

**CITY OF PROSSER, WASHINGTON
ORDINANCE NO. 10-2695**

AN ORDINANCE ANNEXING REAL PROPERTY WITH PARCEL NUMBERS 1-3295-300-0005-000 and 1-3295-300-0003-001 COMMONLY KNOWN AS THE CONIFER PACIFIC PROPERTY AND GENERALLY LOCATED NORTH OF INTERSTATE 82 AND SOUTH OF THE BNSF RAILROAD TRACKS AND EXTENDING TO THE EASTERNMOST PORTION OF THE CITY'S URBAN GROWTH AREA INTO THE CITY OF PROSSER, WASHINGTON; MAKING THE PROVISIONS OF THE ORDINANCE SEVERABLE FROM ONE ANOTHER; SETTING FORTH THE EFFECTIVE DATE OF THE ORDINANCE AND PROVIDING FOR PUBLICATION BY SUMMARY.

WHEREAS, Petitioner, being owners of property constituting not less than 10 percent in assessed value, according to the assessed valuation for general taxation of the property for which annexation is petitioned, met with the City Council of the City of Prosser, Washington on May 26, 2009, which date was prior to circulating their petition for annexation; and

WHEREAS, at the initial meeting the City Council determined that the City would accept the proposed annexation provided that existing City indebtedness was assumed by the area to be annexed; and

WHEREAS, on November 18, 2009 a sufficient petition for annexation was submitted to the Benton County Assessor and filed with the City Council pursuant to RCW 35A.14.120, signed by owners of not less than 60 percent of assessed valuation for general taxation of the property for which annexation is petitioned, seeking annexation to the City of Prosser of contiguous property commonly known as the Conifer Pacific Property; and

WHEREAS, the Benton County Assessor issued a determination of sufficiency for the Petition for Annexation on December 17, 2009; and

WHEREAS, the City Council fixed the date of March 9, 2010, at the hour of 7:00 p.m. or soon thereafter as may be held, as the date of the Public Hearing on the proposed annexation and caused notice of such hearing to be published and posted in accordance with RCW 35A.14.130, and the Public Hearing having been held on that date and all interested parties appearing at the hearing and desiring to be heard in regard to the proposed annexation; and

WHEREAS, the City Council having determined on March 9, 2010 that it is in the best interest of the City to annex the Conifer Pacific property and the annexation of the property benefits the general welfare of the City's citizens by increasing the tax base of the City and incorporating property which already receives City services by passing Resolution Number 10-1313, and

WHEREAS, the annexation of property by a Code City is exempt from review under the State Environmental Policy Act pursuant to RCW 43.21C.222; and

WHEREAS all statutory requirements have been complied with and the City has filed a notice of intent to annex with the Benton County Boundary Review Board and the jurisdiction of that Board having not been invoked;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PROSSER, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The following described real property is hereby annexed into and made a part of the City of Prosser, Washington:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

Section 2. All property within the territory annexed hereby shall be assessed and taxed at the same rate and on the same basis as property within the City, including assessments for taxes and payment of any bonds issued or debts contracted prior to or existing as of the date of annexation.

Section 3. From and after the effective date of this ordinance, the above described property shall be subject to all of the laws and ordinances then and thereafter in force and effect of the City of Prosser.

Section 4. SEVERABILITY. The provisions of this ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this ordinance shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid.

Section 5. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED by the City Council and **APPROVED** by the Mayor this 10th day of August 2010.

Attest:

Mayor Paul Warden

City Clerk

APPROVED AS TO FORM:

City Attorney

Publication Date: _____

SUMMARY OF ORDINANCE NO. 10-2695

of the City of Prosser, Washington

On the ____ day of _____, 2010, the City of Prosser, Washington, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE ANNEXING REAL PROPERTY WITH PARCEL NUMBERS 1-3295-300-0005-000 and 1-3295-300-0003-001 COMMONLY KNOWN AS THE CONIFER PACIFIC PROPERTY AND GENERALLY LOCATED NORTH OF INTERSTATE 82 AND SOUTH OF THE BNSF RAILROAD TRACKS AND EXTENDING TO THE EASTERMOST PORTION OF THE CITY'S URBAN GROWTH AREA INTO THE CITY OF PROSSER, WASHINGTON; MAKING THE PROVISIONS OF THE ORDINANCE SEVERABLE FROM ONE ANOTHER; SETTING FORTH THE EFFECTIVE DATE OF THE ORDINANCE AND PROVIDING FOR PUBLICATION BY SUMMARY.

The full text of this Ordinance will be mailed upon request.

DATED this ____ day of _____, 2010

CITY CLERK SHERRY BIGGS