

ORDINANCE NO. 4048

AN ORDINANCE OF THE CITY OF KIRKLAND ANNEXING CERTAIN UNINCORPORATED TERRITORY KNOWN AS THE MORNING STAR ANNEXATION AREA; PROVIDING FOR THE ASSUMPTION OF THE EXISTING INDEBTEDNESS; AND ZONING SAID TERRITORY IN ACCORDANCE WITH SECTION 10.45 OF ORDINANCE NO. 3719, AS AMENDED, THE KIRKLAND ZONING CODE. (FILE ANN05-00001).

WHEREAS, having received a legally sufficient request to commence annexation proceedings, the City Council, in a regular public meeting on April 19, 2005, authorized circulation of an annexation petition, in an area known as the Morning Star Annexation Area, with assumption of indebtedness and adoption of comparable zoning at single family RSX 7.2; and

WHEREAS, a petition signed by owners of not less than sixty percent (60%) in value according to the assessed valuation for general taxation of the property described in said petition, was filed with the City and determined to be sufficient; and

WHEREAS, on December 30, 2005, the proposed annexation was approved by the King County Boundary Review Board; and

WHEREAS, pursuant to RCW 35A.14.130, a public hearing on the proposed annexation was duly noticed and held before the City Council on April 4, 2006; and

WHEREAS, the Morning Star Annexation Area is situated within the City of Kirkland's Urban Growth Area and designated as a potential annexation area; and

WHEREAS, the King County Comprehensive Plan/Countywide Planning Policies FW-13 and U-304 support city annexation of County territory within the designated potential annexation area; and

WHEREAS, fire and emergency services are currently provided to the Morning Star Annexation Area by the City of Kirkland and Kirkland police services are adequate and available to support the area upon annexation; and

WHEREAS, the Northshore Utility District currently provides, and will continue to provide, water and sewer service to the area; and

WHEREAS, the proposed annexation is consistent with the Growth Management Act which supports contiguous and orderly development and provision of urban services; and

WHEREAS, the City of Kirkland seeks to fulfill its obligations and responsibilities under the Growth Management Act through annexation of the Morning Star Annexation Area; and

WHEREAS, the Kirkland City Council finds the proposed annexation to be in the public interest.

NOW, THEREFORE, Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. The unincorporated territory of King County known as the Morning Star Annexation Area, which is more particularly described in Section 4, is hereby annexed to and made a part of the City of Kirkland.

Section 2. Pursuant to the terms of the annexation petition, upon annexation said territory shall be assessed and taxed at the same rate and on the same basis as other property within the City of Kirkland, including assessments or taxes in payment of all or any portion of the outstanding voted indebtedness of the City as of the effective date of this annexation ordinance.

Section 3. Said territory shall be zoned in accordance with Section 10.45 of the Kirkland Zoning Code, Ordinance 3719 as amended, which provides that upon annexation to the City, property will be deemed to be zoned with a classification the same as, or as nearly comparable as possible, with the classification that the property was zoned immediately prior to annexation. Pursuant to said section of the Kirkland Zoning Code, the zoning for the annexed territory is hereby declared to be as set forth in this Section and the Director of the Department of Planning and Community Development is hereby directed to make the necessary modifications and extensions of the Zoning Map of the City of Kirkland to so reflect. The real property described in Section 4 shall, under the Zoning and Land Use Policies and Regulations of the City of Kirkland, be zoned single family residential RSX 7.2.

Section 4. The territory annexed to the City of Kirkland by this Ordinance is described as follows and as shown in Exhibit 1, a copy of which is attached hereto and incorporated by this reference as if set forth in full:

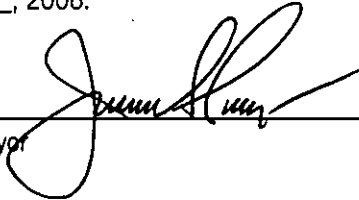
The east 275 feet of the southeast quarter of the northwest quarter of Section 30, Township 26 North, Range 5 East, W.M., situate in King County, Washington.

Section 5. The City Clerk is directed to file certified copies of this annexation ordinance with the King County Council. The Clerk is further directed to file a certificate of annexation with the State of Washington Office of Financial Management as directed by RCW 35A.14.700.

Section 6. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction such decision shall not affect the validity of the remaining portions of this ordinance.

Section 7. This ordinance and annexation shall be effective on May 29, 2006.

Passed by majority vote of the Kirkland City Council in open meeting this 4th day of April, 2006.



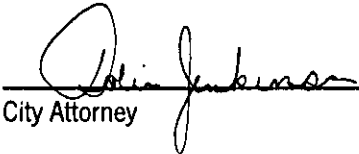
Mayor

ATTEST:



City Clerk

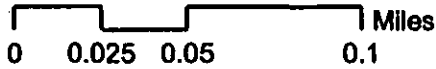
Approved as to Form:



City Attorney



EXHIBIT 1



Produced by the City of Kirkland.

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No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

 Kirkland City Limits

 Morning Star Annexation