

CITY OF COLLEGE PLACE

ORDINANCE NO. 1098

AN ORDINANCE ANNEXING CERTAIN PROPERTY LOCATED AT 915 NE SPITZENBURG STREET AND ESTABLISHING THE ZONING AND ASSUMPTION OF INDEBTEDNESS.

WHEREAS, the property located at 915 NE Spitzenburg is approximately 1.54 Acres, 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 on December 9, 2013 accepted the annexation as proposed, required the adoption of the proposed zoning regulations and required the assumption of all portions of existing city indebtedness, and;

WHEREAS, pursuant to proper notice, the College Place City Council held a public hearing on the proposed annexation on January 13, 2014, and;

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

WHEREAS, the Comprehensive Plan designates the property as Multiple Family Residential, the zoning designation of RM—Multifamily Family Residential is appropriate for this property, and;

WHEREAS, the City Council has determined that there is public need and necessity to require the full 30 foot half street right-of-way in front of this property as a condition to this annexation, and;

WHEREAS, the current street right-of-way is 20 feet, an additional 10 feet of right-of-way will be dedicated to the City within 30 days of the date of signing of the annexation ordinance, and;

WHEREAS, the City Council has determined that there is a public need and necessity to require the dedication of a 10 foot wide public utility easement behind the dedicated right-of-way across the frontage of the property, and;

WHEREAS, on January 3, 2012 the Walla Walla County Board of County Commissioners by passage of Ordinance No. 407 disbanded the Boundary Review Board of Walla Walla County, 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:

WWC Parcel # 350725522305

Legal Description:

Beginning at the Southeast corner of Lot 5 in Block 23 of Blalock Orchards, according to the official plat thereof of record in the Office of the Auditor of Walla Walla County, Washington, in Book "D" of Plats at page 44, and running thence West, along the South line of said Lot 5, a distance of 163.0 feet; thence North, parallel to the East line of said Lot 5, a distance of 150.00 feet; thence West, parallel to the South line of said Lot 5, a distance of 122.0 feet, more or less, to a point in the West line of said Lot 5, thence North, along the West line of said Lot 5, a distance of 150.0 feet to the Northwest corner thereof; thence East, along the North line of said Lot 5, a distance of 285.0 feet to the Northeast corner thereof; thence South, along the East line of said Lot 5, a distance of 300.00 feet to THE POINT OF BEGINNING.

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 conditions of the annexation and the acceptance of said conditions are attached in Exhibit "B".

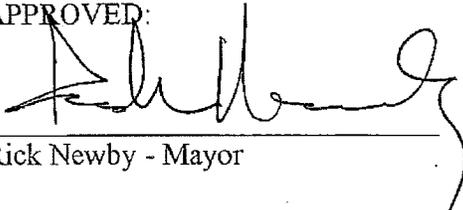
Section 4: The College Place Comprehensive Plan designates this property as Multiple Family Residential. The zoning designation of RM—Multifamily Residential is hereby adopted for said property.

Section 5: The City will require the assumption of past city indebtedness.

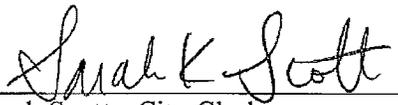
Section 6: This ordinance shall become effective five days after passage, approval and publication.

PASSED by the City Council of the City of College Place, Washington, this 13th day of January 2014.

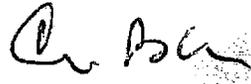
APPROVED:


Rick Newby - Mayor

ATTEST:


Sarah Scott - City Clerk

APPROVED AS TO FORM:

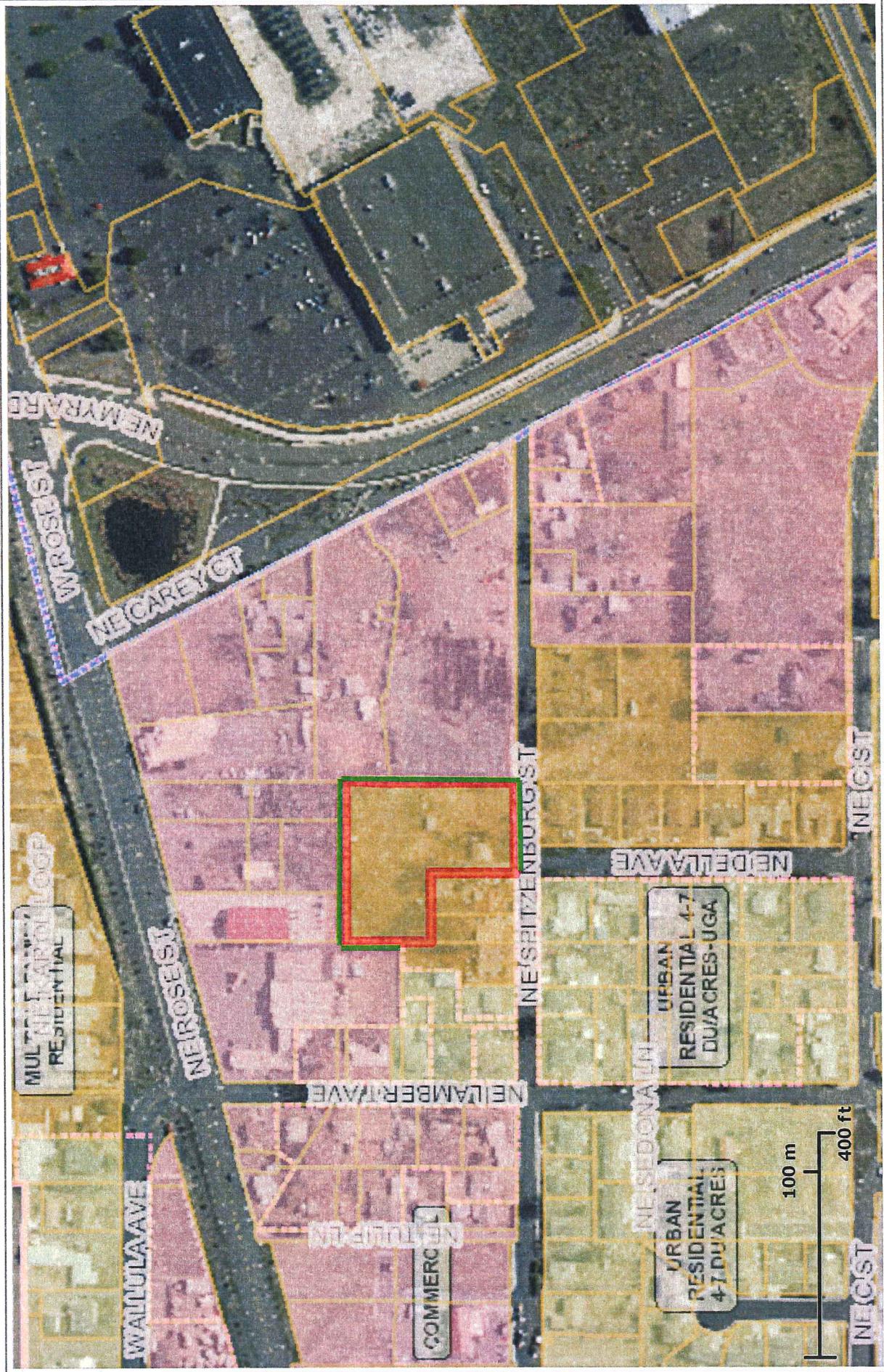

Charles B. Phillips — City Attorney



Mercado Annexation

915 NE Spitzenburg

Exhibit A



Ordinance No. 1098 Exhibit B
AGREEMENT REGARDING CONDITIONS OF ANNEXATION

This agreement, made and entered into this 13th day of January 2014 by and between the City of College Place, a Washington Municipal Corporation, hereinafter referred to as "City", and:

1. Carlene G. Mayer;
2. Karen L. Davis;
3. Shari L. Björn; and
4. Brenda L. Roquet;

Hereinafter referred to jointly and severally as "Petitioner",

WHEREAS, the petitioner has requested that the City of College Place annex that real property for the purpose of developing a residential lot and which is legally described as:

Beginning at the Southeast corner of Lot 5 in Block 23 of Blalock Orchards, according to the official plat thereof of record in the Office of the Auditor of Walla Walla County, Washington, in Book "D" of Plats at page 44, and running thence West, along the South line of said Lot 5, a distance of 163.0 feet; thence North, parallel to the East line of said Lot 5, a distance of 150.00 feet; thence West, parallel to the South line of said Lot 5, a distance of 122.0 feet, more or less, to a point in the West line of said Lot 5, thence North, along the West line of said Lot 5, a distance of 150.0 feet to the Northwest corner thereof; thence East, along the North line of said Lot 5, a distance of 285.0 feet to the Northeast corner thereof; thence South, along the East line of said Lot 5, a distance of 300.00 feet to THE POINT OF BEGINNING.

WHEREAS, said property is contiguous to the College Place city limits and is in the College Place Urban Growth Area, and;

WHEREAS, the City determined as a result of the public hearing held on January 13, 2014, that there are certain impacts as a result of this annexation that the City has an obligation to mitigate for the public need and necessity, and;

WHEREAS, the City Council, functioning in its legislative capacity, will annex the real property at issue if the Petitioner agrees to dedicate an additional 10 feet of right of way across the frontage of the property and provide a 10 foot public utility easement behind the dedicated right of way also across the frontage of the property, and;

WHEREAS, the Petitioner has voluntarily agreed to make such dedications as a condition of annexation, and;

WHEREAS, the completion of the dedication shall be completed within 30 days of the date of the signing of the annexation ordinance, and;

WHEREAS, said Petitioner shall bear any cost related to the perfecting of this condition for the annexation, including surveying, preparation of documents, recording and other related costs, and;

WHEREAS, the Petitioner voluntarily agrees to enter into this agreement to provide for certain improvements as specified herein, all as a condition of annexation to induce the City Council to complete the annexation process.

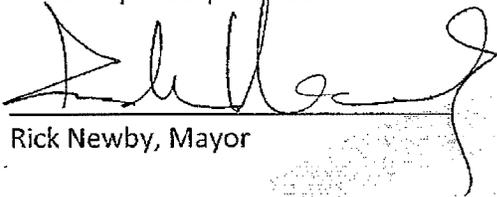
NOW, THEREFORE, In consideration of the mutual agreements set forth herein, the parties hereby agree as follows:

1. Annexation. The City agrees to conditionally annex said property in exchange for the dedication of 10 feet of right of way and a 10 foot public utility easement;
2. Annexation Ordinance. The City agrees to sign and approve the Annexation Ordinance No. 1098 upon the signing and execution of this document which will then become Exhibit B to the ordinance;
3. Right of Way Dedication. The Petitioner voluntarily agrees to dedicate 10 feet of right of way across the frontage of the property, providing for a half street right of way of 30 feet;
4. Public Utility Easement Dedication. The Petitioner voluntarily agrees to dedicate a 10' public utility easement behind the dedicated right of way across the frontage of the property;
5. Recording of Dedications. The Petitioner agrees to record said dedications with the Walla Walla County Auditor's Office;
6. Completion of Dedication. The Petitioner agrees to complete and record both dedications within 30 days of the date of the signing of the annexation ordinance;
7. Site Development. The obligations of this agreement are in addition to the requirements of the College Place development code, environmental regulations, and other statutes and regulations, and not in lieu thereof. Nothing in this agreement shall relieve or excuse the Petitioner from performing any obligation or condition or subdivision and development of the annexed property in effect at the time of

application for development activity or land use action. In the development process, the Petitioner shall comply with all statutes, ordinances, regulations and other requirements relating to the development allowed by law.

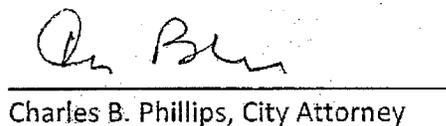
IN WITNESS WHEREOF, the parties have executed this Agreement.

City of College Place,
A Municipal Corporation


Rick Newby, Mayor

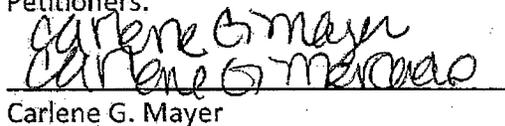
Date 31 JAN 2014

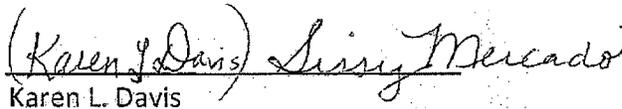
Attest:


Charles B. Phillips, City Attorney

Date 31 Jan 2014

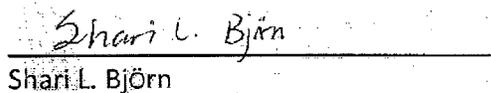
Petitioners:

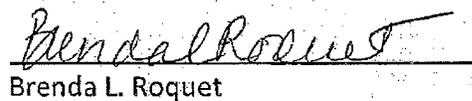

Carlene G. Mayer


Karen L. Davis

Date 1/15/14

Date 1/21/14


Shari L. Björn


Brenda L. Roquet

Date 1/22/14

Date 1/13/14