WHEN RECORDED RETURN TO:

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

PID#1-120983000001001

ORDINANCE NO. 38-15

AN ORDINANCE of the City of Richland, Benton County Washington, annexing approximately 15.6 acres of land located east of Dallas Road and south of I-82, providing for assumption of existing City indebtedness and amending the Official Zoning Map.

WHEREAS, the City received a notice of intent from Premiere Columbia Properties, LLC, 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 October 7, 2014, between the initiating parties of this annexation and the City Council of the City of Richland, at which time the Council passed Resolution No. 151-14, 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.151-14 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 February 6, 2015; and

WHEREAS, the Richland Planning Commission held a public hearing on October 22, 2014, to consider an appropriate zoning designation for the proposed annexation area; and

WHEREAS, on March 3, 2015, Council passed Resolution No. 47-15, 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 July 7, 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 1.01 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 1.02 The Richland Comprehensive Plan, adopted October 6, 1997 by 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 1.03 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 1.04 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 No. 59 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 1.05 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 R1-12 Single Family Residential, as depicted on Exhibit B, when consideration is given to the interest of the general public.

Section 1.06 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 1.07 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 1.08 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 5th day of August, 2015.

DAVID W. ROSE
Mayor

ATTEST:

MARCIA HOPKINS
City Clerk

APPROVED AS TO FORM:

HEATHER KINTZLEY
City Attorney

Date Published: August 9, 2015

EXHIBIT A

Legal Description for Premiere Columbia Properties, LLC Annexation

Real property located in the Southwest quarter of the Southwest quarter of Section 20, Township 9 North, Range 28 East of the Willamette Meridian, Benton County, Washington and being more particularly described as follows:

Beginning at the Southeast corner of said subdivision; thence South 88^{0}32'58" West a distance of 815.45 feet along the South line of said subdivision to a point on the East right-of-way line of Dallas Road; Thence the following courses along said East line:

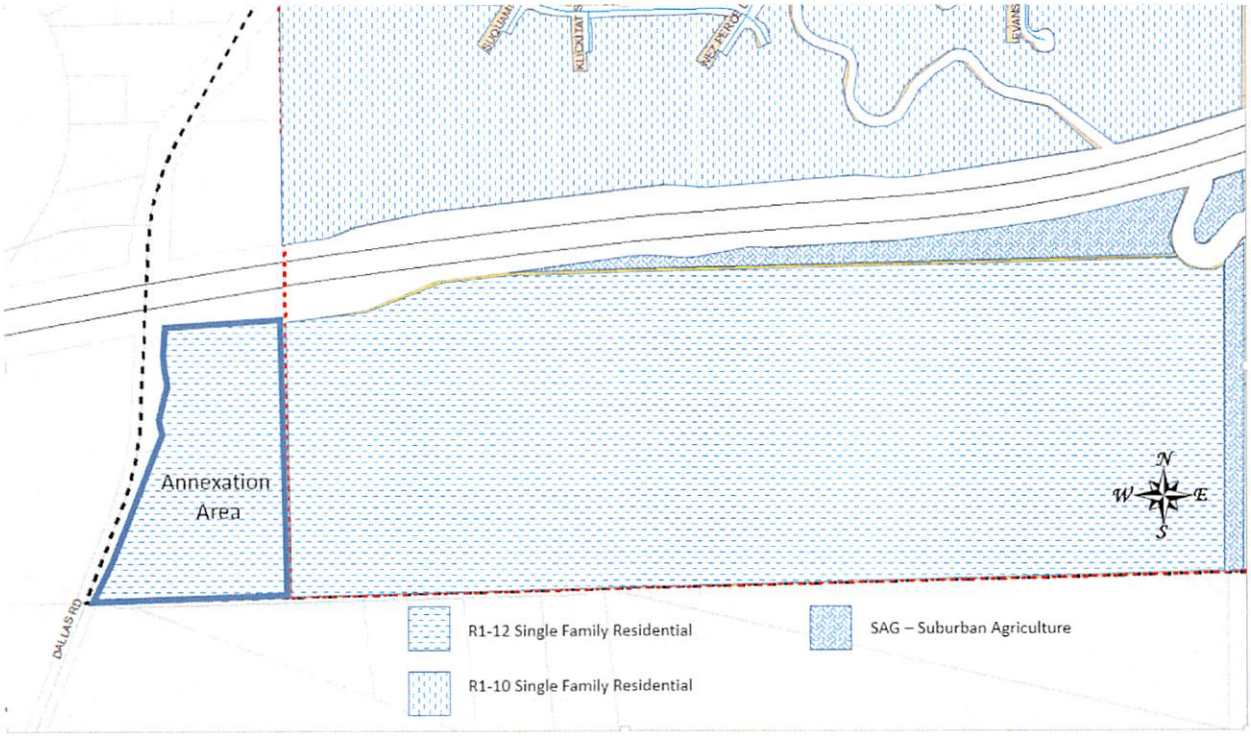
North 21^{0}20'20" East a distance of 0.32 feet;
North 21^{0}18'28" East a distance of 214.22 feet;
South 68^{0}41'32" East a distance of 15.00 feet;
North 21^{0}18'28" East a distance of 100.00 feet;
North 21^{0}19'12" East a distance of 410.22 feet;
North 02^{0}23'45" East a distance of 166.33 feet;
South 87^{0}36'15" East a distance of 10.00 feet;
North 02^{0}23'45" East a distance of 150.00 feet;
North 87^{0}36'15" West a distance of 10.00 feet;
North 02^{0}23'45" East a distance of 146.00 feet to a point on the South right-of-way line of the LR line of SR 182; Thence North 86^{0}40'09" East a distance of 500.97 feet along said South lie to the East line of said subdivision; Thence South 00^{0}55'13" East a distance of 1140.33 feet to the point of beginning.

Contains 15.663 acres more or less.

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

1-2098-300-0001-001

EXHIBIT B



ZONING FOR PREMIERE COLUMBIA PROPERTIES ANNEXATION