

ORDINANCE NO. 2009-1385

AN ORDINANCE OF THE CITY OF CHELAN, WASHINGTON, PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY TO THE CITY; INCORPORATING THE SAME WITHIN THE CITY LIMITS; PROVIDING FOR THE ASSUMPTION OF EXISTING INDEBTEDNESS; ADOPTING A COMPREHENSIVE LAND USE PLAN AND ZONING DESIGNATION.

WHEREAS on February 2, 2009 the City Council of the City of Chelan, Washington received a petition from over sixty percent (60%) of the owners of the real property legally described in Exhibit A, and the boundaries of which are depicted on Exhibit B (the Kuntz Area).

WHEREAS the City Council determined it would accept the annexation of the Kuntz Area;

WHEREAS, the Kuntz Area is within the boundaries of the Urban Growth Area of the City, and the annexation of the Kuntz Area is consistent with the provisions of the Comprehensive Plan of the City;

WHEREAS, the City has adopted proposed zoning regulations for the Kuntz Area, together with a pre-annexation zoning map pursuant Resolution No. 98-992 and RCW 35A.14.330 and RCW 35A.14.340;

WHEREAS, the City Council, after required public notice, held a public hearing on March 26, 2009 to receive public input to the annexation of the Kuntz Area;

WHEREAS the City Council finds that it is in the best interests of the health, safety, morals, and general welfare of the citizens of the City and the citizens of the Kuntz Area for the Kuntz Area to be annexed to the City;

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

Section 1. The Recitals are incorporated into this Ordinance;

Section 2. The Kuntz Area is annexed to and made a part of the City.

Section 3. All water rights appurtenant to the Kuntz Area shall be transferred

to the City, pursuant to Chapter 13.40 of the Chelan Municipal Code.

Section 4. All property within the Kuntz Area shall be assessed and taxed at the same rate and on the same basis as the property within the City is assessed and taxed, to pay for all of the outstanding indebtedness of the City.

Section 5. All property within the Kuntz Area shall be zoned as depicted in the official pre-annexation zoning map of the City, as adopted by Resolution No. 98-992. The Community Development Director shall insert the appropriate zoning for the Kuntz Area on the official zoning map of the City upon the effective date of this Ordinance.

Section 6. The Title is approved as the summary of this Ordinance.

Section 7. The Clerk shall cause a summary of this Ordinance to be published in a newspaper of general circulation in the City and the City's official newspaper, and shall file a certified copy of this Ordinance with the Board of Commissioners for Chelan County.

Section 8. This Ordinance, being an Ordinance initiated by petition, is exempt from the requirements of RCW 35A.11.090 and shall take effect and be in full force five (5) days after passage and publication, whichever is later.

PASSED by the City Council of the City of Chelan, Washington, this 26th day of March, 2009.



ROBERT R. GOEDDE, MAYOR

ATTEST:



LINDA ALLISON-LILES, CITY CLERK

FILED WITH THE CITY CLERK: March 18, 2009
PASSED BY THE CITY COUNCIL: March 26, 2009
PUBLISHED: April 1, 2009
EFFECTIVE DATE: April 6, 2009
ORDINANCE NO.: 2009- 1385

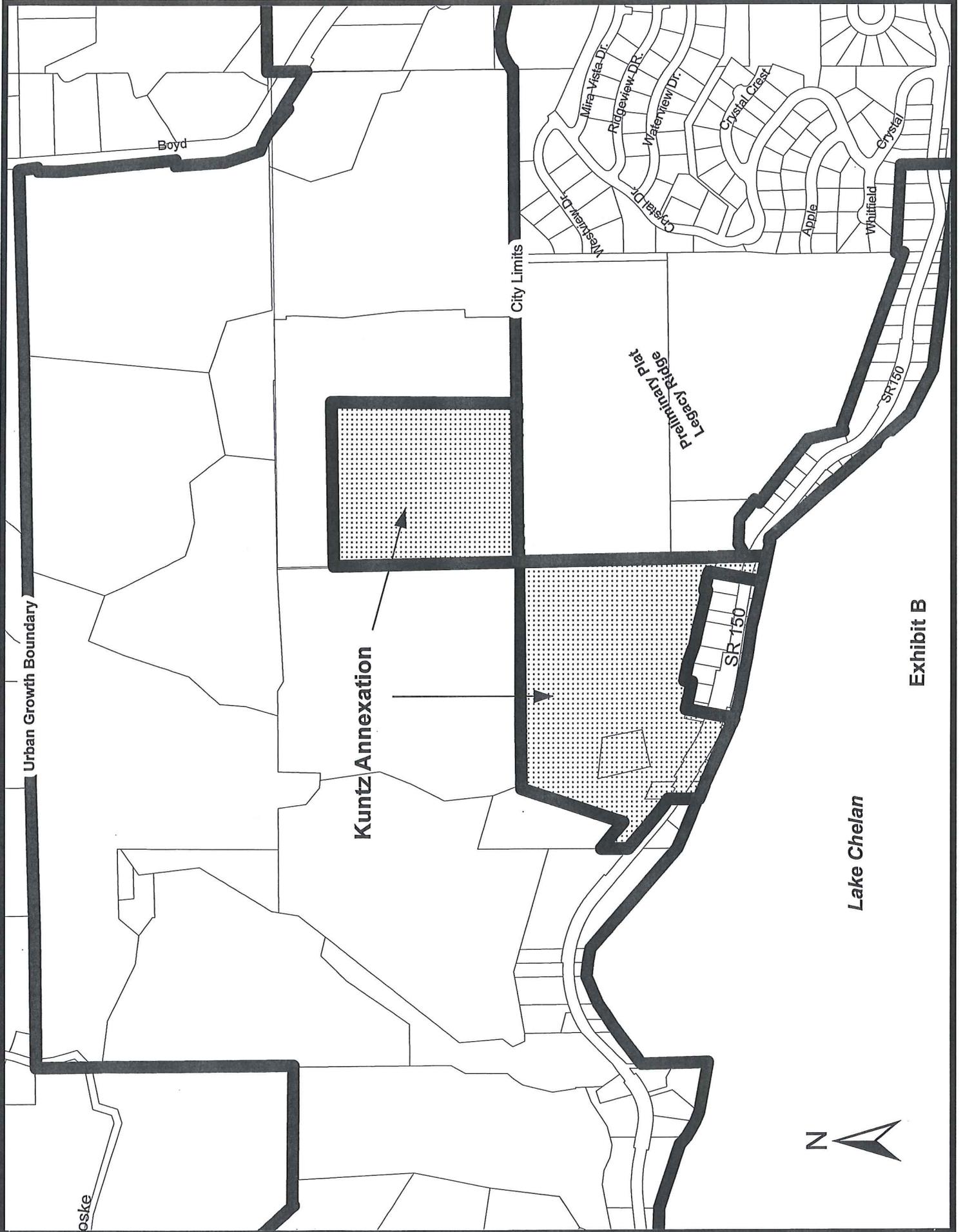
Exhibit A

LEGAL DESCRIPTION FOR KUNTZ ANNEXATION AREA

A portion of Government Lot 5 in Section 4, Township 27 North, Range 22 East of the Willamette Meridian more particularly described as follows:
 Beginning at the Northeast corner of Government Lot 5, a rebar with cap being the True Point of Beginning, thence along the North line of said Government Lot 5, South 89°01'23" West for a distance 1198.83 feet; thence South 19°03'30" West for a distance 577.92 feet; thence North 50°11'00" West for a distance of 156.11 feet; thence North 02°07'19" East 139.98 feet to the Northerly right of way of SR 150; thence along said right of way, South 50°29'49" East for a distance 219.41 feet; thence 101.12 feet along a tangent curve to the left, with a radius of 1115.88 feet, a central angle of 05°11'31", a chord bearing of South 53°05'35" East for a chord distance of 101.08 feet; thence leaving said right of way, South 00°13'23" East for a distance of 153.69 feet to the original meander line of Lake Chelan; thence along said meander line, South 66°13'23" East for a distance of 471.19 feet; thence leaving said meander line, North 10°29'58" East for a distance of 266.59 feet; thence South 77°49'58" East for a distance 49.57 feet; thence South 77°07'57" East for a distance 100.00 feet; thence North 10°28'57" East for a distance 61.34 feet; thence South 77°59'23" East for a distance 100.31 feet; thence South 77°59'23" East for a distance 6.03 feet; thence South 69°35'23" East for a distance 93.87 feet; thence South 69°35'23" East for a distance 5.70 feet; thence South 78°47'19" East for a distance 96.07 feet; thence South 76°03'23" East for a distance 31.73 feet; thence South 76°03'23" East for a distance 65.08 feet; thence South 76°03'23" East for a distance 99.83 feet; thence North 10°22'27" East for a distance 14.06 feet; thence South 76°05'03" East for a distance 100.12 feet; thence South 10°25'48" West for a distance 304.78 feet to the original meander line of Lake Chelan; thence along said meander line, South 79°13'23" East for a distance of 139.53 feet; thence leaving said meander line, North 00°15'41" East for a distance of 264.49 feet; thence North 76°03'23" West for a distance of 34.25 feet to the Easterly line of Government Lot 5; thence along the Easterly line of Government Lot 5, North 00°15'40" West for a distance 1047.08 feet to the center of Section 4, a 5/8 inch rebar and cap; thence along the center of section line, North 88°59'39" East for a distance of 880.07 feet; thence North 00°17'01" West for a distance of 990.08 feet; thence South 88°59'39" West for a distance of 880.07 feet to a point on the North-South center of section line; thence South 00°17'01" East for a distance of 990.08 feet to said center of Section 4 and the True Point of Beginning.
 EXCEPT therefrom the right of way for State Highway 150.

Disclaimer: This legal description is for the intended purpose of defining the boundary of the Kuntz Annexation Area for the City of Chelan. This is not intended for conveying, transferring or leasing land(s) or any other purpose that is not specifically defined.

RECEIVED
 FEB 02 2009
 CITY OF CHELAN
 BUILDING & PLANNING



Urban Growth Boundary

Boyd

City Limits

Kuntz Annexation

Preliminary Plat
Legacy Ridge

SR 150

Lake Chelan

Exhibit B



oske

SUMMARY OF ORDINANCE NO. 2009-1385
of the City of Chelan, Washington

On the 26th day of March, 2009, the City Council of the City of Chelan Washington, passed Ordinance No. 2009-1385. A summary of the content of said Ordinance, consisting of the title, provides as follows:

**AN ORDINANCE OF THE CITY OF CHELAN, WASHINGTON,
PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY
TO THE CITY; INCORPORATING THE SAME WITHIN THE CITY
LIMITS; PROVIDING FOR THE ASSUMPTION OF EXISTING
INDEBTEDNESS; ADOPTING A COMPREHENSIVE LAND USE PLAN
AND ZONING DESIGNATION.**

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

DATED this 27th day of March, 2009.

Linda Allison-Liles
City Clerk

Published in the Lake Chelan Mirror on April 1, 2009.