

Notice of Incorporation

August 24, 2000

To: The Honorable Spokane County Commissioners

Please take notice that the Community Action Committee intends to circulate petitions for the incorporation of the Spokane Valley, Spokane County, State of Washington.

1. That the legal description of the territory hereby requested to be incorporated is attached to this notice, and is contained entirely within Spokane County's Interim Urban Growth Area (IUGA), Washington.
2. That the territory be incorporated as a **Non-Charter Code** City pursuant to RCW Title 35A, under the **Council-Manager** form of government, and is hereby named **Spokane Valley**, WA.
3. That said territory is not incorporated as a municipal corporation and no part of said territory is within the corporate limits of an existing city or town.
4. That the number of inhabitants, as nearly may be determined, residing within the boundaries of said territory proposed is approximately **90,000**.
5. That valid signatures of 10% (approx. 4,000) of the registered voters within the proposed boundaries is required to validate a petition to incorporate the territory described in the legal description.

Petitioners request that proceedings be had in this manner prescribed by RCW Title 35.02 and that said described territory be incorporated as a non-charter code city under the provisions of RCW Title 35A.

Sincerely,

Edward J. Mertens,
President of the Community Action Committee

SPOKANE COUNTY

Boundary Review Board

COPY

Received From: Community Action Committee Receipt No. 102778

Address: (Francis Donahue)

Date: 8-24-00

Acct. No.: _____

Cash:

Amount Paid: 100.00

Amt. of Acct: _____

Money Order:

Sales Tax: _____

Amt. Paid _____

Check: Check # 1028

Total Paid \$100.00

Balance Due: _____

Credit Card: Exp. Date: _____

Purpose: Filing Fee for Intent to Incorporate the Valley

Received by: D. Atkins

Spokane Valley Incorporation Timeline

| | |
|-------------------------|--|
| August 24, 2000 | Initiator submits Notice of Intent to Incorporate to the Board of County Commissioners. |
| September 11, 2000 | Boundary Review Board holds public meeting on proposal. |
| September 12, 2000 | Initiators can receive petition number from Spokane County Auditor and begin to collect signatures. (180 days allowed.) |
| March 9, 2001 | Petitions signed by 10% of the registered voters in incorporation area are submitted to the County Auditor. (Auditor has up to 30 days to certify petitions.) |
| March 23, 2001 | Petitions certified by the Spokane County Auditor. |
| May 14, 2001 | Notice of Intention filed with the Boundary Review Board/ Spokane Valley Incorporation Study presented. |
| May 14 – June 11, 2001 | Spokane Valley Incorporation Study distributed and community and agency presentations made. |
| June 11 – June 29, 2001 | Boundary Review Board Public Hearings. |
| July 9, 2001 | Boundary Review Board discussion and deliberation. |
| September 6, 2001 | Boundary Review Board files written decision. (60 days prior to election) |
| September 18, 2001 | Board of County Commissioners sets measure for election. (45 days prior to election) |
| November 6, 2001 | Election |

Spokane Valley Incorporation Timeline

COPY

| | |
|--|---|
| August 24, 2000 | Initiator submits Notice of Intent to Incorporate to the Board of County Commissioners. |
| September 11, 2000 | Boundary Review Board holds public meeting on proposal. |
| September 12, 2000 | Initiators can receive petition number from Spokane County Auditor and begin to collect signatures. (180 days allowed.) |
| March 9, 2001 | Petitions signed by 10% of the registered voters in incorporation area are submitted to the County Auditor. (Auditor has up to 30 days to certify petitions.) |
| March 23, 2001 | Petitions certified by the Spokane County Auditor. |
| May 2, 3, and 8, 2001 | Board of County Commissioners Public Hearings on County Growth Management Plan |
| June 18, 2001 | Notice of Intention filed with the Boundary Review Board/ Spokane Valley Incorporation Study presented. |
| June 25, 2001 | Boundary Review Board Site Inspection. |
| June 19 – July 20, 2001 | Spokane Valley Incorporation Study distributed and community and agency presentations made. |
| July 2 - 20, 2001 | Board of County Commissioners adopts County Growth Management Plan and Urban Growth Area. |
| July 23, 24, 30, 31, 2001 AUGUST 6, 2001 AUGUST 7, 2001 August 13, 2001 | Boundary Review Board Public Hearings. HEARING To Adopt Boundaries Aug 6 BRR Boundary Review Board discussion and deliberation. |
| August 27, 2001 | Boundary Review Board adopts hearing decision. |
| September 6, 2001 | Boundary Review Board files written decision. (60 days prior to election) |
| September 18, 2001 | Board of County Commissioners sets measure for election. (45 days prior to election) |
| November 6, 2001 | Election |

9:00 AM
Comm. Hearing

Nevelle Auditor
7:00 PM

Washington State

BOUNDARY REVIEW BOARD

COPY

For Spokane County

1026 W. Broadway Avenue
Spokane, WA 99260-0040
(509) 477-4237 FAX (509) 477-3631
<http://www.spokanecounty.org/boundary>

June 14, 2001

Ed Mertens
Community Action Committee
1310 N. Pierce
Spokane, WA 99206

RE: BRB 555-01: Proposed Incorporation for the City of Spokane Valley

Dear Mr. Mertens:

The Notice of Intention transmitted to this office has been reviewed and filed effective May 31, 2001 and assigned BRB 555-01: Proposed Incorporation for the City of Spokane Valley.

The Notice of Intention has been placed on the agenda the Boundary Review Board for the meeting on Monday, June 25, 2001 at 3:00 PM in the lower-level Hearing Room of the County Public Works Building, 1026 West Broadway, Spokane. The purpose of this meeting will be to present the proposal to the Boundary Review Board.

If you have any questions, please do not hesitate to call.

Sincerely,

Susan Winchell
Susan M. Winchell
Boundary Review Board Director

SPOKANE COUNTY
Boundary Review Board

| | |
|--|--|
| Received From: <u>Community Action Committee</u> | Receipt No. <u>102796</u> |
| Address: _____ | Date: <u>5-30-01</u> |
| Acct. No.: _____ | Amount Paid: <u>\$50.00</u> |
| Amt. of Acct: _____ | Sales Tax: _____ |
| Amt. Paid _____ | Total Paid: <u>\$50.00</u> |
| Balance Due: _____ | Cash: <input type="checkbox"/> |
| Purpose: <u>DOT Filing fee: Proposed Incorporation of the City of Spokane Valley</u> | Money Order: <input type="checkbox"/> |
| | Check: <input checked="" type="checkbox"/> Check # <u>1087</u> |
| | Credit Card: <input type="checkbox"/> Exp. Date: _____ |
| | Received by: <u>W. D. Brown</u> |

COPY

Spokane County Elections
1116 W. Broadway, Spokane, WA 99260



www.spokanecounty.org/elections
Phone 509.477.2320 Fax 509.477.6607

March 8, 2001

RE: Receipt of Petition Signatures – Proposed Incorporation of City of Spokane Valley

Received From: ED HERTENS - 926-9930

Pages Received: 294 (approx)

Approximate Number of Signatures: 6569

Registered Voters in Proposed City of Spokane Valley is 43,186 as of March 7, 2001
10% requirement is 4,319.

Sharon R. Bays
Sharon R. Bays, Superintendent of Elections

Mike Donahue - 924-3992

TREASURER
Comm. Action Co.

SPOKANE COUNTY
P E T I T I O N C O N F L I C T S T A T I S T I C S

DATE: 03/16/2001
DISTRICT NO.: 04.1300 CITY OF SPOKANE VALLEY

R802.01
PAGE: 157

COPY

S U M M A R Y P A G E

| PETITION NUMBER | PETITION NAME | VALIDATED SIGNATURES | SUBMITTED SIGNATURES | PERCENT |
|--------------------|---------------------|-------------------------|-------------------------|---------|
| 41300 | CITY SPOKANE VALLEY | 4,414 | 6,574 | 67.14% |

EXCEPTION(S)
143--- DUPLICATE VOTER
661--- WRONG DISTRICT
1254-- OP. EXCEPTION ***
82---- OP. EXCEPTION 1
3----- OP. EXCEPTION 2
7----- OP. EXCEPTION 3
17---- OP. EXCEPTION 4
1056-- OP. EXCEPTION 5
27---- OP. EXCEPTION 6
36---- OP. EXCEPTION 7
11---- OP. EXCEPTION 8
15---- OP. EXCEPTION 9
1968-- ***NOT VALID SIGS
89---- ***MULTI-CODED
90---- ***MULTI-CODES BIAS

COPY

SPOKANE COUNTY
P E T I T I O N 41300 **DETAIL**

8802.03
PAGE: 321
FROM DATE: 03/08/2001
TO DATE: 03/16/2001

DATE: 03/16/2001
DISTRICT NO.. 04.1300 CITY OF SPOKANE VALLEY
PETITION NO.. 41300 CITY SPOKANE VALLEY

| REFERENCE NUMBER | MICRO-FILM NUMBER | AFFIDAVIT NUMBER | REG. DATE | HOME PREC. | PARTY | V O T E R NAME | R E S I D E N C E ADDRESS |
|----------------------------------|-------------------|------------------|------------|------------|-------|-----------------------|--|
| 6394* | 2005489 | 5113 | 08/03/1979 | 100166.00 | NP | FRANK ROBERTS | 213 N BARKER RD GREENACRES 99016 >>>-----> DUPLICATE VOTER |
| 6395* | 2012424 | 15577 | 08/15/1970 | 100033.01 | NP | R M SCHLEMEYER | 1308 N BLAKE RD #B SPOKANE 99216 |
| 6396* | 0057280 | 247332 | 08/11/1994 | 100035.00 | NP | ALBERT I. EVERETTE JR | 13323 E 8TH AVE SPOKANE 99216 |
| 6397* | 2026858 | 88046 | 07/15/1976 | 100039.01 | NP | MICHELE STEWART | 13126 E SANSON AVE SPOKANE 99216 |
| 6398* | 0050465 | 3491 | 09/05/1968 | 100107.00 | NP | REBECCA DOTY | 217 S CALVIN LN SPOKANE 99216 |
| 6399* | 0164067 | 285807 | 05/07/1996 | 100107.00 | NP | MARY R SINGLETERRY | 212 S CALVIN LN SPOKANE 99216 |
| 6400 | 2074413 | 200587 | 10/06/1984 | 100107.00 | NP | LIDA EMMERICH | 209 S CALVIN LN SPOKANE 99216 >>>-----> DUPLICATE VOTER OP. EXCEPTION *** 8 |
| 6401* | 0024589 | 244652 | 06/08/1994 | 100107.00 | NP | VIOLET J BRUCE | 208 S CALVIN LN SPOKANE 99216 |
| 6402* | 0058590 | 244651 | 06/08/1994 | 100107.00 | NP | LAWRENCE A BRUCE | 208 S CALVIN LN SPOKANE 99216 |
| 6403* | 0060211 | 71969 | 08/02/1988 | 100107.00 | NP | FRANCIS D FISHER | 306 S CALVIN LN SPOKANE 99216 |
| 6404* | 0060215 | 71958 | 08/02/1988 | 100107.00 | NP | EILEEN A FISHER | 306 S CALVIN LN SPOKANE 99216 |
| 6405* | 0050971 | 201348 | 09/12/1988 | 100155.00 | NP | CAROLYN B DOTY | 15404 E 2ND AVE VERADALE 99037 |
| 143--- DUPLICATE VOTER | | | | | | | |
| 661--- WRONG DISTRICT | | | | | | | |
| 1254--- OP. EXCEPTION *** | | | | | | | |
| 82---- OP. EXCEPTION 1 | | | | | | | |
| 3----- OP. EXCEPTION 2 | | | | | | | |
| 7----- OP. EXCEPTION 3 | | | | | | | |
| 17----- OP. EXCEPTION 4 | | | | | | | |
| 1056--- OP. EXCEPTION 5 | | | | | | | |
| 27----- OP. EXCEPTION 6 | | | | | | | |
| 36----- OP. EXCEPTION 7 | | | | | | | |
| 11----- OP. EXCEPTION 8 | | | | | | | |
| 15----- OP. EXCEPTION 9 | | | | | | | |
| ***TOTAL VALID VOTERS ----> 4414 | | | | | | | |
| ***TOTAL INVALID VOTERS --> 1968 | | | | | | | |
| ***TOTAL BIAS COUNT -----> 90 | | | | | | | |
| ***TOTAL VOTERS SKIPPED --> 0 | | | | | | | |
| ***TOTAL VOTERS PRINTED --> 6382 | | | | | | | |

FILING INSTRUCTIONS

Please submit this Notice of Intention form and the exhibits listed below to the Boundary Review Board Office, 1026 West Broadway, 2nd Floor, Spokane, WA 99260-0040 for determination of sufficiency by the Board Planner. When deemed sufficient by the Board Planner, the original, an additional number of copies specified by the Board Planner, and a filing fee of \$50.00 is required for filing.

The Notice of Intention is to be completed by an elected official or employee of the governmental jurisdiction that is seeking the boundary change action or the proponent in the case of incorporation or formation.

The following items must be submitted and labeled as follows:

EXHIBIT A. A copy of the legal description of the boundaries of the area involved in the proposed action certified by a registered engineer or land surveyor.

EXHIBIT B. A Spokane County Assessor's map certified by a registered engineer or land surveyor on which the boundary of the area involved in the proposal and the size in acres must be clearly indicated. Include a list of all parcel numbers for lots in proposed area.

EXHIBIT C. A vicinity map or maps no larger than 8.5 x 11 and reproducible on a non-color photocopier displaying:

- 1) The boundary of the area involved in the proposal and the size in acres.
- 2) The current corporate boundaries of the proposing entity.
- 3) The current BRB-approved water and sewer service area of the proposing entity.
- 4) Major physical features such as streets and highways, railways, public facilities, etc.
- 5) The boundaries of cities or special purpose districts having jurisdiction in or near the proposed area.
- 6) The location of the nearest service point(s) for the required utility services to the area. Show existing and proposed water/sewer lines and diameter.
- 7) The Spokane County zoning, Comprehensive Plan designations, Urban Growth Area, and future water and sewer service areas and, if available, proposed city planning and zoning plan designations.

EXHIBIT D. Documentation of the process: certified copy of the petition; certified copy of assessed valuation; affidavit of publication of public hearing notice; certified copy of minutes of public hearing; a signed and certified copy of the resolution accepting the proposal as officially passed.

EXHIBIT E. A copy of the Threshold Determination and completed SEPA checklist pertaining to the proposed BRB action with full explanations. Include the list of persons who were sent the checklist and all written comments from governmental agencies and the general public.

MUNICIPAL INCORPORATIONS Exhibits A, B, C, a certified copy of assessed valuation and a certified copy of the petition calling for the incorporation are required.

Certificate - Auditor's Office
Certified Petitions

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR SPOKANE COUNTY
NOTICE OF INTENTION

1. Name of City, Town, or Special Purpose District: City of Spokane Valley
2. Action Sought : Incorporation of 45 square miles within Urban growth Area as a city in Spokane Valley.
3. Reason for seeking action To protect, preserve, and give leadership through local government to the community known as the Spokane Valley.
4. Briefly describe proposal Incorporation of 45 square miles as a new city.
5. Method used to initiate the proposed action Petition of ten percent of the registered voters in the area to be incorporated was used to initiate the incorporation; an election by more than fifty percent of those voting is required to approve the incorporation.
6. State statute under which action is sought RCW 35.02

FACTORS THE BOARD MUST CONSIDER

Please respond to the factors the Board must consider as outlined in RCW 36.93.170.

POPULATION AND LAND USE

1. Please provide the following information:

| Proposed Incorporation Area | | | | Spokane County | | | |
|-----------------------------|------------|--------------------|------------|----------------|------------|--------------------|------------|
| Existing | | 10-year Projection | | Existing | | 20-year Projection | |
| <u>82,100</u> | People | <u>90,300</u> | People | <u>417,940</u> | People | _____ | People |
| <u>37,870</u> | Residences | <u>41,600</u> | Residences | _____ | Residences | _____ | Residences |
| <u>700</u> | Businesses | <u>770</u> | Businesses | _____ | _____ | _____ | _____ |

2. What source is the basis for these projections? 2000 US Census; Spokane County Planning Division
3. Area of the proposed incorporation area 45 square miles Area of Spokane County 1,720 sq miles
4. Assessed valuation of proposed area \$ 4,450,000,000 of Spokane County \$19,984,438,160
5. Existing land use of the proposed area This is described in the Spokane Valley Incorporation Study.
6. Existing land use of the area surrounding the proposal This is described in the Spokane Valley Incorporation Study.
7. Is there residential, commercial, or industrial development that will be associated with this proposal? No.
8. If the proposal is approved, will any changes in either the land use, zoning or the Comprehensive Plan designations within the next 18 months be required? The new city will be required to develop its own comprehensive plan and development regulations as directed by the Growth Management Act.
9. Has the proposed area been the subject of a land use action by Spokane County? Not Applicable
- 10a. Spokane County Comprehensive Plan designation for the proposed area This is described in the Spokane Valley Incorporation Study.

b. For surrounding areas This is described in the Spokane Valley Incorporation Study.

11. Does your jurisdiction have an adopted comprehensive plan? Spokane County is in the process of adopting a comprehensive plan consistent with the Growth Management Plan. Date adopted? Proposed adoption date is August 7, 2001.

12. Describe this proposal's significance to the adopted comprehensive plan. The incorporation area is within the Urban Growth Area designated in the comprehensive plan.

13a. Spokane County zoning for the proposed area This is described in the Spokane Valley Incorporation Study.

b. For surrounding areas This is described in the Spokane Valley Incorporation Study.

14. Has any portion of this area been previously reviewed by the Boundary Review Board? Yes
List BRB File Nos. _____

15. Describe the topography, drainage basins and natural boundaries which are included in the area of the proposal and how each affects land use, accessibility and potential development. This is described in the Spokane Valley Incorporation Study.

16. Is the proposed area within the Spokane County Urban Growth Area? Not entirely; areas outside of the UGA will be removed by the Boundary Review Board.

MUNICIPAL SERVICES

1. Name the existing service purveyors in the proposed area.

Water Numerous water and irrigation districts and private water purveyors.

Police Spokane County Sheriff's Office.

Wastewater Treatment Spokane County.

School Spokane District No. 81; Central Valley District No. ; East Valley School District No. ; West Valley School District No. 363.

Fire Spokane County Fire District No. 1.

Library Spokane County Library District.

Water Service

2. Is the proposed area within the future water service area of your jurisdiction according to the Spokane County Coordinated Water System Plan? NA

3. Is the area included in your adopted Water System Plan? NA

4. Water treatment plant or well that will serve this area NA

5. Current capacity and percentage used of this facility NA

6. Projected water treatment plant or well capacity required by proposal NA

7. Describe the seasonal variations in water supply and/or pressure within your jurisdiction. NA

8a. Will increased capacity or other improvements become necessary if proposal is approved? NA

b. Describe these improvements and how they will be financed. NA

9. Does your jurisdiction have an updated State Board of Health-approved Water System Plan? NA

Wastewater Management

10. According to the Spokane County Wastewater Management Plan, which future service area includes the proposal? Spokane County.

11. Does your jurisdiction have a current DOE wastewater discharge permit? NA

12a. Does your jurisdiction have a current NPDES permit? NA

b. Please explain any violations of the current NPDES permit in the past 18 months. NA

13. Wastewater treatment plant serving this area This is described in the Spokane Valley Incorporation Study.

14. Current capacity and percentage used of this facility This is described in the Spokane Valley Incorporation Study.

15. Projected wastewater treatment plant capacity required by proposal NA

16a. Will increased capacity or other improvements become necessary if proposal is approved? NA

b. Describe these improvements and how they will be financed. NA

Other Municipal Services

17. Describe the service changes that will occur if the proposal is approved? This is described in the Spokane Valley Incorporation Study.

18. Does your jurisdiction have a current capital improvement/development plan? NA

19. Describe the effect your jurisdiction's ordinances, governmental codes, regulations and resolutions will have on existing uses in the proposed area? This is described in the Spokane Valley Incorporation Study.

20. Are annexation covenants being required for this proposal? NA

21. Describe the prospects of governmental services from other sources? This is described in the Spokane Valley Incorporation Study.

22. Describe the probable future needs for services and additional regulatory controls in the area? This is described in the Spokane Valley Incorporation Study.

23. Describe the probable effect of the proposal on the cost, adequacy of services and controls

a. In the proposed area? This is described in the Spokane Valley Incorporation Study.

b. In the adjacent area? This is described in the Spokane Valley Incorporation Study.

24. Describe the effect of the proposal on the finances, debt structure, contractual obligations and rights of all affected governmental units? This is described in the Spokane Valley Incorporation Study.

LOCAL GOVERNMENT

1. Describe the effect of the proposal on adjacent areas? This is described in the Spokane Valley Incorporation Study.

2. Describe the effect of the proposal on mutual economic and social interests? This is described in the Spokane Valley Incorporation Study.
3. Describe the effect of the proposal on the local governmental structure of the county. This is described in the Spokane Valley Incorporation Study.

ENVIRONMENTAL REVIEW

Describe the environmental review process completed for the proposed action. Incorporations of new cities are exempt from SEPA; a description of the environmental factors is included in the Spokane Valley Incorporation Study.

GROWTH MANAGEMENT

Describe how the proposal is consistent with the Growth Management Act (RCW 36.70A). The proposed incorporation is limited to the area within the Urban Growth Area Boundary as designated for Spokane County as a part of the comprehensive plan to be adopted by the Board of County Commissioners on August 7, 2001.

OBJECTIVES OF THE BOUNDARY REVIEW BOARD

Describe fully which objectives of RCW 36.93.180 this proposal meets and which objectives this proposal does not meet. Give your reasons for each of the objectives chosen.

1. Preservation of natural neighborhoods and communities. The communities of Yardley, Dishman, Opportunity, Greenacres, Trentwood and Veradale will remain intact. The areas of Northwood, portions of which are protected by Fire District #1 and portions are protected by Fire District #9. The Ponderosa and Alcott neighborhoods are similarly divided with Fire District #1 and Fire District #8. Fire District #1 is the boundary of The new proposed City of Spokane Valley.
2. Use of physical boundaries, including but not limited to bodies of water, highways and land contours.

The area of Fire District #1 within the UGA has been selected as the boundary.

The western most boundary is the City of Spokane and the Eastern most boundary is the City of Liberty Lake.

3. Creation and preservation of logical service areas. The proposed incorporation contains most of the urban developed areas between the cities of Spokane and Liberty Lake, while surrounding the City of Millwood. This appears to be a logical service area to preserve and protect the community known as the Spokane Valley. With 82,100 residents and a reasonable tax base their should be adequate funds to provide services equal to the current level. Fire District #1 will continue.
4. Prevention of abnormally irregular boundaries.

Due to the urban growth area, some irregular boundaries may occur. Unfortunately the growth management act is a contributing factor in this result. Irregularities may be dealt with after incorporation.

5. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas. The proposed area of incorporation, of Spokane Valley would occupy all of the area within the UGA east of the City of Spokane to the west border of the newly incorporated City of Liberty Lake. The proposed City will have 82,100 residents.

6. Dissolution of inactive special purpose districts. Not Applicable.

7. Adjustment of impractical boundaries. Not Applicable.

8. Incorporation as cities or towns or annexation to cities and towns of unincorporated areas which are urban in character. The growth and increased density of the proposed urban area which contain commercial, industrial and residential zones meets this objective.

9. Protection of agricultural and rural lands which are designated for long-term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority.
There are no designated areas within the proposed area of incorporation.

I certify that the above is true and accurate and that I am an official or employee of the governmental jurisdiction seeking boundary change action or the proponent for the incorporation or formation.

Edward J. Mertens May 25, 2001
Signature of person completing this form Date

Printed Name of Person Completing this Notice Edward J. Mertens

Title Chairman, Community Action Committee Telephone (509) 926-9930

Mailing Address 1310 N. Pierce, Spokane, WA 99206

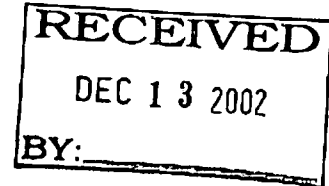
S P O K A N E C O U N T Y



OFFICE OF COUNTY COMMISSIONERS

JOHN ROSKELLEY, 1ST DISTRICT • KATE MCCASLIN, 2ND DISTRICT • PHILLIP D. HARRIS, 3RD DISTRICT

December 12, 2002



City of Spokane Valley
11707 E. Sprague Ave., Suite 106
Spokane Valley, WA 99206

Attn.: Ruth Muller, Interim City Clerk

Dear Ruth:

Enclosed for your records are three (3) certified copies of the following document:

2-0295: In the matter of calling for an election in conjunction with the proposed incorporation of the City of Spokane Valley

Also, I have enclosed a copy of Resolution No. 2-1145 regarding the interest free loan of \$1,000,000.00. *filed with loan documents*

Yours very truly,

A handwritten signature in cursive script that reads "Daniela".

Daniela Erickson
Clerk of the Board
Spokane County Commissioners

Encl.



This is to Certify this is a true and correct copy of the original document NO 2-0295 on file in the County Commissioners minutes of 3/21/2002 dated this 12th day of DEC 19 2002 BY: Laurel E. Eickert CLERK OF THE BOARD

NO. 2 0295

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF CALLING FOR AN)
ELECTION IN CONJUNCTION WITH THE)
PROPOSED INCORPORATION OF THE) **RESOLUTION**
CITY OF SPOKANE VALLEY)

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners of Spokane County has the care of County property and the management of County funds and business; and

WHEREAS, chapter 35.02 RCW provides a uniform process for the incorporation of cities or towns within counties of the State of Washington, which procedure is initiated by the filing of a Notice of Proposed Incorporation with the County Commissioners and terminates with an election being held in the area proposed to be incorporated to determine whether the proposed city or town shall be incorporated; and

WHEREAS, a Notice of the Proposed Incorporation of the City of Spokane Valley ("Notice") was filed with the Board of County Commissioners on August 24, 2000, together with a \$100.00 filing fee and an affidavit from Ed Mertens, the person submitting the Notice, stating that he was a registered voter in the area to be incorporated; and

WHEREAS, on September 5, 2000, the Board of County Commissioners of Spokane County, under Resolution No. 00-0767, forwarded the Notice of Incorporation to the Washington State Boundary Review Board for Spokane County ("Boundary Review Board"); and

WHEREAS, the Boundary Review Board held a public meeting as provided for in RCW 35.02.015; a petition for incorporation of a non-charter code city with a council-manager form of government and an estimated population of 90,000 to be called the "City of Spokane Valley" was circulated and submitted to the Spokane County Auditor as provided for in RCW 35.02.017, RCW 35.02.020, and RCW 35.02.030; the Spokane County Auditor notified the Board of County Commissioners of the sufficiency of such Petition as provided for in RCW 35.02.035; a Notice of Intention was filed by the Boundary Review Board Director under File No. 555-01; the Boundary Review Board held special and/or other public meetings on July 23, 2001, August 8, 2001, August 27, 2001, October 2, 2001, November 5, 2001, and November 19, 2001 with respect to the proposed incorporation; and the Boundary Review Board on December 13, 2001, filed a RESOLUTION AND HEARING DECISION under File No. 555-01, modifying the proposed incorporation of a non-charter code city with a council-manager form of government and an estimated population of 80,693 to be called "City of Spokane Valley," such modification being to the boundaries of the proposed city; and

WHEREAS, pursuant to RCW 35.02.078, an election shall be held in the area proposed to be incorporated to determine whether the proposed city or town shall be incorporated when the Boundary Review Board takes action on the proposed incorporation, such election to be held at the next special election date specified in RCW 29.13.020 that occurs sixty (60) or more days after action by the Boundary Review Board, the Board of County Commissioners calling for said election; and

2 0295

WHEREAS, on or about January 9, 2002, the City of Spokane filed an Notice of Appeal of the Boundary Review Board's RESOLUTION AND HEARING DECISION filed on December 13, 2001 in File No. 555-01 in the Spokane County Superior Court under Cause No. 02-2-00119-9. Pursuant to the provisions of RCW 36.93.160, the filing of a Notice of Appeal within the appropriate time frame stays the effective date of the Boundary Review Board's RESOLUTION AND HEARING DECISION until such time as the appeal shall have been adjudicated or withdrawn. On March 20, 2002, a Stipulated Order of Dismissal of Entire Case with Prejudice was entered in Spokane County Superior Court Cause No. 02-00119-9; and

WHEREAS, the Board of County Commissioners set a special meeting for 9:30 a.m. on Thursday, March 21, 2002 to take action on calling for an election in conjunction with the proposed incorporation of the City of Spokane Valley as set forth in the Boundary Review Board's RESOLUTION AND HEARING DECISION filed on December 13, 2001 in File No. 555-01.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners of Spokane County, pursuant to the provisions of RCW 35.02.078, that the ballot proposition set forth in Attachment "A," attached hereto and incorporated herein by reference be submitted to the qualified electorate within the boundaries of the Proposed City of Spokane Valley as legally described in the Boundary Review Board's RESOLUTION AND HEARING DECISION filed on December 13, 2001 in File No. 555-01, a copy of which is attached hereto as Attachment "B" and incorporated herein by reference, at a special election to be held Tuesday, May 21, 2002, and that the Clerk of the Board of County Commissioners of Spokane County, be and is accordingly instructed to notify the Spokane County Auditor of such fact, and to request said Auditor to call and conduct said election in the manner provided by law and to submit that ballot proposition as set forth in Attachment "A" hereto in the form of a ballot title substantially set forth in said attachment.

PASSED AND ADOPTED this 21st day of March, 2002.



ATTEST:
VICKY M. DALTON
CLERK OF THE BOARD

BY: Daniela Erickson
Daniela Erickson, Deputy

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

M. Kate McCaslin
M. KATE MCCASLIN, Chair

John Roskelley
JOHN ROSKELLEY, Vice-Chair

Phillip B. Harris
PHILLIP B. HARRIS

PROPOSITION NO. _____

SPOKANE COUNTY

INCORPORATION OF THE CITY OF SPOKANE VALLEY

STATE LAW ESTABLISHES A PROCESS FOR THE INCORPORATION OF CITIES. THAT PROCESS STARTS WITH THE FILING OF A NOTICE OF PROPOSED INCORPORATION AND ENDS IN AN ELECTION WITHIN THE AREA TO BE INCORPORATED AS ESTABLISHED BY THE BOUNDARY REVIEW BOARD. THE SPOKANE COUNTY BOUNDARY REVIEW BOARD BY DECISION FILED DECEMBER 13, 2001, UNDER FILE NO. 555-01, ESTABLISHED THE BOUNDARIES OF THE PROPOSED CITY OF SPOKANE VALLEY. THE PROPOSED CITY IS TO BE INCORPORATED AS A NON-CHARTER CODE CITY WITH A COUNCIL-MANAGER FORM OF GOVERNMENT. THE PROPOSED CITY WOULD COMPRISE APPROXIMATELY THIRTY-EIGHT AND ONE-HALF (38.5) SQUARE MILES AND HAVE AN ESTIMATED POPULATION OF 80,693 PEOPLE.

SHALL THE CITY OF SPOKANE VALLEY, HAVING THOSE BOUNDARIES AS SET FORTH IN THE BOUNDARY REVIEW BOARD'S DECISION IN FILE NO. 555-01, BE INCORPORATED AS A NON-CHARTER CODE CITY WITH A COUNCIL-MANAGER FORM OF GOVERNMENT?

FOR INCORPORATION[]

AGAINST INCORPORATION[]

2 0295

BEFORE THE
WASHINGTON STATE BOUNDARY REVIEW BOARD COUNTY COMMISSIONERS
FOR SPOKANE COUNTY

| | | |
|-------------------------------|---|------------------|
| In the Matter of: | } | FILE No. 555-01 |
| | } | |
| PROPOSED INCORPORATION | } | RESOLUTION AND |
| OF THE CITY OF SPOKANE VALLEY | } | HEARING DECISION |

BRB 555-01: Proposed Incorporation of the City of Spokane Valley is hereby **MODIFIED** by the Washington State Boundary Review Board for Spokane County. This action is based upon the following findings pursuant to RCW 36.93.170, "Factors to be considered by the Board", RCW 36.93.180, "Objectives of the Boundary Review Board" and RCW 36.70A, the Growth Management Act.

LEGAL DESCRIPTION

The incorporation area as modified by the Boundary Review Board is legally described in Appendix A.

RESOLUTION

WHEREAS, a notice of the proposed incorporation was filed with the County Commissioners on August 24, 2000 together with a one hundred dollar filing fee and an affidavit from Ed Mertens, the person submitting the notice stating that he is a registered voter in the incorporation area;

WHEREAS, on September 5, 2000, the County Commissioners adopted Resolution 0-0767 forwarding the Notice of Incorporation to the Boundary Review Board;

WHEREAS, the Boundary Review Board scheduled a public meeting on Monday, September 11, 2000 at 7:00 pm in the Spokane Valley to allow persons favoring and opposing the proposed incorporation an opportunity to state their views.

WHEREAS, public notice procedures pursuant to RCW 35.02.015 were carried out: publication of legal notices in the Spokesman Review (August 27, 2000, September 3, 2000 and September 10, 2000) at least once ten days prior to the public meeting, in addition, notice was mailed to affected jurisdictions and interested parties thirty days prior to the public meeting (August 9, 2000);

WHEREAS, approximately 50 persons attended the meeting, public comments and questions were made and discussed, and the following persons were asked to give presentations:

- Susan Winchell, Director, Boundary Review Board and Peter Fortin, Consultant;
- Ed Mertens, proponent for the Spokane Valley incorporation, describing the proposed boundaries;

WHEREAS, the Boundary Review Board directed its staff to prepare an incorporation study of the proposed City of Spokane Valley;

WHEREAS, a petition for incorporation of a non-charter code city with a council-manager form of government and an estimated population of 90,000 to be called the City of Spokane Valley was circulated and submitted to the County Auditor on March 8, 2001;

WHEREAS, on March 19, 2001, the County Auditor notified the Board of County Commissioners that the petition was sufficient;

WHEREAS, a Notice of Intention was filed by the Boundary Review Board Director on May 31, 2001 in File No. 555-01: Proposed Incorporation of the City of Spokane Valley and pursuant to RCW 36.93.153, the jurisdiction of the Board was invoked;

WHEREAS, on June 14, 2001, affected agencies and interested parties were sent copies of the Notice of Intention to review;

WHEREAS, on July 10, 2001, affected agencies and interested parties were sent copies of the Spokane Valley Incorporation Study to review;

WHEREAS, the Boundary Review Board set a hearing date for Wednesday, August 8, 2001 at 7:00 PM at the Neville Auditorium in the Spokane Valley to follow the adoption of the Urban Growth Area by Spokane County;

WHEREAS, the Board directed its Director to advertise for the hearing and include adjacent areas that may be added in any modifications to the proposal;

WHEREAS, public notice procedures pursuant to RCW 36.93.160 (1) were carried out: notice to affected jurisdictions and interested parties thirty days prior to the public hearing (July 3, 2001), publication of legal notices in the Spokesman Review (July 8, 2001, July 20, 2001, and July 22, 2001) and the Valley News Herald (July 11, 2001 and July 18, 2001) three times prior but not later than five days before the hearing and posting of notices (July 13, 2001) in at least ten places in the proposed area and other public places;

WHEREAS, prior to the public hearing Exhibit Nos. 1 - 27, as listed in Appendix B, were received and considered by the Board;

WHEREAS, the Board held a special meeting on July 23, 2001 which was advertised pursuant to RCW 42.30.080 to inspect the proposed incorporation area;

WHEREAS, the public hearing was held on August 8, 2001 at 7:00 PM in the Neville Auditorium in the Spokane Valley, all proceedings were recorded, approximately 75 people were in attendance and all Board members were present;

WHEREAS, the Board Director administered an oath to those planning to testify and presented a staff report on the proposal;

WHEREAS, the Board Director then introduced the proponents of the proposal: Philip Rudy and Ed Mertens who gave a presentation on the merits of the proposal;

WHEREAS, affected government agency representatives then testified:

- John Mercer, City of Spokane Planning Director
- Mark Grover, Fire Chief for Spokane County Fire District 1
- Larry Rider, Assistant Fire Chief for Spokane County Fire District 1

WHEREAS, public testimony on the incorporation was given by:

- Jack Riley, P.O. Box 13474, Spokane, WA 99213
- Lloyd Peterson, 3001 N. Joel Court, Otis Orchards, WA 99027
- Margaret DeCroff Milsap, 1426 N. Bowdish, Opportunity, WA 99206
- Mike Donahue, 18809 E. Fairview Court, Otis Orchards, WA 99027
- Tony Lazanis, 10625 E. Trent, Spokane, WA 99206
- Harold Kellams, 1424 S. Eastern, Spokane, WA 99212
- Annette Remshard, 1705 N. McMillan Lane, Greenacres, WA 99016
- Scott McClay, 2222 S. Collins Court, Spokane, WA 99216
- Tom Herman, 8703 E. Maringo Drive, Spokane, WA 99212
- Cary Driskell, 12704 E. Nora, Spokane, WA 99216
- Wayne Frost, 3320 N. Argonne Road, Spokane, WA 99212
- R.A. Hansen, 15102 E. Indiana, Spokane, WA 99216
- Richard Behm, 3626 S. Ridgeview, Spokane, WA 99206
- Pete Higgins, 20221 E. 8th, Greenacres, WA 99016
- Donna Blomberg, 4508 N. Dick Road, Spokane, WA 99212
- Dennis Scott, 24324 E. Pinehurst Lane, Liberty Lake, WA 99016
- Alan Carlson, Spokane, WA
- Brian Sayrs, 1011 N. Malvern Circle, Liberty Lake, WA 99016

WHEREAS, Exhibit Nos. 28 - 32, as listed in Appendix B, were received during the public hearing, held on August 8, 2001, and considered by the Boundary Review Board;

WHEREAS, the Boundary Review Board considered all testimony and in order to sufficiently review all materials submitted as exhibits, to hear from additional persons and entities affected by the proposal, and to accommodate the scheduled adoption of the Urban Growth Area by Spokane County, continued the public hearing to Monday, August 27, 2001 at 7:00 pm;

WHEREAS, notice was given to affected jurisdictions and interested parties of record prior to the continued public hearing on the proposal and possible modifications (August 14, 2001);

WHEREAS, the Board received Exhibit Nos. 33 - 45, as listed in Appendix B, prior to the continuation of the hearing;

WHEREAS, the continued public hearing was held, all proceedings were recorded and all Board members were present;

WHEREAS, the Board Director administered the oath to those planning to testify and reviewed exhibits received since the last hearing;

WHEREAS, public testimony was given by:

- John Mercer, City of Spokane, Planning Director
- Bobby Williams, Fire Chief, City of Spokane Fire Dept.
- Loyd Petersen, 3001 N. Joel Court, Otis Orchards
- Annette Remshard, 1705 N. McMillan Lane, Greenacres
- Raymond Hanson, 2031 S. Parkwood Circle, Spokane
- Iris Kiger, 9618 E. Maringo Drive, Spokane
- John Gray, 4521 E. 2nd Avenue, Spokane
- Ed Mertens, 1310 N. Pierce, Spokane
- Pete Higgins, 20221 E. 8th, Greenacres
- Bill Crawford, 15615 E. 4th Avenue #10, Veradale
- John Wittemberg, 2109 N. Bessie, Spokane
- Gayle Puu Carroll, 11823 E. 38th Avenue, Spokane
- Don Kachinsky, 716 S. Koren Road, Spokane
- Tony Lazanis, 10625 E. Trent Avenue, Spokane

WHEREAS, Exhibit Nos. 46 - 55, as listed in Appendix B, were received during the August 27, 2001 continued public hearing and were considered by the Boundary Review Board;

WHEREAS, Dr. Phillip Rudy, speaking for the proponents, requested the Board not make its decision until the written decision adopting the Urban Growth Area was signed by the County Commissioners and he stated that the proponents were aware that because of the delay, the matter would not be on the November ballot;

WHEREAS, the Board continued the public hearing to a special meeting on October 2, 2001 at 7:00 PM in the Neville Auditorium in the Spokane Valley to accommodate the delayed adoption of the Urban Growth Area by Spokane County;

WHEREAS, notice was given to affected jurisdictions and interested parties of record prior to the continued public hearing (September 13, 2001);

WHEREAS, the Board received Exhibit Nos. 56 - 67, as listed in Appendix B, prior to the continuation of the hearing;

WHEREAS, the continued public hearing was held, all proceedings were recorded and all Board members were present;

WHEREAS, the Board Director administered the oath to those planning to testify and presented a staff report on alternative boundaries;

WHEREAS, public testimony was given by:

- Mike Donahue, 18809 Fairview Court, Otis Orchards
- Walter Bonsack, 20409 E. 1st Avenue, Greenacres
- Laletta Sartain, 5304 E. Cataldo, Spokane
- Annette Remshard, 1705 N. Mcmillan Lane, Greenacres
- Loyd Petersen, 3001 N. Joel Court, Otis Orchards
- Dennis Scott, 24324 E. Pinehurst Lane, Liberty Lake
- Ed Mertens, 1310 N. Pierce, Spokane
- Cary Driskell, 12704 E. Nora, Spokane

WHEREAS, the Board continued the public hearing to its regular meeting on November 5, 2001 at 3:00 pm in the Spokane County Public Works Hearing Room in Spokane to allow proponents a closing statement;

WHEREAS, the Board received Exhibit Nos. 68 – 83 including the Spokane County Findings and Decision adopting the Urban Growth Area, as listed in Appendix B, prior to the continuation of the hearing;

WHEREAS, the continued public hearing was held, all proceedings were recorded and all Board members were present;

WHEREAS, the Board Director administered the oath to those planning to testify and presented a staff report on alternative boundaries;

WHEREAS, public testimony was given by:

- Dennis Scott, 24234 E. Pinehurst Lane, Liberty Lake
- Tom Gregory, 10909 E. 23rd, Spokane
- Dan Sander, 8315 E. Bridgeport, Millwood
- Cary Driskell, 11014 E. 21st, Spokane
- Pete Higgins, 20221 E. 8th Avenue, Greenacres
- Ed Mertens, 1310 N. Pierce, Spokane

WHEREAS, Exhibit Nos. 84 - 86, as listed in Appendix B, were received during the public hearing, held on November 5, 2001, and considered by the Boundary Review Board;

WHEREAS, the Boundary Review Board closed the public hearing and began its deliberations;

WHEREAS, the Boundary Review Board directed its staff to compile information in several areas to be considered further for possible modification to the proposed incorporation: the Yardley area, Alcott area, Carnahan, Ponderosa, undeveloped areas on the southern and eastern boundary, Otis Orchards, Northwood, and Pasadena Park;

WHEREAS, the Board continued the deliberations to a special meeting on November 19, 2001 at 3:00 pm in the Spokane County Public Hearing Room in Spokane;

WHEREAS, at the special meeting on November 19, 2001, the Boundary Review Board took action to remove territory of the proposed incorporation outside of the Urban Growth Area;

WHEREAS, the Boundary Review Board considered each factor (RCW 36.93.170), and determined which objectives were met or not met by the proposal or an alternative (RCW 36.93.180);

WHEREAS, the Board considered proposed alternative boundaries and modifications to the proposal;

WHEREAS, the Washington State Boundary Review Board for Spokane County based its decision on all testimony, evidence and exhibits presented at the public hearing and the information contained in BRB File No. 555-01 and decided that the proposal as submitted did not meet its objectives and therefore, modified the proposal to include the south half of the Ponderosa neighborhood, additional parcels in the Carnahan and Morningside areas, and to exclude the Pasadena Park neighborhood and undeveloped areas on the southern and eastern boundaries;

WHEREAS, the Boundary Review Board modified the boundaries of the proposed City of Spokane Valley, which are described in Appendix A, by a vote of five (5) in favor and zero (0) against;

WHEREAS, the Boundary Review Board is entering its written decision concerning this matter, pursuant to RCW 36.93.160 (4), and is adopting and filing its decision on or before December 14, 2001.

FINDINGS

Pursuant to RCW 36.93.150 (2), the Washington State Boundary Review Board for Spokane County modified BRB 555-01: Proposed Incorporation of the City of Spokane Valley. This action is based upon the following findings pursuant to RCW 36.93.170, "Factors to be considered by the Board", RCW 36.93.180, "Objectives of the Boundary Review Board", and RCW 36.70A, "Growth Management Act".

FACTORS (RCW 36.93.170)

The Boundary Review Board considered all of the factors identified in RCW 36.93.170, which include, but are not limited to the following:

POPULATION AND TERRITORY

Population density

The estimated 2001 population for the City of Spokane Valley as originally proposed was 82,135 people with a population density of 1,825 people per square mile based on a land area of 45 square miles. After the land area outside of the Urban Growth Area was removed the estimated 2001 population was 81,617 with a population density of 1,954 people per square mile based on a land area of 41.77 square miles.

The Board considered population density to be an important factor in its decision to modify the proposal. Subsequently, the Board modified the proposal to exclude undeveloped and less dense areas containing more rural land uses and including areas, which were more urban in character containing significant additional residential uses. The projected population of the proposed city as modified would be 80,693 with a population density of 2,092 persons per square mile based on a land area of 38.5 square miles.

Land area and uses

The proposed City of Spokane Valley contains a wide range of land uses. Industrial uses are concentrated in the eastern portion of the proposed city, in the area identified as Yardley, and north of I-90 between Argonne Road and Sullivan Road. Agricultural uses can be found in the easterly section of the proposed city with some agricultural uses scattered throughout other residential areas. Commercial corridors are found along Sprague Avenue, Pines, Sullivan and Argonne/Mullan Roads. Urban density residential land use is concentrated in the Opportunity, Dishman, Veradale, and East Spokane areas. Small acreage residential, mixed with some higher density residential can be found in the Greenacres and Otis Orchards areas of the proposed new city.

The Board considered this an important factor in its decision to modify the proposal by excluding the less developed areas on the south and east boundaries and including the developed urban areas adjacent to the proposed city boundary of Ponderosa, Carnahan, and Morningside. In direct correlation to this factor, the Board did not

exclude the Yardley area because of its existing urban character containing residential, commercial, and industrial land uses.

Comprehensive Plans and Development Regulations

Within the boundary of the incorporation proposal, the Spokane County Comprehensive Land Use Plan designations are diverse. Approximately 90 percent of the originally proposed incorporation area was within the Urban Growth Area (UGA) designated in the 2001 Comprehensive Plan. The Yardley and Alcott areas designated as City of Spokane Joint Planning Areas were included in the original proposal as was the area designated within the Pasadena Park Neighborhood/Community Plan.

Zoning classifications within the area, and described by the Spokane County Zoning Code, vary from intense Heavy Industrial (I-3) and Regional Business (B-3) to the least intense General Agricultural (GA) designation. The area outside of the UGA was removed by the Board eliminating Rural and Agricultural designations.

The Board considered the adopted comprehensive plans and zoning an important factor in its decision and modified the proposal to exclude land outside of the designated Urban Growth Area and the Pasadena Park Neighborhood and to include land urban in character within the Urban Growth Area and developed as urban residential: Ponderosa, Carnahan, and Morningside areas.

Applicable Service Agreements

As a part of the comprehensive plan that a new City of Spokane Valley would prepare is the establishment of service agreements with the affected special purpose districts (i.e., Fire District No. 1, and Spokane County Library District) and Spokane County. These agreements can include policies for the continuation of services, annexation, County planning and zoning in its Urban Growth Area, and revenue sharing.

Applicable Interlocal Agreements

The interlocal agreement between the City of Spokane and Fire District 1 includes the process agreed to by the two entities for eventual annexation of the area by the City of Spokane; mitigation when annexation occurs; and joint planning of facilities and services. The Board considered this timeline an important factor in its decision to not exclude the Yardley and Alcott areas from the new city in that the area would remain unincorporated for at least two years according to the agreement.

Per capita assessed valuation

The originally proposed city had an estimated 2001 taxable assessed value of real property of \$4,450,000,000. Using a 2001 population of 82,135 people, the estimated per capita assessed value was \$53,120. With the area outside of the Urban Growth Area removed, the per capita assessed value increased to \$53,364.

The Board considered this an important factor in its decision to leave the Yardley area within the boundaries and modify the proposal by adding more developed areas and removing less urban areas. The 2001 taxable assessed value of real property for the

modified proposal is \$3,962,605,256 and the per capita assessed value of the modified proposal is \$53,376.

Topography, natural boundaries and drainage basins, proximity to other populated areas

The proposed city is relatively flat with slopes in northern and southern portions. The incorporation area contains a large number of drainage basins and wetland areas, which have been identified. A major portion of the proposed city is over the Spokane Valley/Rathdrum Prairie Aquifer. The proposed City of Spokane Valley lies directly east of the City of Spokane, which is the County's largest urban area and is the second largest city in Washington with a 2000 population of 195,629. The Board modified the proposal to extend the use of the Spokane River as a natural boundary north of the Town of Millwood.

The existence and preservation of prime agricultural soils and productive agricultural uses

Much of the original landscape within the proposed city has been altered by human activity. Residential, commercial, and industrial activity has displaced much of the agricultural activity. The County has not designated areas within the boundaries for primarily agricultural uses; however, much of the eastern portion of the Spokane Valley contains various agricultural uses including farming and animal raising.

The Board considered this an important factor in its decision to modify the proposal by excluding rural and agricultural lands to the extent possible.

The likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next ten years

A growth rate of 9.7 percent was projected for the incorporation area for the next ten years based on the growth of the incorporation area from 1990 through 2000. Population projections for Spokane County and the City of Spokane were estimated as a part of the growth management planning process. For the table below, the 1990-2000 population growth rate was continued to 2010.

10-year Population Projection for the Spokane Valley Incorporation Area

| | 1990 | 2000 | % Change | 2010* |
|-------------------------|---------|---------|----------|---------|
| Spokane County | 361,333 | 417,939 | 13.5 | 453,881 |
| Unincorporated Area | 165,443 | 199,135 | 16.9 | 232,788 |
| Incorporated Area | 195,890 | 218,804 | 10.5 | 221,093 |
| City of Spokane | 177,165 | 195,629 | 9.4 | 214,018 |
| City of Spokane Valley* | 74,081 | 81,277 | 9.7 | 89,425 |

**As originally proposed.*

The Board considered population growth as an important factor in its decision to modify the proposal by excluding areas with rural residential zoning whenever possible.

Location and most desirable future location of community facilities

Community facilities within the incorporation area include recreation facilities such as parks and golf courses, public service facilities such as the transit station, post offices, fire stations, cemeteries, schools, a hospital and churches. With incorporation, municipal buildings and maintenance facilities would be required.

MUNICIPAL SERVICES

Need for municipal services

Governmental services are provided to the area, at present, by a combination of special purpose districts, Spokane County, the City of Spokane and private companies. The Board considered this an important factor in its decision. The Board modified the boundaries to include adjacent urban areas requiring urban services and reduced the total non-urban lands, which do not require municipal services or do not have them available. For this reason, the Ponderosa, Carnahan, Morningside, and Yardley areas, which require full urban services, were included in the incorporation boundaries.

The Board was concerned that a substantial portion of the proposed City of Spokane Valley was not completely sewered and would be the only new city to incorporate without sewers in place creating a financial burden to the new city. The existing wastewater treatment plant will soon be at capacity and an alternative treatment facility is planned to serve the Spokane Valley. The Board was concerned that the planning for this facility would be delayed by a change in wastewater management and the expense of the new facility would be another burden to the new city.

Effect of ordinances, governmental codes, regulations and resolutions on existing services

Initially the new city could contract for a county level of service by policy and ordinance. If that were the case, there would be a minimal effect on the present level of service to the area. With incorporation, fire protection service would have to be negotiated between Fire District 1 and Fire District 8, considering both fire districts serve the proposed new city.

Present cost and adequacy of governmental services and controls in the area

Proponents have stated that more local control over the Valley's future development was a reason for the incorporation effort. The Board acknowledged the proponents concern over local control of services. As part of the Spokane Valley incorporation study staff developed a survey in an attempt to identify Valley residents' satisfaction with existing service providers. The survey was published in the Valley Voice edition of the Spokesman Review in November 2000. Five hundred responses were received and the results were compiled and analyzed. The results of the survey expressed that Valley residents' were for the most part satisfied with municipal services.

Prospects of governmental services from other sources

The new city would provide some new services to the area in the form of general government functions. Those services initially would be legislative, administrative,

planning, legal and finance. Other services may be contracted with Spokane County, City of Spokane, special purpose districts, or private enterprises. The new city council would make many of these decisions if incorporation occurs.

Probable future needs for such services and controls

Future needs will depend on the demand for a higher level of service or desire to have greater control over municipal services of the city.

Probable effect of proposal on cost and adequacy of services and controls in the area and adjacent areas

There are a number of impacts of the incorporation of the Spokane Valley that affect the cost and adequacy of services in the incorporation area and adjacent unincorporated areas. The Board considered this factor in evaluating alternative boundaries for the proposal by excluding areas that were non-urban in nature to prevent future fiscal strains from providing urban services to less densely developed areas.

The revenue available to the new city as modified was estimated at \$27,668,847 for 2001 and \$29,365,288 for 2003 for the General Budget and \$2,288,416 for 2001 and \$2,437,964 in 2003 for Capital Improvements. Expenses for the new city were estimated at \$32,724,101 for 2001 and \$34,500,262 for 2003 to provide the same level of services to Spokane Valley residents. Capital improvements for the Spokane Valley planned by Spokane County for 2002 – 2006 amount to \$27,952,000. The Board determined that the new city would have other revenue mechanisms available (i.e. a utility tax) and its budget could be balanced and the city could be financially viable.

The effect on the finances, debt structure, and contractual obligations and rights of all affected governmental units

Spokane County would be the most affected government unit by the incorporation of a city in the Spokane Valley. The total revenue loss to Spokane County would be approximately \$18 million or 18 percent of the County General Fund and a loss of \$9 million to the Road Fund or 15 percent of the County Road Fund. In addition to this, state and federal road grants and community development grants would be reduced. The Board also considered the impacts of the proposal and its alternatives on the special purpose districts and the City of Spokane. An estimated revenue loss of \$169,179 to Fire District 8 would result from the incorporation as modified. Negotiation between Fire District 1 and Fire District 8 could be made in order to continue providing adequate fire protection.

THE EFFECT OF THE PROPOSAL ON ADJACENT AREAS, ON MUTUAL ECONOMIC AND SOCIAL INTERESTS, AND ON THE LOCAL GOVERNMENT STRUCTURE OF THE COUNTY

The impacts of the incorporation of a new city in the Spokane Valley on Spokane County government could be significant, however, testimony from Spokane County officials did not establish the impact to be great enough to be considered a significant factor. Revenue losses would most likely be made up with contractual agreements for County services.

OBJECTIVES (RCW 36.93.180)

Preservation of natural neighborhoods and communities

The Spokane Valley has had a distinct identity since its beginnings as orchard lands and small farms. Several communities can still be generally defined with the incorporation proposal: East Spokane, Yardley, Alcott, Orchard Avenue, Trentwood, , Chester, Irvin, Ponderosa, Northwood, Pasadena Park, Opportunity, Veradale, Greenacres, and Otis Orchards. Distinct industrial and commercial areas can also be identified: the Trentwood area including Kaiser and Spokane Industrial Park, Mirabeau, the Sprague Avenue, Argonne/Mullan, Pines and Sullivan Road commercial corridors.

Testimony received indicated that the boundaries proposed for the new city divided the communities of, Carnahan, and Ponderosa and isolated other urban areas such as Pasadena Park. The Board determined that the Pasadena Park area should be excluded because of its unique character.

The Board determined that the southern part of the Ponderosa area and the remaining portion of the Carnahan area should be included because the original boundary divided these neighborhoods.

The Board ruled that as modified, the proposal would better meet this objective (RCW 36.93.180 (1)).

Use of physical boundaries, including but not limited to bodies of water, highways and land contours

Fire district boundaries were originally used to define the new city. These are not physical boundaries in some areas and the Board was concerned that it was difficult for the County to service roads in the area. The Board modified the proposal because the Spokane River separated the Pasadena Park area from the rest of the Spokane Valley and to alleviate some of the road maintenance and service concerns of Spokane County.

The Board ruled that if modified by excluding Pasadena Park and using the Spokane River as a boundary and making road modifications recommended by the County Engineer, this objective would be met by (RCW 36.93.180 (2)).

Creation and preservation of logical service areas

The new city would annex to the fire district immediately upon incorporation maintaining that service area. Water purveyors were assumed to remain serving their existing service areas. The Board was concerned that other service providers both within the new city and the County would have illogical service areas leading to increased cost and staff time (i.e. road maintenance, police protection). By modifying the proposal to include adjacent urban areas and exclude undeveloped areas, the Board determined that these service problems would be alleviated. The Yardley area remained within the

proposed city boundaries due to its existing urban character and existing industrial uses that require urban level of services. In addition, the Board determined that removing Yardley would create an island of County land causing service delivery problems.

The Board ruled that as modified, this objective would be met by the proposal (RCW 36.93.180 (3)).

Prevention of abnormally irregular boundaries

The Board considered several modifications to the proposal. At the request of the City of Spokane, the Board was asked to consider excluding the Yardley area because the area is in the City's water and sewer service area, the City serves water to the area and has extended sewers to the area. Testimony received by the City of Spokane indicated that annexation was not currently proposed for that portion of Yardley that it currently served. Excluding only the City of Spokane's water and sewer service area would create an irregular boundary. The Board determined that the proposed western boundary of the new city was not abnormally irregular as proposed.

In the Pasadena Park area, the Board received testimony stating that the proposed boundary was irregular, the roads used as boundaries divided the community, and the eastern boundary was not distinct. The Board determined that the eastern boundary was abnormally irregular and modified the boundary to use the Spokane River as the boundary in that area.

In other areas, the Board followed recommendations of the County Engineer to use road rights-of-way and not divide parcels.

The Board determined that by modifying the boundaries this objective would be met better than the original proposal (RCW 36.93.180 (4)).

Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas

The estimated population for the proposed City of Spokane Valley is 80,700, which would rank it as one of the larger cities in the State of Washington. The Board determined that modifying the proposal meets this objective (RCW 36.93.180 (5)).

Dissolution of inactive special purpose districts

The Board determined that this objective did not apply.

Adjustment of impractical boundaries

The Board considered modifications to the original boundaries to meet this objective with the constraint of the state law limiting modifications to ten percent of the land area after the territory outside of the Urban Growth Area is removed. The Board adjusted the boundaries to allow more consistency for service providers, more efficient provision of urban services, and better management of resources.

The Board determined that the modified boundaries met this objective (RCW 36.93.180 (7)).

Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character

Urban character is defined by population distribution and density, land uses, and availability of services. The population density for the area as proposed is low when compared to other cities in Spokane County and Washington. The Board modified the proposal by eliminating areas of very low population density, non-urban land uses, and those lacking in urban services and included adjacent areas of higher densities, urban land uses, and full urban services.

The Board determined that as modified, the population density would increase from 1,855 persons per square mile to 2,096 persons per square mile; the percentage of vacant land uses would decrease from 24 percent to 20 percent; and the area receiving full urban services would increase accordingly.

Therefore, the Board determined that this objective would be better met with modification (RCW 36.93.180 (8)).

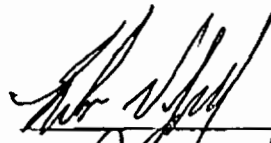
Protection of agricultural and rural lands which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority

No lands in the proposed incorporation area are designated for agricultural or rural purposes although portions of the area include land, which is suitable for agricultural purposes and is currently used for that purpose. The Board determined that this objective was not applicable to its decision (RCW 36.93.180 (9)).

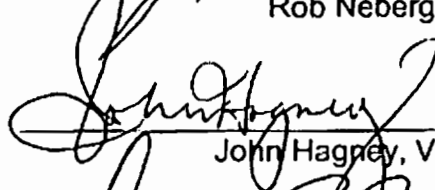
THEREFORE BE IT RESOLVED BY THE WASHINGTON STATE BOUNDARY REVIEW BOARD FOR SPOKANE COUNTY that based upon the record, testimony and exhibits in File No. 555-01 and the above findings and conclusions, is hereby modifying the proposed incorporation.

ADOPTED BY THE WASHINGTON STATE BOUNDARY REVIEW BOARD FOR SPOKANE COUNTY by a vote of 5 in favor and 0 against on this 10th day of December, 2001 and signed by me in authentication of its adoption on said date.

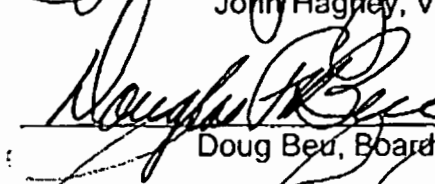
WASHINGTON STATE BOUNDARY REVIEW BOARD FOR SPOKANE COUNTY



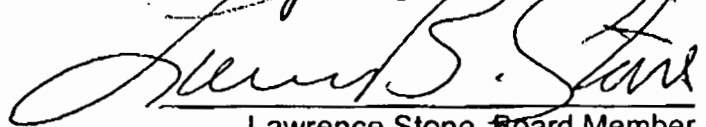
Rob Nebergall, Chair



John Hagrey, Vice Chair



Doug Beu, Board Member

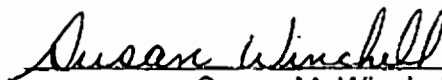


Lawrence Stone, Board Member



Daniel Turbeville-III, Board Member

ATTESTED TO and filed by me on this ¹³~~11~~th day of December, 2001.



Susan M. Winchell, Director
Boundary Review Board

APPENDIX A

Legal Description for BRB 555-01: Proposed Incorporation of the City of Spokane Valley:

Beginning at the intersection of the East line of Havana Street and the South line of Section 23, Township 25 North, Range 43 East, W.M.;

Thence North along the East line of Havana Street in Sections 23 and 14, Township 25 North, Range 43 East, W.M. to the South easterly right of way line of the Burlington Northern Railroad (formerly known as Northern Pacific Railway);

Thence Northeasterly along said Southeasterly right of way line to the West line of Fancher Road in said Section 14;

Thence North along said West line of Fancher Road to the South line of Block 81 of Parkwater, filed in Book P, Page 48, in Section 11, Township 25 North, Range 43 East W.M.;

Thence East along said South line extended to the East line of Fancher Road in Section 12, Township 25 North, Range 43 East W.M.;

Thence North along said East line to the Northwesterly right of way line of the Spokane, Coeur d'Alene and Palouse Railway in said Section 12;

Thence Northeasterly along said Northwesterly right of way line to the East Spokane City Limit line on "F" Avenue extended South, located in the Northeast Quarter (NE ¼) of Section 12, Township 25 North, Range 43 East, W.M.;

Thence North along said East Spokane City Limit line to the North line of Euclid Avenue (formerly Idaho Street) in Section 1, Township 25 North, Range 43 East, W.M.;

Thence East along said North line of Euclid Avenue to its intersection with the West line of Coleman Road (formerly "D" Street);

Thence North along said West line to the North line of Bridgeport Avenue;

Thence East along said North line to the East line of Park Road in Section 6, Township 25 North, Range 44 East, W.M.;

Thence North along said East right of way line to the center of the Spokane River in said Section 1;

Thence Easterly along the center of the Spokane River to the East line of the West half of said Section 6;

Thence South along said East line to the North right of way line of Glass Avenue in said Section 6;

Thence Westerly along said North right of way line to the West right of way line of Vista Road extended North in said Section 6;

Thence Southerly along said West right of way line to the North right of way line of Liberty Avenue in said Section 6;

Thence Easterly along said Northerly right of way line to the East right of way line of Vista Road and the city limits boundary for the City of Millwood as it exists December 10, 2001;

Thence Southerly, Easterly and Northerly respectively along said boundary in Section 6, 7, 8 and 5, Township 25 North, Range 44 East W.M., to the Southerly line of the Spokane River;

Thence continuing Northerly along the Northerly prolongation of the Easterly boundary to the center of the Spokane River in said Section 5;

Thence Easterly along said center of the Spokane River in Sections 5, 4, and 3, Township 25 North, Range 44 East W.M., to the South line of the Northwest quarter of said Section 3;

Thence East along said South line to the West line of the East 1038' of said Northwest quarter of Section 3;

Thence North along said West line to the South right of way line of Wellesley Avenue in said Section 3;

Thence West along said South right of way line to the Southerly prolongation of the Westerly line of Short Plat 617-90, filed in Book 7, Page 8 in Section 34, Township 26 North, Range 44 East W.M.;

Thence North along said line to the Northwest corner of said Plat in Section 34;

Thence East along the North line of Sanson Lane and Sanson Avenue extended to the East right of way line of Forker Road in Section 35, Township 26 North, Range 44 East W.M.;

Thence Northeasterly along the Southeasterly right of way line of Forker Road to the South line of Progress Road in Section 35;

Thence Southeasterly and South along the South and West line of Progress Road to the North line of the Southeast quarter of the Southeast quarter of Section 35;

Thence East along said line to the Northwest corner of the South half of the Southwest quarter of Section 36, Township 26 North, Range 44 East W.M.;

Thence East along the North line of said South half of the Southwest quarter to the East right of way line of Moore Road in Section 36;

Thence South along said East right of way line to the North line of Wellesley Manor 4th Addition filed in Book 12, Page 65 in Section 36;

Thence East along said North line to the West line of the Plat of Chinook No. 4 filed in Book 23, Page 1 in Section 36;

Thence North along said West line to the North line of said plat in Section 36;

Thence East along the North line of said plat and the North line of the Plat of Chinook No. 1, filed in Book 21, Page 84 to the East line of said plat in Section 36;

Thence South along said East line to the North right of way line of Wellesley Avenue in Section 36;

Thence East along said North right of way line to the East right of way line of Flora Road in Section 31, Township 26 North, Range 45 East W.M.;

Thence South along said East line to the North right of way line of Trent Avenue (S.R. 290) in Section 6;

Thence East along said North line of Trent Avenue to the Southwesterly right of way line of Wellesley Avenue in Section 32, Township 26 North, Range 45 East W.M.;

Thence Southeasterly along said Southwesterly right of way line to the East line of the West half of said Section 5, Township 25 North, Range 45 East W.M.;

Thence South along said East line of the West half of said Section 5, to the South quarter corner; thence continuing along said line to the South right of way line of Euclid Road in Section 8, Township 25 North, Range 45 East W.M.;

Thence East along said South right of way line to the East right of way line of Rockford Road in Section 8;

Thence South along said East right of way line and the prolongation thereof to the centerline of the Spokane River in Section 8;

Thence Southwesterly along said center line to the East line of the West half of Section 8;

Thence South along said East line of Section 8 and the East line of the West half of Section 17, Township 25 North, Range 45 East W.M. to the North right of way line of Sprague Avenue in Section 20, Township 25 North, Range 45 East W.M.;

Thence East along said South right of way line to the East right of way line of Hodges Road in Section 20;

Thence South along said East right of way line to the South right of way line of 8th Avenue in Section 20;

Thence West along said South right of way line to the East line of Meadow View Ranch Estates filed in Book 21, Page 58 in Section 20;

Thence Southerly and Westerly along the boundary of said plat to the southerly line of Meadow View Ranch Estates No. 2, filed in Book 24, Page 81 in Section 20;

Thence Northwesterly along said South line of Meadow View Ranch Estates No. 2, filed in Book 24, Page 81 to the West right of way line of Barker Road in Section 19, Township 25 North, Range 45 East W.M.;

Thence South along said West line to the South line of Turtle Creek 3rd Addition, filed in Book 26, Page 89 in Section 19;

Thence Northwesterly along said South line and continuing Northwest along the South line of Turtle Creek 2nd Addition, filed in Book 25, Page 84 to the North line of the South half of Section 19;

Thence West along said North line to the West line of the East 330' of the Northeast quarter of the Southwest quarter of Section 19;

Thence South along said West line to the South line of said Northeast quarter of the Southwest quarter of Section 19;

Thence East along said line to the East line of the Southwest quarter of Section 19;

Thence South along said East line to the North line of Section 30, Township 25 North, Range 45 East W.M.;

Thence West along said North line and the North line of Section 25, Township 25 North, Range 44 East W.M., to the Easterly line of Ridgemont Estates No. 2, filed in Book 13, Page 85 in Section 25;

Thence Southerly along said Easterly line to the Northerly line of Ridgemont Estates No. 3, filed in Book 21, Page 80 in Section 25;

Thence Southerly and Easterly along said Northerly line to the Westerly line of Morningside, Phase 1 a P.U.D., filed in Book 22, Page 88 in Section 25;

Thence Northerly, Easterly, Southerly and Westerly along the boundary of said P.U.D. to the Westerly line of Viewmont at Morningside, a P.U.D., filed in Book 24, Page 47 in Section 25;

Thence Easterly, along the boundary of said P.U.D., to the West right of way line of Chapman Road in Section 25;

Thence Southerly along said West right of way line to the Southerly right of way line of Steen Road extended East in Section 25;

Thence Westerly along said Southerly right of way line to the South line of the North half of Section 25;

Thence West along said South line to the Southeast right of way line of 24th Avenue in Section 25;

Thence West along said Southeast right of way line to the East line of Timberlane 1st Addition, filed in Book 10, Page 61 in Section 25;

Thence Southerly and Westerly along the boundary of said plat to the East line of the plat of Timberlane, filed in Book 8, Page 90 in Section 25;

Thence Southeasterly and Southwesterly to the Southeast corner of Lot 1, Block 4 of Timberlane in Section 25;

Thence South 30°17'00" East a distance of 320';

Thence South 51°57'00 East, a distance of 140'; thence South 38°03'00" West to the Northerly right of way line of Saltese Road in Section 25;

Thence Westerly along said Northerly right of way line extended to the West right of way line of Sullivan Road in Section 26, Township 25 North, Range 44 East W.M.;

Thence North along said West right of way line to the South line of Short Plat 1064-96, filed in Book 15, Page 93 in Section 26;

Thence West along said South line and the South line of McLaughlin Addition, filed in Book 9, Page 14 to the East right of way line of Progress Road in Section 26;

Thence North along said East right of way line to the South line of Tract 215 of Vera, filed in Book O, Page 30, extended East in Section 26;

Thence West along the South line of Tracts 215, 214, 213 and 212 of Vera to the East right of way line of Best Road in Section 26;

Thence South along said East right of way line to the South line of 32nd Avenue in Section 35, Township 25 North, Range 44 East W.M.;

Thence West along said South right of way line to the East line of Midilome East 1st Addition, filed in Book 24, Page 1 in Section 34, Township 25 North, Range 44 East W.M.;

Thence Southerly along said East line and the extension thereof to the South line of the North half of Section 34;

Thence West along said South line to the North right of way line of 40th Avenue in Section 34;

Thence West along said North right of way line to a point on a line 30' East of and parallel with the East line of the West half of the West half Section 34;

Thence South along said line to the South right of way line of 40th Avenue in Section 34;

Thence West along South right of way line to the East right of way of Madison Road in Section 34;

Thence South along said East right of way line to the South right of way line of Thorpe Road extended in Section 3, Township 24 North, Range 44 East W.M.;

Thence West along said South right of way line to the East right of way line of Dishman-Mica Road in Section 4, Township 24 North, Range 44 East W.M.;

Thence South along said East right of way line to the North line of Government Lot 7 in Section 4;

Thence West along said North line to the East right of way line of the Oregon, Washington, Railroad and Navigation Co., in Section 4;

Thence Southwesterly along said East line to the South right of way line of Ponderosa Drive extended East in Section 4;

Thence West along said South line to the East line of Short Plat 78-042, filed in Book 1, Page 19 in Section 4;

Thence Southerly, Westerly and Northerly along said Short Plat boundary to the South right of way line of Ponderosa Drive in Section 4;

Thence Southwesterly along said South right of way line to the Northeasterly line of Valley Vista Estates, filed in Book 17, Page 66 in Section 4;

Thence Southeasterly and Southwesterly along the Southerly boundary of said plat to the North line of Short Plat 1129-97, filed in Book 15, Page 81 in Section 4;

Thence Easterly and Southerly to the Northeast corner of Guthrie Family Tracts, filed in Book 20, Page 86 in Section 4;

Thence South along the East line of Guthrie Family Tracts to the Northeast corner of Short Plat 1128-97, filed in Book 15, Page 83 in Section 4;

Thence South, West and North along the East, South and West boundary to the South line of Guthrie Family Tracts in Section 4;

Thence Northwesterly along said South line to the East line of Section 5, Township 24 North, Range 44 East W.M.;

Thence North along the East line of Section 5 to the South line of Ponderosa Hills, filed in Book 15, Page 79;

Thence Westerly and North along the boundary of Ponderosa Hills to the South line of Iller 1st Addition, filed in Book 14, Page 8 in Section 5;

Thence West along the South line of said plat to the East line of Short Plat 740-92, filed in Book 9, Page 5 in Section 5;

Thence Southerly, Westerly and Northerly along said Short Plat boundary to the South line of Iller Addition, filed in Book 9, Page 78 in Section 5;

Thence West and Northwesterly along said plat boundary to the South right of way line of Holman Road in Section 5;

Thence Westerly along said South right of way line to the West line of Johnstone Addition, filed in Book 16, Page 65, extended Southerly in Section 5;

Thence North and East along the boundary of said plat to the West line of Short Plat 92-746, filed in Book 9, Page 8 in Section 5;

Thence North along said West line to the South right of way line of 44th Avenue in Section 5;

Thence Northerly to the Southwest corner of Ponderosa Heights Addition, filed in Book 08, Page 93 in Section 32, Township 25 North, Range 44 East W.M.;

Thence North and East along the boundary of said plat to the South corner of Lot 1 Block 3 of Ponderosa Acres 7th Addition, filed in Book 14, Page 60 in Section 32;

Thence Northwesterly to the Northwest corner of said lot;

Thence North 15°50'18" West a distance of 215';

Thence North 67°15'10" East to the Westerly right of way line of Sunderland Drive in Section 32;

Thence Northeasterly along said Westerly right of way line to the South line of Ponderosa 8th Addition, filed in Book 19, Page 51 in Section 32;

Thence Westerly and Northerly along said plat boundary to the East line of the West half of Section 32;

Thence North along said East line to the South line of Ponderosa 9th Addition, filed in Book 22, Page 7 in Section 32;

Thence Southwesterly, Northerly and Easterly along said plat boundary to the West line of Short Plat 945-94, filed in Book 11, Page 58 in Section 32;

Thence Northerly along the Westerly boundary of said Short Plat to the South line of Section 29, Township 25 North, Range 44 East W.M.;

Thence East along said South line to the West right of way line of the Union Pacific Railroad in Section 29;

Thence Northwesterly along said West right of way line to the North line of 16th Avenue in Section 20, Township 25 North, Range 44 East W.M.;

Thence West along said North right of way line and the extension thereof to the West right of way line of Bluff Drive in Section 20;

Thence Southerly along said West right of way line to the South line of Section 20;

Thence West along said South line to the East line of the Record of Survey filed in Book 49, Pages 75 through 80, in Spokane County;

Thence Northerly and Westerly along said boundary to the West line of Section 20 and the Southeast corner of Lot 13 of Ben Peters Addition, filed in Book 18, Page 64 in Section 20 and Section 19, Township 25 North; Range 44 East W.M.;

Thence Westerly and Northerly along said plat boundary to the North line thereof;

Thence continuing North along the prolongation of the said West boundary to the South right of way line of Appleway Boulevard in Section 19, Township 25 North, Range 44 East W.M.;

Thence Westerly along said South right of way line to the East right of way line of 3rd Avenue in Section 19;

Thence Southwesterly along said East right of way line to the East line of Lot 2, Block 13 of the Plat of West Dishman, filed in Book 3, Page 77 in Section 19;

Thence Southerly and Westerly along said plat boundary to the West line of Lot 4 Block 12 of said plat in Section 19;

Thence South on the Southerly extension of said West line to the South line of the Northwest quarter of the Northeast quarter in Section 19;

Thence West along said South line a distance of 152' to the West right of way line of Sargent Road in Section 19;

Thence North along said West right of way line to the South right of way line of Appleway Boulevard in Section 19;

Thence Westerly along said South right of way line to the West line of the East 20' of the West half of Section 19;

Thence South along said West line to a point on a line 380' North of and parallel to the South line of the North half of the North half of Section 19;

Thence West on said line to a point on a line 245' West of and parallel with the West line of the East half of Section 19 as shown on Record of Survey filed in Book 94, Page 81 in Spokane County;

Thence South 0°04'36" East a distance of 50';

Thence South 12°42'20" West a distance of 113.05';

Thence South 89°21'44" West, a distance of 390' to the West line of the East half of the Northeast quarter of the Northwest quarter;

Thence South along said West line to the South line thereof in Section 19;

Thence West along said South line to the Northeast corner of Government Lot 2 in Section 19;

Thence South along the East line of said Government Lot to the Easterly prolongation of the South line of the Record of Survey filed in Book 91, Page 13 in Section 19; thence West along said line to the East line of said survey.

Thence Westerly and Northerly along said boundary to the East line of Short Plat 1033-95 filed in Book 12, Page 55 in Section 19;

Thence Southerly, Easterly and Westerly of said Short Plat to the East right of way line of Park Road in Section 19;

Thence South along said East right of way line to the North right of way line of 8th Avenue In Section 19;

Thence East along said North line to the East line of 8th Avenue;

Thence South to the South line of 8th Avenue;

Thence West to the East line of Beverly Hills First Addition, filed in Book 5, Page 5 in Section 19;

Thence Southerly along said plat boundary to the East right of way line of Skyline Place in Section 19;

Thence Southerly along said East right of way line to the Northerly line of Curtis Park Club Tracts, filed in Book 7, Page 4 in Section 19;

Thence Easterly, Northerly and Southerly along said plat boundary to the Northeasterly right of way line of Skyline Drive in said Section 19;

Thence Southerly and Westerly along said Skyline Drive and the Southerly right of way line of Beverly Drive to the East line of Lot 2, Block 4 of Beverly Hills 1st Addition in Section 19;

Thence Southerly along said East line to the South line of said Plat;

Thence Westerly and Northerly along said boundary to the South line of Lot 1, Block 3;

Thence Westerly along said South line and the prolongation thereof to the West right of way line of Park Road in Section 24, Township 25 North, Range 43 East W.M.;

Thence Northerly along said right of way line to the South line of Woodlawn Park filed in Book O, Page 23;

Thence Westerly along said south boundary to the East line of the West half of said Section 24;

Thence South along said East line to the North line of Croffut Addition filed in Book 8, Page 85 in Section 24;

Thence Easterly, Southerly and Westerly along said plat boundary to the East line of the West half of Section 24;

Thence Southerly along said East line and the East line of the West half of Section 25, Township 25 North, Range 43 East W.M., to the North line of Short Plat 82-201, filed in Book 3, Page 16;

Thence Westerly, Northerly and Southerly along the Northerly boundary of said Short Plat to the Southerly right of way line of Lake Road in Section 25;

Thence West along said Southerly line to the East line of Section 26, Township 25 North, Range 43 East W.M.;

Thence North along said East line to the South line of the North half of the Northeast quarter of Section 26;

Thence West along said South line to the East right of way line of Carnahan Road in Section 26;

Thence North along said East right of way line to the South line of Section 23, Township 25 North, Range 43 East W.M.;

Thence West along said South line to the Point of Beginning.

APPENDIX B

EXHIBIT LIST FOR: BRB 555-01: PROPOSED VALLEY INCORPORATION

Exhibit 1: Letter dated September 11, 2000 from the Hank Miggins, City of Spokane, 808 W. Spokane Falls Blvd., asking that the boundaries of the proposed City of Spokane Valley be modified pursuant to RCW 36.93.

Exhibit 2: Letter dated October 10, 2000 from Ed Mertens, Chair of the Community Action Committee granting a waiver of the 120 day review period.

Exhibit 3: Letter dated April 12, 2001 from Martha and Earl Draper, Orchard Avenue area, 3615 N. Dick Road, Spokane, WA 99212, opposed to Valley incorporation.

Exhibit 4: Letter dated April 12, 2001 from Carnhope Irrigation District No. 7, requesting that the entire district remain within the boundaries of the new city.

Exhibit 5: E-mail received April 14, 2001 from Lois Rich, Woodland Ridge PUD, NW corner of Northwood, opposes incorporation.

Exhibit 6: E-mail received April 16, 2001 from Richard Clark, 901 S. Williamette, requesting to be included in the boundaries.

Exhibit 7: E-mail received April 16, 2001 from Linda Connor, opposes Valley Incorporation.

Exhibit 8: E-mail received April 12, 2001 from Pat Tebo, requests that Painted Hills area should be included in new city.

Exhibit 9: E-mail received April 12, 2001 from Richard and Paula Janssen, 11011 E. 50th Ct, requesting Ponderosa neighborhood not to be included in new city.

Exhibit 10: E-mail received April 12, 2001 from Hans Krauss, stating if it's going to cost more in taxes, he prefers that Ponderosa be out of the proposed area.

Exhibit 11: E-mail received April 12, 2001 from Edward Mitchell and Kimberly Anderson-Mitchell, 7717 E. Princeton Ave, Spokane, WA 99212, opposes incorporation.

Exhibit 12: E-mail received April 12, 2001 from Rev. Dr. Jacqueline S. Dickson, opposes Valley incorporation and would like the area west of Sullivan and south of 8th Avenue excluded.

Exhibit 13: E-mail received April 16, 2001 from Honey Poppe, 4721 N. Vista Road, Spokane, WA 99212, 924-3333, opposes Valley incorporation and would like Upriver Drive, not Wellesley as the boundary for the new city.

Exhibit 14: Letter dated April 14, 2001 from Epifania and Arthur Olson, 4104 N. Marguerite Road, Spokane, WA 99212, (Pasadena Park), opposes incorporation and would like Pasadena Park excluded.

Exhibit 15: Letter dated April 15, 2001 from Mr. & Mrs. James W. Gantt, 20202 E. Nora Ave, Greenacres, WA 99016 indicating they would like to be included in the new city.

Exhibit 16: Letter dated April 17, 2001 from Harriet C. Blum, 2926 N. Joel Rd, Coachlight Estates, Otis Orchards, WA 99027, requesting that Barker Road be the east boundary of the new city leaving all of Otis Orchards out.

Exhibit 17: Letter dated April 18, 2001 from Robert D. Miller and Alice E. Miller, 3718 S. Union Court, Spokane, WA 99206, requesting that the area south of 32nd and between Hwy 27 and Dishman-Mica Road be excluded.

Exhibit 18: E-mail received April 19, 2001 from Walter and Sally Bonsack, 20409 E. First Ave, Greenacres, WA 99016, asking to adjust the boundary so the area east of Henry Road and south of Sprague be included.

Exhibit 19: E-mail received April 23, 2001 from Wilbert and Gladys Fritz, 18506 E. 4th Ave, Greenacres, requesting to be included in new city.

Exhibit 20: Letter dated April 28, 2001 from Gordon Landberg, 13606 E. 27th Avenue, Spokane, WA 99216, opposes incorporation if it will raise taxes.

Exhibit 21: E-mail received May 14, 2001 from V. Rauer, opposes the area north of the Spokane River and west of Pines being included in the new city.

Exhibit 22: E-mail received May 23, 2001 from Robert V. Oos, requesting that the Ponderosa area be excluded from the new city.

Exhibit 23: E-mail received August 1, 2001 from John and Leanne Pardee, 14806 E. 10th, Veradale, WA 99037, opposes incorporation.

Exhibit 24: E-mail received August 1, 2001 from Craig Shillam, 2014 N. Vista Road, Spokane, opposes incorporation.

Exhibit 25: E-mail received August 3, 2001 from Robin Oos, 4130 S. Conifer Ct., Spokane, WA 99206, opposes incorporation.

Exhibit 26: E-mail received August 3, 2001 from Larry Blanchard, 2601 N. Barker Rd. #105, Otis Orchards, WA 99027, opposes incorporation.

Exhibit 27: Letter dated July 27, 2001 from attorney Cary P. Driskell requesting inclusion of property owned by Packet Place, LLC., and Outlook Development, LLC.

Exhibit 28: Letter and map dated August 8, 2001 from John Powers, Mayor of the City of Spokane, requesting that the boundaries for the proposed City of Spokane Valley be modified to exclude the Yardley and Alcott areas.

Exhibit 29: Information packet from Spokane County Fire District 1 explaining the long term planning procedures that have taken place. The fire department requests the Yardley area to remain within the incorporation boundaries.

Exhibit 30: Map presented to the Board from Fire District 1 indicating the Yardley boundary and the mileage from the Valley Fire Department in comparison to the City of Spokane Fire Department.

Exhibit 31: Letter dated August 8, 2001 from John and Karen Kercheval, 7905 E. Wellesley, requesting to be excluded from the proposed boundaries.

Exhibit 32: Comments received August 8, 2001 from Brian Sayrs, 1011 N. Malvern Circle Road, requesting modification areas 8 and 9 be excluded from the proposed boundaries.

Exhibit 33: Fax received August 13, 2001 from Gayle Puu Carroll, 11823 E. 38th Avenue, requesting that approximately 640 acres south of 40th Avenue between SR 27 and Pines/Madison Roads not be included within the proposed boundaries.

Exhibit 34: Letter dated August 10, 2001 from James and Mildred Gantt, 20202 E. Nora Avenue, requesting to remain within the proposed boundaries. They reside inside the east border, within the block bordered by Henry Road and two blocks North of Mission Avenue.

Exhibit 35: Fax dated August 12, 2001 from The Nut Factory, 19425 E. Broadway Avenue, requesting that their property, which consists of the west edge of Hodges Road and fronting on the south side of I-90 be excluded from the proposed boundaries.

Exhibit 36: Fax dated August 13, 2001 from the City of Liberty Lake requesting modification areas 8 and 9 be excluded from the proposed boundaries.

Exhibit 37: Letter dated August 13, 2001 from James Graue, Assistant Fire Chief, Spokane County Fire Protection District 9 requesting any areas within Fire Districts 8 and 9 be excluded. Assistant Chief Graue also requests that the Northwood area be excluded from the proposed boundaries.

Exhibit 38: Letter dated August 11, 2001 from Edwin Dahl, 11302 E. 42nd Court, requests that the entire Ponderosa neighborhood be excluded from the proposed incorporation boundaries.

Exhibit 39: E-mail received August 14, 2001 from Vernon Slichter, E. 10913 19th Avenue, requesting Yardley be included within the proposed boundaries.

Exhibit 40: E-mail received August 15, 2001 from Jim Twelves, 6111 N. Mitchell Drive, asking why Otis Orchards is not included within the proposed boundaries.

Exhibit 41: Letter dated August 23, 2001 from Spokane County Fire District 1, 10319 E. Sprague, Spokane, WA 99206 requesting the inclusion of the Yardley and Alcott areas.

Exhibit 42: Letter received August 27, 2001 from Bernard and Mafalda Levernier, 2605 S. Adams Road, Veradale, WA 99037 requesting to be included within the proposed boundaries.

Exhibit 43: Letter and map dated August 27, 2001 from Wayne Frost, Inland Empire Paper Company, requesting exclusion from the proposed boundaries. The property is located near the eastern boundary.

Exhibit 44: E-mail received May 5, 2001 from Jodie and Terry Cripps, 19710 E. 8th, Greenacres, requesting exclusion of their property, which lies on the south side of 8th Avenue between Barker and Henry Road.

Exhibit 45: E-mail received August 27, 2001 from Kirsten and Jim Fehlig concerned about the validity of the Pasadena Park Comprehensive Neighborhood Plan if they are included within the proposed boundaries.

Exhibit 46: Letter received August 27, 2001 from Pete Higgins, 20221 E. 8th Greenacres requesting exclusion from the proposed boundaries. Several neighbors signed the request for exclusion.

Exhibit 47: City of Spokane Agenda Sheet for Council Meeting of October 26, 1998 regarding Fire and Emergency Medical Protection Service Area Agreement with the Spokane Valley Fire Department.

Exhibit 48: Letter dated August 27, 2001 from Mayor John Powers, City of Spokane requesting the Yardley and Alcott areas be excluded from the boundaries of the proposed new City of Spokane Valley.

Exhibit 49: Letter dated August 27, 2001 from Bobby Williams, Fire Chief of the City of Spokane Fire Department requesting Yardley and Alcott areas be excluded from the proposed boundaries.

Exhibit 50: Letter dated August 27, 2001 from Ivah Jane Behm, 3626 S. Ridgeview Drive, (North Ponderosa area) requesting to be included within the proposed boundaries.

Exhibit 51: Poll taken from residents from the Yardley and Alcott areas.

Exhibit 52: Letter dated August 27, 2001 from Raymond Hanson, Hanson Industries, PO Box 7310, proponent for incorporation.

Exhibit 53: Letter dated August 27, 2001 from Iris Kiger, 9618 E. Maringo Drive, (Pasadena Park property owner) requesting to be excluded from the proposed boundaries.

Exhibit 54: Letter dated August 27, 2001 from Edward Mertens, Larry Rudy and Terry Lynch registering their concern about Mr. Stone being able to make an unbiased vote on the final decision.

Exhibit 55: Documentation submitted by Gayle Puu Carroll regarding the area near 40th Avenue between SR 27 and Pines/Madison Roads.

Exhibit 56: E-mail dated April 12, 2001 from Rev. Dr. Jacqueline S. Dickson opposing the incorporation efforts.

Exhibit 57: Fax received August 28, 2001 from Philip L. Rudy, spokesperson for coalition, urging a timely decision of the Boundary Review Board.

Exhibit 58: Letter received from Ed Mertens and members of the coalition asking the Board to move forward using the permanent boundaries of the GMA.

Exhibit 59: Letter dated September 5, 2001 from Laletta Sartain, 5304 E. Cataldo Avenue, Spokane, does not want to be part of the City of Spokane.

Exhibit 60: Letter Dated September 21, 2001 from Susan Ashe, Kaiser Aluminum, 534 E. Trent, Spokane, Kaiser has requested that its properties be included in the Final Urban Growth Area.

Exhibit 61: E-mail dated September 26, 2001 from Robin and Robert Oos, 4130 S. Conifer, Spokane, opposes the Ponderosa area being included within the proposed Valley boundaries.

Exhibit 62: Fax and map dated September 28, 2001 from Kert Carlson, Sports USA, 7706 E. Woodview Dr., Spokane, asking that a 21-acre parcel be taken out from the Spokane Valley Incorporation and allow the City of Liberty Lake to annex the land.

Exhibit 63: Letter dated September 28, 2001 from Fire Chief Dan Stout, Fire Protection District 8, asking to utilize the Fire District 1 boundary as the new City of Spokane Valley boundary.

Exhibit 64: Letter Dated September 29, 2001 from Mac McGrath, 9510 E. Holman Road, Spokane, asking the Board to move back the southern boundary from 44th to at least as far north as 32nd.

Exhibit 65: Copy of the Boundary Review Board flyer returned from Robert and Alice Miller, 3718 S. Union Court, Spokane, asking the area between 32nd and 44th Avenues to be deleted from the proposed boundaries.

Exhibit 66: E-mail dated September 29, 2001 from Mike Luzzo, 12422 E. Mansfield, Spokane, expresses concerns regarding land development.

Exhibit 67: E-mail received September 30, 2001 from Tom Herrmann, 8703 E. Maringo Drive, Spokane, in favor of excluding the Pasadena Park community from the proposed boundaries for the Spokane Valley.

Exhibit 68: Letter and maps dated October 2, 2001 from Ross Kelley, Spokane County Engineer, requesting changes to the proposed boundaries.

Exhibit 69: Annette Remshard submitted results from poll regarding Yardley and Alcott areas.

Exhibit 70: Letter dated October 2, 2001 from Cary Driskell, 12704 E. Nora, Spokane, requesting the Yardley and Alcott areas to remain within the proposed boundaries.

Exhibit 71: Map from Ed Mertens pertaining to the original proposed boundaries of the new City of Spokane Valley.

Exhibit 72: E-mail dated October 4, 2001 from David and Sallie Dooley, 8419 E. Maringo Drive, Spokane, requesting the Pasadena Park neighborhood to be excluded from the proposed boundaries.

Exhibit 73: Letter dated October 3, 2001 from Cary Driskell, 12704 E. Nora, Spokane, requesting copies of exhibits the City of Spokane has submitted to the Board regarding the Yardley and Alcott areas.

Exhibit 74: E-mail dated October 9, 2001 from Wilbert and Gladys Fritz, 18506 E. 4th Avenue, Greenacres, asking to remain within the proposed boundaries.

Exhibit 75: Letter dated October 6, 2001 from Carnhope Irrigation District No. 7 requesting Alcott and Yardley to remain within the proposed boundaries since they have recently annexed the Alcott area into their water district.

Exhibit 76: Letter dated October 9, 2001 from Hutchinson Irrigation District No. 16 requesting the Alcott and Yardley areas to be included within the boundaries.

Exhibit 77: Letter dated October 4, 2001 from Grant and Karin Dunbar, 4223 N. Locust Road, Spokane, requesting Pasadena Park and Northwood to be excluded from the proposed boundaries.

Exhibit 78: Letter dated October 10, 2001 from Edward Mitchell, 7717 E. Princeton Avenue, Spokane, requesting Pasadena Park, Pasadena Terrace and the Northwood neighborhoods to be excluded from the proposed boundaries.

Exhibit 79: Letter dated October 19, 2001 from Dave Mandyke, Deputy Director, City of Spokane Public Works and Utilities Dept., 808 W. Spokane Falls Blvd., Spokane, estimating the value of City utility infrastructure in the Yardley area of the proposed City of Spokane Valley.

Exhibit 80: Letter dated October 22, 2001 from Vern Slichter, 10913 E. 19th, Spokane, submitting an article published in the Valley News Herald on October 10, 2001.

Exhibit 81: Received October 30, 2001 Findings and Decision regarding the allocation of the 20 year growth management population projection and adoption of the Spokane County Interim Development Regulations designating Interim Urban Growth Areas adopted April 8, 1997 by the Board of County Commissioners.

Exhibit 82: Received November 5, 2001 Findings and Decision adopting the Spokane County Comprehensive Plan and Capital Facilities Plan signed by the Board of County Commissioners on November 5, 2001.

Exhibit 83: Received November 5, 2001 Findings and Decision adopting the Population Allocation and Urban Growth Area signed by the Board of County Commissioners on November 5, 2001.

Exhibit 84: Letter dated November 5, 2001 from Cary Driskell, 12704 E. Nora, Spokane, regarding the potential exclusion of Yardley and Alcott.

Exhibit 85: Received November 5, 2001 a memorandum dated November 5, 2001 from Dennis Scott requesting Yardley to remain within the proposed boundaries.

Exhibit 86: Received November 5, 2001 signatures of residents in the Greenacres area who requested to be excluded from the boundaries of the proposed City of Spokane Valley.

BRB 555-01: PROPOSED VALLEY INCORPORATION

**SPOKANE VALLEY INCORPORATION STUDY
ADDENDUMS**

Addendum 1: August 13, 2001 - Revision to Modification Areas adding Pasadena Park , page 68.

Addendum 2: August 13, 2001 – Revision to Table 20, page 64 adding Pasadena Park.

Addendum 3: August 13, 2001 – New Table, Comparison of Selected Washington Cities over 50,000 (Table 1: Revenues)

Addendum 4: August 13, 2001 – New Table, Comparison of Selected Washington Cities over 50,000 (Table 2: Services)

Addendum 5: October 1, 2001 – Revision to Table 20, page 64.

Addendum 6: October 1, 2001 – Revision to Table 14, page 53 updating tax figures.

Addendum 7: October 1, 2001 – Revision to Table 20, adding service providers.

Addendum 8: November 1, 2001 – Addition to Part V: Alternatives to Incorporation, page 63 updating section.

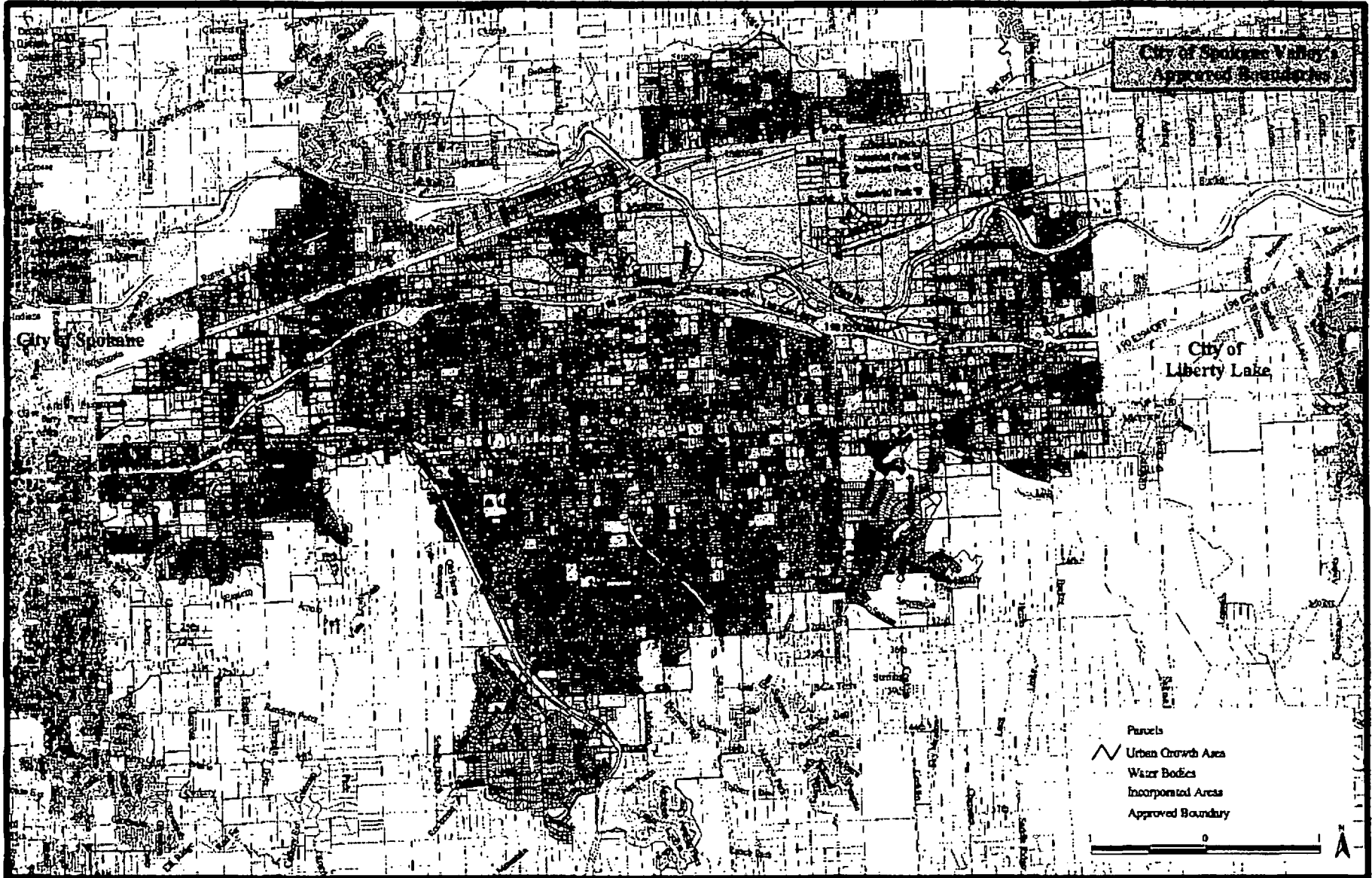
Addendum 9: November 1, 2001 – New Table, Comparison of Alternative Boundaries for the Proposed City of Spokane Valley.

Addendum 10: November 1, 2001 – Maps of Alternative Boundaries: Proposal within UGA, A, B, C, and D.

Addendum 11: November 5, 2001 – Revision of Alternatives A and B.

Addendum 12: November 5, 2001 – Revised Table, Comparison of Alternatives with Alternative A with Ponderosa and Alternative B with Yardley.

Addendum 13: November 5, 2001 – Updated Table 14, Revenues.



Spokane County Elections
1116 W. Broadway, Spokane, WA 99260



www.spokanecounty.org/elections
Phone: 509.477.2320 Fax: 509.477.6607

RECEIVED

MAR 21 2002

COUNTY COMMISSIONERS

March 21, 2002
Paul E Brandt
Elections Manager
Spokane County

James Emacio
Chief Deputy Civil Prosecutor
Spokane County

Dear Jim:

In keeping with Election Department policy, I've enclosed a copy of the Ballot Title regarding the City of Spokane Valley incorporation as it will appear on the May 21, 2002 ballot.

I have also enclosed a copy of RCW 29.27.067 as required.

Best regards,

A handwritten signature in cursive script, appearing to read "Paul E. Brandt".

Paul E. Brandt

- c. Kate McCaslin – Chair, Spokane County Commission
- Vicky Dalton - Spokane County Auditor

PROPOSITION NO. 1

SPOKANE COUNTY

INCORPORATION OF THE CITY OF SPOKANE VALLEY

State law establishes a process for the incorporation of cities. That process starts with the filing of a notice of proposed incorporation and ends in an election within the area to be incorporated as established by the Boundary Review Board. The Spokane County Boundary Review Board by decision filed December 13, 2001, under file No. 555-01, established the boundaries of the proposed City of Spokane Valley. The proposed city is to be incorporated as a non-charter code city with a council-manager form of government. The proposed City would comprise approximately thirty-eight and one-half (38.5) square miles and have an estimated population of 80,693.

Shall the City of Spokane Valley, having those boundaries as set forth in the Boundary Review Board's decision in File No. 555-01, be incorporated as a non-charter code city with a council-manager form of government?

FOR INCORPORTION

AGAINST INCORPORTION

SPOKANE COUNTY

VICKY M. DALTON, CPA

SPOKANE COUNTY AUDITOR
1116 W. Broadway Ave.
Spokane, WA 99260-0020



RCW 29.27.067

Local measures -- Ballot title -- Appeal.

If any persons are dissatisfied with the ballot title for a local ballot measure that was formulated by the city attorney or prosecuting attorney preparing the same, they may at any time within ten days from the time of the filing of the ballot title, not including Saturdays, Sundays, and legal holidays, appeal to the superior court of the county where the question is to appear on the ballot, by petition setting forth the measure, the ballot title objected to, their objections to it, and praying for amendment of it. The time of the filing of the ballot title, as used in this section in determining the time for appeal, is the time the ballot title is first filed with the county auditor.

A copy of the petition on appeal together with a notice that an appeal has been taken shall be served upon the county auditor and the official preparing the ballot title. Upon the filing of the petition on appeal, the court shall immediately, or at the time to which a hearing may be adjourned by consent of the appellants, examine the proposed measure, the ballot title filed, and the objections to it and may hear arguments on it, and shall as soon as possible render its decision and certify to and file with the county auditor a ballot title that it determines will meet the requirements of this chapter. The decision of the superior court is final, and the ballot title or statement so certified will be the established ballot title. The appeal must be heard without cost to either party.

[2000 c 197 § 14; 1993 c 256 § 12; 1965 c 9 § 29.27.067. Prior: 1953 c 242 § 4.]

NOTES:

Part headings not law -- 2000 c 197: See note following RCW 29.79.035.

Severability -- Effective date -- 1993 c 256: See notes following RCW 29.79.500.

ACCOUNTING
477-2280
FAX: 477-0451

AUTO LICENSE
477-2222
TDD: 477-2249

RECORDING
477-2270
FAX: 477-0451

ELECTIONS
477-2300
TDD: 477-2333

ADMINISTRATION
477-2217
FAX: 477-0451

MEMO

CITY OF SPOKANE VALLEY

11707 Sprague Ave, Spokane Valley WA 99206
Tel: (509) 921-1000, Fax (509) 921-1008
e-mail lwalton@spokanevalley.org

TO: Council
FR: Lee Walton
Subject: Letter response

Attached is a letter from an unhappy constituent. I gather this correspondent is a young person but given the "Sally" campaign, I wouldn't be surprised if there were more letters along this line as her campaign progresses. I suggest having a prototype response such as this that would be used in varying versions to respond quickly as such letters are received.

Since the Mayor would often be responding in the name of the Council it is important that it reflect your opinion as well. So, please review this letter outline and the points it contains and let me know if it reflects your thinking.

Tim J. Dunn 2202 Ridgemoor Ln Veradale wa 99037 DRAFT

Dear Mr. Dunn

Thank you for the letter expressing concern about the financial impact of our new City on Valley taxpayers and the possibility of dis-incorporation. I appreciate this concern but I believe that your information and assumptions are not correct.

First in the matter of taxes, you should know that your property taxes in 2004 will be considerably less than they would be if the City of Spokane Valley had not incorporated. Spokane County presently levies a \$1.84 Road tax on every \$1,000 of assessed valuation throughout the County. This County tax will be abolished in 2004 because of incorporation and be replaced by a \$1.60 City tax. All other taxes remain the same and the Council is determined NOT to introduce any new taxes. Sales taxes that were being collected by the County and spent throughout Spokane County are now being collected by the City and will be spent to provide services for Spokane Valley residents.

This City Council is determined to provide equal or better public services than were provided by the County at less cost. We believe we can do this by reducing the amount of bureaucracy and administrative overhead that seems so prevalent in larger government organizations. In addition we anticipate being able to contract out some services to the public and private sectors on a competitive bid basis thus ensuring a more efficient use of public funds. Most important, now for the first time the citizens of the Valley can have a major voice in decisions that affect their quality of life. Instead of one County Commissioner in Spokane overseeing everything from Spokane City to the Idaho border there will be seven City Council members focusing just on Spokane Valley. These Council Members are also your friends and neighbors who really care about this City.

Again, I do appreciate your interest in this issue and for taking the time to let me know of your concerns. Unfortunately, there is an amazing amount of misinformation about the City of Spokane Valley which is currently being circulated by people who have made no effort to determine the actual facts. I hope that my response will encourage you to stay involved in your City's future and help Spokane Valley become the most livable city in the State of Washington.

Sincerely Yours

MD-Mayor

CC: City Council.



City of Spokane Valley

11707 East Sprague Avenue, Suite 106
Spokane Valley, WA 99206

Telephone: 509-921-1000
FAX Number: 509-921-1008

facsimile transmittal -

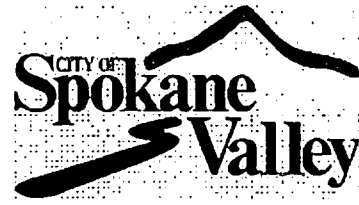
Please deliver ASAP to:

TO: Cheryl Cornish -
Census Bureau
FROM: Ruth Muller, City Clerk
RE: _____

FAX No: 301-457-1987
Date: May 22, 2003
Pages: 2

Copy of incorporation information as
you requested -

Ruth Muller



City of Spokane Valley

11707 East Sprague Avenue, Suite 106
Spokane Valley, WA 99206

Telephone: 509-921-1000
FAX Number: 509-921-1008

facsimile transmittal -

Please deliver ASAP to:

TO: Valley Geogr. Database FAX No: 603-643-5414
FROM: Ruth Muller, City Clerk Date: April 21, 2013
RE: _____ Pages: 3

Attached are 2 documents that should satisfy your request for incorporation status. Let me know if a problem -

Ruth Muller

**CITY OF SPOKANE VALLEY
SPOKANE COUNTY, WASHINGTON
RESOLUTION NO. 02-08**

**A RESOLUTION OF THE CITY OF SPOKANE VALLEY, SPOKANE COUNTY,
WASHINGTON, DESIGNATING MARCH 31, 2003 AS THE OFFICIAL DATE OF
INCORPORATION FOR THE CITY OF SPOKANE VALLEY**

WHEREAS, Chapter 35.02 RCW permits the City of Spokane Valley to become incorporated at a date from 180 days to 360 days following a successful vote on the question of incorporation;

WHEREAS, RCW 35.02.130 provides that the City Council shall adopt a Resolution during the above period which establishes the official date of incorporation; and

WHEREAS, the City Council finds it to be in the best interest of the citizens of the City of Spokane Valley to incorporate on March 31, 2003.

NOW, THEREFORE, be it Resolved by the City Council of the City of Spokane Valley, Spokane County, Washington, as follows:

Section 1. Incorporation Date.


The official date of incorporation for the City of Spokane Valley, Spokane County, Washington, shall be March 31, 2003, at 12:01 a.m.

Section 2. Effective Date.

This Resolution shall become effective immediately upon passage by the Spokane Valley City Council and on the date of incorporation.

Adopted this 10 day of December, 2002.

City of Spokane Valley



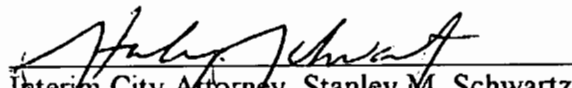
Mayor Michael DeVleming

ATTEST:



Interim City Clerk, Ruth Muller

Approved as to Form:



Interim City Attorney, Stanley M. Schwartz

STATE OF WASHINGTON)

County of Spokane)

ss.

CERTIFICATE

The Spokane County Canvassing Board does hereby certify that the following is a true and correct recapitulation of the results of the Special Election held on May 21, 2002 in Spokane County, Washington:

**PROPOSITION NO. 1
SPOKANE COUNTY
INCORPORATION OF THE CITY OF SPOKANE VALLEY**

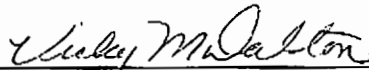
State law establishes a process for the incorporation of cities. That process starts with the filing of a notice of proposed incorporation and ends in an election within the area to be incorporated as established by the Boundary Review Board. The Spokane County Boundary Review Board by decision filed December 13, 2001, under file No. 555-01, established the boundaries of the proposed City of Spokane Valley. The proposed city is to be incorporated as a non-charter code city with a council-manager form of government. The proposed City would comprise approximately thirty-eight and one-half (38.5) square miles and have an estimated population of 80,693.

Shall the City of Spokane Valley, having those boundaries as set forth in the Boundary Review Board's decision in File No. 555-01, be incorporated as a non-charter code city with a council-manager form of government?

For Incorporation 10,272
Against Incorporation 9,680

Dated this 31st day of May, 2002.

SPOKANE COUNTY CANVASSING BOARD



County Auditor

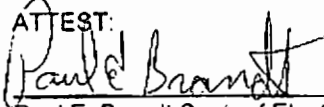


Vice Chair, Board of County Commissioners



Deputy Prosecuting Attorney

ATTEST:



Paul E. Brandt Supt. of Elections & Registrations

- cc: File
- Principals
- Treasurer
- Assessor
- Boundary Review Board

STATE OF WASHINGTON)
COUNTY OF SPOKANE) ss

I, Vicky M. Dalton, Spokane County Auditor, do hereby certify that the foregoing document is a true and correct copy of the document received and filed in my office.

In witness whereof, I hereunto set my hand this 12th day of December, 2002
VICKY M. DALTON, Spokane County Auditor

 Deputy

STATE OF WASHINGTON)

County of Spokane)

ss.

CERTIFICATE

The Spokane County Canvassing Board does hereby certify that the following is a true and correct recapitulation of the results of the Special Election held on May 21, 2002 in Spokane County, Washington:

**PROPOSITION NO. 1
SPOKANE COUNTY
INCORPORATION OF THE CITY OF SPOKANE VALLEY**


State law establishes a process for the incorporation of cities. That process starts with the filing of a notice of proposed incorporation and ends in an election within the area to be incorporated as established by the Boundary Review Board. The Spokane County Boundary Review Board by decision filed December 13, 2001, under file No. 555-01, established the boundaries of the proposed City of Spokane Valley. The proposed city is to be incorporated as a non-charter code city with a council-manager form of government. The proposed City would comprise approximately thirty-eight and one-half (38.5) square miles and have an estimated population of 80,693.

Shall the City of Spokane Valley, having those boundaries as set forth in the Boundary Review Board's decision in File No. 555-01, be incorporated as a non-charter code city with a council-manager form of government?

For Incorporation 10,272
Against Incorporation 9,680

Dated this 31st day of May, 2002.

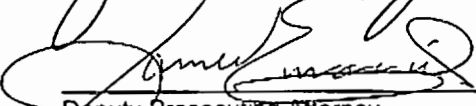
SPOKANE COUNTY CANVASSING BOARD



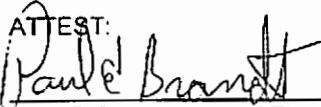
County Auditor



Vice Chair, Board of County Commissioners

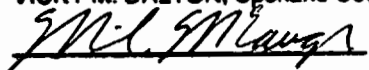


Deputy Prosecuting Attorney

ATTEST:


Paul E. Brandt Supt. of Elections & Registrations

- cc: File
- Principals
- Treasurer
- Assessor
- Boundary Review Board

STATE OF WASHINGTON)
COUNTY OF SPOKANE) ss
I, Vicky M. Dalton, Spokane County Auditor, do hereby certify that the foregoing document is a true and correct copy of the document received and filed in my office.
In witness whereof, I hereunto set my hand this 17th day of December, 2002
VICKY M. DALTON, Spokane County Auditor
; Deputy