

3.16

PETITION FOR ANNEXATION TO THE CITY OF DES MOINES, WASHINGTON

To: The City Council of the City of Des Moines, and

TO: The King County Auditor or Department of Records and Elections

The undersigned qualified electors resident in the annexation territory equal in number to ten percent (10%) of the votes cast at the last state general election ("petitioners"), petition for annexation to the City of Des Moines and call for an election to vote upon the annexation. The territory proposed to be annexed ("annexation territory") is within unincorporated King County, contiguous to the City of Des Moines, and is legally described on Exhibit "A" attached to this petition. The annexation territory is shown in diagram form on Exhibit "B" attached to this petition. The number of voters in the annexation territory is three thousand five hundred (3,500), as near as may be determined.

Petitioners request that the annexation ballot contain a proposition for the assumption by the annexation territory of a pro-rata portion of the existing voter-approved bonded indebtedness of the City of Des Moines, limited to such bonded indebtedness, if any, approved by the voters of the City of Des Moines after November 1, 1994 for the construction of a police station, the purchase of land for the police station, and remodeling the building presently used as a police station ("police station bonded indebtedness"), and in the event the voters of the City of Des Moines have not approved the police station bonded indebtedness by the time of the election on this annexation, no proposition will appear on the annexation ballot for assumption of any voter-approved bonded indebtedness by the annexation territory.

Petitioners request that the City of Des Moines prepare a proposed zoning regulation for the annexation territory and that a proposition approving the proposed zoning regulation be submitted to the electorate of the annexation territory along with the annexation proposition.

WHEREFORE, petitioners request the King County Auditor or Department of Records and Elections to certify the sufficiency of this petition to the City Council of the City of Des Moines. Following certification, petitioners request the City Council of the City of Des Moines to notify petitioners within sixty (60) days of the approval or rejection of this annexation; and, in the event of approval, take the steps that are necessary under the laws of the State of Washington to place this annexation before the voters residing in the annexation territory.

These pages are a group of pages containing an identical text intended by the signers of this petition to be presented and considered as one petition, and these pages may be filed with other pages containing additional signatures which cumulatively may be considered a single petition.

1.

Printed Name or Qualified Elector:	
Residence Address:	
Signature:	Date Signed:

2.

Printed Name or Qualified Elector:	
Residence Address:	
Signature:	Date Signed:

3.

Printed Name or Qualified Elector:	
Residence Address:	
Signature:	Date Signed:

4.

Printed Name or Qualified Elector:	
Residence Address:	
Signature:	Date Signed:

5.

Printed Name or Qualified Elector:	
Residence Address:	
Signature:	Date Signed:

WARNING: Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he is not a legal voter, or signs a petition when he is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor. See RCW 35A.01.040, attached hereto as Exhibit "C," for special instructions relative to signatures.

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LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE WEST LINE OF TRACT 10 OF WILSON'S FIVE ACRE TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 11 OF PLATS, PAGE 9, RECORDS OF KING COUNTY, WASHINGTON, SAID POINT BEING ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 22 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, AND ALSO BEING ON THE SOUTH CITY LIMITS LINE OF THE CITY OF DES MOINES AS ANNEXED BY CITY ORDINANCES NO. 550 AND 583;
THENCE ALONG THE SOUTH CITY LIMITS LINE OF THE CITY OF DES MOINES AS ANNEXED BY ORDINANCE NO. 583 THE FOLLOWING COURSES:
EASTERLY ALONG THE NORTH LINE AND SAID NORTH LINE EXTENDED TO THE EAST MARGIN OF 16TH AVENUE SOUTH;
THENCE NORTHERLY ALONG SAID EAST MARGIN TO THE NORTH MARGIN OF SOUTH 252ND STREET;
THENCE EASTERLY ALONG SAID NORTH MARGIN TO THE SOUTHWEST CORNER OF BLOCK 9, OF SALTAIR HILLS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 59 OF PLATS, PAGE 39-41, RECORDS OF KING COUNTY, WASHINGTON, SAID POINT ALSO BEING ON THE NORTH MARGIN OF SOUTH 252ND STREET, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF CITY LIMITS OF DES MOINES AS ANNEXED BY ORDINANCE NO. 583 AND THE SOUTHWEST CORNER OF CITY LIMITS OF KENT AS ANNEXED BY ORDINANCE NO. 1002;
THENCE CONTINUING ALONG THE SOUTH CITY LIMITS LINE OF KENT THE FOLLOWING COURSES:
EASTERLY ALONG THE NORTH MARGIN OF SOUTH 252ND STREET, ALSO BEING THE SOUTH LINE OF BLOCKS 8 AND 9 OF SAID PLAT OF SALTAIR, TO THE SOUTHEAST CORNER OF SAID BLOCK 8;
THENCE SOUTHERLY ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID BLOCK 8 TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 22 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN;
THENCE EASTERLY ALONG SAID SOUTH LINE OF SUBDIVISION TO THE EAST LINE THEREOF, SAID POINT BEING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 22 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN;
THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SUBDIVISION TO THE SOUTH LINE OF THE NORTH 400 FEET THEREOF;
THENCE EASTERLY ALONG THE SOUTH LINE OF SAID NORTH 400 FEET OF SAID SUBDIVISION TO THE WESTERLY LINE OF PACIFIC HIGHWAY SOUTH (SEATTLE TACOMA ROAD) (STATE ROAD NO. 1) (US 99);
THENCE LEAVING THE CITY LIMITS LINE OF THE CITY OF KENT AS ANNEXED BY ORDINANCE NO. 1002 AND GOING SOUTHERLY ALONG SAID WESTERLY MARGIN OF PACIFIC HIGHWAY SOUTH (Seattle-Tacoma Road) (State Road No. 1) (US 99) TO ITS INTERSECTION WITH THE SOUTH MARGIN OF SOUTH 272ND STREET;
THENCE EASTERLY ALONG SAID SOUTH MARGIN TO THE EASTERLY MARGIN OF MARINE VIEW DRIVE SOUTH (12TH PLACE SOUTH), OR SAID EASTERLY MARGIN EXTENDED NORTHERLY TO THE SOUTH MARGIN OF SOUTH 272ND STREET;
THENCE SOUTH ALONG SAID EASTERLY MARGIN TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF GOVERNMENT LOT 1, SECTION 32, TOWNSHIP 22 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN;
THENCE EASTERLY ALONG SAID SOUTH LINE TO THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 32;
THENCE SOUTHERLY ALONG SAID EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER AND THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION TO THE SOUTH LINE THEREOF, SAID POINT ALSO BEING ON THE CITY LIMITS LINE OF THE CITY OF FEDERAL WAY AS INCORPORATED BY ORDINANCE NO. 8779;

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THENCE ALONG SAID CITY LIMITS LINE OF THE CITY OF FEDERAL WAY THE FOLLOWING COURSES:
WESTERLY ALONG SAID SOUTH LINE OF SAID SECTION TO THE WEST MARGIN OF REDONDO WAY SOUTH;
THENCE NORTHERLY ALONG SAID MARGIN TO THE NORTHEAST CORNER OF TRACT A OF THE PLAT OF MARINE HILLS EAST AS RECORDED IN VOLUME 97 OF PLATS AT PAGES 76-77, RECORDS OF KING COUNTY, WASHINGTON;
THENCE WESTERLY ALONG THE NORTH LINE OF SAID TRACT A TO THE NORTHWEST CORNER THEREOF, ALSO BEING THE SOUTHEAST CORNER OF LOT 63 OF SAID PLAT;
THENCE NORTHERLY, WESTERLY, SOUTHERLY, AND NORTHWESTERLY ALONG THE BOUNDARY OF SAID PLAT TO THE NORTHERN MOST POINT OF LOT 76 OF SAID PLAT, SAID POINT ALSO BEING THE EASTERN MOST CORNER OF LOT 6 ON THE PLAT OF MARINE HILLS NO. 17, AS RECORDED IN VOLUME 98 OF PLATS AT PAGES 50-52, RECORDS OF KING COUNTY;
THENCE NORTHWESTERLY TO THE MOST NORTHERN POINT ON LOT 6 OF SAID PLAT;
THENCE SOUTHWESTERLY, SOUTHEASTERLY, AND WEST ALONG THE NORTHWESTERLY BOUNDARY OF SAID PLAT TO THE NORTHWEST CORNER OF LOT 24 OF SAID PLAT, SAID NORTHWEST CORNER BEING ON THE NORTH LINE OF GOVERNMENT LOT 4 IN SECTION 5, TOWNSHIP 21 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN;
THENCE WEST ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 4 TO THE WESTERLY LINE OF THE PLAT OF MARINE HILLS WEST AS RECORDED IN VOLUME 98, AT PAGES 53-55, RECORDS OF KING COUNTY, WASHINGTON;
THENCE SOUTHWESTERLY AND SOUTHEASTERLY ALONG THE WESTERLY LINE OF SAID PLAT TO ITS INTERSECTION WITH THE EAST LINE OF SAID GOVERNMENT LOT 4;
THENCE SOUTH ALONG THE EAST LINE OF SAID GOVERNMENT LOT 4 TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 4;
THENCE WEST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4 AND SAID SOUTH LINE EXTENDED WESTERLY TO THE WEST MARGIN OF 1ST AVENUE SOUTH IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN;
THENCE NORTH ALONG SAID WEST MARGIN AND THE NORTHERLY EXTENSION OF SAID WEST MARGIN TO ITS INTERSECTION WITH THE SHORELINE OF PUGET SOUND;
THENCE LEAVING THE CITY LIMITS LINE OF THE CITY OF FEDERAL WAY, AND GOING NORTHEASTERLY ALONG THE SHORELINE OF PUGET SOUND TO AN INTERSECTION WITH THE NORTH LINE OF GOVERNMENT LOT 4 IN SECTION 20, TOWNSHIP 22 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, SAID POINT BEING ON THE SOUTH CITY LIMITS LINE OF THE CITY OF DES MOINES AS ANNEXED BY ORDINANCE NO. 550;
THENCE ALONG SAID SOUTH CITY LIMITS LINE, EASTERLY ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 4, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION;
THENCE EAST, CONTINUING ALONG THE SOUTH CITY LIMITS LINE, ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE SOUTHEAST CORNER OF SAID ANNEXATION AND THE POINT OF BEGINNING.

TOGETHER WITH ALL SHORELINES ADJOINING (WHICH ARE DEFINED AS THE EASTERN MOST -100 FOOT CONTOUR OF THE EAST PASSAGE OF PUGET SOUND AS DETERMINED FROM USGS DATUM).

SITUATED IN KING COUNTY, WASHINGTON.

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Exhibit "A" 38-3

35A.01.040 Sufficiency of petition. Wherever in this title petitions are required to be signed and filed, the following rules shall govern the sufficiency thereof:

(1) A petition may include any page or group of pages containing an identical text or prayer intended by the circulators, signers or sponsors to be presented and considered as one petition and containing the following essential elements when applicable, except that the elements referred to in subdivisions (d) and (e) hereof are essential for petitions referring or initiating legislative matters to the voters, but are directory as to other petitions:

(a) The text or prayer of the petition which shall be a concise statement of the action or relief sought by petitioners;

(b) If the petition initiates or refers an ordinance, a true copy thereof;

(c) If the petition seeks the annexation, incorporation, withdrawal, or reduction of an area for any purpose, an accurate legal description of the area proposed for such action;

(d) Numbered lines for signatures with space provided beside each signature for the date of signing and the address of the signer;

(e) The warning statement prescribed in subsection (2) of this section.

(2) Petitions shall be printed or typed on single sheets of white paper of good quality and each sheet of petition paper having a space thereon for signatures shall contain the text or prayer of the petition and the following warning:

WARNING

Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he is not a legal voter, or signs a petition when he is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Each signature shall be executed in ink or indelible pencil and shall be followed by the date of signing and the address of the signer.

(3) The term "signer" means any person who signs his own name to the petition.

(4) To be sufficient a petition must contain valid signatures of qualified electors or property owners, as the case may be, in the number required by the applicable statute or ordinance. Within three working days after the filing of a petition, the officer or officers whose duty it is to determine the sufficiency of the petition shall proceed to make such a determination with reasonable promptness and shall file with the officer receiving the petition for filing a certificate stating the date upon which such determination was begun, which date shall be referred to as the terminal date. Additional pages of one or more signatures may be added to the petition by filing the same with the appropriate filing officer prior to such terminal date. Any signer of a filed petition may withdraw his or her signature by a written request for withdrawal filed with the receiving officer prior to such terminal date. Such written request shall so sufficiently describe the petition as to make identification of the person and the petition certain. The name of any person seeking to withdraw shall be signed exactly the same as contained on the petition and, after the filing of such request for withdrawal, prior to the terminal date, the signature of any person seeking such withdrawal shall be deemed withdrawn.

(5) Petitions containing the required number of signatures shall be accepted as prima facie valid until their invalidity has been proved.

(6) A variation on petitions between the signatures on the petition and that on the voter's permanent registration caused by the substitution of initials instead of the first or middle names, or both, shall not invalidate the signature on the petition if the surname and handwriting are the same.

(7) Signatures, including the original, of any person who has signed a petition two or more times shall be stricken.

(8) Signatures followed by a date of signing which is more than six months prior to the date of filing of the petition shall be stricken.

(9) When petitions are required to be signed by the owners of property, the following shall apply:

(a) The signature of a record owner, as determined by the records of the county auditor, shall be sufficient without the signature of his or her spouse;

(b) In the case of mortgaged property, the signature of the mortgagor shall be sufficient, without the signature of his or her spouse;

(c) In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the county auditor, shall be deemed sufficient, without the signature of his or her spouse;

(d) Any officer of a corporation owning land within the area involved who is duly authorized to execute deeds or encumbrances on behalf of the corporation, may sign on behalf of such corporation, and shall attach to the petition a certified excerpt from the bylaws of such corporation showing such authority;

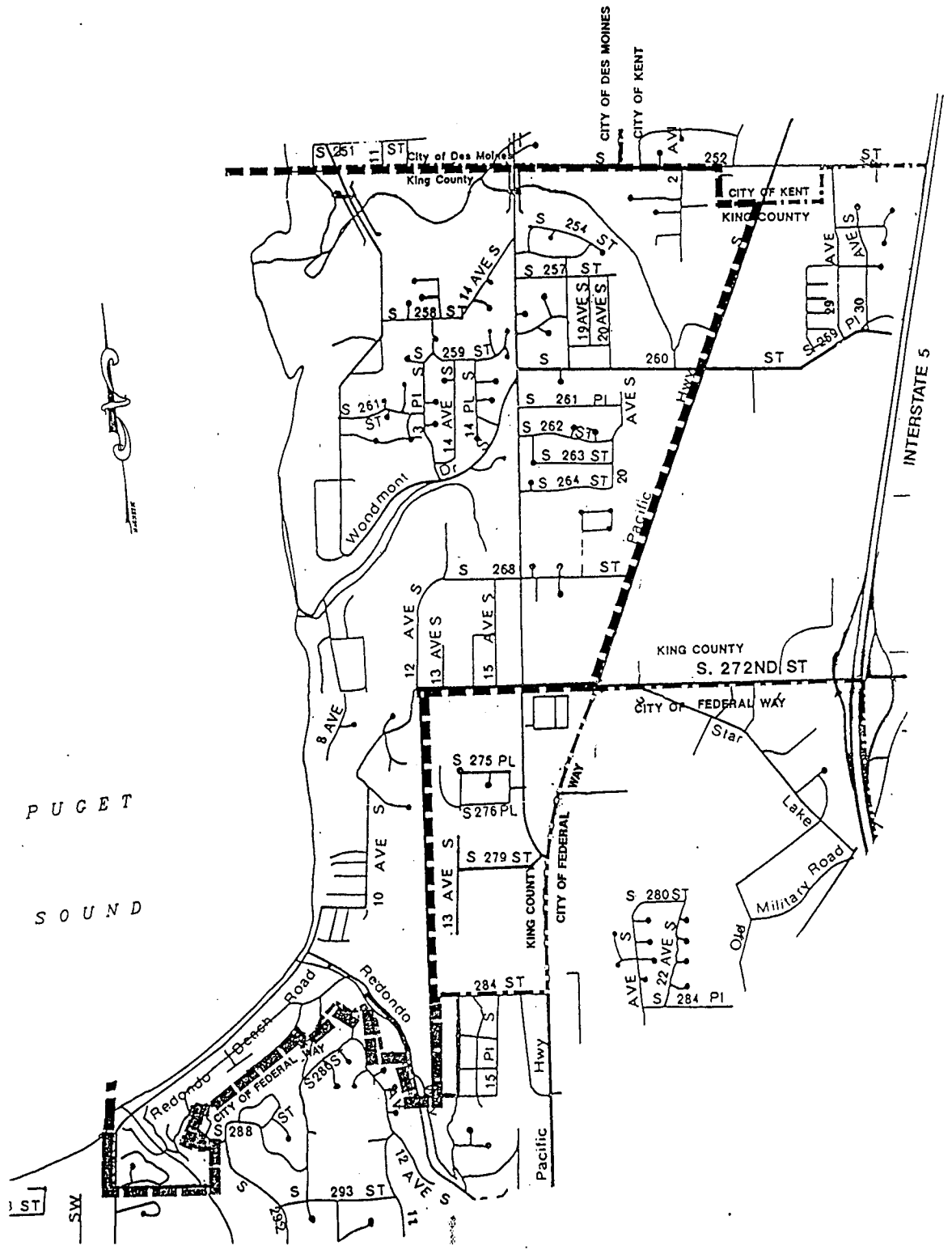
(e) When property stands in the name of a deceased person or any person for whom a guardian has been appointed, the signature of the executor, administrator, or guardian, as the case may be, shall be equivalent to the signature of the owner of the property. [1985 c 281 § 26; 1967 ex.s. c 119 § 35A.01.040.]

Severability—1985 c 281: See RCW 35.10.905.

Exhibit "C"

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(1994 Ed.)



WOODMONT ANNEXATION AREA

Exhibit "B"
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