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CITY OF QUINCY

CITY OF QUINCY, WASHINGTON

ORDINANCE NO. 09-270

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY TO THE CITY OF QUINCY, WASHINGTON; INCORPORATING THE SAME WITHIN THE CITY LIMITS; PROVIDING FOR THE ASSUMPTION OF EXISTING INDEBTEDNESS; AND ADOPTING A COMPREHENSIVE LAND USE PLAN AND ZONING DESIGNATION

WHEREAS, RCW 35A14.010 authorizes the City to annex any property lying contiguous to the City and not incorporated as part of a city or town; and

WHEREAS, on June 9, 2009 the City Council of the City received a Notice of Intention to Commence Annexation Proceedings from the Survivor's Trust of the Living Trust of Robert D. Helsley and Arlean R. Helsley, who owns not less than ten percent (10%) in assessed valuation of the property proposed for annexation, as certified by the Finance Officer/Clerk, for annexation to the City, approximately 102.40 acres of property contiguous to the south boundary of the City, described as follows (the "Subject Property"):

> **Parcel #200851000** - Farm Unit 207 Block 73, Columbia Basin project according to the plat thereof and located in a portion of Section 12, Township 20 North, Range 23 E. W.M. further described as follows:
>
> Commencing at the northeast corner of said Farm Unit 207, the East Quarter Corner of Section 12, the true point of beginning; thence South 00°05'30" East 1,547.87 feet along the East line of said Section; thence, South 82°17'42" West 2,636.49 feet more or less along the north line of the Burlington Northern Santa Fe Railroad right of way; thence, North 00°13'06"West 1,862.00 feet to the Center of said Section 12; thence, North 89°08'18" East 2,617.6 feet to the true point of beginning.

WHEREAS, the City Council of the City received a petition from the Survivor's Trust of the Living Trust of Robert D. Helsley and Arlean R. Helsley on June 9, 2009 to annex the Subject Property to the City; and

WHEREAS the City has met with the interested parties and has determined (1) it will accept the proposed annexation, (2) will require the simultaneous adoption of zoning regulations so the Subject Property Parcel number 200851000 will be subject to the General Industrial (G-I) Zone governed by QMC 20.26, and (3) will require the assumption of all of the existing city indebtedness by the Subject Property, to the extent authorized by law; and

WHEREAS, the City Council, after required public notice, held a public hearing on August 4, 2009 to receive public input to the proposed annexation; and

WHEREAS, the City Council, by Resolution 09-204, determined that it would accept the proposed annexation; and

WHEREAS, a Notice of Intention to Annex was submitted to the Grant County Boundary Review Board on August 6, 2009; and

WHEREAS, the Grant County Boundary Review Board has not invoked its Jurisdiction within the allotted 45 days; and

NOW, THEREFORE, The City Council of the City of Quincy, Washington, do ordain as follows:

Section 1: The Recitals are incorporated into this Ordinance.

Section 2: The Subject Property and any unincorporated property currently residing within the existing City limits is hereby annexed to and incorporated in the City.

Section 3: The Subject Property and any unincorporated property currently residing within the existing City limits shall hereafter be assessed and taxed at the same rate and on the same basis as other real property within the City to pay for any outstanding indebtedness of the City, including indebtedness contracted prior to or existing at the date of annexation. No portion of the Subject Property shall be released from any outstanding indebtedness levied against it prior to said annexation.

Section 4: A copy of this ordinance together with a copy of the map depicting the Subject Property, shall be filed with the Board of County Commissioners of Grant County, Washington and shall be filed with the Grant County Auditor and other local and state offices in the manner required by law.

Section 5: The Subject Property and any unincorporated property currently residing within the existing City limits is hereby subject the City's Comprehensive Plan and Zoning Code.

Section 6: The Subject Property Parcel number 200851000 is hereby zoned General Industrial (G-I) Zone as set forth in the City's Comprehensive Plan - Urban Growth Area designation and any unincorporated property currently residing within the existing City limits shall be zoned consistent with the surrounding property.

Section 7: The passage of this Ordinance and the annexation of the Subject Property is not a commitment by the City to reserve water for future development on the Subject Property, nor is it a representation or warranty by the City that water will be available from the City for any development on the Subject Property.

Section 8: This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after passage and publication, whichever is later.

PASSED by the City Council of the City of Quincy, Washington, this 1st day of December, 2009.

Jim Hemberry
JIM HEMBERRY, MAYOR

ATTEST:

Sue Miller
SUE MILLER, CITY CLERK

Approved as to form:

Allan Galbraith
ALLAN GALBRAITH, CITY ATTORNEY

FILED WITH THE CITY CLERK: December 1, 2009
PASSED BY THE CITY COUNCIL: December 1, 2009
PUBLISHED: December 3, 2009
EFFECTIVE DATE: December 8, 2009
ORDINANCE NO.: 09-270