

ORDINANCE NO. 912

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO ANNEXATION OF PROPERTY LOCATED IMMEDIATELY ADJACENT TO AND SOUTH OF THE EXISTING CITY OF GIG HARBOR PUBLIC WORKS SHOP, LOCATED AT 5118 – 89TH STREET, AMENDING CITY OF GIG HARBOR ORDINANCE NO. 897 TO CORRECT THE LEGAL DESCRIPTION IN EXHIBIT A TO ORDINANCE 897.

WHEREAS, on January 14, 2002, the City Council of the City of Gig Harbor adopted Ordinance 897, which approved the annexation of one parcel of real property located at 5118 – 89th Street, Gig Harbor, Washington; and

WHEREAS, attached to Ordinance No. 897 as Exhibit A was a legal description of the real property annexed to the City; and

WHEREAS, the City has recently been informed by the State of Washington Office of Financial Management that the legal description of the real property annexed to the City was inaccurate; and

WHEREAS, the City Council seeks to correct the legal description for the property annexed by Ordinance No. 897; and

WHEREAS, the City SEPA Responsible Official has determined that this Ordinance is exempt from SEPA under WAC 197-11-800(6)(d); and

WHEREAS, the City Council held a public hearing and considered this Ordinance on May 13, 2002; and

WHEREAS, the City Council considered this Ordinance at a second reading during its regular City Council meeting of May 27, 2002; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 897 is hereby amended to eliminate the Exhibit A, attached thereto, entitled "Exhibit A, Property Legal Description, Parcel 'A' No. 0221063044."

Section 2. Exhibit A, attached to this Ordinance and incorporated herein by this reference, shall be the legal description for the property annexed to the City under Ordinance 897. Exhibit A, attached hereto, is entitled: "Exhibit A, First Amended Legal Description, Parcel 'A' No. 0221063044."

Section 3. Severability. If any portion of this Ordinance or its application to any person or circumstances is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the remainder of the Ordinance or the application of the remainder to other persons or circumstances.

Section 4. Effective Date. This ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 28th day of May, 2002.

CITY OF GIG HARBOR



GRETCHEN WILBERT, MAYOR

ATTEST/AUTHENTICATED:

By: Molly M Towslee
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: _____
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 4/29/02
PASSED BY THE CITY COUNCIL: 5/28/02
PUBLISHED: 6/5/02
EFFECTIVE DATE: 6/11/02
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First Amended Exhibit A

**Property Legal Description
Parcel 'A' No. 0221063044**

LEGAL DESCRIPTION PARCEL 'A'

THE NORTH 350 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 21 NORTH, RANGE 2 EAST, W.M., IN PIERCE COUNTY, WASHINGTON; THENCE NORTH 85 DEGREES 36 MINUTES 40 SECONDS EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION 670.00 FEET; THENCE NORTH 2 DEGREES 34 MINUTES 33 SECONDS WEST 1530.77 FEET TO A POINT 605 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER BEING THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 12 MINUTES 32 SECONDS WEST PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER TO INTERSECT THE NORTH LINE OF SAID SUBDIVISION TO INTERSECT THE SOUTHWESTERLY LINE OF PROPERTY CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED NOVEMBER 18, 1971 UNDER AUDITOR'S NO. 2420710; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE AND THE SOUTHWESTERLY LINE OF PROPERTY CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED MAY 4, 1972 UNDER AUDITOR'S NO. 244865 TO INTERSECT A LINE PARALLEL WITH AND 1530 FEET NORTH OF THE SOUTH LINE OF SAID SUBDIVISION; THENCE SOUTH 85 DEGREES 36 MINUTES 40 SECONDS WEST ALONG SAID PARALLEL LINE 1092.01 FEET TO THE POINT OF BEGINNING. EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED UNDER AUDITOR'S NO. 2420710.