# ORDINANCE NO. 1331

**AN ORDINANCE OF THE CITY OF KALAMA, WASHINGTON, PROVIDING FOR THE ANNEXATION OF CERTAIN PROPERTIES KNOWN AS THE EAST PORT ANNEXATION TO THE CITY OF KALAMA, CLASSIFYING AND ZONING SAID PROPERTIES AND FIXING THE EFFECTIVE DATE OF THE ANNEXATION AS APRIL 1, 2014.**

**WHEREAS,** the City of Kalama received an intent to annex approximately 357 acres to the City from Port of Kalama on August 28, 2012;

**WHEREAS,** on the 17th day of October, 2012 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 recreational, low-density residential (R-1), and mixed-use as designated on the annexation map attached as Exhibit "B" upon its annexation into the City;

**WHEREAS**, on December 23, 2013, pursuant to RCW Chapter 35A.14, the applicants for annexation have submitted to the City a petition to annex signed by owners of 60 percent or more of the assessed valuation of the parcels included on the map attached as Exhibit B and included in the legal description attached as Exhibit "A";

**WHEREAS,** the submitted Petition was certified sufficient by the Cowlitz County Assessor's Office on December 30, 2013;

**WHEREAS,** the City Council fixed the date of the public hearing on the East Port Annexation Petition for January 8, 2014 to take testimony and consider the annexation and determined that the East Port 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 January 23, 2014 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 March 10, 2014 therefore they have deemed the intent to annex approved without modifications as of March 11, 2014;

**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

**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 April 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 recreational, low-density residential (R-1), and mixed-use as designated on the annexation map attached as Exhibit "B" upon its annexation into the City; 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 19th day of March, 2014.

Mayor Pete Poulsen

Attest:

Coni McMaster, Clerk/Treasurer

Approved as to form:

City Attorney

Published: 3-23-14

Effective: 3-28-14

**I hereby certify that this is a true and correct copy of Ordinance 1331 providing for the annexation of certain properties to the City of Kalama as described in Exhibit A. (7 pages)**

Clerk/Treasurer or Notary

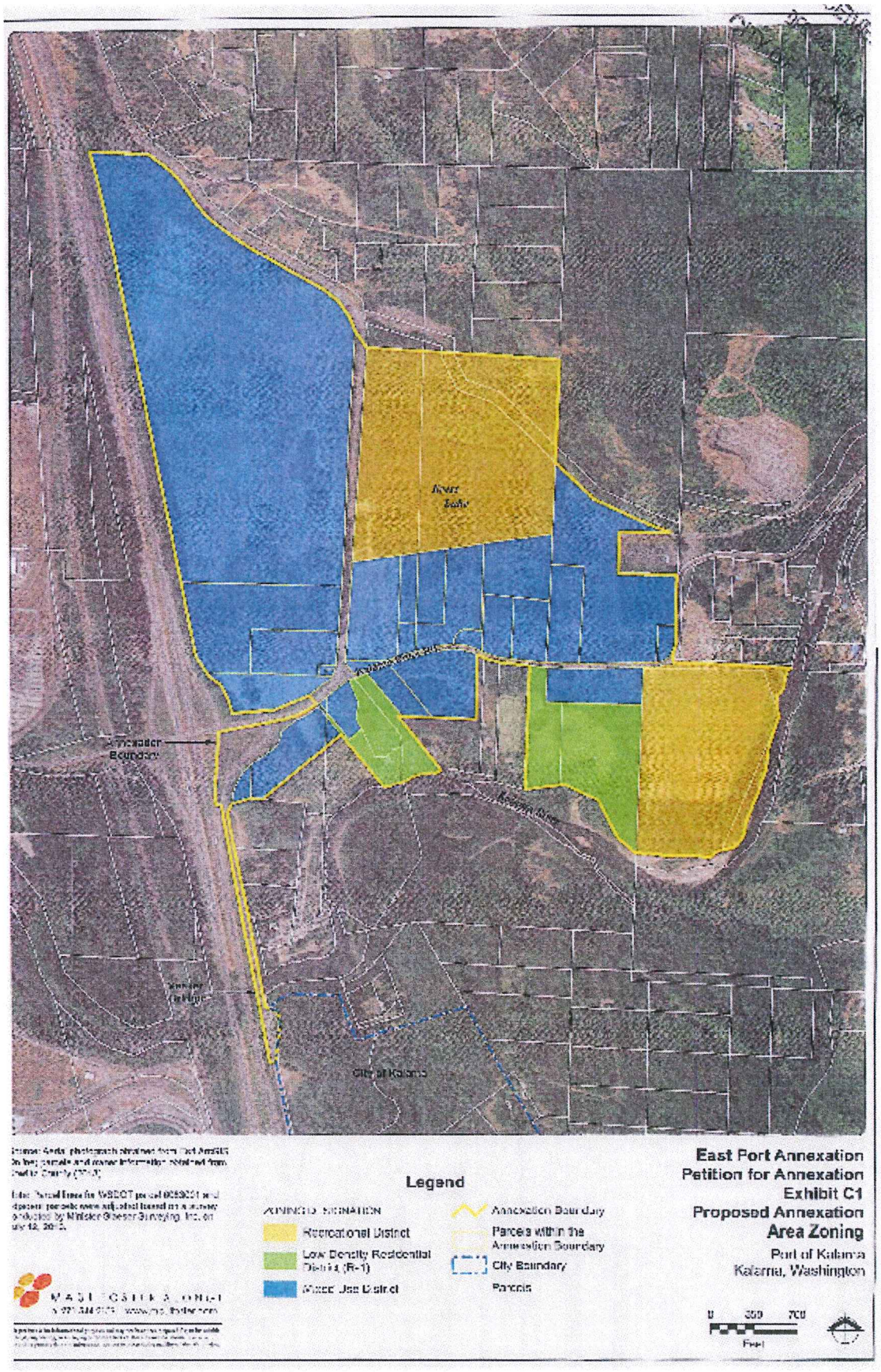
Date

**Ordinance No. 1331** **EXHIBIT "A"**

PORT OF KALAMA ANNEXATION:
A parcel of land located in a portion of the Francis M. Phalen Donation Land Claim No. 39, Calvin H. Dray Donation Land Claim No. 38, Joseph Dray Donation Land Claim No. 37, Francis W. Ward Donation Land Claim No. 41 and the Simon P. Girty Donation Land Claim No. 40, located in a portion of the Northwest quarter, Northeast quarter, Southwest quarter and Southeast quarter of Section 31 and the Southwest quarter of Section 32, Township 7 North, Range 1 West, the Northwest quarter and Northeast quarter of Section 6 and the Northwest quarter of Section 5 Township 6 North, Range 1 West, Willamette Meridian, Cowlitz County, Washington described as follows:
BEGINNING at a 3" brass disc which marks the Easterly Southeast comer of the Calvin H. Dray Donation Land Claim No. 38, the Southwest Comer of the Simon P. Girty Donation Land Claim No. 40 and an angle point in the North Line of said Francis M. Phalen Donation Land Claim No. 38;
Thence South 87°16'30" East, along the North line of said Francis M. Phalen Donation Land Claim No. 38, for a distance of754.76 feet;
Thence South 06°13'52" East, for a distance of73.31 feet;
Thence South 18°36'33" East, for a distance of 79.85 feet;
Thence South 20°06'24" East, for a distance of66.70 feet, more or less, to the ordinary high water line of the Kalama River;
Thence along said ordinary high water line of the Kalama River the following courses and distances:
Thence South 14°02'32" East, for a distance of37.72 feet;
Thence South 07°02' 19" East, for a distance of 72.33 feet;
Thence South 00°48' **11"** East, for a distance of 100.25 feet;
Thence South 25°09'43" West, for a distance of 43.90 feet;
Thence South 16°48'10" West, for a distance of81.17 feet;
Thence South 18°02'28" West, for a distance of90.09 feet;
Thence South 11°10'48" West, for a distance of 109.61 feet;
Thence South 27°37'33" West, for a distance of 42.41 feet;
Thence South 15°06' 12" West, for a distance of 48.42 feet;
Thence South 03°51 '30" West, for a distance of82.56 feet;
Thence South 22°06'35" West, for a distance of 43.34 feet;
Thence South 20°03'55" West, for a distance of74.86 feet;
Thence South 20°21 '20" West, for a distance of74.59 feet;
Thence South 25°14'44" West, for a distance of 57.61 feet;
Thence South 28°45'38" West, for a distance of 101.70 feet;
Thence South 41 °54'31" West, for a distance of91.38 feet;
Thence South 34°41 '03" West, for a distance of 129.51 feet;
Thence South 41 °54'30" West, for a distance of 56.36 feet;
Thence South 55°22'01" West, for a distance of80.86 feet;
Thence South 68°29'48" West, for a distance of 115.13 feet;
Thence North 77°11' 13" West, for a distance of 88.42 feet;
Thence North 86°45'30" West, for a distance of92.06 feet;
Thence South 89°50'43" West, for a distance of98.71 feet;
Thence North 60°28'07" West, for a distance of62.81 feet;
Thence North 74°12'24" West, for a distance of 190.35 feet;
Thence North 77°08'51" West, for a distance of 166.68 feet;
Thence North 27°09' 16" West, for a distance of352.71 feet;
Thence North 64°08'09" West, for a distance of295.70 feet;
Thence South 83°24'36" West, for a distance of 327.44 feet, more or less, to the West line of that certain tract of land conveyed to Nand A. Bonnell by Bargain and Sale Deed recorded under Auditor's File Number 3396896, Records of said county;
Thence leaving said ordinary high water line North 01 °56'34" East, along the West line

of said Bonnell tract, for a distance of 101 0.19 feet, more or less, to the South right-ofway line of the Kalama River Road;
Thence along said South right-of-way line of the Kalama River Road the following courses and distances:
Thence North 84°02'48" West, for a distance of 197.12 feet;
Thence along the arc of a 592.95 foot radius tangent curve to the right, through a central angle of 18°25'00", the long chord of which bears North 74°50'18" West, for a chord distance of 189.77 feet, with an arc length of 190.59 feet;
Thence North 65°37'48" West, for a distance of 53.92 feet to the most Northerly Northwesterly comer of Lot 1 of that Short Subdivision recorded in Book 8 of Short Plats at Page 1, Records of said county;
Thence leaving said South right-of-way line South 02°17'38" West, along the West line of said Lot 1, for a distance of 522.05 feet to an angle point in said Lot 1;
Thence North 87°42'22" West, along the most Southerly North line of said Lot 1, for a distance of 620.00 feet to the most Southerly Northwest comer of said Lot 1;
Thence South 39°16'00" East, along the most Southerly West line of said Lot 1, more or less, for a distance of 536.07 feet, more or less, to ordinary high water line of the Kalama River;
Thence South 72°27'33" West, along said ordinary high water line, for a distance of 327.36 feet, more or less, to Southeast comer of Lot 3 of that Short Subdivision recorded in Book 7 of Short Plats at Page 91, Records of said county;
Thence South 84°24'34" West, along the most South line of said Lot 3, for a distance of ] 89.98 feet to Southwest comer thereof;
Thence North 39°28'26" West, along the West line of said Lot 3, for a distance of 476.26 feet to the most Easterly Southeast corner of that certain tract of land conveyed to the Port of Kalama by Statutory Warranty Deed recorded under Auditor's File Number 3449528, Records of said county;
Thence South 50°44'04" West, along the Southeasterly line of said Port of Kalama tract, for a distance of 849.83 feet to North line agreed to by Mattson, Kress and Cain in deed recorded in Volume 775, Page 1454, Records of said county;
Thence North 74°31 '03" West, along said agreed North line, for a distance of79.45 feet to the West line of the Southeast quarter of said Section 31 ;
Thence South 73°26'49" West, for a distance of 156.70 feet to the East right-of-way line of the Meeker Drive as shown on Cowlitz County Survey of Meeker Drive recorded in Volume 22, Page 160 under Auditor's File Number 3123336, Records of said county;
Thence along said East right-of-way line of Meeker Drive the following courses and distances:
Thence South 28°13'59" West, for a distance of 85.18 feet;
Thence South 11°26'30" East, for a distance of 889.56 feet;
Thence North 78°33'30" East, for a distance of 45.00 feet;
Thence South 11°26'30" East, for a distance of 750.00 feet;
Thence South 72°23' 13" East, for a distance of 102.96 feet;
Thence South 11°26'30" East, for a distance of 100.00 feet;
Thence South 05° 15'28" West, for a distance of 313.21 feet;
Thence leaving said East right-of-way line South 78°33'30" West, for a distance of95.00 feet to the West light-of-way line of Meeker Drive;
Thence along said West right-of-way line of Meeker Drive the following courses and distances:
Thence North 11°26'30" West, for a distance 0[2065.78 feet;
Thence along the arc of a 525.00 foot radius tangent curve to the right, through a central angle of28°38'56", the long chord of which bears North 02°52'58" East, for a chord distance of259.78 feet, with an arc length of262.51 feet;
Thence North 14°49' 15" East, for a distance of 225.63 feet;
Thence North 50°44'04" East, for a distance of335.04 feet;
Thence North 11°26'30" West, along said West right-of-way line and the Northerly extension thereof, for a distance of 179.88 feet, more or less to the North right-of-way line of the Kalama River Road;

Thence South 85°24'00" West, for a distance of 212.92 feet to a point on the North right-of-way line of Kalama River Road at Engineer's station 1+09.40 of the KRI-line, 135.00 feet Easterly of State Route 5 as shown on Washington Department of Transportation ROW plans "Town of Kalama to Longview Wye Interchange dated April 12, 1967 to Engineer's station 3+15.93 of the KRI-line, 135.00 feet Easterly;
Thence along the East right-of-way line of State Route 5 along the arc of a 635.00 foot radius non-tangent curve to the left, through a central angle of 23°40'00", the long chord of which bears North 23°16'26" West, for a chord distance of 260.43 feet, with an arc length of 262.29 feet to Engineer's station 3+15.93 of the Kk l-Iine, 135.00 feet Easterly;
Thence North 43°26'36" West, continuing along the East right-of-way line of State Route 5, for a distance of 212.23 feet to Engineer's station 5+37.07 of the KRI-line, 100.00 feet Easterly;
Thence North 32°10'04" West, continuing along the East right-of-way line of State Route 5, for a distance of 90.76 feet to Engineer's station 6+39.28 of the KR1-1ine, 88.88 feet Easterly;
Thence North 1] °26'30" West, continuing along the East right-of-way line of State Route 5, for a distance of 3401.69 feet to Engineer's station 169+00 of the Lk-line of State Route 5 as shown on Washington Department of Transportation ROW plans "Town of Kalama to Longview Wye Interchange" dated April 12, 1967;
Thence North 12°44'01" West, continuing along the East right-of-way line of State Route 5, for a distance of 600.12 feet to Engineer's station 174+94.17 of the LR-line, 188.46 feet Easterly;
Thence North 15°08'05" West, continuing along the East right-of-way line of State Route 5, for a distance of 252.19 feet to the North line of Section 31 and Engineer's station 177+45.85 of the LR-line, 172.21 feet Easterly;
Thence South 87°04 '02" East, along the North line of said Section 31, for a distance of 490.64 feet to West right-of-way line of the Old Pacific Highway at Engineer's station 165+71.66,30.00 feet Westerly of the Old Pacific Highway as shown on Washington Department of Transportation Pacific Highway plans "Kalama to Carrols" dated January 23, 1923;
Thence along said Westerly right-of-way line of said Old Pacific Highway along the arc of a 848.5] foot radius non-tangent curve to the left, through a central angle of 01 °28'08", the long chord of which bears South 52°30'19" East, for a chord distance of 21.75 feet, with an arc length of 21.75 feet to Engineer's station ]65+50.67 of Old Pacific Highway, 30.00 feet Westerly;
Thence continuing along said Westerly right-of-way line of said Old Pacific Highway, South 53°14'23" East, for a distance of 135.51 feet to Engineer's station 164+15.16 of Old Pacific Highway, 30.00 feet Westerly;
Thence continuing along said Westerly right-of-way line of said Old Pacific Highway along the arc of a 788.51 foot radius tangent curve to the right, through a central angle of 19°56'00", the long chord of which bears South 43 ° 16'23" East, for a chord distance of 272.94 feet, with an arc length of274.32 feet to Engineer's station *161+30040* of Old Pacific Highway, 30.00 feet Westerly;
Thence continuing along said Westerly right-of-way line of said Old Pacific Highway, South 33°18'23" East, for a distance of 128.54 feet to Engineer's station 160+01.86 of Old Pacific Highway, 30.00 feet Westerly;
Thence continuing along said Westerly right-of-way line of said Old Pacific Highway along the arc of a 746.20 foot radius tangent curve to the left, through a central angle of 17°52'00", the long chord of which bears South 42° 14'23" East, for a chord distance of 231. 75 feet, with an arc length of 232.69 feet to Engineer's station 157+78.53 of Old Pacific Highway, 30.00 feet Westerly;
Thence continuing along said Westerly right-of-way line of said Old Pacific Highway, South 51°10'23" East, for a distance of 25.92 feet to Engineer's station 157+52.12 of Old Pacific Highway, 30.00 feet Westerly;
Thence continuing along said Westerly right-of-way line of said Old Pacific Highway along the arc of a 2894.79 foot radius tangent curve to the left, through a central angle of *08°55'59",* the long chord of which bears South *55°37'48"* East, for a chord distance of

450.87 feet, with an arc length of 451.33 feet to Engineer's station 153+06.29 of Old Pacific Highway, 30.00 feet Westerly;
Thence continuing along said Westerly right-of-way line of said Old Pacific Highway, South 60°05'23" East, for a distance of 573.13 feet to Engineer's station 147+32.82 of Old Pacific Highway, 30.00 feet Westerly;
Thence continuing along said Westerly right-of-way line of said Old Pacific Highway, South *48°46'47"* East, for a distance of 50.99 feet to Engineer's station 146+82.82 of Old Pacific Highway, 40.00 feet Westerly;
Thence continuing along said Westerly right-of-way line of said Old Pacific Highway, South 51°24'56" East, for a distance of 99.46 feet to Engineer's station 145+84.50 of Old Pacific Highway, 55.00 feet Westerly;
Thence continuing along said Westerly right-of-way line of said Old Pacific Highway, South *35°29'53"* East, for a distance of 163.28 feet to Engineer's station 143+82.82 of Old Pacific Highway, 80.00 feet Westerly;
Thence continuing along said Westerly right-of-way line of said Old Pacific Highway, South 21 °47'09" East, for a distance of 118.91 feet to Engineer's station 142+32.82 of Old Pacific Highway, 67.37 feet Westerly;
Thence leaving said Westerly right-of-way line of said Old Pacific Highway, South *33°36'36"* East, for a distance of 164.13 feet to a point on the East right-of-way line;
Thence South 86°05'53" East, for a distance of 1576.40 feet;
Thence South 02°17'45" West, for a distance of 843.17 feet to the most Northerly corner of that certain tract of land conveyed to Port of Kalama by Statutory Warranty Deed recorded under Auditor's File No. 3341663, records of said County;
Thence South 46°30'00" East, along the North line of said Port of Kalama tract, for a distance of 443.25 feet to an angle point therein;
Thence South 64°25'30" East, continuing along the North line of said Port of Kalama tract, for a distance of 464.70 feet to an angle point therein;
Thence South 68°17'00" East, continuing along the North line of said Port of Kalama tract, for a distance of205.40 feet;
Thence North 89°02'10" West, for a distance of 407.97 feet;
Thence South 00°57'50" West, for a distance of340.00 feet;
Thence South 89°02'10" East, for a distance of 471.20 feet;
Thence South 00°56'40" West, for a distance of27.00 feet;
Thence South 89°02'10" East, for a distance of6.04 feet to the East line of the Calvin H. Dray Donation Land Claim No. 38;
Thence South 02°01 '27" West along the East line of the Calvin H. Dray Donation Land Claim, for a distance of 6.85 feet to the West right-of-way line of Kalama River Road;
Thence along the West right-of-way line of said Kalama River Road along the arc of a 224.63 foot radius non-tangent curve to the left, through a central angle of *12°49'34",* the long chord of which bears South 07°21 '59" West, for a chord distance of 50.18 feet, with an arc length of 50.29 feet;
Thence South 00°57'12" West, continuing along said West right-of-way line of said Kalama River Road, for a distance of 471.70 feet;
Thence continuing along the West right-of-way line of said Kalama River Road along the arc of a 159.05 foot radius tangent curve to the right, through a central angle of 14°13'12", the long chord of which bears South 08°03'48" West, for a chord distance of 39.37 feet, with an arc length of 39.47 feet to the East line of the Calvin H. Dray Donation Land Claim No. 38;
Thence South 02°01 '27" West along the East line of the Calvin H. Dray Donation Land Claim, for a distance of 147.11 feet to the **POINT OF BEGINNING;**
**CONTAINING:** 356.60 Acres, more or less.
Basis of Bearings: North 11°26'30" West for the State Route 5 (I-Line) as shown on WSDOT SR 5 Plans "Town of Kalama to Longview Wye Interchange" dated April 12,

**Ordinance No. 1331** **Exhibit B**