

ORDINANCE NO. 1036

AN ORDINANCE ANNEXING CERTAIN PROPERTY KNOWN AS MT. HOPE CEMETERY AND ESTABLISHING THE ZONING AND ASSUMPTION OF INDEBTEDNESS.

WHEREAS, the combined Mt. Hope Cemetery and University property is approximately 9.95 acres more or less, is contiguous with City boundaries and under RCW 35A.14.120 the City may ordain to annex unincorporated land under certain conditions, and

WHEREAS, the College Place City Council passed Resolution No. 800 on June 8, 2001 setting a date of June 22, 2009 to meet with the initiating party, and

WHEREAS, pursuant to proper notice, the College Place City Council held a public hearing on the proposed annexation on March 8, 2010, and

WHEREAS, the College Place City Council Continued that public hearing on the proposed annexation on April 12, 2010, and

WHEREAS, the annexation is by petition of the owners of at least 60 percent of the property values in the area, and,

WHEREAS, the Comprehensive Plan designates the property as Public Reserve, the zoning designation of PR—Public Reserve is appropriate for this property, and

WHEREAS, notice was provided on July 23, 2009 to the Walla Walla County Boundary Review Board for their review, and

WHEREAS, the Walla Walla County Boundary Review Board has forty-five days from the date of notice to invoke jurisdiction, and

WHEREAS, jurisdiction of the Walla Walla County Boundary Review Board has not been invoked, and

WHEREAS, the College Place City Council has considered the proposed annexation during a regularly and duly called public meeting of said Council, has given said annexation careful review and consideration, and finds that the best interest of the City of College Place will be served by the annexation and that it is appropriate to good government of the City of College Place;

NOW THEREFORE, the City Council of the City of College Place do ordain as follows:

Section 1: The property illustrated in the attached annexation boundary map (Exhibit A), which is described as follows, is hereby annexed to the City of College Place:

That portion of Southeast quarter of the Northwest quarter and the Southwest quarter of the Northeast quarter of Section 35, Township 7 North, Range 35 East, W.M., Walla Walla County, Washington, described as follows;

Beginning at a point on the South corporate limits boundary of the City of College Place per Ordinance No. 961, said point being common with the Northwest corner of Mount Hope Cemetery per the description thereof contained in that certain Warranty Deed recorded in book 248 of deeds, page 123 records of Walla Walla County, Washington, and the Northeast corner of Lot 8 of Sunset Terrace Addition per the plat thereof recorded in Volume "H" of plats, page 14 records of said County and State; thence South along the common boundary between said Mount Hope Cemetery and said Sunset Terrace Addition, 485.8 feet to the North right of way line of Sunset Terrace (street); thence continuing South on an extension of said common boundary, 50 feet to the South right of way line of said Sunset Terrace; thence S 89°57' E along the South right of way line of said Sunset Terrace, 588 feet more or less to the West right of way line of Grandview Avenue; thence continuing Easterly, 42.5 feet more or less to the point where the East right of way line of said Grandview Avenue intersects with the South right of way line of Southwest 6th Street; thence continuing East along the South right of way line of said Southwest 6th Street, 180 feet; thence North 30 feet to the Southeast corner of said Mount Hope Cemetery per the description thereof contained in that certain "Indenture" (deed) dated March 1st, 1914; thence Northeasterly along the Southeasterly boundary of said cemetery (and the Southeasterly right of way line of said SW 6th Street), and the Southeasterly boundary of that certain parcel of land conveyed to Walla Walla College in 1940 per Quitclaim Deed, filed in Volume 204 of deeds, page 496 records of said Walla Walla County, a distance of 296.1 feet more or less to the South right of way line of said SW 6th Street (formerly Maple Street) in Block 21 of College Place No. 2 per the plat thereof recorded in Volume "B" of plats, page 59 records of said County and State; thence West along the South right of way line of said Maple Street as originally dedicated in said plat, 114 feet to the East line of said cemetery; thence North along the East boundary of said cemetery (along the West boundary of said corporate limits per Ordinance No. 333), 274.3 feet more or less to the Northeast corner of said cemetery; thence West along the North boundary of said cemetery (along the South boundary of said corporate limits per Ordinance No. 333), 278 feet to the Northwest corner of that portion of said cemetery described in said "Indenture" (deed) dated March 1st, 1914, said point being located on the North-South centerline of said Section 35, said point also being on the common corporate limit boundary between that portion of said City of College Place described per Ordinance No. 333 on the East and that portion of said City of College Place described per Ordinance No. 961 on the West side of said common line; thence South on the said North-South centerline of said Section 35, (along the East boundary of said corporate limits per Ordinance No. 961), 55.15 feet; thence S 76°58' W along the North boundary of said cemetery (along the South boundary of said corporate limits per Ordinance No. 961), 334.65 feet more or less; thence continuing along the North boundary of said cemetery N 59°00' W, (along the South boundary of said corporate limits per Ordinance No. 961), 264.0 feet; thence continuing along the North boundary of said cemetery (along the South boundary of said corporate limits per Ordinance No. 961), S 82°30' W, 59.0 feet to the point of beginning. Containing 9.95 acres more or less.

Section 2: Notice is hereby given by this Ordinance to the firm responsible for the collection of garbage that they may apply and receive an extension of their present garbage franchise for a

period of 7 years as provided in RCW 35.13.280. Said grant is herein subject to said person, firm, or corporation providing adequate service to said annexed territory at a reasonable price.

Section 3: The College Place Comprehensive Plan designates this property as Public Reserve. The zoning designation of PR—Public Reserve is hereby adopted for said property.

Section 4: The City will require the assumption of past city indebtedness.

Section 5: This ordinance shall become effective five days after passage, approval and publication.

PASSED by the City Council of the City of College Place, Washington, this 19th day of April 2010.

APPROVED:

ATTEST:

Rick Newby—Mayor

Robert C. Zielfelder—City Clerk

APPROVED AS TO FORM:

Charles B. Phillips—City Attorney

