

## **ORDINANCE NO. 1218**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY, IDENTIFIED AS “ANNEXATION AREA 1-B”, TO THE CITY PURSUANT TO RCW 35A.14.120, EFFECTIVE ON FEBRUARY 12, 2007.**

**WHEREAS**, the City of Bonney Lake adopted its Comprehensive Plan and Urban Growth Area (UGA) by Ordinance 721 on May 28, 1996, and adopted amendments to the Comprehensive Plan’s UGA by Ordinance 721A on September 10, 1996; and

**WHEREAS**, the City of Bonney Lake initiated a petition-method of annexation for the purpose of fulfilling Policies 3-3b and 3-3c of the City of Bonney Comprehensive Plan, Land Use Element, related to requiring annexation before providing city services and striving for regular city boundaries, respectively; and

**WHEREAS**, the Bonney Lake City Council authorized circulation of the official 60% Petitions for “Annexation Area 1-B” on August 8, 2006; and

**WHEREAS**, the signed 60% Petitions were certified by the Pierce County Assessor-Treasurer on October 25, 2006; and

**WHEREAS**, on 11/14/06, pursuant to RCW 35A.14.120, City Council and the Planning commission held a joint public hearing for the purpose of hearing testimony on the proposed annexation and proposed zoning of the annexation area; and

**WHEREAS**, on 11/14/06, the Planning commission formally recommended to City Council, the application of R-1 Zoning to the annexation area; and

**WHEREAS**, on 11/14/06, Bonney Lake City Council approved Resolution No. 1631 authorizing the filing of a Notice of Intent to Annex with the Pierce County Boundary Review Board; and

**WHEREAS**, on 11/16/06, the Notice of Intent to Annex and certified copies of Resolution No. 1631 were submitted to the Pierce County Boundary Review Board; and

**WHEREAS**, 11/16/06 was established as the official filing date for the Notice of Intent to Annex by the Pierce County Boundary Review Board and the Notice of Intent was deemed complete pursuant to RCW 36.93.100; and

**WHEREAS**, on 01/02/07, the forty-five (45) day review period was complete by the Pierce County Boundary Review Board and jurisdiction was not invoked; and

**WHEREAS**, on 01/09/07, the Bonney Lake City Council approved Ordinance 1219, applying R-1 Single-Family zoning to the annexation area; and

**WHEREAS**, the proposed annexation was discussed at the following City Council workshops and meetings and Community Development Committee meetings: 7/17/06, 8/8/06, 10/24/06, 11/14/06 (joint hearing); and

**WHEREAS**, the proposed annexation and related zoning were discussed at the following Planning Commission Meetings: 7/19/06, 11/01/06, 11/14/06 (joint hearing); and

**WHEREAS**, the annexation area is entirely within Bonney Lake’s established Urban Growth Area and such incorporation-annexation is authorized by RCW 35A.14.120, and is not contested by Pierce County; and

**WHEREAS**, the proposed annexation represents a logical extension of the corporate limits of the City of Bonney Lake into its established UGA; and

**WHEREAS**, the proposed annexation is found to be in compliance with the criteria for annexations established in Chapter 35A.14 RCW; and

**WHEREAS**, annexation actions are exempt from the application of the State Environmental Policy Act (RCW 43.21C.222); and

**WHEREAS**, it is recognized that an amendment to the City of Bonney Lake Comprehensive Plan Urban Growth Area and Land Use Designations Map, as well as an amendment to the Pierce County Comprehensive Plan Urban Growth Area and Land Use Designations Map, will be necessary to acknowledge annexation of the area to the City of Bonney Lake; and

**WHEREAS**, the Bonney Lake City Council has determined that the health, welfare and safety of the people of the City of Bonney Lake and the petitioners will be best served if said territory is annexed to and becomes part of the City of Bonney Lake;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1.** The real property described in Exhibit 'A' and depicted on Exhibit 'B' attached hereto and incorporated herein by reference, is hereby annexed to the City of Bonney Lake.

**Section 2.** All property within the territory hereby annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Bonney Lake, including all indebtedness existing as of the effective date of the annexation.

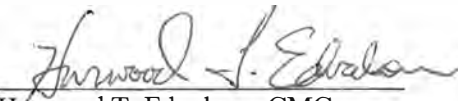
**Section 3.** The Urban Growth Area [UGA] boundary of the Comprehensive Plan and associated Figures and Maps shall be amended to reflect incorporation of Annexation Area 1-B.

**Section 4.** This ordinance shall take effect and be in force five days from and after its passage, approval and publication as required by law; provided that the annexation of Annexation Area 1-B to the City provided for herein shall not take effect prior to February 12, 2007.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS**  
9<sup>th</sup> **day of January, 2007.**

  
\_\_\_\_\_  
Neil Johnson, Mayor

ATTEST:

  
\_\_\_\_\_  
Harwood T. Edvalson, CMC  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jim Dionne, City Attorney

Passed: 1/9/07  
Valid: 1/9/07  
Published: 1/11/07  
Effective: 2/12/07

**EXHIBIT A: LEGAL DESCRIPTION**

Ord D06-372 Annex Area 1-B EFFECT

Effective: 2/12/07

## Bonney Lake Annexation Legal Description (Revised 20060518)

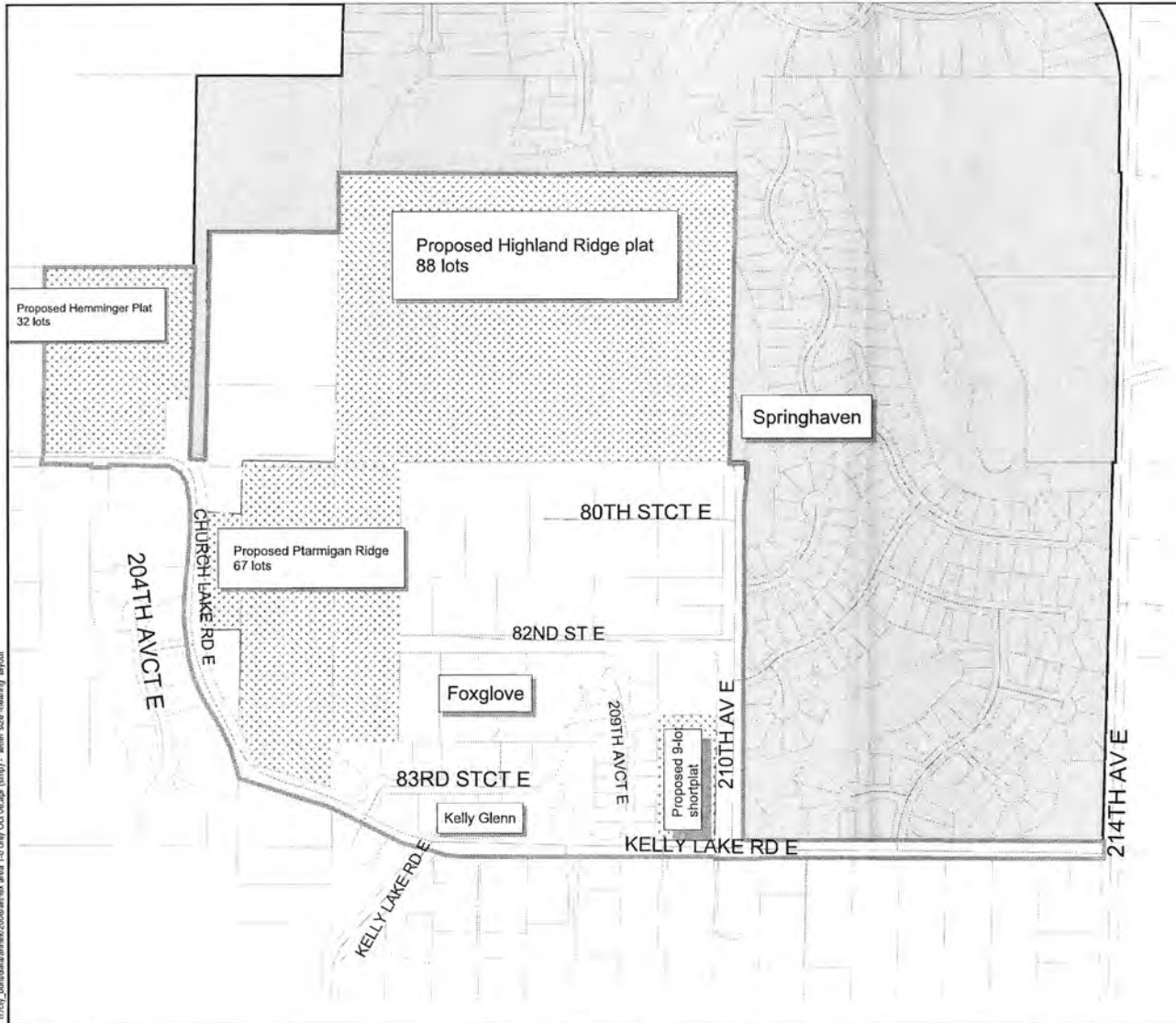
Commencing at the Northwest Corner of the Northeast Quarter of the Northwest Quarter of Section 34, Township 20 North, Range 5 East of the Willamette Meridian; thence along the north line of said subdivision South 89°22'15" East a distance of 330.00 feet to the True Point of Beginning; thence North 01°08'27" East a distance of 666.50 feet; thence South 89°26'36" East a distance of 519.95 feet to the west line of a tract of land conveyed to R.H. Carnakan and Emma Carnakan, husband and wife, by deed recorded March 12, 1928 under Recording No. 892764; thence along said west line South 01°02'14" West a distance of 667.15 feet to the north line of aforesaid Northeast Quarter of the Northwest Quarter of Section 34; thence along said line South 89°21'30" East a distance of 49.21 feet to the west line of the east 445.00 feet of the Southeast Quarter of the Southwest Quarter of Section 27, Township 20 North, Range 5 East of the Willamette Meridian; thence along said west line North 01°01'32" East a distance of 792.02 feet to the north line of the south 792.00 feet of said subdivision; thence along said north line South 89°22'15" East a distance of 445.01 feet to the east line of said subdivision; thence along said east line North 01°01'32" East a distance of 204.68 feet to the Southwest Corner of Tract A plat of Winterhaven as recorded under Pierce County Auditor Fee No. 200302195002; thence along the south line of said plat of Winterhaven South 89°46'23" East a distance of 1346.39 feet to the Southeast Corner of said plat of Winterhaven and the west line of Lot 145 plat of Springhaven as recorded under Pierce County Auditor Fee No. 200204255008; thence along the west line of said plat of Springhaven South 01°00'40" West a distance of 994.89 feet to the Southwest Corner of Tract R of said plat of Springhaven; thence along the south line of said Tract R South 89°37'55" East a distance of 52.45 feet to the west line of Tract J of said plat of Springhaven; thence along said west line of Tract J and continuing along the west line of said plat of Springhaven South 00°29'36" West a distance of 1297.64 feet to the north right of way of Kelly Lake Road East; thence along said right of way South 89°41'34" East a distance of 1242.76 feet to the west right of way of 214th Avenue East; thence along said right of way South 01°24'45" West a distance of 30.01 feet to the south line of the Northeast Quarter of the Northeast Quarter of Section 34, Township 20 North, Range 5 East of the Willamette Meridian; thence continuing along aforesaid west line of 214th Avenue East right of way South 01°24'24" West a distance of 30.01 feet; thence North 89°41'34" West a distance of 20.39 feet to a point of cusp for a return curve in the northeast corner of Lot 2 Short Plat 76-252 also being the Northeast Corner of Kelly Creek Garden Tracts and the south right of way of aforesaid Kelly Lake Road East; thence along said south right of way and said north line of Kelly Creek Garden Tracts North 89°41'34" West a distance of 1177.55 feet to Northeast Corner of Short Plat 8602260216; thence along the east line of said short plat South 0°54'52" West a distance of 5.00 feet to the south line of a 5.00 foot wide quit claim deed to Pierce County for right of way per Auditor's Fee Number 8602190320; thence along said south line North 89°41'34" West a distance of 130.42 feet to an angle point on said south line; thence North 89°42'14" West a

distance of 29.50 feet to the West line of said Short Plat 8602260216; thence along said west line North 0°55'07" East a distance of 5.00 feet to the Northwest Corner of said Short Plat 8602260216; thence continuing along said right of way North 89°42'14" West a distance of 853.07 feet to the beginning of a curve tangent to said line; thence westerly and northwesterly a distance of 206.69 feet along the curve concave to the north, having a radius of 533.00 feet and a central angle of 22°13'06" to the Northeast Corner of Lot 3 of Pierce County Short Plat 8305050332 and the beginning of the south right of way of Church Lake Road; thence continuing along said curve and said line a distance of 46.92 feet having a radius of 533.00 feet and a central angle of 05°02'36"; thence continuing along said right of way North 62°26'32" West tangent to said curve a distance of 236.98 feet; thence North 69°38'49" West a distance of 356.48 feet to the beginning of a non-tangent curve whose radius point bears South 74°51'48" West; thence northerly and northwesterly along said curve concave to the southwest, a distance of 217.76 feet having a radius of 718.54 feet and a central angle of 17°21'50" to a point of reverse curvature; thence northwesterly and northerly a distance of 219.72 feet along the arc of said curve concave to the east having a radius of 567.66 feet and a central angle of 22°10'36" to a point of compound curvature; thence northerly and northeasterly a distance of 226.83 feet along the arc of said curve concave to the east having a radius of 836.14 feet and a central angle of 15°32'36"; thence North 05°13'10" East tangent to said curve a distance of 163.39 feet to the beginning of a curve tangent to said line; thence northerly a distance of 190.64 feet along the curve concave to the west, having a radius of 705.91 feet and a central angle of 15°28'23" to a point of compound curvature; thence northerly, northwesterly and westerly a distance of 101.80 feet along the arc of said curve concave to the southwest having a radius of 85.71 feet and a central angle of 68°03'00"; thence on a line non-tangent to said curve North 89°22'15" West a distance of 193.44 feet; thence South 00°37'10" West a distance of 10.00 feet; thence North 89°22'15" West a distance of 60.00 feet; thence North 00°37'10" East a distance of 10.00 feet; thence North 89°22'15" West a distance of 168.29 feet; thence South 00°37'10" West a distance of 10.00 feet; thence North 89°22'15" West a distance of 6.81 feet; thence North 01°08'27" East a distance of 30.01 feet to the Point of Beginning.



# City of Bonney Lake: Proposed Annexation Area 1-B

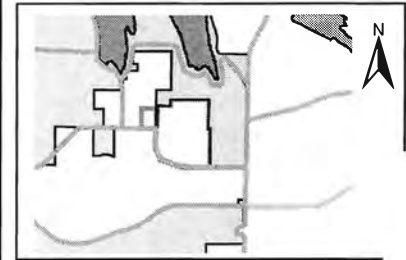
60% Petition method (RCW 35A.14.120); Project 58100583, Permit PLN 2004-00376



## MAP LEGEND

- Annex Area 1-B
- Tax Parcels
- Roads
- Proposed Plats (currently through Pierce Co.)
  - Highland Ridge
  - Ptarmigan Ridge
  - Hemminger Plat
  - Kelly Lake Park-9 lot sp

Scale 1:6800



11:33 Oct 19, 201

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**City of Bonney Lake, Washington  
Council Agenda Bill (C.A.B.) Approval Form**

<b><u>Department/Staff Contact:</u></b> Bob Leedy, P&CD	<b><u>Council Meeting Date:</u></b> January 9, 2007	<b><u>Agenda Bill Number</u></b> AB07-08
<b><u>Ordinance Number:</u></b> D06-372	<b><u>Resolution Number</u></b>	<b><u>Councilmember Sponsor:</u></b>

**BUDGET INFORMATON**

<b><u>2007 Budget Amount</u></b>	<b><u>Required Expenditure</u></b>	<b><u>Impact</u></b>	<b><u>Remaining Balance</u></b>
None	\$0		

**Agenda Subject:** "Annexation Area 1-B" – petition method (RCW 35A.14.120)

**Administrative Recommendation:** Adopt Ordinance 372 making annexation effective on 2/12/07.

**Background Summary:**  
City Council authorized initiation of this petition method of annexation for Area 1-B. The requisite notice was made, joint public hearing held and Notice of Intention to Commence Annexation proceedings was filed with the Pierce Co. Boundary Review Board. The BRB's 45-day review period ended on January 2, 2007; jurisdiction was not invoked. The attached ordinance will make the annexation effective on February 12, 2007. The effective date cannot be earlier than February 12, 2007 because of RCW requirements that certain state and county agencies be notified 30 days prior to the annexation effective. If 30-days notice is not provided, increased state revenues for the annexation area may be delayed.

<b><u>Council Committee Dates:</u></b>	<b><u>Commission Dates:</u></b>	<b><u>Board/Hearing Examiner Dates:</u></b>
Finance Committee:  Public Safety Committee:  Community Development & Planning Committee: 7/17/06, 8/8/06, 10/24/06, 11/14/06  Council Workshop:	Planning Commission: 7/19/06, 11/1/01, 11/14/06  Civil Service Commission:	Park Board:  Hearing Examiner:


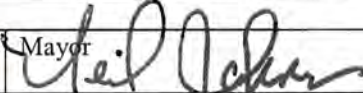
**Council Action:**

Council Call for Hearing: \_\_\_\_\_ Council Hearings Date: \_\_\_\_\_

Council Referred Back to: \_\_\_\_\_ Workshop: \_\_\_\_\_ Committee \_\_\_\_\_

Council Tabled Until: \_\_\_\_\_ Council Meeting Dates: \_\_\_\_\_

**Signatures:**

Dept. Dir. 	Mayor 	Date City Attorney reviewed 12/20/06
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**PUBLIC NOTICE OF  
ORDINANCE ADOPTION**

January 9, 2007

**ADOPTED ORDINANCES**

**Ordinance 1216** [D0-338] - An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Annexing Certain Real Property, Identified As “Annexation Area 3”, To The City Pursuant To RCW 35A.14.120, Effective On February 12, 2007. (Adopted January 9, 2007 and effective five days after the date of publication.)

**Ordinance 1217** [D06-339] - An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Applying R-1 Zoning To The Area Commonly Referred To As “Annexation Area 3”. (Adopted January 9, 2007 and effective five days after the date of publication.)

**Ordinance 1218** [D06-372] – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Annexing Certain Real Property, Identified As “Annexation Area 1-B”, To The City Pursuant To RCW 35A.14.120, Effective On February 12, 2007. (Adopted January 9, 2007 and effective five days after the date of publication.)

**Ordinance 1219** [D06-373] – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Applying R-1 Zoning To The Area Commonly Referred To As “Annexation Area 1-B”. (Adopted January 9, 2007 and effective five days after the date of publication.)

The full text of the ordinances, summarized in this notice and adopted by the Bonney Lake City Council as indicated, are available at City Hall, 19306 Bonney Lake Boulevard, PO BOX 7380, Bonney Lake, WA, 98391, or will be mailed upon request.

-- *Harwood T. Edvalson, City Clerk*

cc. Members of the City Council & Planning Commission  
Mayor Neil Johnson & Department Heads  
Tacoma News Tribune - Tucker  
Puyallup Herald  
Courier-Herald – Box

Posted: City Hall & Annex  
Front Desk  
Library  
Post Office