

PROCEEDINGS OF THE
WASHINGTON STATE BOUNDARY REVIEW BOARD
FOR KING COUNTY
RESOLUTION AND HEARING DECISION

IN RE: CITY OF KIRKLAND
 Finn Hill, Juanita, Kingsgate Area
 Proposed Annexation
 King County, Washington

FILE NO. 2293

I. PUBLIC HEARING OVERVIEW

In April of 2009 the City of Kirkland filed a Notice of Intention (File No. 2293) to annex 4590 acres, described as the Finn Hill, Juanita, Kingsgate Area. This Notice was based upon a Resolution adopted by Kirkland City Council approving a plan to annex the Finn Hill, Juanita, Kingsgate Area into the community. City officials reported that the proposal to annex the Finn Hill, Juanita, Kingsgate Area was made in response to a petition from citizens seeking to annex to the City of Kirkland.

The Finn Hill, Juanita, Kingsgate Area is an unincorporated territory located on the northern boundary of the City of Kirkland. The site is variously bordered by the City of Kirkland, the City of Bothell, the City of Kenmore, the City of Redmond, the City of Woodinville, and Unincorporated King County.

The City of Kirkland invoked jurisdiction at the same time it filed the Notice of Intention. Its purpose in invoking jurisdiction was to provide citizens an independent forum to obtain information and comment upon the proposed Finn Hill, Juanita, Kingsgate Area Annexation.

The Resolution for the Finn Hill, Juanita, Kingsgate Area calls for an election to permit the citizens residing within the proposed annexation area to ultimately decide whether or not to join the City of Kirkland.

The Board held a public hearing on June 8, 2009 to consider the proposal by the City of Kirkland to annex the Finn Hill, Juanita, Kingsgate Area (4590 acres).

The Board reviewed File No. 2293 pursuant to RCW 36.93. (Local Governments – Boundaries – Review Boards). The Board directed particular attention to RCW 36.93.170 (Factors) and RCW 36.93.180 (Objectives). The Board also considered RCW 36.70.A, the Growth Management Act, the King County Comprehensive Plan, the City of Kirkland Comprehensive Plan, together with other applicable state, regional, and local regulations and guidelines.

The Board finds that the record for File No. 2293 contains sufficient documentation (e.g., technical data, fiscal data), evidence of community information programs, and certification of petitions and/or legislative action to complete its review of the Finn Hill, Juanita, Kingsgate Area Annexation.

On the basis of the testimony, evidence and exhibits presented at said hearing, and the matters on record in said **File No. 2293**, it is the decision of the Board to **approve** the action proposed in said **Notice of Intention**. The legal description of the Finn Hill, Juanita, Kingsgate Area is attached hereto and marked as "Exhibit I", together with a map showing the boundaries of the area herein marked as "Exhibit II."

II. FINDINGS

RCW 36.93.170 FACTORS AFFECTING THIS PROPOSAL

The Board finds the following Factors (RCW 36.93.170) apply to the City of Kirkland's proposed Finn Hill, Juanita, Kingsgate Area Annexation (approximately 4590 acres). Additional authorities applicable to the Finn Hill, Juanita, Kingsgate Area include, but are not limited to: RCW 36.70A, RCW 35.13, King County Comprehensive Plan/Countywide Policies, the Kirkland Comprehensive Plan and its enabling regulations (e.g., zoning code). These State and local authorities are intended to ensure reasonable development regulations and adequate public services to local communities.

A brief review of key issues related to each applicable element is presented below:

RCW 36.93.170 (1) POPULATION AND TERRITORY

The Board finds the following factors to be applicable to this matter: Population Density/Proximity to Other Populated Areas/Land Area/Land Uses; Comprehensive Land Use Plans; Topography, Natural Boundaries and Drainage Basins; Likelihood of Significant Growth in the Area During the Next Ten Years; and Population Density/Proximity to Other Populated Areas/Land Area/Land Uses. The following is a brief review of key issues related to these factors.

The Finn Hill, Juanita, Kingsgate Area lies within the Urban Growth Area established by King County. The King County Comprehensive Plan contemplates transfer of the Finn Hill, Juanita, Kingsgate Area to a local jurisdiction. King County Policy LU-31 requires cities to designate potential annexation areas to include adjacent urban lands and eliminate unincorporated islands between cities. Policy LU-32 encourages cities to annex designated areas into city boundaries. King County Comprehensive Plan/Countywide Policies call for contiguous orderly growth of local jurisdictions (e.g., U-304, U-208, U-301, U-304.) Policies also establish cities as the providers of local governance, community planning, and urban services (e.g., FW-13, CO-1, CO-3; LU-31 - LU-34, LU-36.)

The Finn Hill, Juanita, Kingsgate Area would incorporate into the City of Kirkland all of those lands within the Urban Growth Boundary described in the City's Potential Annexation Area.

The Kirkland Comprehensive Plan "Annexation Element" addresses the area proposed for annexation.. The Finn Hill, Juanita, Kingsgate Area is included in the "Annexation Element" of the City of Kirkland Comprehensive Plan and lies within the City's Potential Annexation Area. The proposed annexation is consistent with City's Comprehensive Plan policies supporting inclusion of urban areas within the City for local governance. The community is unified by its specific physical elements (e.g., geographic features) and social elements.

The Finn Hill, Juanita, Kingsgate Area is an urban community that will likely experience continuing urban growth over the next ten years. This Area is currently substantially developed with a variety of single-family and multi-family homes. There is remaining land that is suitable and permitted for redevelopment/new development with residential uses. There is sizeable commercial property within Finn Hill, Juanita, Kingsgate Area boundaries. Public facilities (e.g., schools, library, parks, recreational facilities, open spaces) also lie within in the Finn Hill, Juanita, Kingsgate Area.

The City of Kirkland Comprehensive Plan provides for governance of the Finn Hill, Juanita, Kingsgate Area. The Plan provides for growth at urban levels of density generally consistent with the existing built environment and the natural environment. The City will develop specific land use/zoning designations and zoning for this community to permit future residential development that will be generally similar to and essentially compatible with existing density/design standards for residential uses, commercial uses, and public facilities/open spaces permitted in Finn Hill, Juanita, Kingsgate. Annexation of the Finn Hill, Juanita, Kingsgate Area, will provide the opportunity to immediately implement consistent and coordinated development standards throughout the community.

The Finn Hill, Juanita, Kingsgate Area contains environmentally sensitive features (e.g., water bodies; watershed; wetlands; variable topography, drainage basins, natural habitat). Most notably, the Annexation Area borders on Lake Washington. Portions of these environmentally sensitive lands require planning and management to ensure the protection of these critical areas. The Kirkland Comprehensive Plan provides protection for the natural environment within the Finn Hill, Juanita, Kingsgate Area through guidelines and regulatory controls (e.g., critical areas ordinances; open space preservation; storm water/flood control programs.)

Similarly, the Finn Hill, Juanita, Kingsgate Area Annexation would be consistent with City of Kirkland Comprehensive Plan policies supporting annexations in areas where urban infrastructure and services are available for development at urban densities and in areas contiguous to City boundaries (e.g., Annexation Policies and Land Use Policies). The Kirkland Comprehensive Plan also includes policies addressing land development, service provision, and mutual social and economic benefits applicable to the Finn Hill, Juanita, Kingsgate Area (e.g., LU-1.1; LU-1.4; LU-2, LU-6.1, LU-9, LU-13, LU-25.8; LU-26.3, LU-26.6; LU-31.5, LU-31.6, P&OS-2.1, CF-1,CF-1.3, CF-2, CF-2.3).

King County supports annexation of the Finn Hill, Juanita, Kingsgate Area. This action creates a logical municipal service area. The City can provide more cohesive policies, standards, programs, operations, and efficient, economic control of services. Thus, services will be more effective, more efficient, and less costly to both government and citizens of the Finn Hill, Juanita, Kingsgate Area.

The State Growth Management Act (RCW 36.70A) also supports the Finn Hill, Juanita, Kingsgate Area Annexation. The proposed action is consistent with RCW 36.70.20 which calls for community planning goals, for urban growth, services and infrastructure, and environmental preservation.

RCW 36.93.170 (2) MUNICIPAL SERVICES

The Board finds the following factors to be applicable: need for municipal services; effects of ordinances, governmental codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in area; probable future need for such services; costs; effect on the finance, debt structure and contractual obligations; and prospects of government services from other sources, and rights of other affected governmental units. Following is a brief review of key issues related to these factors:

The evidence shows that the Finn Hill, Juanita, Kingsgate Area is an urban community requiring municipal services and facilities. Service goals and policies for urban areas are established by the State Growth Management Act and King County Comprehensive Plan. For example, King County FW-13 states that cities are the appropriate provider of local urban services to Urban Areas. Policies LU-27, LU-31, LU-32, CA-9, CA-10, U-205, and U-208 call for jurisdictions to plan for and coordinate land designations, land uses, and services. Further, annexation is appropriate under Countywide Policy CO-1, when a jurisdiction has "identified and planned for (a) full range of urban services."

Consistent with the State Growth Management Act and the King County Plan, the City of Kirkland has developed policies – through the City's Comprehensive Land Use Plan, Comprehensive Service Plans, and other regulatory authorities – for provision of services to all properties within its corporate boundaries. Upon annexation, the City of Kirkland would include the newly incorporated area in the municipality's Service Area.

Upon annexation, the City of Kirkland will include Finn Hill, Juanita, Kingsgate properties in its Service Area under unified regulatory authorities administered by a single local government unit. The City of Kirkland intends – and has the necessary resources -- to directly provide (or contract for) a full array of urban services (e.g., public services, facilities and infrastructure) to the Finn Hill, Juanita, Kingsgate Area at a level equivalent to that service provided to the existing citizens of the jurisdiction. More specifically:

- Under the King County's Comprehensive Plan, the proposed Finn Hill, Juanita, Kingsgate Annexation site contains multiple land use designations, including low density residential uses and medium density residential uses, public open spaces, and public uses. There are some commercial uses and industrial uses located in this Area.

The City of Kirkland is reviewing these County land use designations and zones within the 4590 acre annexation area. City representatives testified that municipal land use/zoning designations will be essentially equivalent to the land use designation/zoning established by King County and consistent with both the King County Comprehensive Plan/Countywide Planning Policies and the adopted City of Kirkland Comprehensive Plan.

For example, King County has designated the Finn Hill, Juanita, Kingsgate Area for Urban Community Uses, including: Single-Family Housing, Multi-Family housing, Small Commercial Center, Small Industrial Area; Public Uses; Public Open Space; and Greenbelt/Separator.

Existing King County zones include: Urban Residential Medium 4-12 dwelling units per acres, Urban Residential High at greater than 12 dwelling units per acre (up to a maximum of 48 units per acre); and Greenbelt/Urban Separator at 1 dwelling unit per acre. There are also existing commercial uses; industrial uses; public uses, and public open spaces.

The City of Kirkland plans to establish zoning designation and uses essentially equivalent to designations established by King County – but will be labeled in the same manner that Kirkland labels zones within the existing City. Specifically, the Finn Hill, Juanita, Kingsgate Area will be designated/zoned for Urban Residential Low Density (4-8 dwelling units per acre); Medium Density (8-14 units per acre); High Density (15 – 24 dwelling units per acre); and Greenbelt/Urban Separator at one dwelling unit per acre; Commercial Use; Industrial Use; Public Uses; Public Open Spaces

- The Finn Hill, Juanita, Kingsgate Area includes land that is substantially developed with viable uses. Other land is suitable for redevelopment. There exists vacant land suitable for new development. Kirkland Comprehensive Plan, policies and guidelines will support existing land uses and proposed new land uses. The City of Kirkland has established guidelines and development review systems to ensure that land uses are consistent with local standards and applicable King County guidelines.
- Similarly, the City is prepared to provide environmental review (including evaluation and regulation of critical areas) for the Finn Hill, Juanita, Kingsgate Area. The City of Kirkland will assume responsibility for preservation of environmentally sensitive areas through the Comprehensive Plan, Critical Areas Ordinance, and other local, regional and state regulations for protection of environmentally sensitive areas (e.g., water bodies, topography, urban separators, landslide/seismic hazards; habitat areas.)
- The City of Kirkland will provide police services to the entire Finn Hill, Juanita, Kingsgate Area. New patrol districts will be created immediately upon annexation. The future addition of officers, supervisors, and administrative staff will be provided as necessary to serve the annexation area at a level equivalent to service provided to the existing City of Kirkland.
- The City will provide fire and emergency medical services to the Finn Hill, Juanita, Kingsgate Area based upon agreements with Fire Prevention District No. 34, Fire District No. 41, and Woodinville Fire and Life Safety District.
 - Fire District No. 34 and the City of Kirkland have an agreement in place to ensure fire protection and emergency services will be provided to the Finn Hill, Juanita, Kingsgate Area following annexation to the City.
 - The City of Kirkland is coordinating meetings with three discrete groups of representatives (officials and employees) of the Woodinville Fire and Life Safety District to establish a plan that assures an appropriate level of service to the Annexation Area and to the greater community served by the District. These negotiations are intended to lead to a mutual aid agreement that will address the provisions of ESSB 5808, recently adopted by the Legislature, for the purpose of ensuring that fire service personnel positions will be retained by a City following annexation of an area served by a Fire District. This legislation contains requirements for asset transfer to ensure availability of those assets for fire protection and emergency services.

- Kirkland officials report excellent progress in the development of draft agreements with members of the firefighters unions. The City of Kirkland and Woodinville Fire and Life Safety officials have been working collaboratively to begin drafting language for a service plan. Considerable work remains to achieve a mutually acceptable interlocal agreement. The City has identified as a high priority the reaching of such an agreement.
- The City will work with representatives of District No. 41 to address the anticipated dissolution of that District. The City will serve all of the Finn Hill, Juanita, Kingsgate Area. The City and District No. 41 will also work with the City of Bothell to ensure continued services to the small area within District No. 41 boundaries that will remain unincorporated in the event that the voters approve the annexation. This property is a single parcel sited north of the Juanita community and south of the existing City of Bothell.) The property is not included in the Finn Hill, Juanita, Kingsgate Annexation Area because it lies within the City of Bothell's Potential Annexation Area.

- The City of Kirkland, through a franchise agreement with the Woodinville Water District, will continue to provide service to the Finn Hill, Juanita, Kingsgate Annexation Area. Similarly, the Northshore Utility District will provide services to the Finn Hill, North Juanita, Kingsgate Annexation Area through a franchise agreement with the City of Kirkland.
- The City will also establish storm water management system requirements for the Finn Hill, Juanita, Kingsgate Area through the 2005 Department of Ecology Storm Water Management Manual for Western Washington.
- The City will assume responsibility for provision and management of existing capital facilities (e.g., roadways, sidewalks.) Roadways (including streets, storm water drains, and other right of way features) are generally full operational. Funding is planned from various existing taxes and fees as well as anticipated sources (e.g., grants, development impact fees) for anticipated routine upgrades and maintenance and for future upgrades to facilities.
- Existing parks and recreation facilities (slated for improvements) would be available to the community under the aegis of the City of Kirkland and/or through interlocal agreements with King County. The proposed 4590-acre annexation site includes both passive and active open spaces (e.g., Lake Washington, Juanita Beach Park, Juanita Bay Park, Big Finn Hill Park, Edith Moulton Park, East Norway Hill Park, Denny Park). The City would move ahead to ensure that these areas will continue to be preserved in order to provide a variety of active and passive outdoor recreational opportunities for residents. The City of Kirkland is committed, as well, to ensure the protection of natural habitat in the Finn Hill, Juanita, Kingsgate Area.
- Lake Washington School District No. 414 and Northshore School District No. 417 would continue to provide public education within the area proposed for annexation.
- The City of Kirkland Library System would be accessible to citizens.
- The City of Kirkland would provide for health and human services to citizens of the Finn Hill, Juanita, Kingsgate Area.

The City of Kirkland will consider acquisitions and improvements to the Finn Hill, Juanita, Kingsgate Area over time. Those acquisitions and improvements will be identified by means of a priority listing which reflects both necessity (i.e., public health, welfare and safety) and the interests of the citizens.

The Board finds that the City of Kirkland is prepared to assume responsibility for providing and coordinating a high level of service for the residents and businesses of Finn Hill, Juanita, Kingsgate.

The City of Kirkland has prepared a Fiscal Feasibility Study which examined revenues/expenditures relating to governance and service of the Finn Hill, Juanita, Kingsgate Area. More specifically, the current

assessed valuation of the Finn Hill, Juanita, Kingsgate Area is \$5,709,170,950. At annexation, City expenditures to serve the Area are estimated at \$20,160,473. Revenues are estimated at a range between \$16,165,760 - \$17,115,788.

(Note: The proposed Finn Hill, Juanita, Kingsgate Area currently hosts a casino. While the City of Kirkland has historically prohibited casinos, legislation recently adopted by the State of Washington would authorize the City to permit the existing casino to continue operations. City officials report an intention to permit that enterprise to continue to operate within the City of Kirkland. If the casino continues operations, then the City estimates revenue from that business in the amount of \$950,028 resulting in total revenue to the City of \$17,115,788.)

City of Kirkland officials recognize that there is a projected gap in the City's budget stream (i.e., that revenues will be less than expenditures for the first ten years following annexation.) The City is prepared to take several actions to secure funding from a variety of sources for administration of the Finn Hill, North Juanita, Kingsgate Area.

Most notably, the City of Kirkland is eligible to receive support from the State of Washington through SSB 6686 and ESSB 5321 (at a rate of \$.02% based upon annexation of more than 20,000 persons) which will provide an estimated annual average of \$4.4 million in sales tax revenues for the ten year period. Funding may also be available through other recent legislation. While the King County Annexation Initiative Program, which provided financial benefits to cities for annexation of large territories, has been terminated, the County and the City are in process of negotiating an agreement for financial benefits to be provided by the County to the City of Kirkland.

Other legislation is proposed that will further benefit the citizens of Kirkland. Also, citizens will pay property taxes – although at a rate less than the rate for King County residential properties -- and other standard fees.

The City would also benefit from collection of fees for various building and use permits. The amount to be collected is uncertain, however, based upon the fact that the uncertain economic situation will impact citizen interest in undertaking new development.

The Finn Hill, Juanita, Kingsgate Area Annexation would be consistent with City of Kirkland Comprehensive Plan policies supporting annexations in areas where urban infrastructure and services are available for development at urban densities and in areas contiguous to City boundaries (e.g., Annexation Policies and Land Use Policies). The Kirkland Comprehensive Plan also includes policies addressing land development, service provision, and mutual social and economic benefits applicable to the Finn Hill, Juanita, Kingsgate Area (e.g., LU-1.1; LU-1.4; LU-2, LU-6.1, LU-9, LU-13, LU-25.8; LU-26.3, LU-26.6; LU-31.5, LU-31.6, P&OS-2.1, CF-1, CF-1.3, CF-2, CF-2.3).

The State Growth Management Act (RCW 36.70A) supports the Finn Hill, Juanita, Kingsgate Area Annexation. The proposed action would be consistent with RCW 36.70.20 which calls for community planning goals, for urban growth, services and infrastructure, and environmental preservation.

King County supports annexation of the Finn Hill, Juanita, Kingsgate Area. This action creates a logical municipal service area. The City can provide more cohesive policies, standards, programs, cohesive operations, and efficient, economic control of services.

With annexation to Kirkland, all services for the Finn Hill, Juanita, Kingsgate Area reportedly will be efficiently coordinated under unified regulatory authorities administered by a single local government unit. Thus, services will be more effective, more efficient, and less costly to both government and citizens of the Finn Hill, Juanita, Kingsgate Area.

RCW 36.93.170 (3) Effects of Proposal

The Board finds mutual economic and social interests, and local government structure effects to be applicable to the City of Kirkland Finn Hill, Juanita, Kingsgate Area Annexation. Following is a brief review of key issues related to these factors.

The evidence shows that the City of Kirkland has mutual social and economic links with the adjacent Finn Hill, Juanita, Kingsgate Area. Citizens of Finn Hill, Juanita, Kingsgate utilize facilities in the City of Kirkland – including libraries, schools, parks and recreation programs. Citizens shop in Kirkland and use professional services (e.g., medical care, personal care) in the City. Citizens travel local and arterial roads through the City. Utility services are coordinated under the aegis of a range of regional service providers. As a result of the linkage, financial benefits (e.g., sales and business taxes) will accrue to both communities.

Coordinated addition of citizens of the Finn Hill, Juanita, Kingsgate Area into Kirkland would preserve social organization, support economic health, and protect public safety and welfare.

The City of Kirkland Comprehensive Plan encourages local governance of communities. Upon annexation, citizens would participate in local governance including land use planning, service planning, fiscal planning and planning for public amenities to serve the community. Kirkland officials testified that the City is prepared to govern and to provide full services to this community.

City representatives provided basic fiscal analyses related to the proposed Finn Hill, Juanita, Kingsgate Annexation. Studies particularly emphasized fiscal analyses (including an examination of benefits and costs) attendant upon providing both immediate and ongoing governance and service to the Finn Hill, Juanita, Kingsgate Area at a level equivalent to those benefits provided to the existing City of Kirkland.

The City is committed to taking the necessary steps (e.g., community planning, hiring staff members) to ensure equivalent levels of service for the Finn Hill, Juanita, Kingsgate Area both at current development and at estimated maximum development in order to provide for public health and safety. For example, Finn Hill, Juanita, Kingsgate Area residents would receive basic services (e.g., policing, fire protection, emergency services) immediately upon annexation. The City will also immediately provide for capital facilities/infrastructure, surface water management facilities, ground water facilities, wastewater management and other similar facilities. The City would also provide for amenities, including parks, recreation facilities, and library service. Future improvements to levels of service would be considered in response to community interests and as permitted by available resources.

Study findings show that the governance and service of Finn Hill, Juanita, Kingsgate will be funded, in part, through property taxes, standard service fees, and other revenues based on population. For example, upon annexation, property owners will assume their share of the regular and special levy rate of the City for capital facilities and public services. Findings from the Fiscal Study provide reasonable assurance that existing and anticipated municipal funds, together with regional funds, and state funds (e.g., SSB 6686, SB 5089), will provide sufficient resources to assure governance of the Finn Hill, Juanita, Kingsgate Area in a manner that will address impacts on cost and adequacy of services, finances, debt structure, and rights of other governmental units.

The State Growth Management Act (RCW 36.70A) supports the proposed annexation. The proposed action would be consistent with RCW 36.70.20 which calls for community planning goals, for urban growth, services and infrastructure, and environmental preservation.

King County supports annexation of the Finn Hill, Juanita, Kingsgate Area. This action creates a logical municipal service area. The City can provide more cohesive policies, standards, programs, cohesive operations, and efficient, economic control of services.

With annexation to Kirkland, all services for the Finn Hill, Juanita, Kingsgate Area reportedly will be efficiently coordinated under unified regulatory authorities administered by a single local government unit. Thus, services will be more effective, more efficient, and less costly to both government and citizens of the Finn Hill, Juanita, Kingsgate Area.

CONSISTENCY WITH THE GROWTH MANAGEMENT ACT

RCW 36.93.157 mandates that Boundary Review Board decisions be consistent with three sections of the Growth Management Act:

- RCW 36.70A.020 Planning Goals
- RCW 36.70A.110 Urban Growth Areas
- RCW 36.70A.210 Countywide Planning Policies

Key Growth Management Act policies that guide the provision of public services and that are relevant to the proposed Finn Hill, Juanita, Kingsgate Area include:

- RCW 36.70A.020 (1) Urban Growth: Encourages development in urban areas where adequate public facilities and services exist or can be provided efficiently.
- RCW 36.70A.020 (2) Reduce Sprawl: Reduce inappropriate conversion of undeveloped land into sprawling low-density development.
- RCW 36.70A.020 (10) Environment: Protect and enhance the environment and quality of life.
- RCW 36.70A.020 (11) Citizen Participation and coordination in the planning process and ensure coordination between communities/jurisdictions to reconcile conflicts.
- RCW 36.70A.020 (12) Public Facilities and services: Ensures that adequate public services and facilities are available to serve land developments.
- RCW 36.70A.110 (1/6) calls for each county to designate an urban growth area.
- RCW 36.70A.110 (3) directs urban growth to areas with existing or available public services and facilities
- RCW 36.70A.110 (4) states that "(in) general, cities are the units of local government most appropriate to provide urban ...services."
- RCW 36.70A.210 (1) calls for cities to be primary providers of governmental services in urban growth areas.

Annexation of the Finn Hill, Juanita, Kingsgate Area into the City of Kirkland meets State Growth Management Act criteria for governance of urban areas. This action is supported by the provisions of RCW 36.70.A which require community planning goals for urban growth, services and infrastructure, and environmental preservation. For example, the proposed Finn Hill, Juanita, Kingsgate Area Annexation is consistent with RCW 36.70A.020 (1), encouraging development in urban areas where there are adequate public services.

The Finn Hill, Juanita, Kingsgate Area Annexation is also consistent with RCW 36.70A.020 (12), which calls for public services to support permitted development. Annexation would also permit urban growth – and protection of environmentally sensitive areas – as envisioned in the Growth Management Act.

RCW 36.93.180 OBJECTIVES

The Boundary Review Board has considered RCW 36.93.180 (Objectives), with respect to the Finn Hill, Juanita, Kingsgate Area Annexation as follows:

RCW 36.93.180 (1) PRESERVATION OF NATURAL NEIGHBORHOODS AND COMMUNITIES

The Board finds that the Finn Hill, Juanita, Kingsgate Area is a "neighborhood" as that term is defined by case law, as "either geographically distinct areas or socially... distinct groups of residents". The Finn Hill, Juanita, Kingsgate Area, in its entirety, exhibits many features that support its link with the City. The communities are characterized by similar and linked built environments and natural environments (e.g., Lake Washington.)

The citizens of both communities share similar demographic, social, and economic profiles. Residents of the City and the Finn Hill, Juanita, Kingsgate Area use common community facilities – e.g., schools, roadways, community centers, shopping centers, parks, and recreation facilities.

The City of Kirkland Comprehensive Plan (and the Potential Annexation Area) anticipates annexation of the Finn Hill, Juanita, Kingsgate Area. The Finn Hill, Juanita, Kingsgate Area is included in community planning programs to enable the City to guide growth and to provide coordinated services.

The inclusion of a sizeable area and population serves to create a coordinated community and encourages a more effective connection to the City of Kirkland. Annexation will allow the City of Kirkland to guide synchronized community development in a manner which considers both built lands and the critical natural areas.

Kirkland officials are committed to providing Finn Hill, Juanita, Kingsgate Area citizens with a voice and a vote in planning for the future development of the built community and preservation of environmentally sensitive areas. City representatives demonstrate plans to effectively govern and serve this area as a part of a unified community.

Annexation would permit the City of Kirkland to establish land use designations and zoning standards for Finn Hill, Juanita, Kingsgate. Under City of Kirkland regulations, the Finn Hill, Juanita, Kingsgate Area would be proposed to continue as a predominantly residential community with designations and zoning similar to that existing under King County. The City of Kirkland is prepared to provide development review and environmental review (e.g., protection of water bodies, topography, other sensitive areas, and stormwater management) to the Finn Hill, Juanita, Kingsgate Area based upon local, regional and state regulations to support preservation of this community. Additionally, the City of Kirkland would continue to support various public uses in the Finn Hill, Juanita, Kingsgate Area.

King County officials support the annexation of the Finn Hill, Juanita, Kingsgate Area citing that this action would be consistent with state, regional and local guidelines. The County has indicated a preference for immediate annexation of urban areas to provide uniform governance for citizens of the Finn Hill, Juanita, Kingsgate Area.

RCW 36.93.180 (2) USE OF PHYSICAL BOUNDARIES, INCLUDING BUT NOT LIMITED TO BODIES OF WATER, HIGHWAYS, AND LAND CONTOURS

The Board finds that approval of the annexation would create (or enhance) clear physical boundaries. The proposed Finn Hill, Juanita, Kingsgate Annexation Area is contiguous to the northern border of the City of Kirkland. Other Finn Hill, Juanita, Kingsgate boundaries are formed by the City of Bothell, the City of Kenmore, the City of Woodinville, the City of Redmond, and portions of unincorporated King County. The Area is bordered on the east by the Urban Growth Boundary.

"Social neighborhoods" may also be the basis for boundaries. The evidence shows that the Finn Hill, Juanita, Kingsgate Area shares a social affiliation with the City of Kirkland. As such annexation of the Finn Hill, Juanita, Kingsgate Area would further the establishment of a cohesive community.

The Finn Hill, Juanita, Kingsgate Potential Area is specifically identified for annexation by Kirkland under the City's Comprehensive Plan (approved by the State of Washington.)

Annexation of the Finn Hill, Juanita, Kingsgate Area advances the planning goals established by the State Growth Management Act for providing local governance to unincorporated urban territories.

The Finn Hill, Juanita, Kingsgate Area annexation is consistent with the King County Comprehensive Plan as this action achieves progress toward incorporation of the greater unincorporated area in King County.

RCW 36.93.180 (3) CREATION AND PRESERVATION OF LOGICAL SERVICE AREAS

The Board finds that annexation of the Finn Hill, Juanita, Kingsgate Area into the City of Kirkland will advance the objective of creation and preservation of logical service areas. The City of Kirkland Comprehensive Plan (including the Land Use Plan, Comprehensive Sewer and Water Plans, Transportation Element, Comprehensive Storm Water Management Plan) identifies the City as the provider of services for the Finn Hill, Juanita, Kingsgate Area.

The evidence shows that the Finn Hill, Juanita, Kingsgate Area is an urban community requiring municipal services and facilities. Consistent with the State Growth Management Act and the King County Plan, the City of Kirkland has developed policies – through the City's Comprehensive Land Use Plan, Comprehensive Service Plans, and other regulatory authorities – for provision of services to all properties within its corporate boundaries. Upon annexation, the City of Kirkland would include the newly incorporated area in the municipality's Service Area.

The Finn Hill, Juanita, Kingsgate Annexation creates and preserves logical service areas by including a greater number of properties in the City's service area. Annexation of the Finn Hill, Juanita, Kingsgate Area will enable design and implementation of efficient, consistent, consolidated service programs throughout the greater community. More specifically:

Upon annexation, the City of Kirkland will include Finn Hill, Juanita, Kingsgate properties in its Service Area under unified regulatory authorities administered by a single local government unit. The City of Kirkland intends – and has the necessary resources -- to directly provide (or contract for) a full array of urban services (e.g., public services, facilities and infrastructure) to the Finn Hill, Juanita, Kingsgate Area at a level equivalent to that service provided to the existing citizens of the jurisdiction. More specifically:

Under the City of Kirkland Comprehensive Plan, the proposed Finn Hill, Juanita, Kingsgate Annexation site has been established to permit multiple land use designations, including low density residential uses and medium density residential uses, greenbelt/urban separator lands, public open spaces, and public uses. There are some commercial uses and industrial uses located in this Area. The City of Kirkland plans that municipal land use/zoning designations will be essentially equivalent to the existing land use designation/zoning established for the Finn Hill, Juanita, Kingsgate Area. The City of Kirkland has established guidelines and development review systems to ensure that land uses are compatible with existing uses throughout the community.

- Similarly, the City is prepared to provide environmental review (including evaluation and regulation of critical areas) for the Finn Hill, Juanita, Kingsgate Area. The City of Kirkland will assume responsibility for protection of environmentally sensitive areas through the Comprehensive Plan, Critical Areas Ordinance, and other local, regional and state regulations for protection of environmentally sensitive areas (e.g., water bodies, topography, urban separators, landslide/seismic hazards; habitat areas.)
- The City of Kirkland will provide police services to the entire Finn Hill, Juanita, Kingsgate Area. New patrol districts will be provided immediately at annexation. Future addition of officers, supervisors, and administrative staff will be provided as necessary to serve the annexation area at a level equivalent to service provided to the existing City of Kirkland.
- The City will provide fire and emergency medical services to the Finn Hill, Juanita, Kingsgate Area based upon agreements with Fire Prevention District No. 34, Fire District No. 41, and Woodinville Fire and Life Safety District.
 - Fire District No. 34 and the City of Kirkland have an agreement in place to ensure fire protection and emergency services will be provided to the Finn Hill, Juanita, Kingsgate Area following annexation to the City.
 - The City of Kirkland is coordinating meetings with three discrete groups of representatives (officials and employees) of the Woodinville Fire and Life Safety District to establish a plan that will assure an appropriate level of service to the Annexation Area and to the greater community served by the District. These negotiations are intended to lead to a mutual aid agreement. Meetings are also addressing compliance with ESSB 5808, recently adopted by the Legislature, for the purpose of ensuring that fire service personnel positions will be retained by a City following annexation of an area served by a Fire District. This legislation maintains requirements for asset transfer to ensure availability of those assets for fire protection and emergency services.
 - Kirkland officials report that excellent progress has been made in the development of draft agreements with members of the firefighters unions. The City of Kirkland and Woodinville Fire and Life Safety officials have been working collaboratively to begin drafting language for a service plan, however, there is considerable work yet to be accomplished in order to achieve a mutually acceptable interlocal agreement. The City has established such an agreement as a high priority.
 - The City will work with representatives of District No. 41 to address the anticipated dissolution of that District. The City will serve all of the Finn Hill, Juanita, Kingsgate Area. The City and District

No. 41 will also be working with the City of Bothell to ensure ongoing services to the small area within District No. 41 boundaries that is slated to remain unincorporated at this time. The property is a single parcel sited north of the Juanita community and south of the existing City of Bothell.) That area is not proposed for annexation because the property is located within the City of Bothell's Potential Annexation Area.

- The City of Kirkland, through a franchise agreement with the Woodinville Water District, will continue to provide service to the Finn Hill, Juanita, Kingsgate Annexation Area. Similarly, the Northshore Utility District will provide services to the Finn Hill, North Juanita, Kingsgate Annexation Area through a franchise agreement with the City of Kirkland.
- The City will also establish storm water management system requirements for the Finn Hill, Juanita, Kingsgate Area through the 2005 Department of Ecology Storm Water Management Manual for Western Washington.
- The City will assume responsibility for provision and management of existing capital facilities (e.g., roadways, sidewalks.) Roadways (including streets, storm water drains, and other right of way features) are generally full operational. Funding is planned from various existing taxes and fees as well as anticipated sources (e.g., grants, development impact fees) for anticipated routine upgrades and maintenance and for future upgrades to facilities.
- Existing parks and recreation facilities (slated for improvements) would be available to the community under the aegis of the City of Kirkland and/or through interlocal agreements with King County. The proposed 4590-acre annexation site includes both passive and active open spaces (e.g., Lake Washington, Juanita Beach Park, Juanita Bay Park, Big Finn Hill Park, Edith Moulton Park, East Norway Hill Park, Denny Park). The City would move ahead to ensure that these areas will continue to be preserved in order to provide a variety of active and passive outdoor recreational opportunities for residents. The City of Kirkland testified as to a commitment, as well, to ensure the protection of natural habitat in the Finn Hill, Juanita, Kingsgate Area.
- Children would continue to attend schools in Lake Washington District No. 414 and Northshore School District No. 417.
- The City of Kirkland Library System would be accessible to citizens of the Finn Hill, Juanita, Kingsgate Area.
- The City of Kirkland would provide for health and human services to citizens of the Finn Hill, Juanita, Kingsgate Area.

The City of Kirkland will consider acquisitions and improvements to the Finn Hill, Juanita, Kingsgate Area over time. Those acquisitions and improvements will be identified by means of a priority listing which reflects both necessity (i.e., public health, welfare and safety) and the interests of the citizens.

The Board finds that the City of Kirkland is prepared to assume responsibility for providing and coordinating a high level of service for the residents and businesses of Finn Hill, Juanita, Kingsgate. City officials have demonstrated that provision of public services to the Finn Hill, Juanita, Kingsgate Area would be improved by placing the entire area under a single municipal jurisdiction. Synchronized services and facilities (e.g., emergency services, water service, storm water and surface water management systems, wastewater treatment) will promote protection of the built environment and the natural environment.

King County strongly supports annexation of unincorporated urban areas such as the Finn Hill, Juanita, Kingsgate Area to provide citizens with more effective, efficient governance. Countywide Planning policies encourage cities to annex (and provide services to) territory within their designated potential annexation area. Other policies establish cities as the appropriate units to govern, develop, and serve Urban Areas. The County lacks sufficient resources to manage land uses or serve properties in these urban areas.

The State Growth Management Act identifies cities as the logical providers of local governance and urban services.

RCW 36.93.180 (4) PREVENTION OF ABNORMALLY IRREGULAR BOUNDARIES

The Board finds that incorporation of the Finn Hill, Juanita, Kingsgate Area by annexation into Kirkland would provide a reasonable and regular boundary consistent with the Kirkland Comprehensive Plan Annexation Element. The proposed boundaries of the Finn Hill, Juanita, Kingsgate Area are consistent with the duly approved incorporated boundaries of the City of Kirkland. Similarly, the Finn Hill, Juanita, Kingsgate Area boundaries coincide with the established boundaries of the City of Bothell, the City of Kenmore, the City of Redmond, the City of Woodinville, and Unincorporated King County (including portions of the Urban Growth Area boundary.)

The Board finds that annexation of the Finn Hill, Juanita, Kingsgate Area to Kirkland advances this objective to achieve the boundaries necessary to facilitate coordinated land uses and provide for more effective, efficient services to the community.

The incorporation of the Finn Hill, Juanita, Kingsgate Area is anticipated by the Kirkland Comprehensive Plan/Potential Annexation Area.

RCW 36.93.180 (5) DISCOURAGEMENT OF MULTIPLE INCORPORATIONS

The Board finds that both the State Growth Management Act and the King County Comprehensive Plan encourage governance of urban areas by local jurisdictions. Annexation to achieve local governance is preferred over incorporation of new communities. Annexation of Finn Hill, Juanita, Kingsgate to the City of Kirkland would, therefore, be consistent with RCW 36.93.180 (5).

RCW 36.93.180 (6) DISSOLUTION OF INACTIVE SPECIAL PURPOSE DISTRICTS

The Board finds that RCW 36.93.180 (6) is not applicable to File No. 2293.

RCW 36.93.180 (7) ADJUSTMENT OF IMPRACTICAL BOUNDARIES

The Board finds that the proposed Finn Hill, Juanita, Kingsgate Area comprises a sizeable area of unincorporated land. Annexation of the Finn Hill, Juanita, Kingsgate Area to the City of Kirkland would create more reasonable and practical boundaries necessary to achieve the preservation and coordinated governance of the community.

More specifically, with annexation, the Finn Hill, Juanita, Kingsgate Area – including the built environment and linked natural environment – will be placed under City jurisdiction, thus creating more practical boundaries for the effective local governance, directed planning activities (e.g., establishment of uniform land uses and development standards); preservation of environmentally sensitive areas; and the provision of coordinated public facilities and services.

RCW 36.93.180 (8) INCORPORATION AS CITIES OR ANNEXATION TO CITIES OF UNINCORPORATED AREAS WHICH ARE URBAN IN CHARACTER

The Finn Hill, Juanita, Kingsgate Area into the City of Kirkland lies within the Urban Growth Area established by the King County Comprehensive Plan. The "Urban" designation established for the Finn Hill, Juanita, Kingsgate Area is also supported by the State Growth Management Act.

The City of Kirkland Comprehensive Plan includes the entire Finn Hill, Juanita, Kingsgate Area in its Potential Annexation Area. Annexation of the Finn Hill, Juanita, Kingsgate Area into Kirkland will promote uniform governance, development, and services appropriate for this urban territory. Coordinated governance and services should immediately benefit Finn Hill, Juanita, Kingsgate Area citizens. At annexation, Finn Hill, Juanita, Kingsgate Area citizens will be notified of – and invited to participate in the planning of – future improvements to the community.

The King County Comprehensive Plan and the State Growth Management Act encourage unincorporated urban areas, such as Finn Hill, Juanita, Kingsgate Area, to annex to a local jurisdiction. The Finn Hill, Juanita, Kingsgate Area, as a part of the established City of Kirkland, would benefit from more effective, efficient governance.

RCW 36.93.180 (9) PROTECTION OF AGRICULTURAL AND RURAL LANDS FOR LONG TERM PRODUCTIVE AGRICULTURAL/RESOURCE USE

The Board finds that RCW 36.93.180 (9) is not applicable to File No. 2293 as the Finn Hill, Juanita, Kingsgate Area lies in the Urban Growth Area as established for King County.

III. BOUNDARY REVIEW BOARD FINDINGS AND DECISIONS

The Boundary Review Board conducted review and deliberation of File No. 2293 based upon the record of written documents and oral testimony, in keeping with applicable state, regional and local regulations. The Board focused upon RCW 36.93 (Boundary Review Board Enabling Act); RCW 36.70A (Growth Management Act); King County Comprehensive Plan/Countywide Policies; City of Kirkland Comprehensive Plans, RCW 35.13 (Annexation of Cities); and other relevant regulations and guidelines.

The Board finds that the record for File No. 2293 is detailed and extensive. Affected parties have provided considerable materials supporting their positions. The Board reviewed the entire record to reach its decision for the proposed Finn Hill, Juanita, Kingsgate Area Annexation. The Board finds that the City of Kirkland's proposed annexation of the Finn Hill, Juanita, Kingsgate Area is consistent with the provisions of Chapter 36.93 RCW. By way of example, but not limitation:

- The Finn Hill, Juanita, Kingsgate Area Annexation addresses, and achieves compliance with the preponderance of criteria established in RCW 36.93.170 with respect to population, territory, comprehensive planning, land uses, natural environment, service needs and service capacity, and mutual social and economic needs.
- Additionally, the proposed Finn Hill, Juanita, Kingsgate Area was evaluated according to the criteria established in RCW 36.93.180 as follows:

RCW 36.93	FINN HILL, JUANITA, KINGSGATE AREA (4590 ACRES)
OBJECTIVE 1 — PRESERVATION OF NATURAL NEIGHBORHOODS AND COMMUNITIES	ADVANCES CRITERION AS ANNEXATION INCLUDES PROPERTIES IN A NATURAL COMMUNITY
OBJECTIVE 2 — USE OF PHYSICAL BOUNDARIES	ADVANCES CRITERION AS IT IS CONSISTENT WITH ESTABLISHED COMPREHENSIVE PLAN BOUNDARIES
OBJECTIVE 3 — CREATION AND PRESERVATION OF LOGICAL SERVICE AREAS	ADVANCES CRITERION AS KIRKLAND CAN SERVE ENTIRE AREA TO PROTECT PUBLIC WELFARE.
OBJECTIVE 4 — PREVENTION OF ABNORMALLY IRREGULAR BOUNDARIES	ADVANCES CRITERION AS REGULAR BOUNDARIES SUPPORT A UNIFIED COMMUNITY AND STREAMLINED SERVICE PROVISION
OBJECTIVE 5 — DISCOURAGEMENT OF MULTIPLE INCORPORATIONS	ADVANCES CRITERION AS ANNEXATION WILL SUPPORT A UNIFIED COMMUNITY
OBJECTIVE 6 — DISSOLUTION OF INACTIVE SPECIAL PURPOSE DISTRICTS	DOES NOT APPLY
OBJECTIVE 7 — ADJUSTMENT OF IMPRACTICAL BOUNDARIES	ADVANCES CRITERION AS PRACTICAL BOUNDARIES ARE CREATED TO SUPPORT A UNIFIED COMMUNITY AND TO STREAMLINE SERVICE PROVISION
OBJECTIVE 8 — INCORPORATION ...OR ANNEXATION TO CITIES OF UNINCORPORATED URBAN AREAS	ADVANCES CRITERION AS THE ENTIRE DESIGNATED URBAN AREA WILL BE ANNEXED INTO A LOCAL JURISDICTION.
OBJECTIVE 9 — PROTECTION OF AGRICULTURAL AND RURAL LANDS ...	DOES NOT APPLY

- State Growth Management Act (Chapter 36.70A RCW) policies call for logical and orderly growth. The Board finds that annexation of the Finn Hill, Juanita, Kingsgate Area advances the provisions of the RCW 36.70A by providing for effective local governance.
- The King County Comprehensive Plan/Countywide Policies and the Kirkland Comprehensive Plan also contemplate logical and orderly growth of communities. These County and City plans support local governance to assure balanced, sound, cost-effective governance for this community.

The Board finds that the proposed Finn Hill, Juanita, Kingsgate Area Annexation is consistent with the King County Comprehensive Plan/Countywide Policies and the City of Kirkland Comprehensive Plan. Annexation of the Finn Hill, Juanita, Kingsgate Area would accomplish that balance that the County and the City seek from annexation of urban areas into local communities.

IV. CONCLUSION

The Boundary Review Board finds that approval of the Finn Hill, Juanita, Kingsgate Area Annexation to the City of Kirkland advances the standards established in the Growth Management Act, King County Comprehensive Plan, the City of Kirkland's Comprehensive Plan, RCW 36.93, and other state and local guidelines for incorporation of urban areas.

The Boundary Review Board finds that approval of the City of Kirkland Notice of Intention to annex the Finn Hill, Juanita, Kingsgate Area is timely based upon the City of Kirkland's commitment and demonstrated resources to guide development and provide municipal services to this area.

The Finn Hill, Juanita, Kingsgate Area Annexation will enable the City of Kirkland to provide a harmonious efficient plan for the governance of the built community, preservation of the environment, and protection of the public health and safety of the citizens.

(Note: Under state law, the City of Kirkland must adopt an Ordinance or Resolution affirming the Finn Hill, Juanita, Kingsgate Area Annexation following action by the Boundary Review Board and agreement by a vote of the citizens. Under state law, the City must confirm the action as approved by the Boundary Review Board. Alternatively, the Council may decide not to pursue the action. However, the City cannot modify the boundaries that have been approved by the Boundary Review Board.)

NOW, THEREFORE,

BE IT RESOLVED BY THE WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY THAT, for the above reasons, the action proposed in the Notice of Intention contained in said File No. 2293 be, and the same is, hereby **approved** as described in Exhibits attached hereto and incorporated herein by reference.


ADOPTED BY SAID WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY by a vote of 7 in favor, 0 in opposition, and 1 abstentions, on this 9th day of July 2009, and signed by me in authentication of its said adoption on said date.

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY



Claudia Hirschey, Chair

FILED this 10th day of July, 2009 BY:



Lenora Blauman, Executive Secretary

EXHIBITS

EXHIBIT I CITY OF KIRKLAND FINN HILL, JUANITA, KINGSGATE AREA: LEGAL DESCRIPTION OF ANNEXATION AREA BOUNDARIES

EXHIBIT II CITY OF KIRKLAND FINN HILL, JUANITA, KINGSGATE AREA: MAP OF ANNEXATION AREA BOUNDARIES

EXHIBIT I

City of Kirkland
Legal Description – Finn Hill, North Juanita, Kingsgate Annexation

Triad Job No 09-033
March 24, 2009
Revised March 31, 2009
Revised May 13, 2009

That portion of Sections 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30 and 31 Township 26 North, Range 5 East W.M. and Sections 13, 23, 24, 25, 26 and 36 Township 26 North, Range 4 East W.M. in King County, Washington described as follows:

Beginning at North Quarter Corner of Section 28, Township 26 North, Range 5 East, W.M.;

Thence west along the north line of the Northwest Quarter of said Section 28 (said north line being the north limits of the City of Kirkland as established by City of Kirkland Ordinance No. 2252 and the centerline of NE 132nd Street) to the corner common to Sections 28 and 29, Township 26 North, Range 5 East, W.M.;

Thence west along the north line of the Northeast Quarter of said Section 29 (said north line being the north limits of the City of Kirkland as established by City of Kirkland Ordinance No. 2252 and the centerline of NE 132nd Street) to the centerline of 116th Avenue NE right of way;

Thence southerly along the centerline of 116th Avenue NE right of way to the easterly extension of the south margin of the NE 132nd Street right of way;

Thence westerly along said south margin and the south margin of the NE 131st Way right of way (said south margins being the north limits of the City of Kirkland as established by City of Kirkland Ordinance No. 3062) to the west line of east half of Section 30, Township 26 North, Range 5 East, W.M.;

Thence south along said west line (said west line being the west limits of the City of Kirkland as established by City of Kirkland Ordinance No. 3062) to the north line of the southeast quarter of the northwest quarter of said Section 30;

Thence west along said north line (said north line being the north boundary of a tract of land annexed to the City of Kirkland under City of Kirkland Ordinance No. 4048) to the west line of east 275 feet of said southeast quarter of the northwest quarter;

Thence south along said west line (said west line being the west boundary of a tract of land annexed to the City of Kirkland under City of Kirkland Ordinance No. 4048) to south line of said southeast quarter of the northwest quarter;

Thence along said south line to the east margin and/or the northerly extension of the east margin of 91st Avenue NE (said east margin being the west boundary of a tract of land annexed to the City of Kirkland under City of Kirkland Ordinance Number 3121);

Thence south along said east margin and/or its northerly extension (said east margin being the west boundary of a tract of land annexed to the City of Kirkland under City of Kirkland Ordinance Number 3121) to the south margin of NE 120th Street;

Thence east along the south margin of NE 120th Street and/or its easterly extension to the west limits of the City of Kirkland as established by King County Ordinance No. 15471;

Thence south along said west limits to the southerly margin of Juanita Drive NE right of way;

Thence along said southerly margin to the west line of Juanita Bay Condominiums (said line being the west limits of the City of Kirkland as established by City of Kirkland Ordinance No. 3062);

Thence southerly and southeasterly along the said west line and its southerly extension (said line being the west limits of the City of Kirkland as established by City of Kirkland Ordinance No. 3062) to the outer limits of the second class shorelands of Lake Washington;

Thence leaving said city limits, southwesterly and northwesterly along said outer limits to North line of King County Short Plat Number 985037 (Alteration), recorded under Recording Number 911180963.



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records of King County, Washington and the limits of the City of Kenmore as established by King County Ordinance No. 12815;

Thence along said limits of the City of Kenmore the following courses:

Thence easterly along the North line of said King County Short Plat and the North line of Lot 2, King County Short Plat Number 273020, recorded under Recording Number 7601230425, records of King County, Washington to the west margin of 62nd Avenue Northeast;

Thence southerly along said margin to the north line of the Southeast Quarter of Section 23, Township 26 North, Range 4 East, W.M.;

Thence easterly along said north line to the east margin of 62nd Avenue Northeast;

Thence southerly along the east margin of 62nd Avenue Northeast to the point of intersection with the north line of King County Short Plat Number 376072, recorded under Recording Number 7607290790, records of King County, Washington;

Thence easterly along the north line of said King County Short Plat and the north line of King County Short Plat Number 682031, recorded under Recording Number 8404240701 and King County Short Plat Number S89S0226, recorded under Recording Number 8908311935, all in records of King County, Washington, to the westerly margin of Holmes Point Drive Northeast;

Thence northerly and easterly along said margin to the westerly margin of Juanita Drive Northeast;

Thence northerly along the westerly margin of said Juanita Drive Northeast to the point of intersection with the westerly extension of the north margin of Northeast 143rd Street;

Thence easterly along said extended line and the north margin at Northeast 143rd Street and the north margin of Northeast 145th Street to the intersection with the Westerly margin of 92nd Avenue Northeast;

Thence northerly along said margin to the intersection with the northeasterly margin of Simonds Road Northeast, said margin also being the limits of the City of Bothell as established by City of Bothell Ordinances 225, 227 and 960;

Thence southeasterly along the southerly limits of the City of Bothell and the northeasterly margin of Simonds Road Northeast to the west margin of 100th Avenue NE;

Thence north along said west margin to the north line of Section 19, Township 26 North, Range 5 East, W.M. and the south limits of the City of Bothell as established by City of Bothell Ordinance Number 225;

Thence east along said north line and the south limits of the City of Bothell to the Northeast Corner of said Section 19;

Thence east along the north line of Section 20, Township 26 North, Range 5 East, W.M. and the south limits of the City of Bothell as established by City of Bothell Ordinance Number 1220 to the southerly prolongation of the east margin of 100th Avenue NE and the easterly limits of the City of Bothell as established by City of Bothell Ordinance Number 1220;

Thence north along said southerly prolongation and easterly limits of Bothell to the north margin of NE 145th Street;

Thence leaving said city limits, east along said north margin to the southerly prolongation of the west line of the plat of Norway View according to the plat thereof recorded in Volume 125 of Plats at Pages 77 and 78, records of King County, Washington;

Thence north along said southerly prolongation to the north margin of NE 145th Street;

Thence east along said north margin and its easterly extension to the southeasterly margin of Juanita-Woodinville Way NE;



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Thence southerly along said southeasterly margin to the north margin of NE 145th Street;

Thence east along said north margin to the east line of the plat of Windsor Vista No. 1 according to the plat thereof recorded in Volume 81 of Plats, at pages 70 and 71, records of King County, Washington;

Thence southerly along the southerly prolongation of said east line to the south line of Section 17, Township 26 North, Range 5 East, W.M.;

Thence east along said south line to the easterly margin of Primary State Highway No. 1 (SR-405) as depicted on the Record of Survey recording in Book 182 of Surveys, at Pages 251 through 259, records of King County, Washington;

Thence north along said easterly margin to the south line of a tract land conveyed to King County by the State of Washington by instrument recorded under 8603110513, records of King County, Washington;

Thence east along the south line of said tract to the east line of said tract;

Thence north along the east line of said tract to the southwesterly margin of the City of Seattle Tolt River Pipeline Right of Way;

Thence southeasterly along southwesterly margin to the west margin of NE 124th Avenue NE and west limits of the City of Woodinville as established by King County Ordinance No. 10306;

Thence along said limits of the City of Woodinville the following courses:

Thence south along said west margin to the intersection of the westerly extension of the south boundary of Kingsgate Highlands, Division No. 5, recorded in Volume 88 of Plats, Pages 1 to 5, Records of King County, Washington;

Thence east along said westerly extension and said south boundary to the southeast corner of said plat of Kingsgate Highlands Division 5;

Thence north along the east boundary thereof to the southwest corner of the plat of Kingsgate Vista, recorded in Volume 107 of Plats, pages 52 and 53, records of King County, Washington;

Thence east along the south boundary of said plat of Kingsgate Vista and its easterly projection to the West margin of 132nd Ave NE;

Thence southerly along said west margin of 132nd Avenue NE to the westerly extension of the south margin of NE 143rd street;

Thence easterly along said westerly extension and south margin thereof to the west line of the Puget Sound Power and Light Co. transmission line easement as located in the NW 1/4 of the NW 1/4 of Section 22, Township 26 North, Range 5 East W.M.;

Thence south along said west line to the south line of the NW 1/4 of Section 22, Township 26, North Range 5 East W.M.;

Thence easterly along said south line to the NW corner of the NE 1/4 of the NE 1/4 of the S W 1/4 of said Section 22;

Thence south to the SW corner of the NE 1/4 of the NE 1/4 of the SW 1/4 of said Section 22;

Thence east along the south line thereof to the North-South centerline of Section 22;

Thence north along said North-South centerline to the center of said Section 22;

Thence west along the East-West centerline thereof 310 feet, more or less, to the SW corner of Tax Lot No. 108 in the SE 1/4 of the NW 1/4 of said Section 22;

Thence N 7° 10' 00" W along the west line of said Tax Lot 108, 380 feet, more or less, to the NW corner thereof;



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Thence N 77°15'00" E along the northerly line of said Tax Lot 108 to the westerly margin of the Burlington Northern Railway right-of-way (also known as Northern Pacific Belt Line);

Thence southerly along said westerly margin to the south line of the NE 1/4 of said Section 22;

Thence east along the south line of the NE 1/4 of said Section 22 to the easterly margin of the Burlington Northern Railway right-of-way, (also known as Northern Pacific, Snoqualmie Branch) and an angle point in the limits of the City of Woodinville;

Thence leaving said limits of the City of Woodinville and continuing along the south line of NE 1/4 of said Section 22 to the easterly margin of the Burlington Northern Railway right-of-way, (also known as Northern Pacific, Snoqualmie Branch)

Thence south along said easterly margin to the south margin of NE 124th Street;

Thence westerly to the northeast corner of a tract of land annexed to the City of Redmond by City of Redmond Ordinance Number 1030;

Thence west along the north line of the tracts of land annexed to the City of Redmond by City of Redmond Ordinance Numbers 1030 and 966 to the west line of the east 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 27, Township 26 North, Range 5 East, W.M.

Thence south along said west line and the west line of a tract of land annexed to the City of Redmond by City of Redmond Ordinance Number 966 to the south line of the said Northwest 1/4 and the north line of a tract of land annexed to the City of Redmond by City of Redmond Ordinance Number 778;

Thence west along said south line and said limits of the City of Redmond to the easterly margin of Seattle Water Department Eastside Supply Line right-of-way and the limits of the City of Kirkland as established by City of Kirkland Ordinance Number 3063;

Thence north along said easterly margin and said limits of the City of Kirkland to the south margin of NE 124th Street;

Thence westerly along said right of way and said limits of the City of Kirkland to the northerly tangent point of the southerly margin of said right-of-way with the westerly margin of the Slater Avenue NE right of way;

Thence northwesterly perpendicular to the centerline of NE 124th Street right-of-way to the southerly line of a tract of land annexed to the City of Kirkland by City of Kirkland Ordinance No. 2545;

Thence northeasterly along said southerly line to the southeast corner of said tract of land;

Thence northerly along east line of said tract of land to the northeast corner thereof,

Thence west along said north line of said tract of land to the west line of the northeast quarter of the northeast quarter of Section 28, Township 26 North, Range 5, W.M. and the limits of the City of Kirkland as established by City of Kirkland Ordinance Number 2252.

Thence north along said west line and said limits of the City of Kirkland to the north line of said Section 28;

Thence west along said north line (said north line being the north limits of the City of Kirkland as established by City of Kirkland Ordinance No. 2252 and the centerline of NE 132nd Street) to the Point of Beginning.

Written By: BTF

Written By: GTJ



6/3/09



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