

**ORDINANCE NO. 1410
CITY OF LEAVENWORTH, WASHINGTON**

**AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN
REAL PROPERTY OWNED BY THE UPPER VALLEY MEND, TITUS
LLC, AGNEW/HEBERT, AND DUNCAN TO THE CITY OF
LEAVENWORTH, WASHINGTON, INCORPORATING THE SAME
WITHIN THE CORPORATE LIMITS THEREOF, AND ADOPTING
ZONING REGULATIONS FOR THE ANNEXED PROPERTY**

The City Council of the City of Leavenworth, Washington do ordain as follows:

Section 1. The real property in Chelan County, Washington, described on Exhibit “A” attached hereto, owned by the Upper Valley MEND, Titus LLC, Agnew/Hebert, and Duncan property described as (abbreviated) herein as: Parcel # 241701550135 - EMIG PARKs LOT 22s & 23s with 14 acres. Parcel # 241701550153 - EMIG PARKs LOT 26s L B BA06-104,L B BA05-133s with 5.5000 acres. Parcel # 241701550111 - EMIG PARKs PT LOT C BLA 2008-111 (TAX CODE/ANNEXED); LC BA06-122 LESS ANNEXED STRIPs with 0.3600 acres. Parcel # 241701550155 –EMIG PARKs LOT 26s BA# 2005-133 LOT As with 3.9000 acres, contiguous to the City of Leavenworth, and within the City of Leavenworth urban growth boundary, is hereby annexed to and incorporated in the city limits of the City of Leavenworth, Washington.

Section 2. A certified copy of this ordinance shall be filed with the Board of County Commissioners of Chelan County, Washington in the manner provided by law.

Section 3. The annexed real property shall be subject to the City of Leavenworth Comprehensive Plan and City of Leavenworth zoning regulations and shall retain the existing zoning of Residential Multi-family.

Section 4. This ordinance shall be recorded with the Chelan County Auditor and shall be binding upon the annexed real property and the future owners thereof. This ordinance shall take effect five days after its passage and publication as provided by law.

Section 5. The annexed real property herein shall be assessed and taxed at the same rate and on the same basis as other property in the City of Leavenworth, Washington to pay for all or any portion of the outstanding indebtedness to the City of Leavenworth approved by the voters, contracted, or incurred prior to, or existing at, the date of annexation.

Section 6. This annexation requires, prior to its effectiveness, transfer to the City of Leavenworth of any domestic water rights as a condition of annexation.

Section 7. On January 10th, 2012, the City Council met with the annexation initiating parties and accepted the annexation with necessary conditions. On January 24, 2012, City

Council conducted a public hearing to accept and consider public testimony.

Passed by the City Council of City of Leavenworth, Washington and approved by the Mayor at an open public meeting on the 27th day of March, 2012.

CITY OF LEAVENWORTH

By: _____
Cheryl Kelley Farivar, Mayor

Attest:

Chantell Steiner
City Clerk/Finance Director

Approved as to form:

Thom H. Graafstra, City Attorney

CERTIFICATION

I, the undersigned, City Clerk of the City of Leavenworth, Washington (the "City"), hereby certify as follows:

1. The attached copy of Ordinance No. 1410 (the "Ordinance") is a full, true and correct copy of an ordinance duly passed at a regular meeting of the City Council of the City held at the regular meeting place thereof on March 27, 2012, as that ordinance appears on the minute book of the City; and the Ordinance will be in full force and effect five days after publication in the City's official newspaper; and

2. A quorum of the members of the City Council was present throughout the meeting and a majority of those members present voted in the proper manner for the passage of the Ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of March, 2012.

CITY OF LEAVENWORTH, WASHINGTON

Chantell Steiner, City Clerk