ORDINANCE NO. 1328

AN ORDINANCE OF THE CITY OF KALAMA, WASHINGTON, PROVIDING FOR THE ANNEXATION OF CERTAIN PROPERTIES KNOWN AS THE CHILTON ANNEXATION TO THE CITY OF KALAMA, CLASSIFYING AND ZONING SAID PROPERTIES AND FIXING THE EFFECTIVE DATE OF THE ANNEXATION.

WHEREAS, the City of Kalama received an intent to annex approximately 42 acres to the City from Craig Chilton on March 18, 2013;

WHEREAS, on the 3rd day of April, 2013 the City Council of Kalama held a public hearing during which it was determined the City accept the intent to annex and would require the assumption by the newly annexing area of the existing outstanding indebtedness of the City of Kalama;

WHEREAS, at that public hearing the City Council determined that said newly annexing territory would be zoned R1 upon its annexation into the City;

WHEREAS, pursuant to RCW Chapter 35A.14, on September 5, 2013, the applicants for annexation submitted to the City a petition to annex signed by owners of 60 percent or more of the assessed valuation of the following parcels:

Tax Parcel	Approx. Acreage	Owner
WC1607001	40	Preston Enterprises LLC
WC1606009	2.14	Preston Enterprises LLC

(SEE ATTACHED EXHIBIT "A" FOR FULL LEGAL DESCRIPTION)

WHEREAS, the submitted Petition was certified sufficient by the Cowlitz County Assessor's Office on September 10, 2013;

WHEREAS, the City Council fixed the date of the public hearing on the Chilton Annexation Petition for October 2, 2013 to take testimony and consider the annexation and determined that the Chilton annexation must be referred to the Boundary Review Board of Cowlitz County, for review;

WHEREAS, the Intent to Annex was submitted to the Washington State Boundary Review Board of Cowlitz County, accepted for filing on October 25, 2013 which started the 45-day review period;

WHEREAS, the City has received notification from the Boundary Review Board that the 45-day review period expired on December 9, 2013 therefore they have deemed the intent to annex approved without modifications as of December 10, 2013

NOW THEREFORE, the City Council of the City of Kalama do ordain:

Section 1. There has been filed with the City Council of the CITY OF KALAMA an annexation petition signed by owners representing at least 60% of the assessed

value, according to the assessed valuation for general taxation of the properties for which annexation was petitioned and said petition set forth the fact that the City Council of the CITY OF KALAMA was required to determine what indebtedness would be assumed by the area to be annexed.

Section 2. That the territory proposed by said petition and approved by the Boundary Review Board to be annexed to said CITY OF KALAMA is situated in the County of Cowlitz, State of Washington, and is contiguous, proximate, and adjacent to the present corporate limits of said city, and is more particularly described in Exhibit "A" attached hereto and shown on the attached map (Exhibit B) and incorporated in full herein by this reference.

Section 3. The territory set forth in Exhibit "A" of this Ordinance, should be and is hereby made a part of the CITY OF KALAMA, and the corporate limits of the CITY OF KALAMA are hereby extended so as to include the property and territory described in Exhibit "A" with an effective date of January 1, 2014. That said property be assessed and taxed at the same rate and on the same basis as the property of the CITY OF KALAMA is assessed and taxed to pay for outstanding indebtedness of the CITY OF KALAMA now existing or as hereafter contracted or incurred.

Section 4. That the property described in Exhibit "A" hereto be and the same is hereby classified and zoned as R-1 to conform with Chapter 17 of the Kalama Municipal Code in all respects. The CITY OF KALAMA zoning map and Comprehensive Plan shall be amended to reference the property as so designated herein.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 6. This Ordinance shall take effect five (5) days following its passage and publication in the official newspaper of the CITY OF KALAMA, and the Clerk is hereby directed to cause the same to be so published.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting of the City Council held on the 18th day of December, 2013.

Mayor Pete Poulsen

Attest:

Coni McMaster, Clerk/Treasurer

Approved as to form:

City Attorney

I, Coni McMaster, do hereby certify that this is a true and correct copy of Ordinance 1328 providing for the annexation of certain properties to the City of Kalama as Described in Exhibit A. (4 pages)

12/31/13

Coni McMaster, Clerk/Treasurer

Published: 12-22-13

Effective: 12-27-13

Exhibit A – Ordinance No. 1328

13-357 City of Kalama

ANNEXATION DESCRIPTION

The Southeast Quarter of the Northeast Quarter of Section 16, Township 6 North, Range 1 West, W.M., Cowlitz County, Washington.
ALSO that portion of the Southwest Quarter of the Northeast Quarter of Section 16, Township 6 North, Range 1 West, W.M., Cowlitz County, Washington, more particularly described as follows: Beginning at the Southeast Corner of said subdivision; thence N88°19'46"W along the south line of said subdivision a distance of 68.33 feet; thence N00°34'36"E a distance of 1321.84 feet more or less to the north line of said subdivision to a point that is 72.61 feet westerly of the Northeast Corner of said subdivision; thence S88°00'30"E along the north line of said subdivision a distance of 72.61 feet to the Northeast Corner of said subdivision; thence S00°45'42"W along the east line of said subdivision a distance of 1321.36 feet to the Southeast Corner of said subdivision and the Point of Beginning.
Approx. 42.82 acres in this description.
The above area is shown on survey filed in Volume 16, Page 161 under Auditor's File No. 970606001. The survey is on a difference basis of bearing than the above described area.
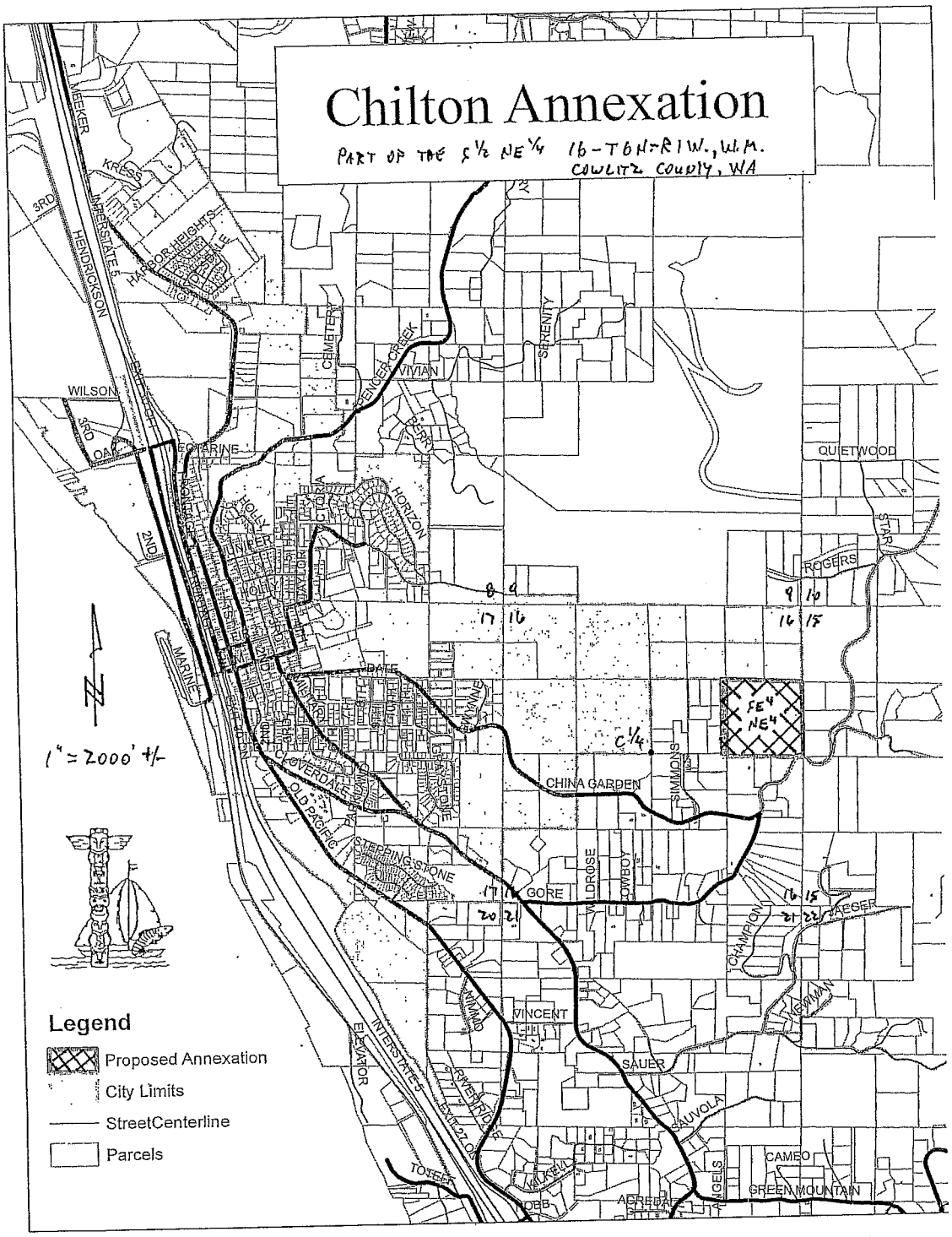
Exhibit B – Ordinance No. 1328