

RESOLUTION NO. 05-382

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
PROVIDING NOTICE OF ITS INTENT TO ANNEX CERTAIN
PROPERTIES

WHEREAS, the City of Black Diamond, King County, Plum Creek Timber Company, L.P., and Palmer Coking Coal Company entered into an agreement entitled the Black Diamond Urban Growth Area Agreement, which is dated, for reference purposes, December 31, 1996 ("BDUGAA"); and

WHEREAS, the BDUGAA sets forth conditions precedent to the annexation of the Potential Annexation Areas identified in the BDUGAA; and

WHEREAS, it appears that the conditions precedent to annexation will be met within the near future; and

WHEREAS, pursuant to RCW 35A.14.120 the City Council met on June 2, 2005 with the representatives of the entity that owns all of the property intended to be annexed, and determined at that time to authorize the circulation of an annexation petition, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the annexation petition, signed by the owner of all of the property to be annexed, was returned to the City; and

WHEREAS, the Council having reviewed the Petition and believing that the annexation of the property would be in the best interests of the City and in accordance with the requirements of the BDUGAA; now, therefore

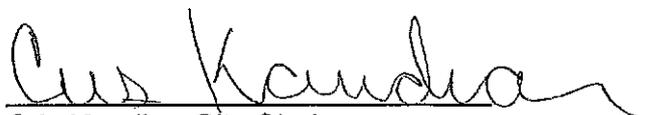
BE IT RESOLVED that the City Council of the City of Black Diamond hereby expresses its intent to annex, by adopting an annexation ordinance, the property legally described in the Petition attached hereto once the Boundary Review Board (BRB) process has been completed, all conditions precedent to annexation set forth in the BDUGAA have been met and after holding the public hearing required by RCW 35A.14.130.

IT IS FURTHER RESOLVED that the Mayor is authorized to submit the necessary information to the BRB so that the annexation process can continue.

ADOPTED by the City Council at an open public meeting held on the 2nd day of June, 2005.


Howard Botts, Mayor

Attest:


Cris Kandior, City Clerk

**EXHIBIT A
TO
RESOLUTION NO. 05-382**

**PETITION FOR ANNEXATION
TO CITY OF BLACK DIAMOND, WASHINGTON**

Proposed Annexation Name: West Potential Annexation Area, North Triangle
File No. _____

The Honorable Mayor and City Council:

We, the undersigned, who are the owners of not less than sixty percent (60%) in value, according to the assessed valuation for general taxation, of the real property legally described in Exhibit A attached hereto and geographically depicted on the map attached hereto as Exhibit B, lying contiguous to the City of Black Diamond, Washington (an optional municipal code city), do hereby petition that such territory be annexed to and made a part of the City of Black Diamond, Washington, under the provisions of RCW 35A.14.120 et. seq., and any amendments thereto.

A meeting was held on the 2nd day of June, 2005, between the initiating parties of this annexation and the Council of the City of Black Diamond, and the minutes of the Council's action at that meeting indicate as follows:

"A motion was made and seconded to accept the proposed annexation boundaries, authorize the circulation of the annexation petition, and require the assumption of all the City indebtedness by the area to be annexed. Motion carried."

WHEREFORE, petitioners pray that the City Council of the City of Black Diamond entertain this petition, fix a date for a public hearing hereon, and cause notice of the hearing to be published in one or more issues of a newspaper of general circulation in the City, and to post the notice in three public places specifying the time and place of the hearing and inviting all interested persons to appear and voice approval or disapproval of the annexation.

These pages are a group of pages containing identical text intended by the signers of this petition to be presented and considered as one petition and may be filed with other pages containing additional signatures which cumulatively may be considered as a single petition.

PETITION INSTRUCTIONS

1. Each signature shall be executed in ink and shall be followed by the name and address of the signer, the date of signing, and the property description of the property within the proposed annexation owned by the signer.
2. Signatures, including the original, of any person who has signed a petition two or more times shall be stricken.
3. The signature of a record owner, as determined by the records of the county auditor, shall be sufficient without the signature of his or her spouse.
4. In the case of mortgaged property, the signature of the mortgagor shall be sufficient, without the signature of his or her spouse.
5. In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the county auditor, shall be deemed sufficient, without the signature of his or her spouse.
6. Any officer of a corporation owning land within the area involved who is duly authorized to execute deeds or encumbrances on behalf of the corporation, may sign on behalf of such corporation, and shall attach to the petition a certified excerpt from the bylaws of such corporation showing such authority.
7. When property stands in the name of a deceased person or any person for whom a guardian has been appointed, the signature of the executor, administrator, or guardian, as the case may be, shall be equivalent to the signature of the owner of the property.
8. When a parcel of property is owned by multiple owners, the signature of an owner designated by the multiple owners is sufficient.

ANNEXATION PETITION FORM
OWNERS

We, the undersigned, being owners of the real property lying contiguous to the City of Black Diamond, Washington, described in Exhibits A and B do hereby petition that such territory be annexed and made a part of the City of Black Diamond, and that comprehensive plan and zoning designations be adopted simultaneously and the indebtedness of the City of Black Diamond be assumed upon annexation.

WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

1. Printed Name: _____ Signature: _____

Property Address: _____ Date: _____

Property Description: _____

Tax Parcel Nos:

0221069024

0321069076

0321069001

0321069014

0321069015



Plum Creek
Job No. 434-002-004-0002
June 9, 2005

EXHIBIT "A"

**LEGAL DESCRIPTION
FOR
WEST POTENTIAL ANNEXATION AREA
(NORTH TRIANGLE)**

Lot A of King County Boundary Line Adjustment No. L03L0021 as recorded under Recording No. 20030908900027, situate in Section 2, Township 21 North, Range 6 East, W.M., King County, Washington;

EXCEPT ANY portion thereof within State Route 169;

ALSO TOGETHER WITH that portion of Section 3, Township 21 North, Range 6 East, W. M. King County, Washington, lying southerly of the westerly extension of the northwesterly line of said Lot A.

Containing approximately 62 acres.

See attached Exhibit "B."

Written by: C.A.F.
Checked by: R.J.W.

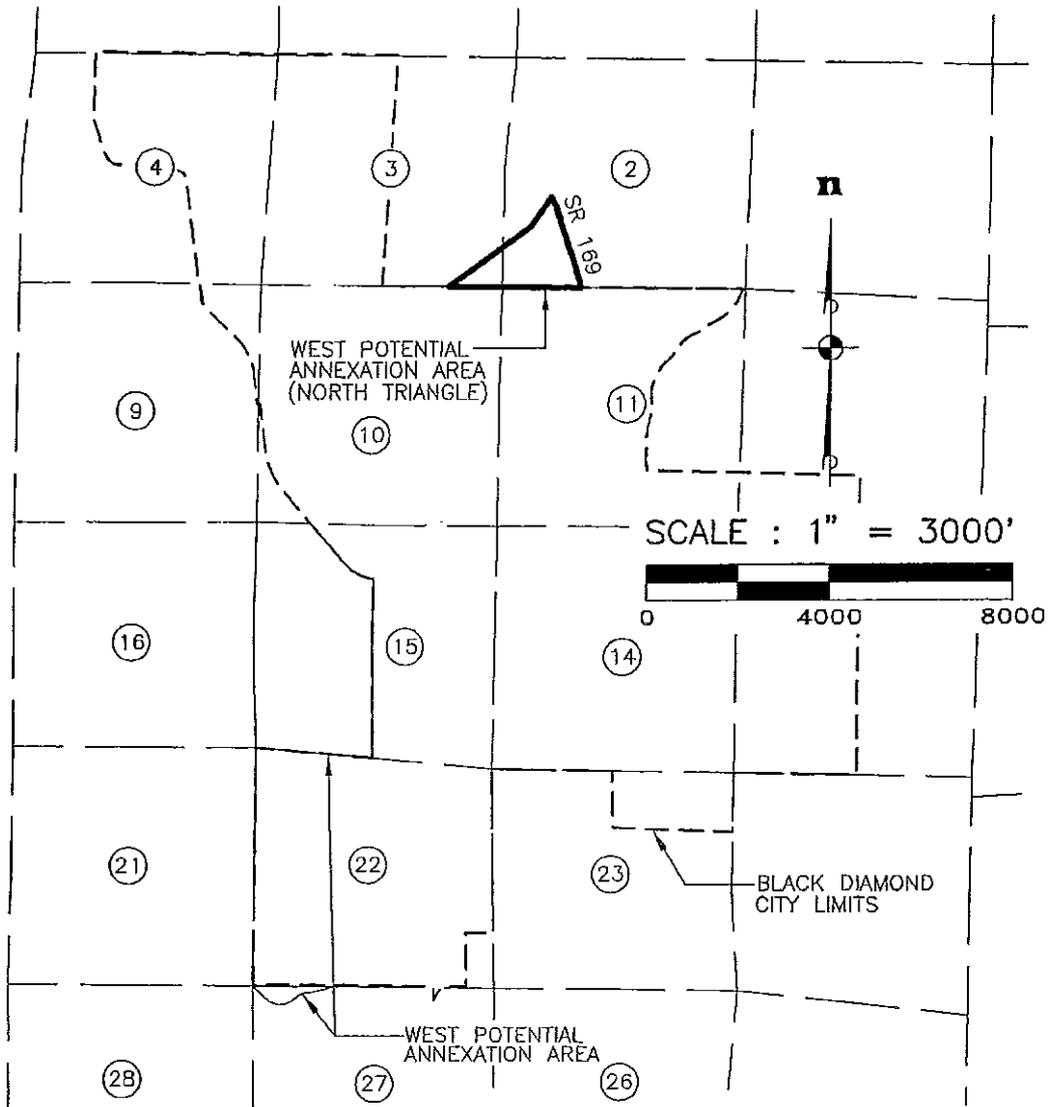
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33915 1st Way South Suite 200 Federal Way, WA 98003	Tel (253) 838 6113 Fax (253) 838 7104 Toll Free (800) 345 5694	Bothell (425) 415 6144 www.esmcivil.com	Civil Engineering Project Management Land Surveying	Land Planning Public Works
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EXHIBIT "B"

TO ACCOMPANY LEGAL DESCRIPTION FOR
WEST POTENTIAL ANNEXATION AREA (NORTH TRIANGLE)
A PORTION OF SECTIONS 2 AND 3, T. 21 N., R. 6 E., W.M.,
KING COUNTY, WASHINGTON



DWG : ESM8\ENGR\ESM-JOBS\434\002\004\EXHIBITS\SR-10

ESM CONSULTING ENGINEERS LLC

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Federal Way, WA 98003

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CLE ELUM (509) 674-1905

www.esmcivil.com

Civil Engineering
Public Works

Land Surveying
Project Management

Land Planning
Landscape Architecture

JOB NO. 434-002-004-0001
DATE : 06-09-05
DRAWN : C.A.F./B.R.S.
SHEET 1 OF 1