

ORDINANCE NO. 493

AN ORDINANCE annexing a certain portion of Whitman County not heretofore incorporated into a city or town, which is contiguous to the Town of Malden, designating the annexation for municipal purposes;

WHEREAS Gene S. Henning and Gwelda ^J Henning, husband and wife, have transferred and sold the real property described in Exhibit "A" attached hereto, hereinafter referred to as the "Water Storage Property";

AND WHEREAS the Town of Malden has passed Resolution No. 2013-2, accepting the transfer of the Water Storage Property, providing consideration for the transfer of the Water Storage Property, and directing and authorizing the Mayor and Clerk-Treasurer to execute documents to effectuate such transfer;

AND WHEREAS the Mayor and Clerk-Treasurer have executed such documents as are necessary to effectuate the transfer of the Water Storage Property;

AND WHEREAS the Town of Malden will use the Water Storage Property for municipal purposes;

BE IT ORDAINED BY THE TOWN OF MALDEN:

Section 1. That the City Council of the Town of Malden does hereby determine that the Water Storage Property is intended to be used for municipal purposes as Town water storage and, pursuant to such determination, the Water Storage Property, which is described in attached Exhibit "A" is hereby annexed to and made a part of the Town of Malden, as allowed by Section 35.13.180 of the Revised Code of Washington.

Section 2. That the annexation of the territory described in Exhibit "A" shall become effective on and after ten days after the date of publication of this Ordinance, and that the territory shall, on that date, be subject to all the laws and ordinances of the Town of Malden now in force, or which may thereafter become enacted.

Section 3. That the proper officers of the Town are hereby directed to provide notice of this annexation to the state Office of Financial Management, as provided by law.

Passed 4-18-2013

CE Paul Marshall
Mayor

Shannon L Boe
Attest: City Clerk

Janeva Douglas

Christina L Ferrell

Dan Murgan

LEGAL DESCRIPTION OF ANNEXED PARCEL

A parcel of land located in the southwest quarter, Section 13, and the northwest quarter, Section 24, Township 20 North, Range 42 East, W.M., Whitman County, Washington, more particularly described as follows:

COMMENCING at the southeasterly corner of the First Addition to Malden, (said point lying North 89°08' East 32.11 feet from the southeast corner of that parcel referenced as "The Malden Waterworks Company"), as shown on the Plat thereof filed in Book "G" of Plats, at page 32, records of Whitman County, the TRUE POINT OF BEGINNING for this description.

Thence North 00°15' East, along the easterly line of said Plat, a distance of 112.00 feet;

Thence North 89°08' East, parallel with the south line, said Section 13, a distance of 110.00 feet;

Thence South 00°15' West, parallel with said easterly line of said Plat, a distance of 135.00 feet;

Thence South 89°08' West, parallel with said south line of Section 13, a distance of 110.00 feet;

Thence North 00°15' East, a distance of 23.00 feet to the TRUE POINT OF BEGINNING.

Said described parcel contains 0.34 acre (14,850 square feet), more or less.

RESERVING UNTO GRANTORS an easement 30 feet in width, the southernmost boundary of which shall be the southernmost boundary of said Property line, and shall be for the joint use of the Town of Malden and of the Grantors. Said easement shall be perpetual, shall run with the land, and shall be binding upon the Town of Malden and all successive owners of the Property and shall inure to the benefit of the Grantors and all their successors and assigns.

