

ORDINANCE NO. 991

AN ORDINANCE REGARDING THE ANNEXATION OF UNINCORPORATED TERRITORY TO THE CITY OF DAVENPORT, WASHINGTON, AND FIXING ITS ZONE FOR LAND USE.

WHEREAS, the City of Davenport, Washington, received a notice of intent to annex certain real property, and the City of Davenport's Planning Commission has recommended to the City Council that the annexation application be accepted and approved, and

WHEREAS, an application was received requesting the City of Davenport City Council to annex the said real property and was duly signed by the property owners of more than sixty percent (60%) in value according to the assessed value for general taxation of said area; and,

WHEREAS, The Planning Commission of the City of Davenport pursuant to RCW 35A.14.130, fixed the date of public hearing upon the annexation and caused notice to be published and posted as required by law, and the public hearing was had before the Planning Commission on May 16, 2007 and continued on June 20, 2007, where proponents and opponents were heard and the hearing was closed; and,

WHEREAS, the annexed properties shall be included and conform to and /or adoption of the City Comprehensive Plan and Critical Areas Ordinance, and,

WHEREAS, this matter has been referred to Lincoln County for their consideration and has waived jurisdiction over said annexation;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAVENPORT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section I

The territory designated and legally described and shown on the attached "Exhibit A" and incorporated in full by this reference is annexed to and made a part of the City of Davenport.

- A. The property is described as that portion of the northwest quarter of Section 22, Township 25 North, Range 37 East, W.M., described as follows:

Beginning at the west corner of said section; thence north 0802'15" west along the west line of said section 1,183.00 feet; thence north 56,857'51" east 456.49 feet; thence south 83,812'45" east 558.99 feet to a point on the west along said right of way line of the Burlington Northern Railway; thence south 22,855'00" west along said right of way line 1,480.30 feet to the south line of said northwest quarter; thence south 89,837'45" west along said south line 360.58 feet; to the point of beginning.

- B. The property is flat with very little slope. The land is currently unimproved and is open field with no improvements. There exists Avista electrical lines with easements on the property.

Section II

The site has some area that is within the FEMA Flood Insurance Rate Map and will have to comply with federal, state, and local storm water control, critical areas and drainage regulations.

Section III

There currently is not water or sewer service to the property and any development of this property in the future cannot be guaranteed to have water or be connected to sewer due to any limited capacity at the time of building permit application.

Section IV

The Zoning for all such property annexed shall be as determined by Davenport Municipal Code 17.92.010 and shall be brought into the city as an R1 designation.

Section V

Pursuant to the terms of the annexation request all property within this territory annexed hereby shall be assessed and taxed at the same rate and on the same basis as the property within the City of Davenport, including assessments or taxes in payment of any bond issued or debts contracted by order existing at the time of annexation whether by vote or by City Ordinance.

Section VI

THAT THIS ORDINANCE SHALL BE EFFECTIVE FIVE (5) DAYS AFTER PASSAGE AND PUBLICATION.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF DAVENPORT, WASHINGTON, THIS 27TH DAY OF JUNE, 2007.

APPROVED:

Charles Johnston, Mayor

ATTEST:

LaRae S. Damschen, Clerk/Treasurer

APPROVED AS TO FORM:

Ken Carpenter, City Attorney