

## ORDINANCE NO. 1183

### AN ORDINANCE ANNEXING LAND AREA INTO THE CITY OF ZILLAH, WASHINGTON, KNOWN AS THE ZILLAH LAKES ANNEXATION.

### BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ZILLAH, WASHINGTON, AS FOLLOWS:

**WHEREAS**, the Zillah City Council was presented with a petition to annex a portion of land adjoining the City and located within the Urban Growth Boundary from no less than sixty percent of owners of real property as described in Attachment "1" attached to and made a part of this ordinance by reference; and

**WHEREAS**, the Zillah City Council adopted Resolution 2008-13 and issued a Notice of Intent to Annex and presented said notice to Yakima County Boundary Review and said board declined jurisdiction and the forty-five day limit set for the Board decision having expired on the 12th day of November, 2008; and

**WHEREAS**, on September 2, 2008 the City Council held a public hearing on the proposed annexation and considered all offered comments and the recommendations to zone the property as Commercial Tourism (C-T) with a Planned Development Overlay for parcels (201122-32001, 201122-31008\*, and 201122-33003\*) and Residential (R1) district for parcels (201127-11011 and 201122-43009) upon annexation; and  
(\* ) Now part of Tract X of Parcel Number 201122-32400

**Sections 1.** That the legal description for real property set for in Attachment "1" is as follows: THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 27, AND THAT PART OF THE SOUTH HALF OF SECTION 22, TOWNSHIP 11 NORTH, RANGE 20 EAST, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTH LINE OF SAID SECTION 27, 1040 FEET WEST OF THE NORTHEAST CORNER OF SAID SECTION;  
THENCE SOUTH 00°55' EAST 285 FEET TO THE POINT OF BEGINNING;  
THENCE CONTINUING SOUTH 00°55' EAST 815 FEET;  
THENCE NORTH 36°21' WEST 484.2 FEET;  
THENCE NORTH 40°46' WEST 936.3 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION, 899 FEET WEST OF THE POINT OF THE BEGINNING, SAID POINT BEING ON THE BROW OF THE BENCH;  
THENCE IN A NORTHERLY DIRECTION, FOLLOWING THE BROW OF THE BENCH TO THE SOUTHERLY RIGHT OF WAY LINE OF THE YAKIMA BRANCH OF THE UNION PACIFIC RAILROAD COMPANY;  
THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE TO THE WEST LINE OF SECTION 22, TOWNSHIP 11 NORTH, RANGE 20 EAST, W.M.  
THENCE NORTH ALONG SAID WEST LINE TO THE SOUTH LINE OF YAKIMA VALLEY HIGHWAY (SR12);  
THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE TO THE NORTH LINE OF SAID SECTION 27;  
THENCE WEST ALONG SAID NORTH LINE TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE NORTH COAST RAILROAD COMPANY (O.W.R);  
THENCE SOUTHWESTERLY TO THE POINT OF BEGINNING

EXCEPT THAT PORTION LYING NORTH AND WEST OF THE FOLLOWING DESCRIBED LINE:  
COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 22;  
THENCE SOUTH ALONG SAID WEST LINE 289.7 FEET;  
THENCE EAST 91 FEET;  
THENCE NORTH PARALLEL WITH SAID WEST LINE 96.11 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF YAKIMA BRANCH OF THE UNION PACIFIC RAILROAD COMPANY;

THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE 238.27 FEET TO THE POINT OF BEGINNING;  
THENCE NORTHEASTERLY AT A RIGHT ANGLE 120.01 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID RAILROAD;  
THENCE SOUTHEASTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE TO THE EAST LINE OF LINE OF THE NORTHWEST QUARTER OR THE SOUTHWEST QUARTER OF SAID SECTION 22;  
THENCE NORTH ALONG SAID EAST LINE TO THE SOUTHERLY RIGHT OF WAY LINE OF YAKIMA VALLEY HIGHWAY (SR12) AND THE TERMINUS OF SAID LINE.

AND TOGETHER WITH THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 22, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION;  
THENCE SOUTH ALONG SAID WEST LINE 289.70 FEET TO THE POINT OF BEGINNING;  
THENCE EAST 91 FEET;  
THENCE NORTH PARALLEL WITH SAID WEST LINE 96.11 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF YAKIMA BRANCH OF UNION PACIFIC RAILROAD COMPANY;

THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE TO THE WEST LINE OF SAID SECTION;  
THENCE SOUTH ALONG SAID WEST LINE TO THE POINT OF BEGINNING;

EXCEPT ROAD RIGHT OF WAY.

**Sections 2.** That the real property set for in Attachment “1” is hereby annexed into the City of Zillah, and that the corporate limits of the City of Zillah shall include said property and territory herein above described. Said property shall be assessed and taxed to pay for the outstanding indebtedness of the City of Zillah contracted prior to, or existing, or at the time of annexation.

**Section 3.** That the zoning of the property upon the effective date of this annexation shall be designated as Commercial Tourism (C-T) with a Planned Development Overlay for parcels (201122-32001, 201122-31008\*, and 201122-33003\*) and Residential (R1) district for parcels (201127-11011 and 201122-43009) and be subject to the district requirements pursuant to Title 17 of the Zillah Municipal Code now and as amended.

**Section 4.** That the City Clerk/Treasurer is directed to file a certified copy of this Ordinance with the Yakima County Auditor, and shall file a certification of population with the Office of Financial Management.

**Section 5.** This Ordinance shall be in full force and effective upon publication of a summary thereof.

**PASSED BY THE CITY COUNCIL FOR THE CITY OF ZILLAH,  
WASHINGTON, this 15<sup>th</sup> day of December, 2008.**

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Gary Clark, Mayor

ATTEST:

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Sharon Bounds, City Clerk/Treasurer

APPROVED AS TO FORM:

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Jamie Carmody, City Attorney

*Date Published:*

*Effective Date:*

I certify that this is a true and accurate document.

TOWN SEAL

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Sharon Bounds, City Clerk/Treasurer