

ORDINANCE NO. 4523

AN ORDINANCE amending Ordinance No. 4512 for the purpose of correcting the legal description of the property to be annexed.

Whereas, the legal description set forth in Ordinance No. 4512 passed and adopted by the City Council on March 17, 2008 contains a scrivener's error.

Whereas, Ordinance No. 4512 should be amended by correcting this error.

THE CITY COUNCIL OF THE CITY OF ELLENSBURG DO ORDAIN AS FOLLOWS:

Section 1. After initiation of proceedings as provided in RCW 35A.14.120, the owners of not less than 60% in value, according to the assessed valuation for general taxation of the property herein after described, have petitioned pursuant to RCW 35A.14.120 for the annexation of said area to the City of Ellensburg; that said petition came on for hearing before the City Council at the regular Council meeting on August 18, 2008; that notice of said hearing was published in the manner provided by law; that said area is contiguous to the City of Ellensburg and that the City Council deem it wise and expedient that said area should become a part of the City of Ellensburg, Washington.

Section 2. The following described territory is hereby annexed to and made a part of the City of Ellensburg, to wit:

Map Parcel No.'s 18-18-26030-0002 and 18-18-26030-0003

That portion of the Northwest Quarter of the Southwest Quarter of Section 26, Township 18 North, Range 18 East, W. M. in the County of Kittitas, State of Washington, which is described as follows:

Beginning at a point on the South line of City right-of-way Bender Road which is 30 feet South of the Center-West 1/16 Section Corner and running South 00° 41' East on the 1/16 Section line 778.1 feet; thence South 89° 38' West 242.4 449.4 feet; thence North 00° 41' West 778.1 feet; to the South line of the City right-of-way Bender Road; thence North 89° 38' East along said line, 242.4 449.4 feet to the point of beginning.

TOGETHER with 449.4 feet, more or less, of City right-of-way Bender Road abutting the north boundary of said described parcel.

Section 3. All property within the territory so annexed shall be assessed and taxed at the same rate and on the same basis as other property of the City of Ellensburg is assessed and taxed to pay for any outstanding indebtedness of the City contracted prior to or existing at the day hereof.

Section 4. All property within the territory so annexed shall be subject to and a part of the comprehensive plan of the City of Ellensburg as presently adopted or as is hereafter amended.

Section 5. All property so annexed shall be and identified as the Vistoso Properties, LLC Annexation and is hereby zoned Residential Suburban (R-S).

Section 6. A certified copy of the Minutes of the March 3, 2008 City Council Meeting and other documentation as required will be filed with the Washington State Boundary Review Board for Kittitas County.

Section 7. This annexation shall become effective fifteen (15) days after the certified date of the expiration of the 45-day comment period or the Chair of the Board's written statement declaring review is not necessary or the effective date of the resolution of the Washington State Boundary Review Board for Kittitas County, whichever date first occurs.

PASSED and ADOPTED by the City Council of the City of Ellensburg this 18th day of August, 2008.

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Publish: August 21, 2008