

RECORDS & ELECTIONS
DIVISION

RECEIVED BY: L. Sanchez

March 3, 1998

manwod/de
clerk 3/10/98

Introduced By: Greg Nickels

Proposed No.: 98-177

ORDINANCE NO. **13028**

AN ORDINANCE establishing the date of an election on the question of annexation to the City of Burien concerning an area known as Manhattan/Woodside Park, and declaring an emergency.

98 MAR 12 PM 3:13

FINDINGS OF FACT:

1. The city of Burien received a petition to annex property commonly known as Manhattan/Woodside Park, as more fully described in city of Burien Ordinance 218, in accordance with chapter 35A.14 RCW.
2. Burien Ordinance 218 satisfies the provisions of chapter 35A.14 RCW for qualification for annexation.
3. The city of Burien, by Ordinance 218, called for a special election on April 28, 1998 to consider the question of the proposed annexation of the area known as Manhattan/Woodside Park.
4. Because the King County boundary review board received no requests for review as specified in chapter 36.93 RCW, on December 14, 1997, the review board, in File 2010, deemed the proposed Manhattan/Woodside Park annexation file approved.
5. The review board attached to File 2010 an amended legal description of Manhattan/Woodside Park.
6. Pursuant to chapter 29.13 RCW and chapter 35A.14 RCW, the council deems an emergency exists for the purpose of calling a special election.

1 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:
2

3 SECTION 1. A special election shall be held on the 28th day of April, 1998 in
4 accordance with RCW 35A.14.050 within the territory of the proposed annexation, for the
5 purpose of submitting the question of annexation, and the question of whether, upon
6 annexation, all property shall be taxed at the same rate and on the same basis as property
7 within the city of Burien is assessed and taxed to pay for all or any portion of the
8 outstanding indebtedness of the city of Burien.

9 SECTION 2. The number of registered voters within the subject area is estimated at
10 840 as nearly as may be determined from available records.

11 SECTION 3. The King County manager of the records and elections division is hereby
12 requested to assume jurisdiction to call and conduct a special election and submit to the
13 registered voters within the subject area the proposition as set forth in Section 4. The clerk
14 of the council is hereby authorized and directed to transmit said proposition to the manager
15 of records and elections in substantially the following form, with such additions, deletions
16 or modifications in the ballot title as may be required for the proposition listed below by
17 the King County Prosecuting Attorney:

18 PROPOSITION 1: PROPOSED ANNEXATION OF THE AREA KNOWN AS
19 MANHATTAN/WOODSIDE PARK TO THE CITY OF BURIEN

20 Shall the area of unincorporated King County contiguous to the city of Burien commonly
21 known as the Manhattan/Woodside Park area, legally described in King County
22 ordinance _____ and city of Burien Ordinance No. 218, be annexed to and become part of
23 the city of Burien?

1 FOR ANNEXATION[]

2 AGAINST ANNEXATION []

3 PROPOSITION 2: ASSUMPTION OF INDEBTEDNESS

4 Shall all property within the area, upon annexation, be assessed and taxed at the same rate
5 as property located within the city of Burien is assessed and taxed to pay for all or any
6 portion of the then outstanding indebtedness of the city, which indebtedness has been
7 approved by the voters, contracted for, or incurred prior to, or existing at, the date of
8 annexation?

9 FOR ASSUMPTION OF INDEBTEDNESS..... []

10 AGAINST ASSUMPTION OF INDEBTEDNESS.....[]

11 SECTION 4. The boundaries of the territory proposed for annexation are hereby
12 described in the amended legal description contained in King County boundary review
13 board file no. 2010 as contained in Attachment "A" of this Ordinance.

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SECTION 5. The council hereby finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.

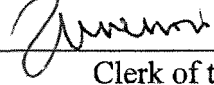
INTRODUCED AND READ for the first time this 9th day of March, 1998.

PASSED by a vote of 11 to 0 this 9th day of March, 1998.

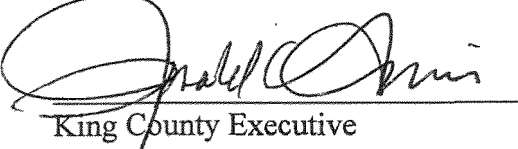
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Chair

ATTEST:


Clerk of the Council

APPROVED this 18 day of March, 1998


King County Executive

- Attachments: A. KCBRB amended legal description.
B. Map.
C. City of Burien Resolution No. 218 with original legal description of the proposed annexation of Manhattan/Woodside Park.
D. KCBRB Closing Letter File 2010, dated 11-14-97.

December 10, 1997

ATTACHMENT "A"

AMENDED LEGAL DESCRIPTION

13028

PROPOSED MANHATTAN - WOODSIDE PARK ANNEXATION TO THE CITY OF BURIEN

That portion of the Southwest quarter of Section 29 and the West half of Section 32, all in Township 23 North, Range 4 East, W.M., in King County, Washington, described as follows:

Beginning at a point on the existing city limits of the City of Burien as established by King County Ordinance 10236, and Resolution Number 92-002 said point being the intersection of the East line of 1st Avenue South and the South margin of South 174th Street;

Thence Southeasterly along said South margin of South 174th Street and continuing Southeasterly along the Southwesterly margin and the Southeasterly extension thereof of Ambaum Boulevard South to the intersection with the Southwesterly margin of Des Moines Memorial Drive South;

Thence continuing Southeasterly along said Southwesterly margin of Des Moines Memorial Drive South to the intersection with the West margin of 8th Avenue South and the city limits of SeaTac as established by city ordinance 92-1003;

Thence Southerly along said West margin of 8th Avenue South to the South margin of South 192nd Street and the city limits of Des Moines as established by city ordinance 1138 and amended by city ordinance 1155;

Thence Westerly along said South margin of said South 192nd Street to the East margin of 1st Avenue South and the city limits of Normandy Park as established by city ordinance 418;

Thence North along said East margin of 1st Avenue South to the point of beginning.

Revised and checked by D. Gorley of the K.C.D.O.T. 11/25/97

FILE NO. 2010 - CITY OF BURIEN - MANHATTAN/WOODSIDE PARK ANNEXATION

*dk
D. Gorley 12/17/97*

ATTACHMENT "B"

RECEIVED

NOV 14 1997

WA State Boundary Review Board For King Co.

13028



CITY OF BURIEN

CITY OF SEA-TAC

Woodside Park/
Manhattan Area

CITY OF
NORMANDY PARK

City of Burien, Washington
Woodside Park/Manhattan Area

CITY OF
DES MOINES

ATTACHMENT "C"

CITY OF BURIEN
WASHINGTON
Ordinance No. 218

RECEIVED

FEB 25 1998

KING COUNTY COUNCIL
DISTRICT NO. 3

AN ORDINANCE OF THE CITY OF BURIEN,
WASHINGTON, ANNEXING CERTAIN REAL PROPERTY,
COMMONLY KNOWN AS MANHATTAN/WOODSIDE
PARK, PURSUANT TO THE TEN PERCENT PETITION
METHOD SET FORTH IN RCW 35A.14; REQUIRING SAID
PROPERTY TO BE ASSESSED AND TAXED AT THE
SAME RATE AND BASIS AS THE OTHER PROPERTY
WITHIN SAID CITY AND TAXED TO PAY FOR ALL OR
ANY PORTION OF THE THEN OUTSTANDING
INDEBTEDNESS; CALLING FOR A SPECIAL ELECTION;
AND FIXING THE EFFECTIVE DATE OF SAID
ANNEXATION.

13028

WHEREAS, a Notice of Intent to Annex, signed by the owners of not less than ten percent (10%) in value, according to the assessed valuation for general taxation, of the property commonly known as the Manhattan/Woodside Park Annexation area and more particularly described and shown in Exhibit A attached hereto and by this reference fully incorporated herein as if set forth in full, was received by the City of Burien, Washington, and

WHEREAS, notice of the pending annexation was filed with the Boundary Review Board and no request for review was received by the Board within the time limits set forth in RCW 36.93.100, and the annexation is therefore deemed approved by the Boundary Review Board, and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Annexation. The real property commonly known as the Manhattan/Woodside Park Annexation, located in the County of King, State of Washington, and more particularly described as:

That portion of the Southwest quarter of Section 29 and the West half of Section 32, all in Township 23 North, Range 4 East, W.M., in King County, Washington, described as follows:

Beginning at a point on the existing city limits of the City of Burien as established by King County Ordinance 10236, and Resolution Number 92-002 said point being the intersection of the East line of 1st Avenue South and the South margin of South 174th Street;

Thence Southeasterly along said South margin of South 174th Street and continuing

Southeasterly along the Southwesterly margin and the Southeasterly extension thereof of Ambaum Boulevard South to the intersection with the Southwesterly margin of Des Moines Memorial Drive South;

13028

Thence continuing Southeasterly along said Southwesterly margin of Des Moines Memorial Drive South to the intersection with the West margin of 8th Avenue South and the city limits of SeaTac as established by city ordinance 92-1003;

Thence Southerly along said West margin of 8th Avenue South to the South margin of South 192nd Street and the city limits of Des Moines as established by city ordinance 1138 and amended by city ordinance 1155;

Thence Westerly along said South margin of said South 192nd Street to the East margin of 1st Avenue South and the city limits of Normandy Park as established by city ordinance 418;

Thence North along said East margin of 1st Avenue South to the point of beginning.

should be and is hereby annexed to and made a part of the City of Burien, Washington.

A map of the forementioned legal description and the area commonly known as Manhattan/Woodside Park is attached hereto as Exhibit A and by this reference is fully incorporated herein as if set forth in full.

Section 2. Indebtedness. Pursuant to the terms of the annexation petition, all property within the territory annexed hereby shall be assessed and taxed at the same rate and on the same basis as property within the City of Burien, including assessments for taxes and payment for all or any portion of the then outstanding indebtedness prior to or existing as of the date of annexation.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Special Election Date. A special election shall be held on April 28, 1998.

Section 5. Date of Annexation. The annexation shall take effect and be in full force upon certification by the county legislative authority.

Section 6. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 9th DAY OF FEBRUARY, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE

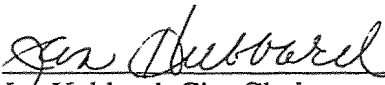
THIS 9th DAY OF FEBRUARY, 1998.

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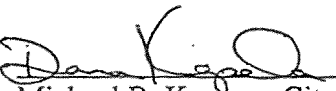
CITY OF BURIEN


Catherine "Kitty" Milne, Mayor

ATTEST/AUTHENTICATED:


Jan Hubbard, City Clerk

Approved as to form:



Michael R. Kenyon, City Attorney

Filed with the City Clerk: February 9, 1998
Passed by the City Council: February 9, 1998
Ordinance No. 218
Date of Publication: February 13, 1998

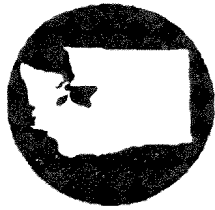
CERTIFICATION

13028

I, Janice Hubbard, the duly appointed City Clerk of the City of Burien, Washington, do hereby certify that the attached is a true and correct copy of No. 218, annexing certain real property known as Manhattan/Woodside Park and calling for a Special Election.


Janice Hubbard
Janice Hubbard, City Clerk

Dated this February 26, 1998



ATTACHMENT "D"



Washington State Boundary Review Board For King County

Central Building, Suite 608, 810 3rd Avenue, Seattle, WA 98104-1693
Phone (206) 296-6800 • Fax (206) 296-6803

December 30, 1997

13028

City of Burien
Attn: Jan Hubbard, City Clerk
415 SW 150th Street
Burien, WA 98166

RE: CLOSING LETTER
FILE NO. 2010 - CITY OF BURIEN - MANHATTAN/WOODSIDE PARK
ANNEXATION

Dear Jan Hubbard:

You have been advised that the above file was filed effective: November 14, 1997.

The Board has received no request for review as specified in RCW 36.93. Therefore, the 45-day filing period having elapsed, this notice is hereby deemed approved as of December 29, 1997. Sewer and water district proposals and some other actions are also subject to approval by the Metropolitan King County Council. If there are changes by the Council, the Board may be required to hold a public hearing at that time.

In order for the proposed action to be finalized, it is necessary that you complete the other statutory requirements or procedures specified in your Notice of Intention. Where required, please file one certified copy of your final resolution or ordinance accomplishing this action with the Council Administration, Room 1200 King County Courthouse, Seattle, Washington 98104, ATTN: Ms. Laurie Smith, together with a copy of this letter.

Sincerely,

Alda H. Wilkinson

Alda H. Wilkinson
Executive Secretary

CC: King County Division of Records and Elections
ATTN: Bob Bruce, Elections Superintendent
King County Department of Assessment, ATTN: Diane Murdock
King County Road Services Division, ATTN: Lydia Reynolds
King County "911" Program
Office of Budget and Strategic Planning, ATTN: Paul Reitenbach (Municipals)