

REQUEST OF Town of Lacrosse

NOV 23 1994

Completed Copy on Ord. File

8:00 AM
JAMES REPP, COUNTY AUDITOR
WHITMAN COUNTY, WASH

13 DEPUTY *Norm Saubert*

ORDINANCE NO. 295

AN ORDINANCE OF THE TOWN OF LACROSSE, WHITMAN COUNTY, WASHINGTON, DECLARING A PROPOSED ANNEXATION INTO THE TOWN OF LACROSSE AND THE SPECIFIC PLANS FOR THE AREA ANNEXED TO BE NON-SIGNIFICANT UNDER THE STATE ENVIRONMENTAL POLICY ACT; DECLARING THE ANNEXATION TO BE IN THE BEST INTEREST OF THE TOWN OF LACROSSE AND ITS RESIDENTS; PROVIDING FOR THE ANNEXATION OF TERRITORY INTO THE TOWN OF LACROSSE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF LACROSSE, WHITMAN COUNTY, WASHINGTON, AS FOLLOWS:

WHEREAS, the Town of LaCrosse (the "Town"), Whitman County, Washington, is a fourth class city or town, by virtue of the Constitution and laws of the State of Washington; and

WHEREAS, the owner of certain real property adjacent to the Town has petitioned for annexation into the Town; and

WHEREAS, public hearings were held on this matter, after notice was provided to the Town and the property owners surrounding the proposed annexation and public testimony and comment was taken; and

WHEREAS, the Town Council (the "Council") made a preliminary finding of "non-significance" for both the annexation of property to the Town and also regarding the proposed use of the property to be annexed; and

WHEREAS, more than 15 days has elapsed since the notice was mailed and/or published as required by State law and no comments have been received in response to the Declaration of Non-Significance; and

WHEREAS, notice of this Declaration of Non-Significance was published in the official newspaper of the Town and was also sent to other taxing districts and Whitman County (the "County"). No objection to the Declaration of Non-Significance has been received. The Council now wishes to find that the proposed annexation is "non-significant" and that the proposed use of the area annexed into the Town is also "non-significant" under the Washington State Environmental Policy Act ("SEPA") and also approve the annexation of the territory to the Town.

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NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE TOWN OF LACROSSE, WHITMAN COUNTY, WASHINGTON, AS FOLLOWS:

Section 1: FINDINGS REGARDING NON-SIGNIFICANCE AND ANNEXATION

A. The owner of certain real property adjacent to the Town, and described in Exhibit "A" hereto, which is incorporated herein by reference, petition the Council for annexation of property into the Town;

B. The Council, after appropriate notice, conducted a public hearing regarding this proposed annexation;

C. After the hearing, the Council made a declaration of non-significance under SEPA and directed that notice of the same be given under State law;

D. Pursuant to the above finding, a Declaration of Non-Significance was published in the official newspaper of the Town, in accordance with provisions of SEPA and notice was sent to certain taxing districts and departments of Whitman County;

E. The Council believes that the annexation is an event of "non-significance" under SEPA;

F. The proposed use for the property as a warehouse/parking area by Wilbur-Ellis & Co. ("Wilbur-Ellis") is also an event of non-significance under the Act;

G. The annexation of this area into the Town is in the best interest of the Town and its residents;

H. The Council hereby makes a finding that the area should be annexed into the Town and hereby determines the same.

Section 2: ANNEXATION IS AN EVENT OF NON-SIGNIFICANCE

The Council hereby finds and affirms that the annexation of the area described in Exhibit "A" is an event of non-significance.

Section 3: PLANS FOR AREA ANNEXED TO TOWN IS AN EVENT OF NON-SIGNIFICANCE

The Council hereby finds that the plans of the proponent of the annexation to construct an equipment parking lot/storage area and a facility for the storage and sale of seed and fertilizer by Wilbur-Ellis is an event of non-significance.

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Section 4: NOTICE TO BE GIVEN

The Council hereby directs the Town Clerk to give notice of annexation to the other taxing districts and appropriate County officials and agencies. Additionally, the Town Clerk is advised to publish in the official newspaper of the Town a notice of this annexation and proposed action.

Section 5: REPEALER

All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and shall have no further force or effect.

Section 6: RATIFICATION

All actions (not inconsistent with the provisions of this Resolution) heretofore taken by the Council, and its employees, are hereby in all respects ratified, approved, and confirmed.

Section 7: SEVERABILITY

If any one or more of the covenants or agreements provided in this Ordinance to be performed on the part of the Town shall be declared by any court of competent jurisdiction to be contrary shall be null and void and shall be deemed separable from the remaining covenants and agreements in this Ordinance and shall in no way affect the validity of the other provisions of this Ordinance.

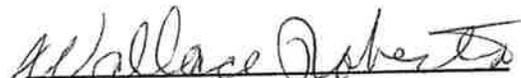
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Section 8: EFFECTIVE DATE

This Ordinance shall be in full force and effect five days after its publication in the official newspaper of the Town as required by law.

PASSED by the Town Council this 7th day of July, 1994.

TOWN OF LACROSSE
Whitman County, Washington



Mayor

ATTEST:



Town Attorney

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CERTIFICATION

I, the undersigned Clerk-Treasurer of the Town of LaCrosse, Whitman County, Washington, HEREBY CERTIFY that the foregoing ordinance is a full, true and correct copy of an ordinance duly adopted at a regular meeting of the Town Council duly and regularly held at the regular meeting place thereof on July 7, 1994, of which meeting all members of said Council had due notice and at which a majority thereof were present; and that at said meeting said ordinance was adopted by the following vote:

AYES, and in favor thereof, Councilmembers: 4

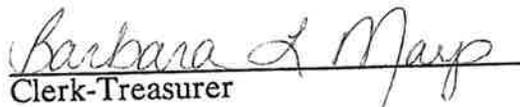
NOES, Councilmembers: 0

ABSENT, Councilmembers: 1

ABSTAIN, Councilmembers: 0

I FURTHER CERTIFY that I have carefully compared the same with the original ordinance on file and of record in my office; that said ordinance is a full, true and correct copy of the original ordinance adopted at said meeting; and that said ordinance has not been amended, modified or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of said Town on July 7, 1994.


Clerk-Treasurer

(S E A L)

AMENDED Exhibit A

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COMMENCING at the NW Corner of said section II; thence S 89°55'01" E 1318.91 feet, along the north boundary of said section, to a point on the easterly right-of-way (R.O.W) boundary of County Road No. 6000 - LaCrosse south, and a point on a curve (said point lies N 89°55'01" W 1442.03 feet, from the north 1/4 section corner of said section 11),

Thence 364.82 feet, along said R.O.W. boundary, concave to the SE (central angle = 04°25'24", radius = 4735.12 feet) with its long chord bearing S 37°50'53" W 365.46 feet, to the point of beginning.

Thence S 54°21'48" E 225.00 feet, leaving said easterly R.O.W. boundary:
Thence S 34°35'34" W 164.33 Feet;
Thence S 56°27'05" E 284.53 Feet;
Thence S 52°37'40" W 432.35 Feet;
Thence S 49°26'39" W 248.32 Feet;
Thence S 20°20'43" W 236.74 Feet;
Thence S 36°26'29" W 143.71 Feet;
Thence S 67°42'48" W 353.79 Feet, returning to said easterly R.O.W. Boundary;
Thence N 24°37'30" E 586.76 Feet, along said easterly R.O.W. Boundary, to a point of curvature;

Thence 910.04 feet, along said R.O.W. boundary, concave to the SE (central angle = 11°00'42", radius = 4735.12 feet) with its long chord bearing N 30°07'51" E 908.64 Feet, to the point of beginning.

Subject to easements of record.
Subject to a Pacific telephone easement.

Area of said described parcel of land is 9.682 acres.

Exhibit B

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**TOWN OF LACROSSE
Whitman County, Washington**

NOTICE OF ACTION UNDER SEPA

YOU ARE HEREBY NOTIFIED, pursuant to the State Environmental Policy Act ("SEPA"), that the Town Council (the "Council") of the Town of LaCrosse, ("Town"), by Ordinance, took the following action at their July 7, 1994 meeting:

1. The annexation of approximately 10 acres to the Town is an event of non-significance under SEPA (this area is shown on the Exhibit attached hereto);
2. The proposed use for this land by the proponents of the annexation, for Wilbur-Ellis facility is also an event of non-significance under SEPA; and
3. Annexed the area into the Town.

DATED this 7th day of July, 1994.

TOWN OF LACROSSE
Whitman County, Washington



Mayor



Clerk-Treasurer

(S E A L)