CITY OF KENNEWICK
ORDINANCE NO. 5267

AN ORDINANCE ANNEXING CITY PROPERTY DESIGNATED FOR THE ZONE 5 RESERVOIR SITE, CONSISTING OF A SINGLE PARCEL TOTALING APPROXIMATELY 2.28 ACRES INTO THE CITY OF KENNEWICK, AND ZONING SAID PROPERTY AS "A" (AGRICULTURAL) UPON ANNEXATION (AZ 09-02, ZONE 5 RESERVOIR SITE)

WHEREAS, the City of Kennewick owns property which includes the Zone 5 Reservoir Site (Parcel No. 1-2289-200-0005-001, totaling approximately 2.28 acres) and the City Council desires to annex said property into the City of Kennewick; and

WHEREAS, this parcel is contiguous to existing city limits; and

WHEREAS, RCW 35A.14.300 authorizes code cities, by a majority vote, to annex territory outside its limits for any municipal purpose, when such territory is owned by the City; and

WHEREAS, RCW 36.93.090(1) states that review by the Boundary Review Board for code cities is not necessary if the property being annexed for municipal purpose is contiguous to the City; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. That the real property described as follows:

Legal description per Instrument #2004-011733, records of Benton County, Washington.

That portion of the Southeast ¼ of the Northwest ¼ of Section 22, Township 8 North, Range 29 East, W.M., Benton County, Washington described as follows:

Commencing at the North Quarter Corner of Section 22, Township 8 North, Range 29 East, W.M., Kennewick, Benton County, Washington; thence South 01'27'26" East

along the east line of the Northwest Quarter of said Section 22 for 1361.88 feet to the POINT OF BEGINNING; thence North 88'57'31" West for 527.74 feet; thence south 40'04'10" East for 240.51 feet; thence South 83'00'00" East, for 426.75 feet to a point on the East line of the Northwest Quarter of said Section 22; thence North 01'27'26" West along said East line, for 225.72 feet to the POINT OF BEGINNING,

be, and the same hereby is annexed into the City of Kennewick; and that the corporate limits of the City of Kennewick shall include the property and territory hereinbefore fully described. Said property shall be assessed and taxed at the same rate and on the same basis as the property of the City of Kennewick is assessed and taxed to pay for the now outstanding indebtedness of the City of Kennewick contracted prior to or existing at the time of annexation.

Section 2. That the zoning of the property upon the effective date of this annexation shall be "A" (Agricultural) as per Resolution 77-14.

Section 3. That the City Clerk is instructed to file a certified copy of this ordinance with the Board of County Commissioners of Benton County, Washington, Benton County Auditor, and shall file a certificate of population with the Office of Financial Management.

Section 4. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 18th day of August, 2009, and signed in authentication of its passage this 18th day of August, 2009.

THOMAS C. MOAK, Mayor

Attest:

VALERIE J. LOFFLER, City Clerk

ORDINANCE NO. 5267 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 19th day of August, 2009.

Approved as to Form:

LISA BEATON, City Attorney

VALERIE J. LOFFLER, City Clerk

DATE OF PUBLICATION 8-22-09