

ORDINANCE # 08-103**CITY OF ROCK ISLAND, WASHINGTON****AN ORDINANCE ANNEXING UNINCORPORATED TERRITORY TO THE CITY OF ROCK ISLAND, WASHINGTON, REQUIRING COMPLIANCE WITH AN ASSUMPTION OF INDEBTEDNESS AND ESTABLISHING A ZONE DESIGNATION.**

WHEREAS, the City of Rock Island Washington received a notice of intent to commence annexation proceedings for approximately 97 acres of land; and

WHEREAS, the owners of the property who submitted the notice of intent represented over 10% of the assessed value of the property; and

WHEREAS, the City Council set a date to meet with the initiating party. The meeting was held on May 22, 2008. At this meeting, the City Council voted to require assumption of the City's debt and to adopt a zone designation for the property in accordance with the City's Comprehensive Plan; and

WHEREAS, a petition meeting the requirements of RCW 35a.01.040.9.a-d was circulated and signed by the legal owners of not less than sixty percent of the assessed value of the property for which annexation was petitioned; and

WHEREAS, the City Council fixed a date for a public hearing and caused notice of the hearing to be published in the July 31, 2008 edition of the Empire Press. Notice of the hearing was also posted in three places within the territory proposed for annexation as well as at City Hall; and

WHEREAS, annexations are not subject to the State Environmental Policy Act (SEPA).

WHEREAS, the City Council held the public hearing on August 14, 2008 and received public comment at the hearing. The City Council considered this public comment;

NOW THEREFORE, the City Council of the City of Rock Island, Washington do ordain as follows:

Section 1. The property designated and legally described as shown in Exhibit A is incorporated in full by this reference and is annexed to and made a part of the City of Rock Island.

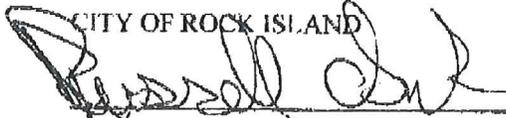
Section 2. The property in the annexed area shall be zoned Recreation Mixed Use in accordance with the City's Comprehensive Plan as shown in Exhibit B and Title 17 of the Rock Island Municipal Code.

Section 3. The property annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Rock Island, including assessments or taxes in payment of any bonds issued or debts contracted prior to or existing at the date of annexation. This includes indebtedness which has been approved by the voters, contracted for, or incurred prior to or existing as of the date of this annexation and that the City has required to be assumed.

Section 4. A certified copy of this ordinance shall be filed with the Douglas County Commissioners and on the date fixed in this ordinance, the area annexed shall become part of the City.

Passed by the City Council and approved by the Mayor at an open public meeting on the 19th day of December, 2008.

This ordinance shall be effective five days after the date of publication.

CITY OF ROCK ISLAND


Russell Clark, Mayor

ATTEST:



Bonny Malone, Finance Director/City Clerk

APPROVED AS TO FORM

Chuck Zimmerman, City Attorney

Legal Description

The following described parcels in Sections 19 and 30, Township 22 North, Range 22 East, W.M., and Section 24, Township 22 North, Range 21 East, W.M., Douglas County, Washington:

The Northeast Quarter of the Northwest Quarter of said Section 30 lying westerly of Batterman Road.

The East 164.5 feet of the Southeast Quarter of the Northwest Quarter of said Section 30 lying westerly of Batterman Road, EXCEPT that portion thereof lying below a contour elevation of 620 feet above sea level U.S.G.S. Datum.

That portion of Lots 21 and 22, East Wenatchee Land Company's Plat of said Section 30, according to the plat thereof recorded in Volume B of Plats, page 5, described as follows lying westerly of Batterman Road:

Beginning at the Northwest corner of said Lot 22 and run thence Southeasterly to a point on the East line thereof which is 330 feet South of the Northeast corner thereof; thence continue Southeasterly to the Southeast corner of said Lot 21; thence North along the east line of said Lot 21 to the Northeast corner thereof; thence West along the North lines of said lots to the point of beginning.

That portion of said Section 19 lying West of the County road known as Batterman Road and South of the following described line:

Beginning at the West quarter corner of said Section 19; thence South 00° 28' 33" East along the West line said Section 19 for 1302.04 feet to the True Point of Beginning of said described line; thence North 89° 31' 27" East 91.12 feet; thence South 47° 58' 48" East 1922.68 feet to the South line of said Section 19 and the end of said described line.

The following described parcel of land in the Southeast Quarter of said Section 24:

Beginning at the South quarter corner of said section and run East along the South line of said section a distance of 1,090 feet; thence to the left 120° 31' and run 636 feet; thence to the left 59° 29' and run 765 feet, more or less, to the North and South center line of said section; thence to the left and run along the said center line 548 feet, more or less, to the point of beginning;

EXCEPT there from the South 495.46 feet of the West 200 feet;

The South half of the Southeast quarter of said Section 24, EXCEPT the following described tracts:

EXCEPTION NO.1:

Beginning at the Northeast corner of the South half of the Southeast quarter of said Section 24 and run thence South 0° 00' West along the East line of said Section 24 for 209.5 feet, thence South 88° 33' West for 1127.9 feet; thence South 45° 08' West for 568.3 feet; thence North 88° 41' West for 389.5 feet: thence North 13° 55' West for 369.8 feet; thence North 30° 59' West for 308 feet, more or less, to the North line of said South half of the Southeast quarter of said Section 24; thence Easterly along the North line of said subdivision, 2167 feet, more or less, to the Point of Beginning.

EXCEPTION NO.2:

Beginning at a point on the North line of said South half of the Southeast quarter of said Section 24, 2167 feet West of the Northeast corner of said subdivision; thence South 30° 59' East for 308 feet; thence South 13° 55' East for 369.8 feet; thence to a point which is arrived at by beginning at the South quarter corner of said Section 24 and running East along the South line of said section for 1090 feet and thence turn to the left an angle of 120° 31' and running 636 feet to said point; thence run Westerly to a point on the North and South centerline of said section which is 548 feet North of the South quarter corner of said Section; thence North on the center line of said section to the Northwest corner of the South half of the Southeast quarter of said section; thence East on the North line of the South half of the Southeast quarter of said Section 24 to the Point of Beginning.

TOGETHER WITH that portion of the County Roads known as Saunders Avenue, Saunders Road and Saunders Place adjoining the above described parcels.

