

ORDINANCE NO. O2026-001

AN ORDINANCE of the City Council of the City of Tumwater, Washington, annexing certain contiguous property located adjacent to 93rd Avenue SW and Case Road SW in Thurston County, Washington, to the City of Tumwater, as more particularly described herein.

WHEREAS, on March 18, 2025, pursuant to RCW 35A.14.120, Nathan Waunch and H. John and Diane Elwin, owners of not less than ten percent (10%) in value, according to the assessed valuation for general taxation, of the property described in Exhibits A and B, notified the Tumwater City Council of their request for annexation of such property to the City of Tumwater; and

WHEREAS, on April 15, 2025, Tumwater staff briefed the General Government Committee on the annexation request, and the Committee scheduled consideration of the ten percent annexation petition for the City Council meeting on May 6, 2025; and

WHEREAS, at their May 6, 2025, regular meeting the City Council met with the initiating parties, accepted the proposal to annex, established the proposed annexation boundaries, and determined that the properties within the annexation area shall assume a proportionate share of existing City indebtedness; and

WHEREAS, on June 3, 2025, the Thurston County Assessor certified that the annexation petition meets the sufficiency requirements of RCW 35A.01.040, including the requirement that it be signed by owners of more than sixty percent (60%) in value, according to the assessed valuation for general taxation, of the property proposed for annexation; and

WHEREAS, on July 9, 2025, the petitioners filed the sixty percent (60%) annexation petition with the City; and

WHEREAS, on July 9, 2025, the General Government Committee scheduled a public hearing with the City Council on Resolution No. R2025-011, establishing intent to annex certain contiguous property located adjacent to 93rd Avenue SW and Case Road SW, for August 19, 2025; and

WHEREAS, on July 25, 2025, the Tumwater City Clerk posted and published a Notice of Public Hearing on approval of Resolution No. R2025-011, establishing intent to annex certain contiguous property located adjacent to 93rd Avenue SW and Case Road SW, in the manner provided by law; and

WHEREAS, on August 19, 2025, the City Council held a duly noticed public hearing on approval of Resolution No. R2025-011, establishing intent to annex certain

contiguous property located adjacent to 93rd Avenue SW and Case Road SW, at Tumwater City Hall; and

WHEREAS, following the public hearing, the City Council determined that annexation of the property described in the legal description and map attached as Exhibits A and B would be in the best interests of the City of Tumwater and its residents; and

WHEREAS, on August 19, 2025, the City Council adopted Resolution No. R2025-011 declaring its intent to annex the property as described in Exhibits A and B; and

WHEREAS, on September 19, 2025, Tumwater staff submitted a Notice of Intent application to the Thurston County Boundary Review Board for review; and

WHEREAS, on November 19, 2025, the Thurston County Boundary Review Board distributed the application for review; and

WHEREAS, on January 3, 2026, following the applicable review period, the Boundary Review Board approved the Notice of Intent application, allowing the City of Tumwater to proceed with final action; and

WHEREAS, on January 16, 2026, Tumwater staff notified the Washington State Office of Financial Management of the annexation proposal; and

WHEREAS, on January 20, 2026, the Washington State Department of Transportation conducted a preliminary review of the legal description and map attached as Exhibit A and B; and

WHEREAS, Tumwater staff has determined that the annexation is consistent with the City of Tumwater Comprehensive Plan, adopted annexation policies, the County-Wide Planning Policies, the Thurston County-Tumwater Joint Plan, and the Growth Management Act; and

WHEREAS, the General Government Committee discussed this annexation ordinance in a work session on March 11, 2026; and

WHEREAS, on March 17, 2026, the City Council considered this annexation ordinance; and

WHEREAS, following adoption of this ordinance, the City of Tumwater will submit the ordinance to the Washington State Office of Financial Management for

certification and will distribute required notices to Thuston County, affected utility providers, and applicable fire protection and library districts.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The Tumwater City Council hereby annexes the property described in Exhibit A and depicted in Exhibit B attached hereto and by this reference incorporated as if fully set forth herein as of the effective date of this ordinance.

Section 2. It is hereby further declared that upon annexation, the property described in Section 1 above shall be subject to existing indebtedness of the City of Tumwater.

Section 3. Zoning and land use designations shall be applied which are consistent with the Tumwater Comprehensive Plan.

Section 4. The Airport Overlay Zone and Aquifer Protection Overlay Zone shall be applied pursuant to the Tumwater Municipal Code and the Tumwater Comprehensive Plan.

Section 5. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Section 6. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 7. Severability. The provisions of this Ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Ordinance, or the validity of its application to other persons or circumstances.

Section 8. Effective Date. This Ordinance shall become effective on the first day of June, 2026, following passage, approval and publication as provided by law.

ADOPTED this seventeenth day of March, 2026.

CITY OF TUMWATER

Leatta Dahlhoff, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

Published: _____

Effective Date: June 1, 2026

Exhibit "A"

Legal land description of total property to be annexed.

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 17 NORTH, RANGE 2 WEST, WM, DESCRIBED AS FOLLOWS:

THE SOUTH 726.00 FEET OF THE WEST 300.00 FEET OF SAID SUBDIVISION AND TRACT 1 OF THAT SURVEY RECORDED MARCH 20, 1979 UNDER AUDITOR'S FILE NUMBER 1071074, RECORDS OF THURSTON COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF 93RD AVE SW RIGHT-OF-WAY LYING ADJACENT TO SAID WEST 300.00 FEET AND SAID TRACT 1 ON THE SOUTH; A PORTION OF SAID RIGHT-OF-WAY LIES IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 17 NORTH, RANGE 2 WEST, WM;

SITUATE IN THURSTON COUNTY, WASHINGTON; CONTAINING 11.8.0 ACRES, MORE OR LESS.

Exhibit "B"

Map of total property to be annexed.

