BOUNDARY REVIEW BOARD.**

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WHEREAS, on March 7, 2007, the City of Gig Harbor received a complete Notice of Intent to Commence Annexation for approximately 16.3 acres of property located west of Burnham Drive NW, adjacent to the existing City limits and within the City's Urban Growth Area (UGA), located in Pierce County; and

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

WHEREAS, on September 24, 2007, the City received a request to amend the Notice of Intent to consolidate several annexation interest and to propose annexation of an entire unincorporated island within City jurisdiction, located along and to the east of State Route 16 (SR-16), extending to the City boundary along Burnham Drive, north of Rosedale Street, and south of 96th Street; and

WHEREAS, the amended Notice of Intent was complete and signed by the owners of not less than ten percent (10%) of the acreage of the property; and

WHEREAS the City Council met with the initiators of the petition on November 26, 2007 and voted (Young/Dicks, 6-0-0) to authorize the circulation of the

annexation petition subject to certain conditions including: requirement that the property owners assume all of the existing indebtedness of the area being annexed, submittal of a wetland analysis report per Gig Harbor Municipal Code 18.08.090, and simultaneous adoption of pre-annexation Medium-Density Residential (R-2) and Employment District (ED); and

WHEREAS, on February 1, 2008, a petition for annexation of the property described and graphically depicted on Exhibit A and Exhibit B was received by the City with the appropriate filing fee; and

WHEREAS, on March 19, 2008, the Pierce County office of the Assessor-Treasurer certified the signatures on the petition for annexation of the property described and graphically depicted on Exhibit A and Exhibit B; and

WHEREAS, the property described and graphically depicted on and Exhibit A and Exhibit B is within the 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 December, 2004, established the land use map designation for this area as Residential Medium and Employment Centers, along with pertinent goals and objectives, to guide the development of the annexation area over the next twenty years; and

WHEREAS, the proposed pre-annexation zoning of Medium-Density Residential (R-2) and Employment District (ED) applied to the property described and graphically depicted on Exhibit A and Exhibit B is consistent with the City of Gig Harbor Comprehensive Land Use Plan .

WHEREAS, on April 28, 2008, the City Council, following a public hearing on the annexation petition, voted to declare its intent to authorize and approve the annexation and the proposed pre-annexation Medium-Residential (R-2) and Employment District (ED) zoning for the area described and graphically depicted on Exhibit A and Exhibit B, subject to Boundary Review Board approval; now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON,  
HEREBY RESOLVES AS FOLLOWS:

Section 1. The Gig Harbor City Council hereby declares its intent to authorize and approve the annexation of approximately 216 acres of property located along and to the east of State Route 16 (SR-16), extending to the City boundary along Burnham Drive, north of Rosedale Street, and south of 96<sup>th</sup> street, adjacent to the existing City limits, located in Pierce County, as described and graphically depicted on Exhibit A and Exhibit B, 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 approximately 216 acres of property depicted on Exhibit B, 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 and graphically depicted on Exhibit A and Exhibit B shall be zoned as Medium-Density Residential

(R-2) and Employment District (ED), in accordance with the Gig Harbor Municipal Code, Title 17.

Section 2. The Gig Harbor City Clerk hereby declares the property described and graphically depicted on Exhibit A and Exhibit B, which is the subject of the annexation petition, to be contiguous with the boundaries of the City of Gig Harbor.

Section 3. The City Council hereby authorizes the Mayor to submit all necessary documentation to the Pierce County Boundary Review Board in order to gain approval for the annexation provided in this Resolution. The City Council shall not take any further action on the annexation proposal until such time as the Pierce County Boundary Review Board has completed its review of the Notice of Intent to Annex.

RESOLVED by the City Council this 28<sup>th</sup> day of April 2008.

APPROVED:

  
MAYOR, CHARLES L. HUNTER

ATTEST/AUTHENTICATED:

  
CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM;  
OFFICE OF THE CITY ATTORNEY:

BY: 

FILED WITH THE CITY CLERK: 04/23/08  
PASSED BY THE CITY COUNCIL: 04/28/08  
RESOLUTION NO. 749

EXHIBIT A

**LEGAL DESCRIPTION**

THAT PORTION OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST AND SECTION 31, TOWNSHIP 22 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN IN PIERCE COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 310 FEET, MORE OR LESS, TO THE SOUTHWESTERLY MARGIN OF SR-16 AND THE TRUE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY MARGIN A DISTANCE OF 5280 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF SAID SECTION 6; THENCE EASTERLY ALONG SAID NORTH LINE A DISTANCE OF 1640 FEET, MORE OR LESS, TO THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 6; THENCE NORTHERLY ALONG SAID WEST LINE A DISTANCE OF 1565 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE NORTH 400 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 6; THENCE WESTERLY ALONG SAID SOUTH LINE A DISTANCE OF 660 FEET, MORE OR LESS, TO THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 6; THENCE NORTHERLY ALONG SAID WEST LINE AND THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 6 A DISTANCE OF 2370 FEET, MORE OR LESS, TO THE SOUTHWESTERLY MARGIN OF BURNHAM DRIVE; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY MARGIN A DISTANCE OF 1430 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SECTION 6; THENCE CONTINUING NORTHWESTERLY ALONG SAID SOUTHWESTERLY MARGIN A DISTANCE OF 120 FEET, MORE OR LESS, TO THE SOUTHERLY MARGIN OF 96<sup>TH</sup> STREET NW; THENCE SOUTHWESTERLY ALONG SAID SOUTHERLY MARGIN A DISTANCE OF 420 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SECTION 6; THENCE WESTERLY ALONG SAID NORTH LINE A DISTANCE OF 1415 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXHIBIT B  
**Map of Boundaries**

