WHEN RECORDED RETURN TO:

Richland City Clerk
P.O. Box 190 MS-05
Richland, WA 99352

PID# 1-27982000009000

ORDINANCE NO. 58-15

AN ORDINANCE of the City of Richland, Benton County Washington, annexing approximately 26.3 acres of land located south of Shockley Road, east of Queensgate Drive and west of the plat of Bordeaux Grove, providing for assumption of existing City indebtedness and amending the Official Zoning Map.

WHEREAS, the City received a notice of intent from Edith Whitfield Trustee, the sole owner of the real property legally described in Exhibit A attached hereto, to commence annexation proceedings for annexation into the City of Richland; and

WHEREAS, a meeting was held March 17, 2015, between the initiating parties of this annexation and the City Council of the City of Richland, at which time the Council adopted Resolution No. 54-15, accepting the notice of intention to commence annexation proceedings for the real property legally described in Exhibit A attached hereto, subject to simultaneous adoption of the Comprehensive Plan for the proposed annexation area, and the assumption of the appropriate share of all existing City indebtedness; and

WHEREAS, Resolution No. 54-15 further authorized and directed the Richland Planning Commission to propose and forward a recommendation to the City Council as to the most appropriate zoning designation for the area proposed to be annexed; and

WHEREAS, a notice of intention to annex was duly filed with the Benton County Boundary Review Board. Jurisdiction of the Boundary Review Board was not invoked within 45 days of filing, and thus the proposed annexation was deemed approved by the Boundary Review Board on June 8, 2015; and

WHEREAS, the Richland Planning Commission held a public hearing on March 25, 2015, to consider an appropriate zoning designation for the proposed annexation area; and

WHEREAS, on June 16, 2015, Council adopted Resolution No. 119-15, authorizing the circulation of an annexation petition for annexation of the real property legally described in Exhibit A attached hereto; and

WHEREAS, a petition was circulated and signed by the sole owner of the proposed annexation area, thereby exceeding the state requirement that owners representing at least sixty percent (60%) of the value of the proposed annexation area petition the City for annexation, according to the assessed valuation for general taxation; and

WHEREAS, the City Council held a public hearing to consider the annexation on September 15, 2015, which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation and through the mailing of notice to all property owners within the annexation area, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, the matter was duly considered by the City Council of the City of Richland and the Council has determined that the annexation would be of general benefit to the residents of the City of Richland.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Richland as follows:

Section 1. The real property legally described in Exhibit A attached hereto is hereby annexed to the City of Richland and is hereby declared to be within the corporate limits of the City of Richland, Benton County Washington (the "Annexed Area").

Section 2. The Richland Comprehensive Plan, adopted October 6, 1997 by passage of Ordinance No. 26-97, shall serve as the comprehensive plan for the Annexed Area. All properties within the annexation shall be designated as "low density residential" under the land use map that is part of the comprehensive plan.

Section 3. The property within the Annexed Area shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments or taxes in payment for all or of any portion of the outstanding indebtedness of the City, approved by the voters, contracted, or incurred prior to, or existing at the date of annexation.

Section 4. Title 23 of the City of Richland Municipal Code (RMC) and the Official Zoning Map of the City as adopted by Section 23.08.040 of said title, hereby amends Sectional Map Nos. 47 and 60 which is one of a series of maps constituting said Official Zoning Map, bearing the number and date of passage of this ordinance and by this reference made a part of this ordinance and of the Official Zoning Map of the City.

Section 5. It is hereby found, as an exercise of the City's police power, that the best zoning for the properties included in the Annexed Area shall be R1-10 Single Family Residential, as depicted on Exhibit B, when consideration is given to the interest of the general public.

Section 6. The City Clerk is directed to file a copy of this annexation with the Board of Commissioners of Benton County and the State of Washington in the manner required by law. The City Clerk is also directed to file with the Auditor of Benton County, Washington a copy of this ordinance and shall attach the amended sectional map as necessary and an amended Annexation map, duly certified by the Clerk as a true copy.

Section 7. As authorized and required by RCW 35.13.280, the City shall negotiate a new franchise with the solid waste collection service provider currently serving the Annexed Area on terms that are acceptable to the City and that complies with the City's Solid Waste Management Plan.

Section 8. This ordinance shall be effective immediately following the day after its publication in the official newspaper of the City.

PASSED by the City Council of the City of Richland on this 6th day of October, 2015.

David W. Rose

DAVID W. ROSE
Mayor

ATTEST:

Debra C. Barch

MARCIA HOPKINS
for City Clerk

APPROVED AS TO FORM:

Heather Kintzley

HEATHER KINTZLEY
City Attorney

Date Published: October 11, 2015

EXHIBIT A

Legal Description for Whitfield Annexation

THOSE PARTS OF THE NORTH 1/2 OF THE NORTHWEST QUARTER AND THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHWEST QUARTER, LYING NORTHEASTERLY OF CENTER LINE OF BADGER EAST LATERAL OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 28. LESS THE WEST 465 FEET THEREOF: LESS THAT PORTION DEFINED AS FOLLOWS: THE NORTH 295 FEET OF THE EAST 283' OF THE WEST 748' (FOOTAGE CORRECTED 2/3/69& 8/25/69), AS MEASURED PARALLEL WITH THE NORTH AND WEST LINES OF THE NORTHWEST QUARTER NORTHWEST QUARTER, EXCEPT ROAD RIGHT OF WAY: ALSO LESS THE EAST 283 FEET OF THE WEST 748 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER AS MEASURED PARALLEL TO THE WEST LINE OF SAID SUBDIVISION, LYING NORTH OF THE BADGER EAST LATERAL CANAL KENNEWICK DIVISION YAKIMA RECLAMATION PROJECT, EXCEPT THE NORTH 295 FEET THEREOF RESERVING TO GRANTOR AND ASSIGNS AND EASEMENT FOR INGRESS AND EGRESS OVER A STRIP ETC. LESS PORTION BEGINNING AT A POINT ON THE NORTH LINE OF SAID SUBDIVISION WHICH IS SOUTH $89^0$52'30' EAST 748 FEET FROM THE NORTHWEST CORNER THEREOF. THENCE SOUTH 1^0 25' WEST PARALLEL WITH THE WEST LINE OF SAID SUBDIVISION 1060.50 FEET. THENCE NORTH 38^0 25' EAST 276 FEET. THENCE NORTH 57^0 07'EAST 166.10 FEET. THENCE NORTH 39^0 02' EAST 293.80 FEET. THENCE NORTH 1^0 31'25' EAST 524.63 FEET TO A POINT ON THE NORTH LINE OF SAID SUBDIVISION. THENCE NORTH 89^0 52'30' WEST ALONG SAID NORTH LINE 483.75 FEET TO THE POINT OF BEGINNING; EXCEPT THE NORTH 10 FEET THEREOF: TOGETHER WITH EASEMENT. ALSO THAT PORTION OF THE SOUTH 10 FEET OF THE NORTH 20 FEET OF THE NORTHWEST QUARTER LYING EAST OF PARCEL A, TOGETHER WITH EASEMENTS LESS ALL THAT PORTION OF NORTHWEST QUARTER LYING EAST & NORTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE WESTERLY ALONG THE NORTH LINE THEREOF 25.43 FEET TO THE TRUE POINT OF BEGINNING OF SAID DESCRIBED LINE. THENCE SOUTHERLY PARALLEL WITH THE EAST LINE OF SAID NORTHWEST QUARTER NORTHWEST QUARTER, 571.10 FEET. THENCE SOUTHEASTERLY IN A STRAIGHT LINE 1676.39 FEET TO A POINT ON THE EAST LINE OF SAID NORTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 1020.65 FEET NORTH OF THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER AND TERMINUS OF SAID DESCRIBED LINE: ALSO THE SOUTH 10 FEET OF NORTH 30 FEET OF THE NORTHEAST NORTHWEST AND THE SOUTH 10 FEET OF THE NORTH 30 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER LYING EAST OF A POINT 1291.5 FEET FROM THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER. N P CONT #W-10936: AGREEMENT 6/3/70: SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD 10/30/70, 1/16/80: TOGETHER WITH EASEMENTS 11/19/70: MINERAL RIGHTS RESERVED: PUD EASEMENT 4/23/58. EXCEPT A PORTION OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: A PORTION OF PARCEL "B" AS DESCRIBED IN AN INDENTURE DOCUMENT RECORDERD UNDER AUDITOR'S FILE NUMBER 86-5404, RECORDS OF BENTON COUNTY WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID SUBDIVISION WHICH IS SOUTH 89^0 52' 30" EAST 1231.75 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 27; THENCE SOUTH 01^0 31' 25" WEST 20.01 FEET LEAVING SAID NORTH LINE ALONG THE WEST LINE OF SAID PARCEL "B" AND THE EAST LINE OF PARCEL "A" AS DESCRIBED IN STATUTORY WARRANTY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 680225, RECORDS OF BENTON COUNTY WASHINGTON, TO THE NORTHWEST CORNER OF SAID PARCEL "B" AND THE TRUE POINT OF BEGINNING;

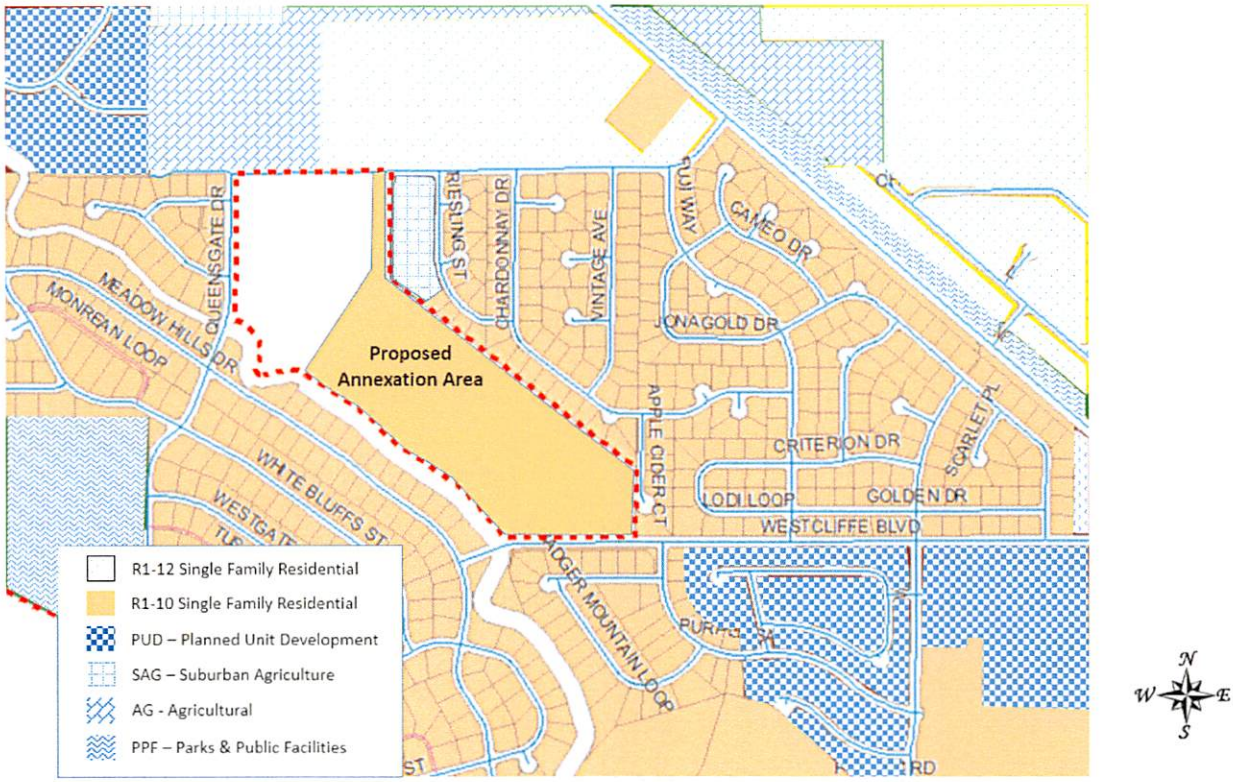
THENCE CONTINUING SOUTH 01^0 31' 25" WEST 10.00 FEET ALONG SAID EAST AND WEST LINES; THENCE LEAVING SAID EAST AND WEST LINES SOUTH 89^0 52' 30" EAST 60.02 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL "B"; THENCE NORTH 01^0 31' 25" EAST 10 FEET ALONG SAID EAST LINE TO THE NORTHEAST CORNER OF SAID PARCEL "B"; THENCE NORTH 89^0 52' 30" WEST 60.02 FEET ALONG THE NORTH LINE OF SAID PARCEL "B" BACK TO THE TRUE POINT OF BEGINNING. CONTAINS APPROXIMATELY 600.2 SQUARE FEET. BOUNDRY LINE ADJUSTMENT PER QUIT CLAIM DEED AUDITORS FILE #2003-013623 DATED 3/26/2003. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD 3/26/03.

Contains 26.38 acres more or less.

This description includes the following ***County Parcel Identification Number****:*

1-27982000009000

EXHIBIT B



ZONING FOR WHITFIELD ANNEXATION