

**ORDINANCE NO. 23-2017**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, REVISING THE CORPORATE BOUNDARY TO INCLUDE THE FULL WIDTH OF A SEGMENT OF SE 240<sup>TH</sup> STREET RIGHT-OF-WAY FROM KING COUNTY AS PROVIDED FOR IN RCW 35A.21.210.**

WHEREAS, the segment of SE 240<sup>th</sup> Street right-of-way (ROW) west of 180<sup>th</sup> Ave SE to the western edge of Covington Community Park (King County Assessor Parcel number 242205-9182) is within King County's jurisdiction as shown on Exhibit A; and

WHEREAS, the Covington Community Park borders SE 240<sup>th</sup> Street along its northern property line and the park is located within the city limits of the City of Covington in the Low Density Residential (R-4) zone; and

WHEREAS, on February 13, 2017, the Metropolitan King County Council passed Ordinance 2017-004 adopting and ratifying Growth Management Planning Council Motion 16-1 which recommended adjusting the Urban Growth Area (UGA) boundary with a technical amendment to include the full width of SE 240<sup>th</sup> Street within the UGA where it borders Covington Community Park as shown on Exhibit A; and

WHEREAS, there are existing portions of SE 240<sup>th</sup> Street east of 180<sup>th</sup> Ave SE located within the city's UGA that are not currently within the city's corporate limits; and

WHEREAS, it is in the city's and the county's best interest to have the entirety of this segment of SE 240<sup>th</sup> Street right-of-way, wholly within the city's jurisdiction where it coincides with the city's boundaries for consistency in the administration of construction projects, coordination of utilities, permitting and maintenance; and

WHEREAS, RCW 35A.21.210(1) authorizes "The governing bodies of a county and any code city located therein may by agreement revise any part of the corporate boundary of the city which coincides with the centerline, edge, or any portion of a public street, road or highway right-of-way by substituting therefor a right-of-way line of the same public street, road or highway so as fully to include or fully to exclude that segment of the public street, road or highway from the corporate limits of the city."; and

WHEREAS, revision of the corporate boundary of a city is effective upon approval by both the city council and the county legislative authority as provided for in RCW 35A.21.210(2); and

WHEREAS, RCW 35A.21.210(2) states such boundary revision is not subject to potential review by a boundary review board;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINGTON,  
KING COUNTY, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.** The city council finds the corporate boundary revision that includes the full width of SE 240<sup>th</sup> Street right-of-way where it abuts the current city limits and is already located within the city's UGA to be wholly within the city's jurisdiction, as shown on Exhibit A, would be a useful part of the city's street and infrastructure system and simplify jurisdictional issues associated with SE 240<sup>th</sup> Street.

**Section 2.** The city council approves the corporate boundary revision to include the right of way for SE 240<sup>th</sup> Street as shown in Exhibit A.

**Section 3. Savings.** The enactment of this ordinance shall not affect any application, case, proceeding, appeal, or other matter currently pending administratively or judicially in any court or in any way modify any right or liability, civil or criminal, that may be in existence on the effective date of this ordinance.

**Section 4. 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 preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 5. Corrections.** Upon approval of the city attorney, the city clerk and/or code codifier is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or section/subsection numbering.

**Section 6. Effective Date.** This ordinance shall be in full force and effect five (5) days after publication in the city's newspaper of record. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

PASSED by the city council of the City of Covington on the 12<sup>th</sup> day of December 2017.

  
\_\_\_\_\_  
Mayor Jeff Wagner

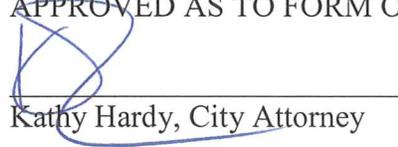
PUBLISHED: December 15, 2017

EFFECTIVE: December 20, 2017

ATTESTED:

  
\_\_\_\_\_  
Sharon Scott, City Clerk

APPROVED AS TO FORM ONLY:

  
\_\_\_\_\_  
Kathy Hardy, City Attorney

## Exhibit 'A'

### SE 240<sup>TH</sup> ST. ANNEXATION DESCRIPTION

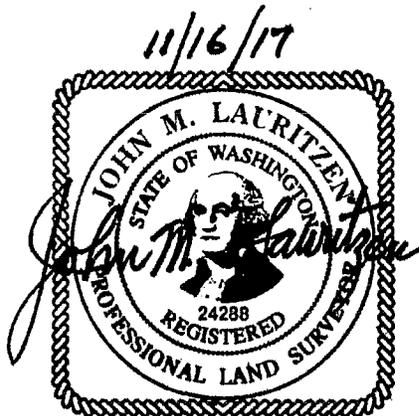
(KING COUNTY JURISDICTIONAL AREA BEING TRANSFERRED TO THE CITY OF COVINGTON)

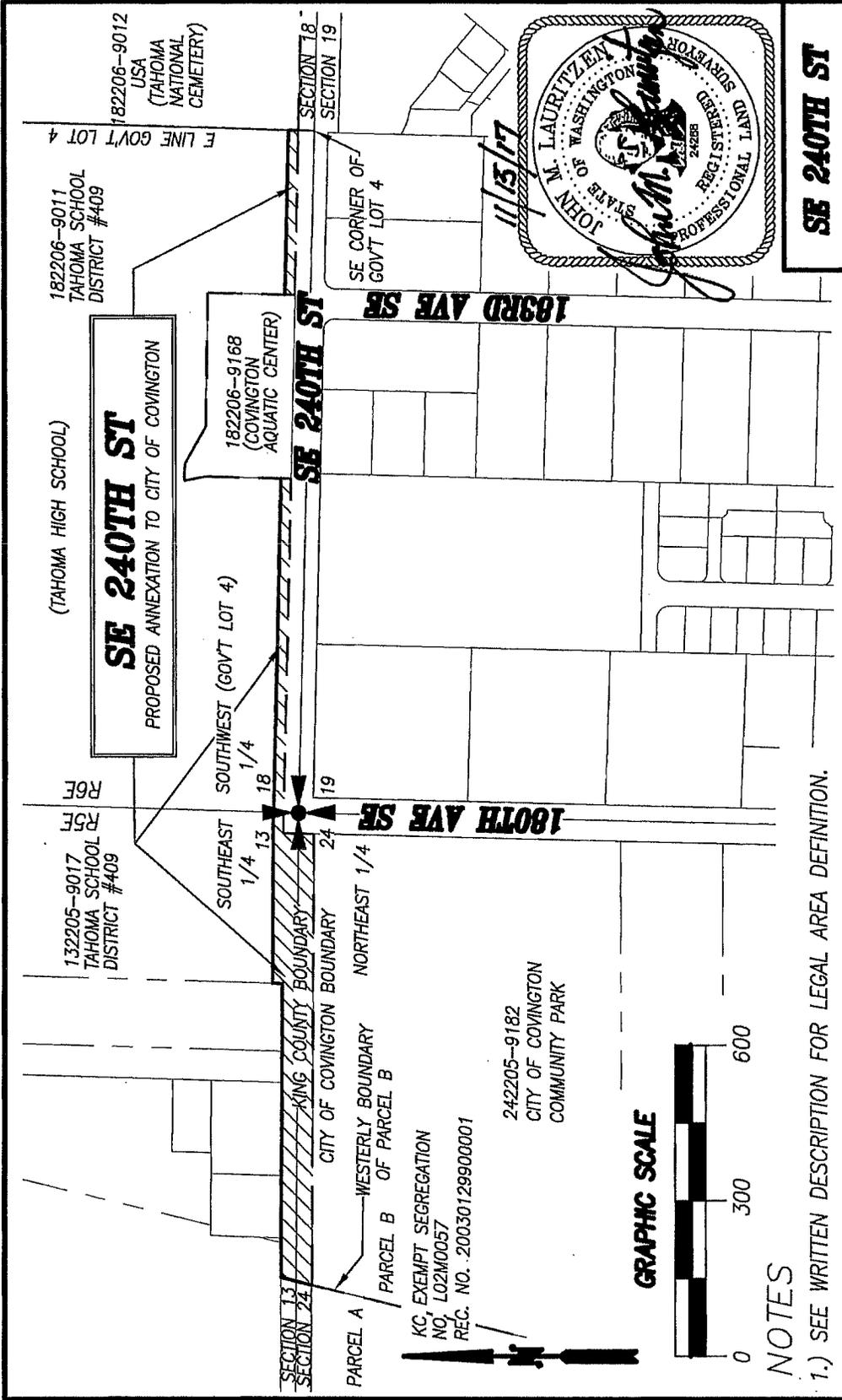
Those portions of SE 240th Street lying within the Southeast Quarter of Section 13 and the Northeast Quarter of Section 24, Township 22 North, Range 5 East, W.M. , in King County, Washington, and lying easterly of the northerly projection of the westerly boundary of Parcel B of King County Exempt Segregation No. L02M0057, as recorded under Recording Number 20030129900001;

Together with those portions of SE 240th Street lying within the North 20 feet of the South 50 feet of Government Lot 4 (Southwest Quarter) of Section 18, Township 22 North, Range 6 East, W.M. as deeded to King County for right-of-way purposes by quit claim deed recorded under Recording Number 20091016000708;

Except that portion of said Government Lot 4 lying within the North 20 feet of the South 50 feet of the East 345.0 feet of the West 990.9 feet as measured at right angles to the south line of said Government Lot 4 as shown on said quit claim deed recorded under Recording Number 20091016000708.

The intent of this description is to annex that entire portion of SE 240th Street lying between King County and the City of Covington as described herein from the northerly projection of the westerly boundary of Parcel B of King County Exempt Segregation No. L02M0057 to the easterly line of Government Lot 4 of Section 18, Township 22 North, Range 6 East, W.M.





**SE 240TH ST**

<b>SE 240TH ST. ANNEXATION EXHIBIT</b>			
WITHIN NE1/4, SEC.24, SE1/4, SEC. 13, T22N, R5E, W.M. AND SW1/4, SEC.18, T22N, R6E, W.M.			
DWN. BY	DATE	REV. BY	DATE
JML	11/14/17	I. CRAY	
DRAWING FILENAME		PROJECT MANAGER	
S240TH ST.DWG		I. CRAY	
CHK. BY	F.B. NO.	JOB NO.	SHT. NO.
TSC	N/A	17001	1 of 1



**King County**

**KING COUNTY SURVEY UNIT**  
**DEPT. OF TRANSPORTATION**  
**ROADS DIVISION** 206-477-1773 (OFFICE)  
 \*\*155 MONROE AVE NE \* RENTON \* WA \* 98056\*\*

1.) SEE WRITTEN DESCRIPTION FOR LEGAL AREA DEFINITION.

**GRAPHIC SCALE**



**NOTES**

KC, EXEMPT SEGREGATION  
 NO. L02M0057  
 REC. NO. 20030129900001  
 242205-9182  
 CITY OF COVINGTON  
 COMMUNITY PARK

182206-9011  
 TAHOMA SCHOOL  
 DISTRICT #409

182206-9012  
 USA  
 (TAHOMA  
 NATIONAL  
 CEMETERY)

(TAHOMA HIGH SCHOOL)

**SE 240TH ST**

PROPOSED ANNEXATION TO CITY OF COVINGTON

182206-9188  
 (COVINGTON  
 AQUATIC CENTER)

**SE 240TH ST**

**189RD AVE SE**

**180TH AVE SE**

SECTION 18  
 SECTION 19

SE CORNER OF  
 GOV'T LOT 4

11/15/17



132205-9017  
 TAHOMA SCHOOL  
 DISTRICT #409

SOUTHWEST (GOV'T LOT 4)  
 1/4

SOUTHEAST  
 1/4

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