CITY OF KENNEWICK
ORDINANCE NO. 5255

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY GENERALLY LOCATED AT 2611 SOUTH WASHINGTON ST, CONTAINING APPROXIMATELY 2.3 ACRES AND PROVIDING FOR ZONING CLASSIFICATION THEREOF OF "A" (AGRICULTURAL) (AZ 08-03, 2611 SOUTH WASHINGTON ST)

WHEREAS, the hereinafter described tract of land generally located at 2611 South Washington St., containing approximately 2.3 acres to be annexed to the City of Kennewick is not now incorporated and is contiguous to the City of Kennewick and situated in Benton County, Washington; and

WHEREAS, the Chairman of the Boundary Review Board has reviewed a proposed intent to annex for the property and decided that review by the said Board is not necessary; and

WHEREAS, a good and sufficient petition has been filed for the annexation of this territory which complies with the requirements of law; and

WHEREAS, in connection with the aforesaid real property, notice of a desire for annexation was heretofore given by property owners holding more than ten percent (10%) in value of the assessed valuation of said real property, and pursuant to RCW 35A.14.120, the City Council has determined that it would require the assumption of indebtedness of the City of Kennewick contracted prior to or existing at the time of annexation; and

WHEREAS, notice of the time and place for hearing said petition was given by posting and publication as required by law and shown by the Affidavit of Posting and Affidavit of Publication now on file with the City Clerk; and

WHEREAS, the matter was duly considered by the City Council of the City of Kennewick at said hearing, and it was finally determined by said Council that annexation will be made with the assumption of indebtedness of the City of Kennewick contracted prior to or existing at the time of annexation; and

WHEREAS, it appears to the City Council that it would be beneficial to the residents of such nonincorporated area and to the residents of the City of Kennewick to annex the same; NOW, THEREFORE,

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

Section 1. Annexation of Real Property. That the real property described as follows:

> Section 7, Township 8 N, R 30; south 1/2 of Government Lot 4, westerly of canal; less roads along west and south lines 3-31-58; excluded from Kennewick Irrigation District 2-1-56, recorded 2-10-56.
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> Together with that portion of East 27th Avenue, being in the Southwest quarter of the Southwest quarter of Section 7, Township 8 North, Range 30 East W.M., also being in the Northwest quarter of the Northwest quarter of Section 18, Township 8 North, Range 30 East W.M., all lying westerly of the easterly right of way line of the Columbia Irrigation District canal, also together with that portion of the 100 foot wide Columbia Irrigation District canal right of way lying in the Southwest quarter of the Southwest quarter of Section 7, Township 8 North, Range 30 East W.M., also being in the Northwest quarter of the Northwest quarter of Section 18, Township 8 North, Range 30 East W.M., except that portion previously annexed,

be and the same hereby is annexed to the City of Kennewick, and is hereby declared to be within the corporate limits of the City of Kennewick. Said property is located within Benton County, Washington.

Section 2. Zoning Classification. That the zoning classification shall be "A" (Agricultural).

Section 3. Property to be Part of City. That said territory thus annexed to the City of Kennewick from and after the effective date of this ordinance shall be part of the City of Kennewick.

Section 4. Assumption of Prior Indebtedness. The property within the annexed territory above-described shall be taxed or assessed to pay indebtedness of the City of Kennewick contracted prior to or existing at the time of such annexation. The annexed property shall not be released from taxes or assessments levied against it or from liability for payment of outstanding bonds or warrants issued prior to such annexation.

Section 5. Copy of Annexation to be Filed and Recorded. That a copy of this annexation shall be filed with the Board of County Commissioners of Benton County, Washington, in the manner required by law and also recorded in the Records of Benton County, Washington.

Section 6. Effective Date. This ordinance shall take full force and effect five (5) 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 7th day of April, 2009, and signed in authentication of its passage this 7th day of April, 2009.

THOMAS C. MOAK, Mayor

Attest:

VALERIE J. LOFFLER, City Clerk

ORDINANCE NO. 5255 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 8th day of April, 2009.

Approved as to Form:

LISA BEATON, City Attorney

VALERIE J. LOFFLER, City Clerk

DATE OF PUBLICATION 4-11-09