2009-036683 ORD
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City Of Kennewick
Benton County, Benton County Auditor's Office

After Recording Return to:
Kennewick City Clerk
P.O. Box 6108
Kennewick, WA 99336

CITY OF KENNEWICK
ORDINANCE NO. 5282

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY LOCATED ON WASHINGTON STREET BETWEEN 21ST AND 27TH STREETS AND PROVIDING FOR ZONING CLASSIFICATION THEREOF OF "A" (AGRICULTURAL) (AZ 09-01, WASHINGTON STREET)

WHEREAS, the hereinafter described tract of land located on Washington Street between 21st and 27th Streets 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, no request for review was received during the 45-day review period and no action was taken by the Boundary Review Board. The Chairman of the Boundary Review Board authorized annexation proceedings to continue; 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:

2103 S WASHINGTON ST/1-0780-300-0021-000
2109 S WASHINGTON ST/1-0780-300-0022-000
2205 S WASHINGTON ST/1-0780-300-0023-000
2207 S WASHINGTON ST/1-0780-300-0024-000
2213 S WASHINGTON ST/1-0780-300-0025-000
4 E 23RD AVE/1-0780-300-0035-000
CITY STORM POND E 23RD AVE/1-0780-301-1975-001
VACANT LAND S WASHINGTON ST/1-0780-301-1975-002
VACANT LAND S WASHINGTON ST/1-0780-301-1975-003
2413 S WASHINGTON ST/1-0780-301-1975-004
East 23rd Avenue

That portion of Government Lot 3, Section 7, Township 8 North, Range 30 East, W.M., records of Benton County, Washington, described as follows:

The North 85.00 feet of the East 226.00 feet of the West 256.00 feet of the Southwest Quarter of said Government Lot 3; together with the South 46.00 feet of the East 226.00 feet of the West 256.00 feet of the Northwest Quarter of said Government Lot 3;

TOGETHER WITH the Southwest Quarter of said Government Lot 3; Except the North 85.00 feet of the East 226.20 feet of the West 256.20 feet; and Except the South 298.30 feet;

TOGETHER WITH the North 96.65 feet of the South 298.30 feet of the East 200.00 feet of the West 230.00 feet of said Government Lot 3;

TOGETHER WITH the North 96.50 feet of the South 201.65 feet of the East 200.00 feet of the West 230.00 feet of said Government Lot 3;

TOGETHER WITH that portion of said Government Lot 3, described as follows:

Commencing at the Southwest corner of said Government Lot 3; Thence Easterly along the Southern line of said Government Lot 3 for a distance of 30.00 feet, more or less, to the extended Easterly right of way line of South Washington Street; thence Northerly, parallel to the West line of said Government Lot 3, for a distance of 15.00 feet, more or less, to the

intersection of the extended Easterly right of way of South Washington Street and the extended Northerly right of way line of West 23rd Avenue to the True Point of Beginning; Thence Northerly along the Easterly right of way line of South Washington Street for a distance of 90.00 feet; Thence Easterly, parallel to the South line of said Government Lot 3, for a distance of 200.00 feet; Thence Southerly, parallel to and the East right of way line of South Washington Street, for a distance of 90.00 feet, more or less, to the Northerly right of way line of East 23rd Avenue; Thence Westerly along the North right of way line of East 23rd Avenue, for a distance of 200.00 feet, more or less, to the Point of Beginning.

Except that portion deeded to the City of Kennewick for right of way purposes under Auditor's File No. 91-10475;

TOGETHER WITH that portion of Government Lot 4, Section 7, Township 8 North, Range 30 East, W.M., records of Benton County, Washington, described as follows:

The South100.00 feet of the North 115.00 feet of the East 145.00 feet of the West 175.00 feet of said Government Lot 4.

Except that portion deeded to the City of Kennewick for right of way purposes under Auditor's File No. 91-10472;

TOGETHER WITH Lots 1 through 4 of Short Plat 1975, as recorded in Volume 1 of Short Plats, Page 1975, records of Benton County, Washington;

TOGETHER WITH all of that portion of East 23rd Avenue lying adjacent to the above referenced lots and not previously annexed to the City of Kennewick described as follows:

The South 15.00 feet of the East 443.00 feet of the West 473.00 feet of said Government Lot 3, Section 7, Township 8 North, Range 30 East, W.M., records of Benton County, Washington;

Together with the North 15.00 feet of the East 443.00 feet of the West 473.00 feet of said Government Lot 4, Section 7, Township 8 North, Range 30 East, W.M., records of Benton County, Washington,

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 1st day of December, 2009, and signed in authentication of its passage this 1st day of December, 2009.

THOMAS C. MOAK, Mayor

Attest:

VALERIE J. LOFFLER, City Clerk

ORDINANCE NO. 5282 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 2nd day of December, 2009.

Approved as to Form:

LISA BEATON, City Attorney

VALERIE J. LOFFLER, City Clerk

DATE OF PUBLICATION 12-5-09