

## ORDINANCE NO. 1167

### **AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTIES TO THE CITY OF CASHMERE, WASHINGTON, INCORPORATING THE REAL PROPERTIES WITHIN THE CORPORATE LIMITS OF THE CITY OF CASHMERE AND ADOPTING ZONING REGULATIONS FOR THE ANNEXED PROPERTIES**

The City Council of the City of Cashmere, Washington do ordain as follows:

**Section 1.** The real properties in Chelan County, Washington described below, contiguous to the City of Cashmere, Washington, and within the City of Cashmere Urban Growth Boundary, are hereby annexed to and incorporated in the city limits of the City of Cashmere, Washington, on the terms and conditions set forth in this ordinance.

#### **Description of Real Properties Annexed**

The real properties described on the attached Exhibit "A" and survey map on the attached Exhibit "B" incorporated herein by this reference.

**Section 2.** A certified copy of this ordinance shall be filed with the Board of County Commissioners of Chelan County, Washington in the manner provided by law.

**Section 3.** The annexed real properties shall be subject to the Comprehensive Land Use Plan adopted heretofore by the City of Cashmere, Washington. The annexed real properties are hereby zoned in accordance with the Comprehensive Plan as either Multi-Family (MF), Warehouse Industrial (WI) or Mixed Commercial/Light Industrial (C/LI) as set forth in the City of Comprehensive Plan Land use Designation Map.

**Section 4.** The official zoning map of the City of Cashmere is hereby amended to include the real properties hereby annexed. Said map shall be modified in accordance with law.

**Section 5.** The annexed real properties described herein shall be assessed and taxed at the same rate and on the same basis as other properties in the City of Cashmere, Washington to pay for all or any portion of the outstanding indebtedness of the City of Cashmere, approved by the voters, contracted or incurred prior to or existing at, the date of annexation.

**Section 6.** This annexation ordinance is conditioned upon City Council approval of a Port of Chelan County and City of Cashmere pre-annexation interlocal agreement related to water.

**Section 7.** This ordinance shall take effect after execution of the pre-annexation agreement referred to in Section six (6) above and shall be in full force when it shall have been passed by the City Council of the City of Cashmere and signed by the Mayor and five (5) days after the ordinance or a summary thereof consisting of the title is published.

Passed by the City Council of the City of Cashmere and approved by the Mayor at a regular open public meeting this 15<sup>th</sup> day of April, 2010.

CITY OF CASHMERE

By: \_\_\_\_\_  
Gordon Irle, Mayor

Attest:

\_\_\_\_\_  
Kay Jones, City Clerk-Treasurer

Approved as to form:

By: \_\_\_\_\_  
Terrence M. McCauley, City Attorney

Passed by the City Council: April 15, 2010  
Published in the Cashmere Valley Record: April 21, 2010  
Effective date: April 26, 2010  
Ordinance No: 1167

## Exhibit "A"

That portion of the Northeast quarter, Section 5, Township 23 North, Range 19 East, Willamette Meridian, Chelan County, Washington more particularly described as follows:

Commencing at the Southeast corner Government Lot 1, a 3" aluminum cap on 2" aluminum pipe, from which the East quarter corner said section 5, a 3" brass cap in monument case bears S 00°31'06" E a distance of 1330.40 feet, reference ALTA / ACSM LAND TITLE SURVEY recorded BOOK 45, Pages 50-52 records of said county; thence N 00°31'06" W along the East line Government Lot 1 a distance of 326.35 feet more or less to the South Right of Way line Burlington Northern Santa Fe Railroad; Thence Northwesterly along said South Right of way line a distance of 2099.6 feet more or less to the intersection with the Northerly right of way line Sunset Highway said point being STA 198+90.76, 30 feet left, CRP# 407 – Sunset Highway; thence S 54°20'50" W a distance of 60.39 feet more or less to the intersection of the Southerly right of way said Sunset Highway and the Westerly right of way Mill Road (CO. RD NO. 327) thence northwesterly along the Southerly right of way line said Sunset Highway a distance of 389.35 feet more or less to the most northerly corner, parcel # 231905120200, described in book 635, page 332, records of said county; thence southerly along the westerly boundary said parcel S 09°47'37" W a distance of 74.76 feet; thence S 26°06'37" W a distance of 168.28 feet; thence S 20°33'23" E a distance of 84.99 feet; thence S 35°13'23" E a distance of 172.98 feet; thence S 16°43'23" E a distance of 207.78 feet; thence S 06°59'37" W a distance of 72.99 feet; thence N 83°47'37" E a distance of 179.98 feet more or less to the Southwest corner Lot 8 Plat of Willowdale Addition To Cashmere, recorded volume 3, page 53, records of said county; thence N 06°12'23" W along the west line said Plat of Willowdale Addition To Cashmere a distance of 99.99 feet to the Northwest corner Lot 7 said Plat of Willowdale Addition To Cashmere; thence leaving said West line said plat, S 83°47'37" W a distance of 10.00 feet; thence N 06°12'23" W parallel to the West line, said Plat of Willowdale Addition To Cashmere, a distance of 78.55 feet; thence N 81°15'23" E a distance of 189.54 feet more or less to the Westerly right of way Mill Road; thence S 32°05'02" E along the Westerly right of way Mill Road a distance of 460.12 feet more or less to the Northeast corner Lot 13 said Plat of Willowdale To Cashmere; said point being the most Northerly corner Tract A, Record of Survey for Cedarbrook, recorded Book 50, Pages 41-43 records of said county; thence following the courses of Tract A, in a counter clockwise direction said Record of Survey for Cedarbrook, S 84°08'11" W a distance of

379.44 feet; thence S 05°55'35" E a distance of 235.32 feet; thence N 89°01'26" W a distance of 188.56 feet; thence S 17°36'18" E a distance of 301.64 feet; thence S 51°34'25" E a distance of 3.39 feet; thence S 40°10'43" E a distance of 270.69 feet; thence S 44°36'19" E a distance of 352.29 feet; thence S 60°37'26" E a distance of 345.85 feet; thence N 89°39'04" E a distance of 507.11 feet; thence N 00°21'01" W a distance of 219.65 feet; thence S 89°28'27" W a distance of 269.74 feet; thence N 29°22'11" E a distance of 21.61 feet; thence N 22°14'25" E a distance of 17.41 feet; thence N 38°10'59" E a distance of 23.89 feet; thence N 15°55'39" W a distance of 18.45 feet; thence N 29°56'24" E a distance of 9.54 feet; thence N 47°11'11" E a distance of 56.69 feet; thence N 18°23'44" E a distance of 40.76 feet; thence N 36°04'35" E a distance of 31.37 feet; thence N 48°15'03" E a distance of 83.43 feet; thence N 70°35'46" E a distance of 16.46 feet; thence S 77°01'49" E a distance of 6.36 feet; thence N 09°39'30" E a distance of 331.40 feet; thence S 89°30'30" E a distance of 46.39 feet; thence N 11°17'12" E a distance of 110.40 feet to the south right of way, Mill Road; thence S 89°40'49" E along said South right of way a distance of 309.97 feet more or less to an angle point said right of way; thence N 33°06'08" E a distance of 23.74 feet more or less to a 5/8" rebar and cap LS. 17680 said rebar being a point on the accepted 1/16th line as depicted on ALTA / ACSM LAND TITLE SUREVEY recorded in Book 45, Pages 50-53 records of said county, thence S 89°28'52" E along said 1/16th line a distance of 21.27 feet; thence S 29°43'13" W a distance of 25.80 feet; thence S 22°44'52" W a distance of 10.51 feet; thence S 69°41'07" E a distance of 265.98 feet; thence N 22°52'23" E a distance of 132.26 feet to a point on said 1/16th line; thence S 89°28'52" E along said 1/16th line a distance of 29.34 feet to the centerline Mission Creek; thence S 11°23'07" W along centerline said Mission Creek a distance of 20.02 feet; thence S 31°43'39" E a distance of 2.72 feet; thence leaving said creek centerline S 76°26'44" E a distance of 66.64 feet to a point of curvature; thence along a curve to the left with a central angle of 01°43'39" a distance of 89.56 feet more or less to the intersection with the East line said Section 5; thence N 00°31'06" W along said East line Section 5 a distance of 55.49 feet to the point of beginning and end of this description.

EXCEPT the following described parcel annexed into the City of Cashmere by Ordinance No. 1153

Beginning at a point on the East line of section five (5) Township 23, North Range 19, E. W. M., 181.9 feet North of the southeast corner of the northeast quarter of the northeast quarter of said section five (5) as a true point of beginning. Thence from this true point of beginning North 78 degrees 58' West for 352.76 feet, thence North 35 degrees 42' East for 146.6 feet to the right of way of the Great Northern Railway, thence South 80 degrees 03' East for 264.8 feet, to the East line of said section five (5), thence South for 141.1 feet to the said true point of beginning, containing 0.98 acres according to survey.

Recited from deed recorded in Book 169, Page 105, records of Chelan County, Washington.

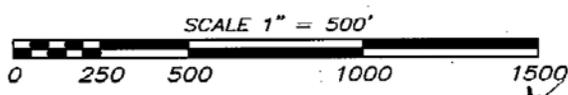
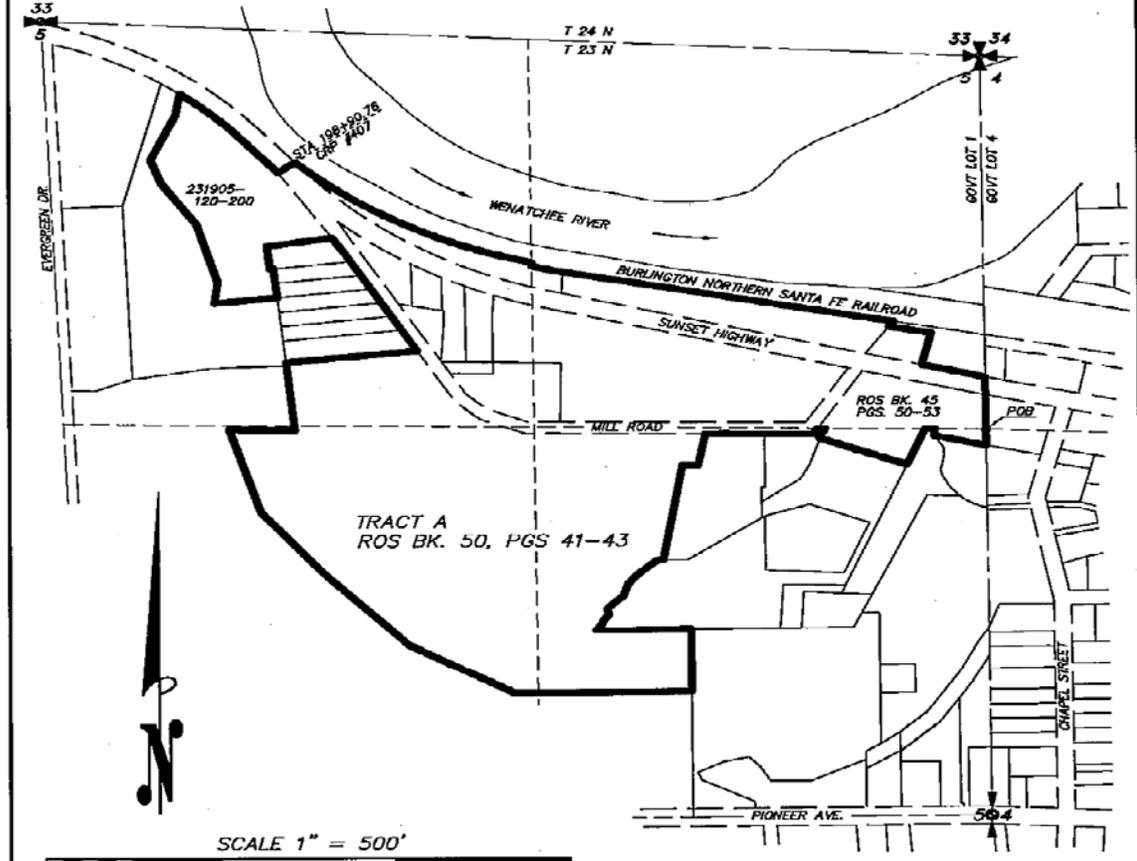
Except that portion Quit Claimed to Public Utility District NO. 1 of Chelan County, Washington, by quit claim deed recorded December 24, 1958 in Book 590, pages 144 & 145, records of Chelan County, Washington.

AREA of described property 46.39 acres more or less.

Horizontal Datum: NAD 83/91 Washington State Plane, North Zone Grid.  
Distances Hereon are at Grid. Multiply distances by a combined factor of 1.00004220 to achieve ground distances.



# EXHIBIT B



**FITZPATRICK SURVEYING, PLLC**

104 COTTAGE AVE.  
CASHMERE, WA 98815 (509)782-2441

DATE: 02/11/10	DRAWN BY: NSF
SCALE: 1" = 500'	FILE NO: 27107_021008