

COPY

CITY OF SELAH  
115 West Naches Avenue  
Selah, WA. 98942

**TITLE OF INSTRUMENT(S):** CITY OF SELAH ANNEXATION ORDINANCE # 1851  
(Boundary Review Board File # ~~2010~~-005)  
2011

**REFERENCE NUMBER OF DOCUMENTS ASSIGNED OR RELEASED:**

**NAMES OF GRANTORS AND GRANTEES:**  
CITY OF SELAH, WA. TO THE GENERAL PUBLIC

**ABBREVIATED LEGAL DESCRIPTION:**  
A portion of the Southwest quarter of Section 25, Township 14 North, Range 18  
East, W.M.

**ASSESSORS TAX PARCEL NUMBER:**

181425: 33009, 33017, 33029, 33417 and 33418 also including the north half of County (East  
Goodlander Road) road right of way.

1000.  
11/4/11  
AF# 7744020

# ORDINANCE 1851

## JAMES-SMITH ANNEXATION

### ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY BY THE CITY OF SELAH, WASHINGTON, AND INCORPORATING THE SAME WITHIN THE CORPORATE LIMITS THEREOF AND ZONING SAID REAL PROPERTY TWO-FAMILY RESIDENTIAL (R-2).

WHEREAS, pursuant to RCW 35A.14.120, there was filed with the City of Selah three petitions of intent for annexation signed by the owners of not less than ten (10) percent in value, according to the assessed valuation for general taxation of the property for which annexation is sought; said petition of intent was accepted by the City Council of the City of Selah, and thereafter, owners representing one-hundred (100) percent in value, according to the assessed valuation for general taxation of the property for which annexation is being petitioned, have signed petitions seeking annexation to incorporate the described property within the corporate limits of the City of Selah; and,

WHEREAS, said petitions set forth the fact that the City Council of the City of Selah, Washington, would require the assumption of a pro-rata share of existing City indebtedness by the area requesting to be annexed; if ultimately annexed the property would be zoned Two-Family Residential (R-2) on the date of annexation, and, the annexation petition is to be conditioned in that petitioners covenant themselves granting the City of Selah a "right of first refusal" to secure ownership of any irrigation and/or domestic water rights appurtenant to the land; and,

WHEREAS, garbage, refuse collection and disposal service within the James-Smith Annexation area is presently provided to properties by Yakima Waste Systems, Inc. under authority issued by the Washington Utilities and Transportation Commission (WUTC) and the City desires to provide such services in accordance with RCW 35.13.280; and,

WHEREAS, RCW 35.13.280 requires the City to grant Yakima Waste Systems, Inc., as the current WUTC authorized provider of garbage, refuse collection and disposal service within the James-Smith Annexation area, a franchise to continue to provide such garbage, refuse collection and disposal service to properties within the James-Smith Annexation area for a term of seven (7) years from the effective date of the annexation; and,

WHEREAS, RCW 35.13.280 requires the City to provide specific notice to the WUTC regarding the City's intent, pursuant to RCW 35.13.280, to provide garbage, refuse collection and disposal service within the James-Smith Annexation area, a franchise to Yakima Waste Systems, Inc. to continue to provide such garbage, refuse collection and disposal service to properties within the James-Smith Annexation area for a term of seven (7) years from the effective date of the annexation; and,

WHEREAS, the City Council fixed the date of October 26, 2010, as the date for public hearing thereon and caused due and proper notice of said hearing to be published and posted pursuant to RCW 35A.14.130; and

WHEREAS, the public hearing has been held as scheduled, and the City Council considers that the best interests of the City and the property legally described in Exhibit A would be best served by annexing the area into the City of Selah; and,

WHEREAS, the City Council has determined that Two-Family Residential (R-2) zoning is the appropriate zoning designation for the property to be annexed based on the adopted 2005 City of Selah Urban Growth Area Comprehensive Plan;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON does ordain as follows:

SECTION 1. That the property legally described in Exhibit A, as approved by the Yakima County Public Works Department, being contiguous to the City of Selah, be and the same is annexed to the City of Selah, and incorporated therein (Parcel Numbers 181425-33009, 33017, 33029, 33417, and 33418).

SECTION 2. All property within the territory so annexed shall be assessed and taxed at the same rate and on the same basis as property within the City is assessed and taxed to pay for the now outstanding indebtedness of the City of Selah contracted prior to or existing at the date of annexation.

SECTION 3. The property described in Exhibit A is exempt from the City of Selah Fire Station Bond Levy.

SECTION 4. The property described in Exhibit A is hereby classified and zoned as Two-Family Residential (R-2).

SECTION 5. The area hereby annexed shall become a part of the City of Selah, Washington, and this ordinance shall take effect and be in force at 12:01 a.m., November 15, 2011.

SECTION 6. The City Clerk/Treasurer is directed to file a certified copy of this ordinance with the Washington Utilities and Transportation Commission to notify it of the City's intent, pursuant to RCW 81.77.020 and subject to the provisions of RCW 35.13.280, to provide refuse collection and disposal service to the James-Smith Annexation area.

SECTION 7. There is herein granted a franchise to Yakima Waste Systems, Inc., in accordance with RCW 35.13.280, an exclusive franchise agreement to provide garbage, refuse

collection and disposal services, including residential curbside recycling and curbside yard waste collection, to properties within the James-Smith Annexation area for a term of seven (7) years from the effective date of the annexation in accordance with RCW 35.13.280.

SECTION 8. The City of Selah Urban Growth Area Comprehensive Plan is hereby amended to incorporate the provisions of this ordinance.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH,  
WASHINGTON, this 25<sup>th</sup> day of October, 2011.

  
\_\_\_\_\_  
Robert Jones, Mayor

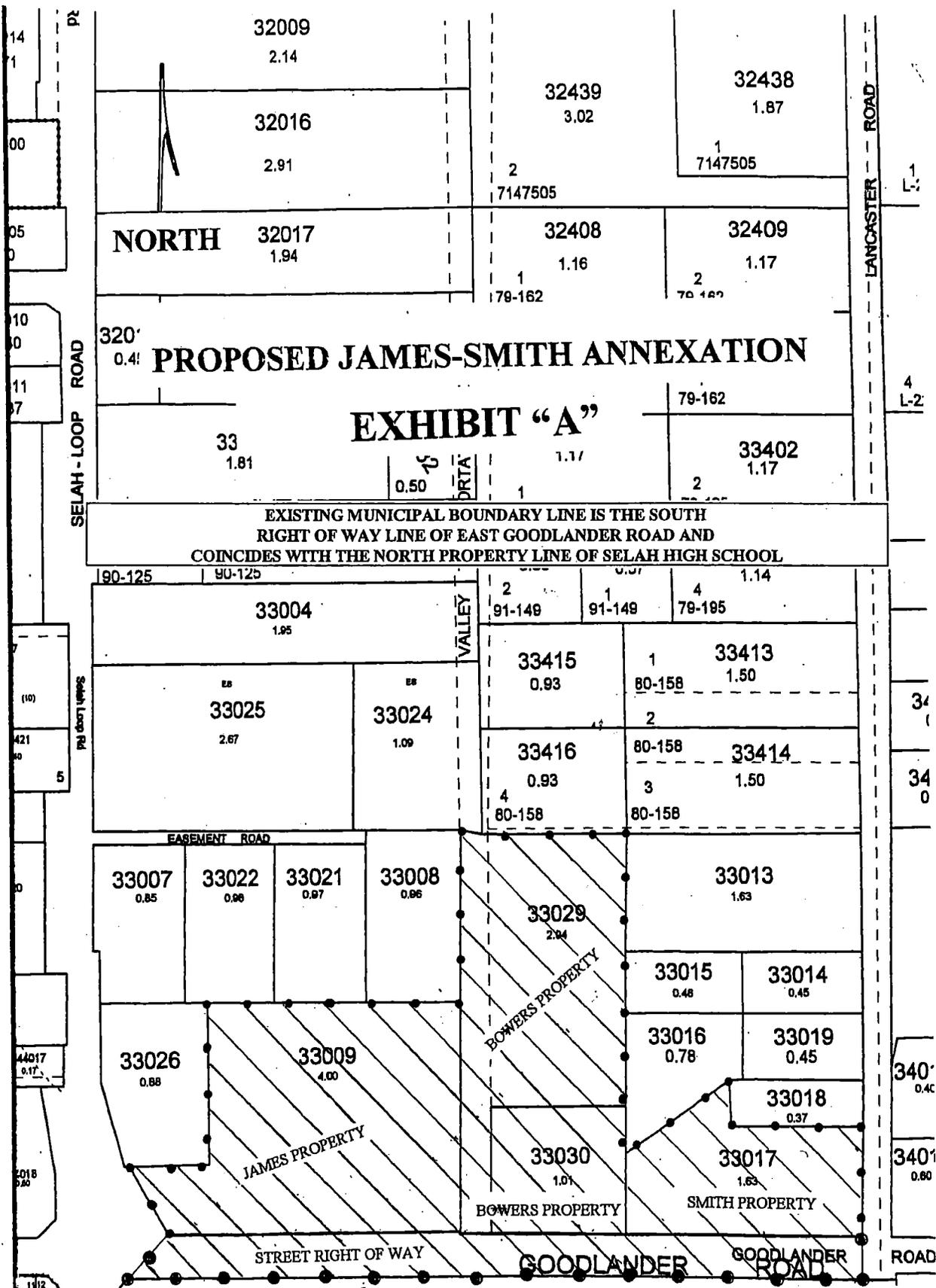
ATTEST:

  
\_\_\_\_\_  
Dale Novobietzki, Clerk-Treasurer

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Bob Noe, City Attorney

ORDINANCE NO.: 1851  
Adoption Date: October 25, 2011  
Effective Date: November 15, 2011



32009  
2.14

32016  
2.91

32439  
3.02

32438  
1.87

**NORTH** 32017  
1.94

32408  
1.16

32409  
1.17

320' 0.4' **PROPOSED JAMES-SMITH ANNEXATION**

**EXHIBIT "A"**

33  
1.81

33402  
1.17

EXISTING MUNICIPAL BOUNDARY LINE IS THE SOUTH  
RIGHT OF WAY LINE OF EAST GOODLANDER ROAD AND  
COINCIDES WITH THE NORTH PROPERTY LINE OF SELAH HIGH SCHOOL

90-125 90-125  
33004  
1.95

2 1 4  
91-149 91-149 79-195  
1.14

33025  
2.67

33024  
1.09

33415  
0.93

33413  
1.50

33416  
0.93

33414  
1.50

33007  
0.85

33022  
0.86

33021  
0.97

33008  
0.86

33013  
1.63

33029  
2.94

33015  
0.48

33014  
0.45

33026  
0.88

33009  
4.00

33016  
0.78

33019  
0.45

33018  
0.37

33030  
1.01

33017  
1.63

JAMES PROPERTY

BOWERS PROPERTY

SMITH PROPERTY

STREET RIGHT OF WAY

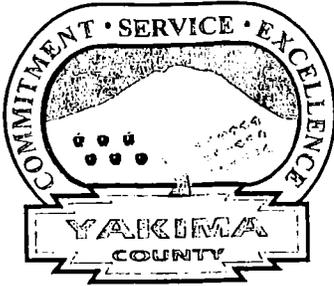
GOODLANDER ROAD

GOODLANDER ROAD

ROAD

14  
1  
00  
05  
0  
10  
10  
11  
07  
SELAH-LOOP ROAD  
100  
421  
5  
44017  
0.17  
2018  
0.20  
1412

LANCASTER ROAD  
1  
L-1  
4  
L-2  
34  
34  
0  
340'  
0.4C  
340'  
0.80



# Public Services

128 North Second Street • Fourth Floor Courthouse • Yakima, Washington 98901  
(509) 574-2300 • 1-800-572-7354 • FAX (509) 574-2301 • [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

VERN M. REDIFER, P.E. - Director

August 12, 2010

Dennis Davidson  
Community Planner, City of Selah  
113 South Second Street  
Selah, Washington 98942

**RE: James-Smith Annexation Legal Description**

Dear Mr. Davidson:

The attached legal description has been reviewed and hereby is approved.

If you have any questions or need additional information, please don't hesitate to contact me.

Sincerely,

Kent L. McHenry, P.E.  
Transportation Engineering Manager

*Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by 1 of race, color, national origin, or sex in the provision of benefits and services resulting questions regarding Yakima County's Title VI Program, you may contact the Title VI C*

*If this letter pertains to a meeting and you need special accommodations, please call meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388*

**EXHIBIT**

PAGE 1 of 4

**A**

CITY OF SELAH  
JAMES-SMITH ANNEXATION  
LEGAL DESCRIPTION PREPARED BY HLA, INC.  
AUGUST 6, 2010

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 14 NORTH, RANGE 18 EAST, W.M. DESCRIBED AS FOLLOWS:

BEGINNING 25 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 25, TOWNSHIP 14 NORTH, RANGE 18 EAST, W.M.;

THENCE NORTH 200 FEET;

THENCE WEST 218.5 FEET;

THENCE NORTH 72.5 FEET;

THENCE SOUTH 56° WEST 212.5 FEET;

THENCE NORTH TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 25;

THENCE WEST ALONG SAID NORTH LINE TO A POINT THAT IS 635 FEET EAST OF THE WEST LINE OF SAID SECTION;

THENCE SOUTH TO A POINT THAT IS 397 FEET NORTH OF THE SOUTH LINE OF SAID SECTION;

THENCE WEST A POINT THAT IS 204 FEET EAST OF THE WEST LINE OF SAID SECTION;

THENCE SOUTH TO A POINT THAT IS 141 FEET NORTH OF THE SOUTH LINE OF SAID SECTION;

THENCE WEST TO THE EASTERLY RIGHT OF WAY LINE OF SELAH LOOP ROAD;

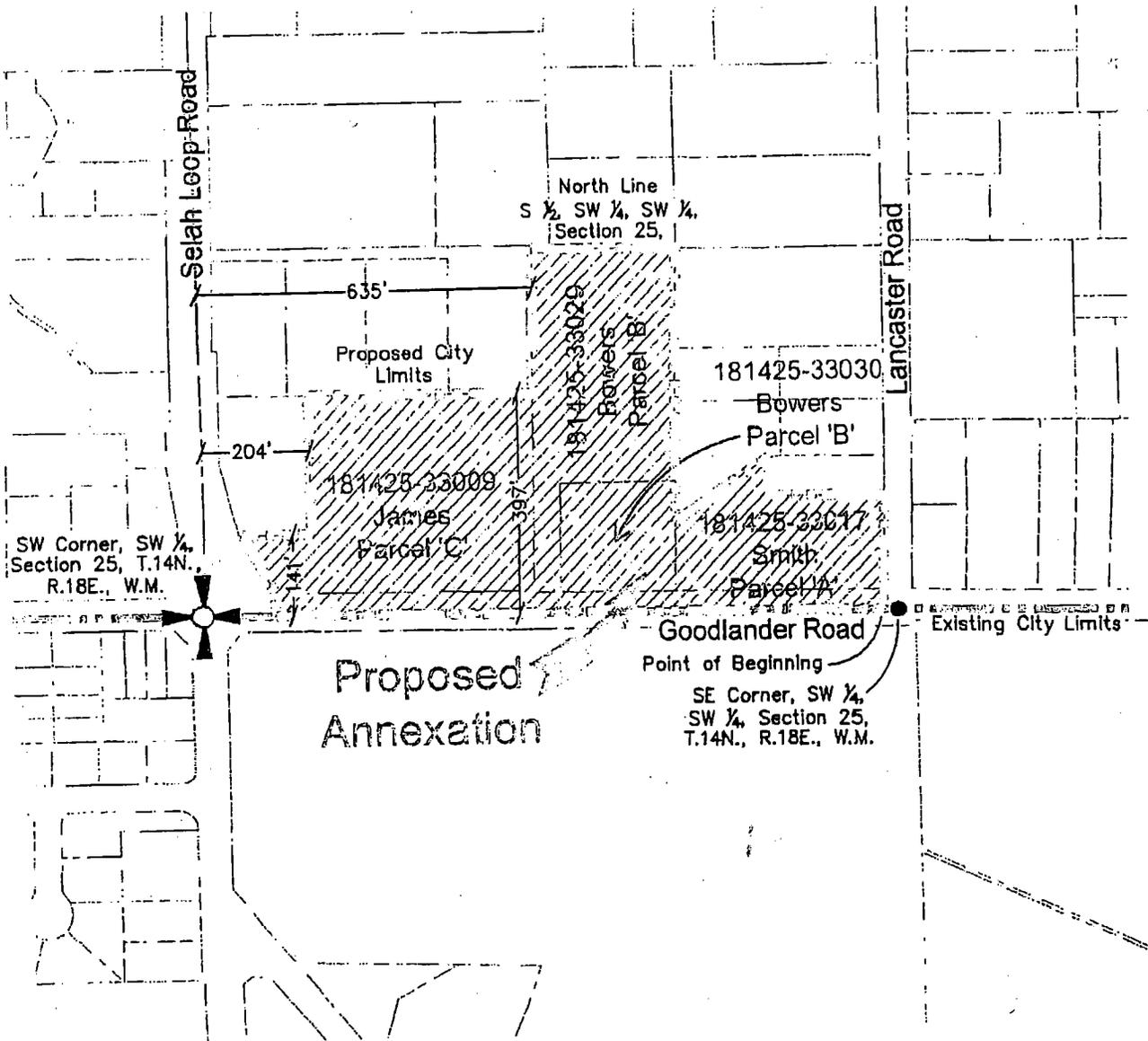
THENCE SOUTHERLY ALONG SAID EASTERLY LINE AND ITS SOUTHERLY EXTENSION TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 25;

THENCE EAST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

SITUATE IN YAKIMA COUNTY, WASHINGTON

**EXHIBIT**

**A**



SW Corner, SW 1/4,  
Section 25, T.14N.,  
R.18E., W.M.

North Line  
S 1/2 SW 1/4, SW 1/4,  
Section 25,

Proposed City  
Limits

181425-33030

Bowers  
Parcel 'B'

181425-33009

James  
Parcel 'C'

181425-33017

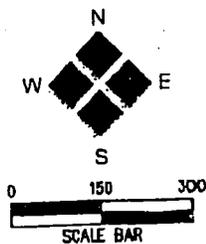
Smith  
Parcel 'A'

Goodlander Road

Existing City Limits

Proposed  
Annexation

Point of Beginning  
SE Corner, SW 1/4,  
SW 1/4, Section 25,  
T.14N., R.18E., W.M.



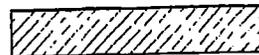
# CITY OF SELAH

MUNICIPAL BOUNDARY

PROPOSED MUNICIPAL BOUNDARY

PROPOSED ANNEXATION

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## EXHIBIT "A"

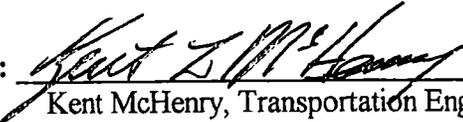
**JAMES-SMITH**

**PROPOSED ANNEXATION BOUNDARY**

(Selah File # 920.45.09-02)

**LEGAL DESCRIPTION**

The legal description of the James-Smith Annexation, prepared by the HLA, Inc. (copy attached) containing Yakima County Assessor's Taxation Parcel Numbers 181425: 33009, 33017, 33029, and 33030 is hereby approved:

LEGAL DESCRIPTION APPROVED:   
Kent McHenry, Transportation Engineering Manager

Dated: 8-12-2010

