

ORDINANCE NO: 78-03**2004-067**

AN ORDINANCE OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, RELATED TO MODIFICATION OF BOUNDARIES BY 180TH AVENUE S.E. AND S.E. 240TH STREET TO REMOVE KING COUNTY'S JURISDICTION IN THAT PORTION OF THE AFFECTED ROADWAY, PURSUANT TO RCW 35A.21.210.

WHEREAS, the City Council has determined that a revision of the corporate boundaries within street right of way by substituting right of way lines is in the best interest of the City of Covington; and

WHEREAS, development occurring on the South side of Southeast 240th Street and the East side of 180th Avenue Southeast require additional right of way dedication; and

WHEREAS, said dedication of right of way creates confusion between City and County agencies and residents as to ownership and responsibility for maintenance and operations of the street(s); and

WHEREAS, RCW 35A.21.210 grants the City of Covington and King County the authority to revise corporate boundaries within streets by substitution of corporate lines when approved by ordinance by the City Council and by ordinance or resolution of King County; and

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

Now, therefore, the City Council of the City of Covington, King County, Washington do ordain as follows:

Section 1. In order to simplify jurisdictional issues as well as the ongoing maintenance of S.E. 240th Street and 180th Avenue S.E., the City of Covington hereby expresses its intent to fully include the full width of 180th Avenue S.E. from the existing City Limits north to the north line of S.E. 240th Street as outlined in the legal description of boundary modification as stated in Exhibit "A" as attached.

Section 2. In order to simplify jurisdictional issues as well as the ongoing maintenance of S.E. 240th Street and 180th Avenue S.E., the City of Covington hereby expresses its intent to fully include the full width of S.E. 240th Street from the Western line of 180th Avenue S.E. to the Eastern line of 196th Avenue S.E. as outlined in the legal description of boundary modification as stated in Exhibit "A" as attached.

Section 3. The City Manager is authorized to enter into any agreements or perform any other acts necessary to complete this revision of the City's corporate boundary along S.E. 240th Street and along 180th Avenue S.E., so long as consistent with the intent of this ordinance and RCW 35A.21.210.

Section 4. This ordinance shall be in full force and effect five days after its passage, approval, posting and publication as provided by law. A summary of this Ordinance may be published in lieu of publishing the ordinance in its entirety.

Section 5. If any provision of this ordinance, or ordinance modified by it is determined to be invalid or unenforceable for any reason, the remaining provision of this ordinance and ordinances and/or resolutions modified by it shall remain in force and effect.

Passed by the City Council on the 12th day of November, 2003.

Pat Sullivan
Mayor Pat Sullivan

PUBLISHED: 11-18-03

EFFECTIVE: 11-23-03

Attested:

Jackie R. Cronk
Jackie R. Cronk, City Clerk

APPROVED AS TO FORM:

Duncan C. Wilson
Duncan C. Wilson, City Attorney

Legal Description for the Incorporation of Boundary Roads
180th Avenue SE and SE 240th Street to the
City of Covington

Those portions of Sections 18 and 19, Township 22 North, Range 6 East, W. M. and Section 24, Township 22 North, Range 5 East, W. M., King County, Washington described as follows:

That portion of 180th Avenue Southeast lying between the South line of the North half of the Southeast quarter of Section 24, Township 22 North, Range 5 East, W. M., the South line of Southeast 252nd Street, to the North line of Southeast 240th Street; -

Together with that portion of Southeast 240th Street lying between the West margin of 180th Avenue Southeast and the East margin of 196th Avenue Southeast.