

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

**RESOLUTION
NO. 2011-_____**

**A Resolution Annexing Certain Properties into
Kittitas County Fire Protection District 7**

WHEREAS, on August 10, 2011, Kittitas County Fire Protection District 7 adopted Resolution 8-10-2011, to accept the Petitions for Annexation of certain real property situated in Kittitas County, State of Washington, to be annexed into and become a part of Fire District No. 7; and

WHEREAS, the legal description of the real property described in Resolution 8-10-2011 is as follows:

The North East Quarter of Township 21N Range 17E Section 36WM; East ½ of Township 21N Range 17E Sections 24WM & 25WM; All of Township 21 N Range 18E Section 18WM. All in Kittitas County, State of Washington.

and

WHEREAS, Kittitas County does not have a Boundary Review Board to process such petitions; and

WHEREAS, in the absence of a Boundary Review Board, Chapter 52.04 RCW governs annexations for fire protection districts; and

WHEREAS, the election method of annexation is governed by RCW 52.04.011; and

WHEREAS, in accord with RCW 52.04.011, the board of fire commissioners of Fire District No. 7 filed the Annexation Petitions and attached exhibits with the Kittitas County Auditor; and

WHEREAS, on August 18, 2011, the County Auditor examined the signatures and certified to their sufficiency, noting the following:

1. That there are two (2) registered voters located within the area described;
2. That there were two (2) petitions for annexation received from residents within the described boundary;

3. That two (2) petitions submitted were signed by valid registered voters within the described boundary, whose signatures matched the voter registration files in the Kittitas County Auditor's Office;
4. That of the validated petitions submitted, one hundred percent (100%) of the qualified registered electors requesting annexation were residing within the territory to be annexed; and

WHEREAS, Resolution 8-10-2011 submitted by Fire District No. 7 states that upon verification of sufficiency of qualified registered electors residing within the petitioned territory of Fire District No. 7, the Fire District requests the Kittitas County Board of Commissioners to dispense with an election and public hearing pursuant to RCW 52.04.011(3), and to order the territory incorporated into Fire District No. 7; and

WHEREAS, on August 22, 2011 the Auditor's office provided the Board of County Commissioners office copies of the Fire District's Resolution including the legal description, Petitions for Annexation signed by the registered electors, a map showing the boundaries, and a Certificate of Sufficiency;

WHEREAS, RCW 52.04.011(3) provides that if the election-method annexation petitions are signed by sixty percent (60%) of the qualified registered electors residing within the territory proposed to be annexed, and if the board of fire commissioners concur, an election and a hearing on the petitions shall be dispensed with and the county legislative authority shall enter its order incorporating the territory into the existing fire protection district; and

WHEREAS, as attested by the Kittitas County Auditor's Certificate of Sufficiency dated August 18, 2011, the within described annexation petitions were signed by one hundred percent (100%) of the qualified registered electors of the area sought to be annexed, which exceeds the sixty percent (60%) required by RCW 52.04.011(3) for dispensing with an election and a hearing on the petition; and

WHEREAS, at a public meeting the BOCC considered only those areas located within the County, and did not include any lands outside the boundaries of the proposed annexation; and

WHEREAS, the BOCC did not exclude any lands from the boundaries described in the petition; and

WHEREAS, the BOCC finds that the lands proposed to be annexed will receive a benefit in that annexation will provide fire protection to include wildland and structure fire responses, which will help protect and ensure the well being of the community; and

WHEREAS, the BOCC finds pursuant to RCW 52.04.011 and 52.02.070, the annexation will be conducive to the public safety, welfare, and convenience; and

WHEREAS, the BOCC accepts and approves the Resolution submitted by Fire District No. 7 dated August 10, 2011, to annex the property therein described, attached hereto as Exhibit #1; and

NOW, THEREFORE, BE IT RESOLVED: according to statute, the Board of Kittitas County Commissioners adopts the recommendation of the Kittitas County Fire Protection District No. 7 Resolution dated August 10, 2011, to dispense with an election and a hearing on the petition, and to annex the within described property into Kittitas County Fire Protection District No. 7.

DATED this _____ day of _____, 2011, at Ellensburg, Washington.

**BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON**

ATTEST:

Paul Jewell, Chair

Julie A. Kjorsvik

Alan Crankovich, Vice Chair

APPROVED AS TO FORM:

Obie O'Brien, Commissioner

Deputy Prosecuting Attorney