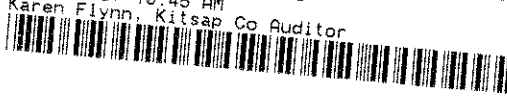


City of Port Orchard
216 Prospect Street
Port Orchard, WA 98366

PORT ORCHARD CITY OF
Ordinance Rec Fee: \$ 44.00
11/14/2007 10:45 AM
Karen Flynn, Kitsap Co Auditor

200711140133

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ORDINANCE NO. 034-07

AN ORDINANCE THE CITY OF PORT ORCHARD, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY TO THE CITY, REQUIRING THE ANNEXED PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN THE CITY, AND ESTABLISHING COMPREHENSIVE PLAN AND ZONING DESIGNATIONS FOR THE PROPERTY. THE PROPERTY IS LOCATED IN SE ¼ OF SECTION 35 TOWNSHIP 24 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON

ASSESSORS ACCOUNT NUMBER: 4625-000-001-0105
PLUS ADJOINING STRIP CONVEYED TO CITY OF PORT ORCHARD UNDER
AUDITOR'S NO. 9408160181

WHEREAS, The City Council was notified in writing by the owner of over 75% in value of the real property legally described and geographically depicted in Exhibit "A" attached hereto, of the owner's intention to commence annexation proceedings; and

WHEREAS, a meeting was held on the 25th day of June, 2007, between the initiating party of this annexation and the Council of the City of Port Orchard, at which time the Council accepted the notice of intention to commence annexation proceedings and authorized the circulation of an annexation petition for annexation of the real property legally described and geographically depicted in Exhibit "A" attached hereto. At the meeting the Council also determined that it would require the simultaneous adoption of comprehensive plan and zoning regulations, and the assumption of city indebtedness by the area to be annexed upon annexation; and

WHEREAS, the petition was circulated, filed with the City Council, and certified by the County Assessor as containing the signatures of owners as set forth in RCW 35.21.005, of 100% in value, according to the assessed valuation for general taxation, of the property to be annexed; and

WHEREAS, the City properly filed a Notice of Intention and related documents with the Kitsap County Boundary Review Board, and the proposed action was deemed approved by the Board on September 13, 2007; and

WHEREAS, pursuant to RCW 35.13.177 and 35.13.178, the City Council adopted Ordinance No. 033-07, designating the proposed annexation area Commercial on the City of Port Orchard Comprehensive Plan Map and Commercial—Retail and Office on the City of Port Orchard Zoning Map, to become effective upon annexation; and

WHEREAS, pursuant to RCW 35.13.140, a public hearing was held on October 8, 2007, which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation in the City and the proposed annexation area, and through posting of a hearing notice in three public places within the territory proposed for annexation, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, the City Council has been fully advised and finds that all statutory requirements have been satisfied in order to accomplish the proposed annexation; now therefore

**THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON DO
ORDAIN AS FOLLOWS:**

Section 1. The unincorporated real property located in Kitsap County, Washington, contiguous to the City of Port Orchard and legally described and geographically depicted in Exhibit "A" attached hereto and incorporated herein by this reference, is hereby annexed to and made part of the City of Port Orchard, Kitsap County, Washington.

Section 2. As provided in the annexation petition, all property within the territory annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Port Orchard, including assessments or taxes in payment of all or any portion of the outstanding indebtedness of the City contracted for, incurred prior to, or existing on, the date of annexation.

Section 3. As provided in Ordinance No. 033-07, Parcel No. 4625-000-001-0105 is hereby designated *Commercial* on the City of Port Orchard Comprehensive Plan Map and *Commercial-Retail and Office* on the City of Port Orchard Zoning Map.

Section 4. The City Clerk is hereby directed to file a certified copy of this Ordinance with the Kitsap County Board of Commissioners. The Clerk is further directed to file a

certificate of annexation with the State Office of Financial Management as directed by RCW 35.13.260, and to provide such other notice of this annexation as required by law.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date of Annexation. This Ordinance shall be in full force and effect five (5) days after posting and publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

PASSED by the City Council of the City of Port Orchard, signed by the Mayor and attested by the City Clerk in authentication of such passage this 8th day of October 2007.

Kim E. Abel
Kim Abel, MAYOR

ATTEST:

Michelle Merlino
Michelle Merlino, City Clerk

APPROVED AS TO FORM:

Sponsored by:

[Signature]
Asst. City Attorney

Robert G. Geiger
Robert Geiger, Councilmember

Exhibit A

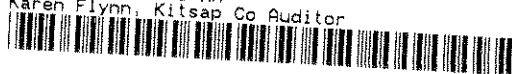
THAT PORTION OF LOT D OF SHORT PLAT NO. 1736 RECORDED UNDER AUDITOR'S FILE NO. 7904110105, BEING DESCRIBED AS FOLLOWS: THE SOUTH HALF OF LOT 1, PORT ORCHARD VILLA TRACTS, ACCORDING TO PLAT RECORDED IN VOLUME 4 OF PLATS, PAGE 100, IN KITSAP COUNTY, WASHINGTON; EXCEPT THE WEST 360 FEET; EXCEPT THE EAST 30 FEET FOR ROAD; AND EXCEPT THAT PORTION LYING WEST OF AN EXISTING CREEK.

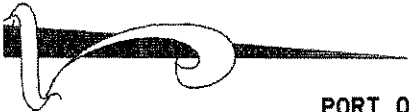
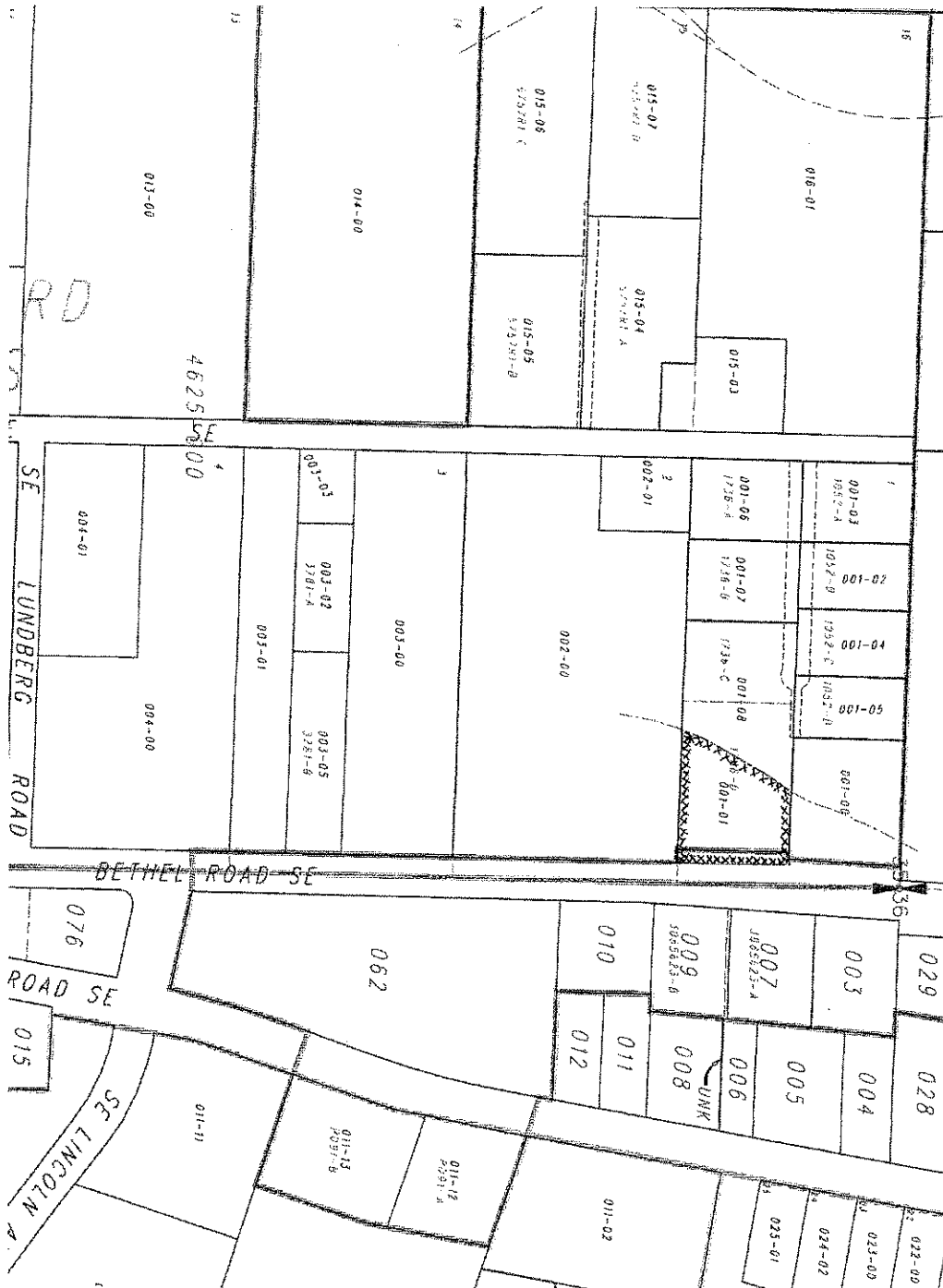
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**NOTICE OF CITY OF PORT ORCHARD
ORDINANCE**

The following is a summary of Ordinances approved by the Port Orchard City Council at their regular Council meeting held October 8, 2007.

ORDINANCE NO. 034-07

AN ORDINANCE THE CITY OF PORT ORCHARD, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY TO THE CITY, REQUIRING THE ANNEXED PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN THE CITY, AND ESTABLISHING COMPREHENSIVE PLAN AND ZONING DESIGNATIONS FOR THE PROPERTY. THE PROPERTY IS LOCATED IN SE ¼ OF SECTION 35 TOWNSHIP 24 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON

Copies of Ordinance No. 034-07 are available for review at the office of the City Clerk of the City of Port Orchard. Upon written request a statement of the full text of the Ordinance will be mailed to any interested person without charge. Thirty days after publication, copies of Ordinance No. 034-07 will be provided at a nominal charge.

City of Port Orchard



Patti Kirkpatrick
Deputy City Clerk

Publish: Port Orchard Independent
October 13, 2007