

ORDINANCE NO. 1293

AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO ANNEXATION AND ZONING, ANNEXING APPROXIMATELY 190 ACRES OF THE GIG HARBOR BAY, WITHIN THE CITY'S URBAN GROWTH AREA, LOCATED IN PIERCE COUNTY, (PL-ANX-13-0001), NOT ADOPTING ZONING REGULATIONS, AND EXCUSING THE PROPERTY OWNERS TO ASSUME THEIR PROPORTIONATE SHARE OF INDEBTEDNESS.

WHEREAS, the City of Gig Harbor received a Notice of Intent to Annex approximately 190 acres of water body within the Gig Harbor Bay, 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 December 9, 2013, the City Council met with the initiators of the petition and voted to authorize circulation of the annexation petition not subject to certain conditions including adoption of pre-annexation zoning as depicted on the Official Zoning Map of the City and not requiring that the property owners assume all of the existing indebtedness of the area being annexed; and

WHEREAS, on January 10, 2014, the petition for annexation of the property described in Exhibit A and graphically depicted on Exhibit B was received by the City; and

WHEREAS, on March 4, 2014, the Pierce County office of the Assessor-Treasurer certified the signatures on the petition for annexation of the property described in Exhibit A and graphically depicted on Exhibit B; and

WHEREAS, the property described in Exhibit A and graphically depicted on Exhibit B proposed to be annexed 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, last amended in November, 2012, does not establish a land use map designation for this area due to the nature of the annexation; and

WHEREAS, proposed pre-annexation zoning is not being applied to the property described in Exhibit A and graphically depicted on Exhibit B as consistent with the City of Gig Harbor Comprehensive Land Use Plan designations; and

WHEREAS, on March 24, 2014, the City Council, following a public hearing on the annexation petition, voted to declare its intent to authorize and approve the annexation for the area described in Exhibit A and graphically depicted on Exhibit B, subject to Boundary Review Board approval (Resolution No. 956); and

WHEREAS, on March 25, 2014, the Notice of Intention, together with supporting documentation, was submitted to the Chief Clerk of the Pierce County Boundary Review Board; and

WHEREAS, on April 2, 2014, the Chief Clerk of the Pierce County Boundary Review Board deemed the annexation proposal as complete, set the official filing date as March 25, 2014, initiated the forty-five (45) day review period, and noted that the period during which jurisdiction could be invoked would expire on May 9, 2014; and

WHEREAS, the City Council held a public hearing and considered this Ordinance during its regular City Council meeting of May 12, 2014; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON,

ORDAINS AS FOLLOWS:

Section 1. The Gig Harbor City Council hereby declares its intent to authorize and approve the annexation of approximately 190 acres of water body known as the Gig Harbor Bay, 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 190 acres of property depicted on Exhibits A and Exhibit B, shall not 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 not be zoned in accordance with the Gig Harbor Municipal Code, Title 17.

Section 2. The Gig Harbor City Council 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 Clerk is hereby directed to record a certified copy of this ordinance with the Office of the Pierce County Auditor.

Section 4. This ordinance shall take effect and be in full force and effect five days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 12th day of May, 2014.

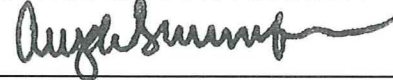
APPROVED:


MAYOR PRO TEM STEVEN EKBERG

ATTEST/AUTHENTICATED:


CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY:

BY: 

FILED WITH THE CITY CLERK: 04/29/14
PASSED BY THE CITY COUNCIL: 05/12/14
PUBLISHED: 05/14/14
EFFECTIVE DATE: 05/19/14
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EXHIBIT 'A'
LEGAL DESCRIPTION

THOSE PORTIONS OF THE NORTHWEST, THE SOUTHWEST AND THE SOUTHEAST QUARTERS OF SECTION 5, THE NORTHEAST AND THE SOUTHEAST QUARTERS OF SECTION 6, THE NORTHEAST AND THE NORTHWEST QUARTERS OF SECTION 8, ALL IN TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT A 3 INCH SURFACE BRASS DISK WITH PUNCH MARK STAMPED LS 42672 FOUND IN PLACE AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF SECTION 5, FROM WHENCE A 3 INCH BRASS DISK WITH PUNCH MARK IN A MONUMENT CASE, FOUND IN PLACE AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER BEARS NORTH $88^{\circ}45'55''$ WEST 2,647.32 FEET DISTANT; THENCE WESTERLY ALONG THE NORTH LINE OF SAID SECTION 5, BEING THE CENTERLINE OF 96TH STREET NORTHWEST, TO ITS INTERSECTION WITH THE EAST GIG HARBOR CITY LIMITS AS ESTABLISHED BY GIG HARBOR ORDINANCE 295, DATED SEPTEMBER 25, 1978; THENCE FOLLOWING THE CITY LIMITS LINE AS ESTABLISHED BY CITY OF GIG HARBOR ORDINANCE NUMBER 622, DATED FEBRUARY 24, 1992 THE FOLLOWING COURSES AND DISTANCES: THENCE SOUTH 30 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 96TH STREET NORTHWEST, BEING AN ANGLE POINT IN THE GIG HARBOR CITY LIMITS; THENCE WESTERLY ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 96TH STREET NORTHWEST TO ITS INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF RANDALL DRIVE NORTHWEST; THENCE SOUTHERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF RANDALL DRIVE NORTHWEST TO IT'S INTERSECTION WITH THE SOUTH LINE OF GOVERNMENT LOT 7A IN THE GIG HARBOR ABANDONED MILITARY RESERVE, ALSO BEING THE SOUTH LINE OF SAID ORDINANCE NUMBER 622; THENCE WESTERLY ALONG SAID SOUTH LINE AND ITS WESTERLY EXTENSION TO ITS INTERSECTION WITH THE LINE OF EXTREME LOW TIDE ALONG THE EASTERLY SIDE OF GIG HARBOR BAY AND THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID LINE ESTABLISHED BY ORDINANCE NUMBER 622 AND FOLLOWING IN A GENERALLY SOUTHERLY DIRECTION ALONG SAID LINE OF EXTREME LOW TIDE TO A POINT IN THE NORTHEAST QUARTER OF SAID SECTION 8 FROM WHENCE A 2 INCH BRASS DISK STAMPED T.P.W.D. IN A MONUMENT CASE, FOUND IN PLACE AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 8 BEARS SOUTH $73^{\circ}40'11''$ WEST 3,680.36 FEET DISTANT; THENCE SOUTH $89^{\circ}37'52''$ WEST 227 FEET, MORE OR LESS, TO THE INTERSECTION WITH THE WESTERLY SHORE LINE OF GIG HARBOR BAY AS ESTABLISHED BY PIERCE COUNTY COMMISSIONER'S RESOLUTION NUMBER 2206, DATED JULY 9, 1946, INCORPORATING THE CITY OF GIG HARBOR; THENCE IN A GENERALLY NORTHERLY DIRECTION ALONG SAID WESTERLY SHORE LINE TO ITS INTERSECTION WITH THE WESTERLY EXTENSION OF SAID SOUTH LINE OF GOVERNMENT LOT 7A, AND SAID SOUTHERLY LINE OF GIG HARBOR ORDINANCE NUMBER 622; THENCE EASTERLY ALONG SAID SOUTH LINE TO THE TRUE POINT OF BEGINNING.

CONTAINING 190 ACRES, MORE OR LESS.

