

ORDINANCE #1329

CITY OF LEAVENWORTH, WASHINGTON

AN ORDINANCE ANNEXING UNINCORPORATED TERRITORY TO THE CITY OF LEAVENWORTH, WASHINGTON, REQUIRING ASSUMPTION OF INDEBTEDNESS, AND ESTABLISHING A ZONE DESIGNATION.

WHEREAS, the City of Leavenworth Washington received a notice of intent to commence annexation proceedings for an approximately 1.02 acre parcel of land; and

WHEREAS, the owners of the property who submitted the notice of intent represented over 10% of the assessed value of the property; and

WHEREAS, the City Council set a date to meet with the initiating party. The meeting was held on August 12, 2008. At this meeting, the City Council voted to require assumption of the City's debt and to adopt a zone designation for the property in accordance with the City's Comprehensive Plan; and

WHEREAS, a petition meeting the requirements RCW Chapter 35a.01 was circulated and signed by the legal owners of not less than sixty percent of the assessed value of the property for which annexation was petitioned; and

WHEREAS, on September 9, 2008 a request for a determination of sufficiency was sent to the Chelan County Assessor; and

WHEREAS, on December 2, 2008 the Chelan County Assessor provided the City with a certificate of sufficiency; and

WHEREAS, the City Council fixed a date for a public hearing and caused notice of the hearing to be published in the November 26, 2008 edition of the Leavenworth Echo. Notice of the hearing was also posted in three places within the territory proposed for annexation as well as at City Hall; and

WHEREAS, the City Council held the public hearing on December 9, 2008 and received public comment at the hearing. The City Council considered this public comment and made a decision to annex the property on the conditions set forth below; and

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

Section 1. The property designated and legally described as shown in Exhibit A is incorporated in full by this reference and is annexed to and made a part of the City of Leavenworth.

Section 2. The property in the annexed area shall be zoned Residential Low Density 10 in accordance with the City's Comprehensive Plan.

Section 3. The property annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Leavenworth, including assessments or taxes in payment of any bonds issued or debts contracted prior to or existing at the date of annexation. This includes indebtedness which has been approved by the voters, contracted for, or incurred prior to or existing as of the date of this annexation and that the City has required to be assumed.

Section 4. A certified copy of this ordinance shall be filed with the Chelan County Commissioners and on the date fixed in this ordinance, the area annexed shall become part of the City.

Passed by the City Council and approved by the Mayor at an open public meeting on the 9th day of December, 2008.

This ordinance shall be effective five days after the date of publication.

CITY OF LEAVENWORTH



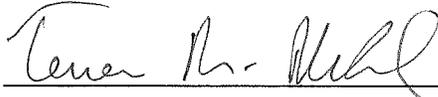
Robert Eaton, Mayor

ATTEST:



Chantell Steiner Finance Director/City Clerk

APPROVED AS TO FORM



Terrence M. McCauley, City Attorney

Legal Description

Lot 1, Chelan County Short Plat No. 1192 according to the Plat thereof recorded in book SP-3 of Short Plats at page 11 records of Chelan County, Washington. EXCEPT that portion lying west of the following described line: Beginning at the northeast corner of said Lot 1; thence North $88^{\circ}49'29''$ West, along the north line thereof, 237.44 feet to the True Point of Beginning of said described line; thence South $0^{\circ}05'05''$ West to the South line of said Lot 1 and end of said described line. TOGETHER WITH that portion of that property described in deed recorded under Auditor's file No. 9012120001 and Lot 3, Chelan County Short Plat No. 2144 according to the Plat thereof recorded in book SP-8 of Short Plats at page 15 records of Chelan County, Washington, lying east of the following described line: Beginning at the northeast corner of Lot 1; thence North $88^{\circ}49'29''$ West, along the north line thereof, 237.44 feet to the True Point of Beginning of said described line; thence South $0^{\circ}05'05''$ West to the south line of Lot 3 and end of said described line;