

ORDINANCE 1935

WEST GOODLANDER ANNEXATION

ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY BY THE CITY OF SELAH, WASHINGTON, AND INCORPORATING THE SAME WITHIN THE CORPORATE LIMITS THEREOF AND ZONING SAID REAL PROPERTY ONE-FAMILY RESIDENTIAL (R-1).

WHEREAS, pursuant to RCW 35A.14.120, there was filed with the City of Selah multiple petitions of intent for annexation signed by the owners of not less than ten (10) percent in value, according to the assessed valuation for general taxation of the property for which annexation is sought; said petition of intent was accepted by the City Council of the City of Selah, and thereafter, owners representing seventy-nine (79) percent in value, according to the assessed valuation for general taxation of the property for which annexation is being petitioned, have signed petitions seeking annexation to incorporate the described property within the corporate limits of the City of Selah; and,

WHEREAS, said petitions set forth the fact that the City Council of the City of Selah, Washington, would require the assumption of a pro-rata share of existing City indebtedness by the area requesting to be annexed; if ultimately annexed the property would be zoned One-Family Residential (R-1) on the date of annexation, and, the annexation petition is to be conditioned in that petitioners covenant themselves granting the City of Selah a "right of first refusal" to secure ownership of any irrigation and/or domestic water rights appurtenant to the land; and,

WHEREAS, garbage, refuse collection and disposal service within the West Goodlander Annexation area is presently provided to properties by Yakima Waste Systems, Inc. under authority issued by the Washington Utilities and Transportation Commission (WUTC) and the City desires to provide such services in accordance with RCW 35.13.280; and,

WHEREAS, RCW 35.13.280 requires the City to grant Yakima Waste Systems, Inc., as the current WUTC authorized provider of garbage, refuse collection and disposal service within the West Goodlander Annexation area, a franchise to continue to provide such garbage, refuse collection and disposal service to properties within the West Goodlander Annexation area for a term of seven (7) years from the effective date of the annexation; and,

WHEREAS, RCW 35.13.280 requires the City to provide specific notice to the WUTC regarding the City's intent, pursuant to RCW 35.13.280, to provide garbage, refuse collection and disposal service within the West Goodlander Annexation area, a franchise to Yakima Waste Systems, Inc. to continue to provide such garbage, refuse collection and disposal service to properties within the West Goodlander Annexation area for a term of seven (7) years from the effective date of the annexation; and,

WHEREAS, the City Council fixed the date of August 27, 2013, as the date for public hearing thereon and caused due and proper notice of said hearing to be published and posted pursuant to RCW 35A.14.130; and

WHEREAS, the public hearing has been held as scheduled, and the City Council considers that the best interests of the City and the property mapped in Exhibit C would be best served by annexing the area into the City of Selah; and,

WHEREAS, the City Council has determined that One-Family Residential (R-1) zoning is the appropriate zoning designation for the property to be annexed based on the adopted 2005 City of Selah Urban Growth Area Comprehensive Plan;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON does ordain as follows:

SECTION 1. That the property legally described in Exhibit C, as approved by the Yakima County Public Works Department, being contiguous to the City of Selah, be and the same is annexed to the City of Selah, and incorporated therein (Parcel Numbers 181426-43472, 43473, 43474, 44001, 44002, 44003, 44005, 44011, 44015, 44018, 44019, 44020, 44021, 44022, 44418, 44420, 44421, 44422, 44423, 44426, 44429, 44430, 44431, 44432, 44433, 44436, 44437, 44438, 44439, 44440, 44441, 44442, 44443, 44444, 44445, 44446, 44447, 44448, 44449, 44450, 44451, 44452, 44453, 44454, 44455, 44456, 44457, 44458, 44459, 44460, and 44461).

SECTION 2. All property within the territory so annexed shall be assessed and taxed at the same rate and on the same basis as property within the City is assessed and taxed to pay for the now outstanding indebtedness of the City of Selah contracted prior to or existing at the date of annexation.

SECTION 3. The property described in Exhibit C is exempt from the City of Selah Fire Station Bond Levy.

SECTION 4. The property described in Exhibit C is hereby classified and zoned as One-Family Residential (R-1).

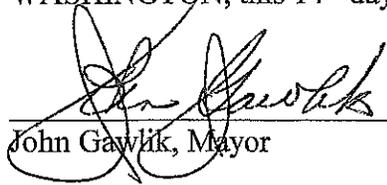
SECTION 5. The area hereby annexed shall become a part of the City of Selah, Washington, and this ordinance shall take effect and be in force at 12:01 a.m., February 1, 2014.

SECTION 6. The City Clerk/Treasurer is directed to file a certified copy of this ordinance with the Washington Utilities and Transportation Commission to notify it of the City's intent, pursuant to RCW 81.77.020 and subject to the provisions of RCW 35.13.280, to provide refuse collection and disposal service to the West Goodlander Annexation area.

SECTION 7. There is herein granted a franchise to Yakima Waste Systems, Inc., in accordance with RCW 35.13.280, an exclusive franchise agreement to provide garbage, refuse collection and disposal services, including residential curbside recycling and curbside yard waste collection, to properties within the West Goodlander Annexation area for a term of seven (7) years from the effective date of the annexation in accordance with RCW 35.13.280.

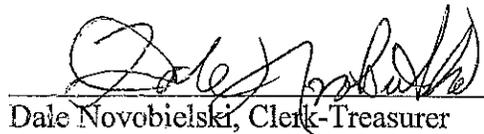
SECTION 8. The City of Selah Urban Growth Area Comprehensive Plan is hereby amended to incorporate the provisions of this ordinance.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH,
WASHINGTON, this 14th day of JANUARY, 2014.



John Gawlik, Mayor

ATTEST:



Dale Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:



Bob Noe, City Attorney

ORDINANCE NO.: 1935
Adoption Date: January 14, 2014
Effective Date: February 1, 2014

July 23, 2013
LEGAL DESCRIPTION
GOODLANDER ANNEXATION
CITY OF SELAH

That portion of the Southeast Quarter of Section 26, Township 14 North, Range 18 East, W.M. described as follows:

Beginning at the intersection of the centerline of Goodlander Road and the southerly extension of the East line of the Plat of SELANDIA according to the official plat thereof recorded in Volume "T" of plats, page 33, records of Yakima County, Washington;
Thence northerly along the east line of said plat to the southeast corner of Lot 11, Plat of SOMERSET 1 according to the plat thereof filed under Auditor's file number 7194172, records of Yakima County, Washington;
Thence westerly along the south line of said plat to the northeast corner of Lot 1 of said plat;
Thence westerly along the south line of Lots 2 and 3 of said plat to the easterly right of way line of Herlou Drive;
Thence northerly along said easterly right of way line to the southwest corner of Lot 20, plat of WEEMS SUBDIVISION according to the Plat thereof recorded in Volume "U" of plats, page 6, records of Yakima County, Washington;
Thence easterly along the south line of said plat and its easterly extension to a point 200.00 feet west of the east line of said Southeast Quarter;
Thence southerly parallel with said east line 15.00 feet;
Thence easterly parallel with the North line of the Northeast Quarter of the Southeast Quarter of the Southeast Quarter of said Section 26 to the westerly right of way line of Selah Loop Road;
Thence southerly along said westerly right of way line to the centerline of Goodlander Road;
Thence westerly along said centerline to the Point of Beginning.

Together with any portion of the right of way of Goodlander Road lying between the westerly right of way line of Selah Loop Road, also know at North First Street, and the southerly extension of the westerly right of way line of Herlou Drive

Situate in Yakima County, Washington.

