

ORDINANCE NO. C34505

AN ORDINANCE ANNEXING TO THE CITY OF SPOKANE A 15.9 ACRE AREA OF LAND SITUATED EAST OF HAVANA STREET ADJACENT THE SPOKANE CITY LIMITS AND APPROXIMATELY ONE QUARTER MILE SOUTH OF BIGELOW GULCH ROAD IN SECTION 35, TOWNSHIP 26, RANGE 43, E.W.M IN SPOKANE COUNTY, COMMONLY REFERRED TO AS THE GREENFIELD ESTATES ANNEXATION.

WHEREAS, the owners of certain property situated within the area herein proposed for annexation previously filed a proper and sufficient Notice of Intent to commence annexation proceedings;

WHEREAS, following receipt of said notice, the City Council held a public meeting with the owners and determined by resolution 08-0032 that the City would accept the proposed annexation subject to specified conditions; and

WHEREAS, thereafter a sufficient petition for annexation was filed with the City Council pursuant to RCW 35.13.130, signed by the owners of not less than 75 percent in value, according to the assessed valuation for general taxation, of the property for which annexation is petitioned, seeking annexation to the City of Spokane of an approximately 15.6-acre area and contiguous to the City, otherwise referred to as the "Greenfield Estates Area" (the "Petition"); and

WHEREAS, upon receipt of the Petition, the City Council conducted a public hearing on the proposed annexation on July 20, 2009, consistent with the requirements of RCW 35.13.140, and adopted Resolution 09-58 indicating the City's intent to annex the Greenfield Estates Area and directed staff to file a notice with the Boundary Review Board, as required by Chapter 36.93 RCW; and

WHEREAS, on September 22, 2009, the Boundary Review Board issued its Certificate of Expiration of the 45-day Review Period for the Greenfield Estates Annexation under File No. 624-09, a copy of which is attached hereto as Exhibit "C"; and

WHEREAS, on November 9, 2009, the City Council held a public hearing to receive public comment on the City's proposed annexation of the Greenfield Estates Area; and

WHEREAS, the City Council has determined that the proposed annexation of the Greenfield Estates Area is consistent with the City's Comprehensive Plan and the annexation guidelines, as adopted therein by the City, and is a logical extension of the City's corporate limits, and that the property should therefore be annexed to the City under the authority of Chapter 35.13 RCW.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. The following described property, referred to herein as the Greenfield Estates Area, is annexed to and made a part of the City of Spokane, Washington, as of the effective date of this Ordinance:

The Greenfield Estates Annexation Area is legally described as follows:

That portion of the northwest ¼ of Section 35, Township 26 North, Range 43 East, W.M., generally situated east of Havana Street and south of Bigelow Gulch Road, and adjoining the east limit of the City of Spokane, encompassing the Greenfield Estates PUD, the Greenfield Estates First Addition PUD, and the adjacent 30 foot wide right-of-way for Havana Street, and containing 15.62 acres more or less: MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING at the northwest corner of Section 35, Township 26 North, Range 43 East, W.M.; THENCE southerly 1,011.86 feet more or less (MOL) along the west line of said Section 35 (coincident with the east limit of the City of Spokane), to the extension of the north line of Greenfield Estates PUD, the TRUE POINT OF BEGINNING; THENCE south 89°11'47" east 1,033.73 feet more or less (MOL) along the north line and extensions of the north line of Greenfield Estates PUD to the northeast corner of said PUD; THENCE south 00°10'03" east 660.09 feet more or less (MOL) along the east line of Greenfield Estates PUD, the Greenfield Estates First Addition PUD to the southeast corner of the Greenfield Estates First Addition PUD; THENCE north 89°11'47" west 1,028.09 feet more or less (MOL) along the south line and the extension of the south line of Greenfield Estates First Addition PUD to a point on the west line of said Section 35; THENCE north 00°39'20" west 660.21 feet more or less (MOL) along the west line of said Section 35 (coincident with the east limit of the City of Spokane), to the TRUE POINT OF BEGINNING.

All properties situate in Spokane County, Washington.

See Exhibits "A" and "B" attached hereto.

Section 2. Upon annexation, said property shall be assessed and taxed at the same rate and on the same basis as other property within the City is assessed and taxed to pay for any of the outstanding indebtedness of the City which indebtedness was approved by the voters, contracted, or incurred prior to, or existing at, the date of annexation.

Section 3. The Comprehensive Plan of the City of Spokane shall be deemed to apply to the annexed property from the effective date of this Ordinance.

Section 4. The Clerk is directed to file the original of this Ordinance with the Boundary Review Board for Spokane County and prepare certified copies of this Ordinance and to cause the same to be filed with the Spokane County Board of

Commissioners (three copies, with directions to forward two of the copies to the County Assessor), Spokane County Treasurer, and the Spokane County Assessor.

Section 5. This Ordinance shall take effect and be in force on January 1, 2010.

Passed the City Council on November 9, 2009.

Joe Shogan, Council President

Mary Verner, Mayor (date)

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

EXHIBIT "A"

Legal Description of Greenfield Estates Annexation Area

That portion of the northwest $\frac{1}{4}$ of Section 35, Township 26 North, Range 43 East, W.M., generally situated east of Havana Street and south of Bigelow Gulch Road, and adjoining the east limit of the City of Spokane, encompassing the Greenfield Estates PUD, the Greenfield Estates First Addition PUD, and the adjacent 30 foot wide right-of-way for Havana Street, and containing 15.62 acres more or less: MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING at the northwest corner of Section 35, Township 26 North, Range 43 East, W.M.; THENCE southerly 1,011.86 feet more or less (MOL) along the west line of said Section 35 (coincident with the east limit of the City of Spokane), to the extension of the north line of Greenfield Estates PUD, the TRUE POINT OF BEGINNING; THENCE south $89^{\circ}11'47''$ east 1,033.73 feet more or less (MOL) along the north line and extensions of the north line of Greenfield Estates PUD to the northeast corner of said PUD; THENCE south $00^{\circ}10'03''$ east 660.09 feet more or less (MOL) along the east line of Greenfield Estates PUD, the Greenfield Estates First Addition PUD to the southeast corner of the Greenfield Estates First Addition PUD; THENCE north $89^{\circ}11'47''$ west 1,028.09 feet more or less (MOL) along the south line and the extension of the south line of Greenfield Estates First Addition PUD to a point on the west line of said Section 35; THENCE north $00^{\circ}39'20''$ west 660.21 feet more or less (MOL) along the west line of said Section 35 (coincident with the east limit of the City of Spokane), to the TRUE POINT OF BEGINNING.

All properties situate in Spokane County, Washington.

EXHIBIT "B"

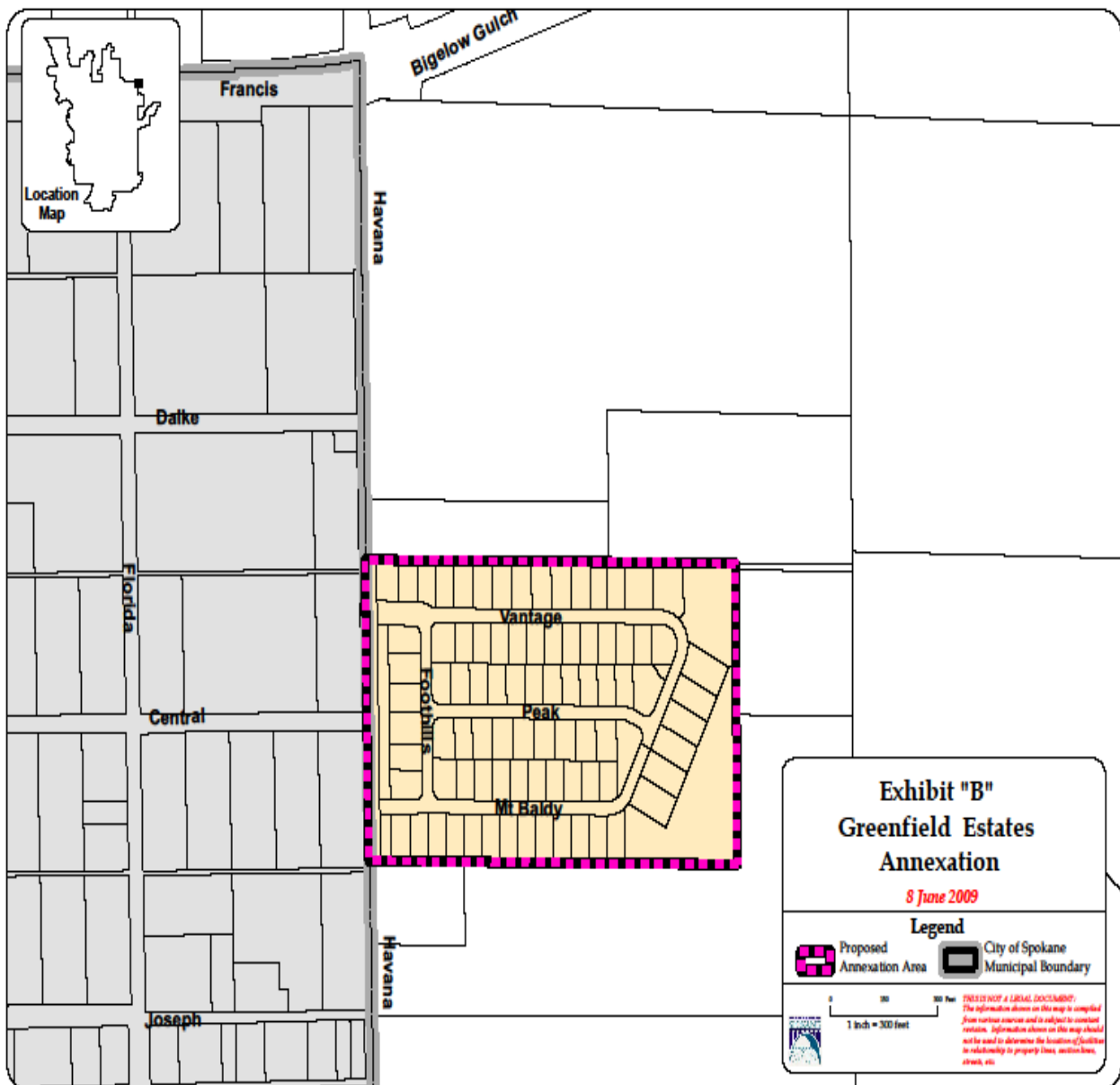


Exhibit B **Parcels: Greenfield Estates Annexation**

Parcel Number	Site Address	Acreage	Owner
36352.0301	4309 E VANTAGE LN	0.11	LLC AFFORDABLE HOME CONSTRUCTION
36352.0302	4311 E VANTAGE LN	0.11	TREVOR HOMES
36352.0303	4315 E VANTAGE LN	0.12	PAUL R GRIFFIN
36352.0304	4317 E VANTAGE LN	0.13	SMITH, M M & C M / MARKLEY, J S & L K
36352.0305	4321 E VANTAGE LN	0.13	GLEN O AND DONNA M SUITER
36352.0306	4403 E VANTAGE LN	0.13	JOHN F AND SANDRA L SCARCELLO
36352.0307	4407 E VANTAGE LN	0.13	JOHN F AND SANDRA L SCARCELLO
36352.0308	4411 E VANTAGE LN	0.13	JOHN F AND SANDIE L SCARCELLO
36352.0309	4415 E VANTAGE LN	0.13	JOHN F AND SANDIE L SCARCELLO
36352.0310	4419 E VANTAGE LN	0.13	KEVIN A AND TAMMY L PIATT
36352.0311	4505 E VANTAGE LN	0.12	CHRISTIE WALTON
36352.0312	4511 E VANTAGE LN	0.19	HARRY AND ELIZABETH J DEUBER
36352.0313	4515 E VANTAGE LN	0.22	HOWARD AND DARLENE PHILLIPS
36352.0314	4305 E VANTAGE LN	0.12	GREENFIELD ESTATES HOMEOWNERS
36352.0315	4423 E VANTAGE LN	0.11	GREENFIELD ESTATES HOMEOWNERS
36352.0316	0 E VANTAGE LN 4314 E VANTAGE	0.67	GREENFIELD ESTATES HOMEOWNERS
36352.0401	LN	0.14	DANIEL L AND JENNIFER K WASHBURN
36352.0402	4316 E VANTAGE LN	0.10	MANZAK, F A & M J / VACCARINO FAMILY TR
36352.0403	4320 E VANTAGE LN	0.10	JONATHAN W NILES
36352.0404	4402 E VANTAGE LN	0.10	SCOTT/FAMALETTE YOCHUM
36352.0405	4406 E VANTAGE LN	0.10	TRAVIS W SPIKER

36352.0406	4410 E VANTAGE LN	0.10	COREY R ABELL
36352.0407	4414 E VANTAGE LN	0.10	PATRICK AND MARY KAE REPP
36352.0408	4418 E VANTAGE LN	0.10	VEARL C BAULT
36352.0409	4420 E VANTAGE LN	0.10	KRISTIN E AND JESSE S MORRIS
36352.0410	4504 E VANTAGE LN	0.10	CONNIE J ROBERTS
36352.0411	4508 E VANTAGE LN	0.10	GURNAM/KAUR SINGH
36352.0412	4514 E VANTAGE LN	0.10	STEPHEN M AND CASSANDRA L HARE
36352.0413	4518 E VANTAGE LN	0.13	D JOHN SCARCELLO
36352.0414	4511 E PEAK LN	0.18	ROBERT AND VIRGINA BURKHEAD
36352.0415	4507 E PEAK LN	0.11	VASILY N AND LUBOV V CHUYASHOV
36352.0416	4503 E PEAK LN	0.10	JANETTE M SMITH
36352.0417	4421 E PEAK LN	0.10	APRIL L MESSERSCHMIDT
36352.0418	4419 E PEAK LN	0.10	VLADIMIR M AND LIDIYA N KULCHITSKIY
36352.0419	4413 E PEAK LN	0.11	DAVID BAUER
36352.0420	4411 E PEAK LN	0.11	RANDI D AND JAMES A HARRISON
36352.0421	4407 E PEAK LN	0.11	KARA M DAVIES
36352.0422	4403 E PEAK LN	0.11	JENNIFER A REED
36352.0423	4321 E PEAK LN	0.11	ANDRIY KOLESNYKOV
36352.0424	4317 E PEAK LN	0.11	MANZAK, F A & M J / VACCARINO FAMILY TR
36352.0425	4313 E PEAK LN	0.11	MANZAK, F A & M J / VACCARINO FAMILY TR
36352.0426	0 E VANTAGE LN	0.02	GREENFIELD ESTATES HOMEOWNERS
36352.0501	5918 N VANTAGE LN	0.17	D JOHN SCARCELLO
36352.0502	5918 N VANTAGE LN	0.16	D JOHN SCARCELLO
36352.0503	6010 N VANTAGE LN	0.16	D JOHN SCARCELLO
36352.0504	6012 N VANTAGE LN	0.19	EMILEE L HASSLER
36352.0505	0 N VANTAGE LN	1.54	GREENFIELD ESTATES HOMEOWNERS AMERICAN GENERAL HOMES EQUITY, INC
36352.0601	4312 E PEAK LN	0.12	CHUCK R AND JEAN WHITCRAFT
36352.0602	4318 E PEAK LN	0.10	SMITH, M M & C M / MARKLEY, J S & L K
36352.0603	4322 E PEAK LN	0.12	VLADISLAR LIMONOV
36352.0604	4406 E PEAK LN	0.12	

36352.0605	4410 E PEAK LN	0.12	JAMIE M AND SEAN PRICE
36352.0606	4412 E PEAK LN	0.12	WILLIAM H HUGHES
36352.0607	4416 E PEAK LN	0.12	PAVEL I AND LARISA V YUKHNO
36352.0608	4420 E PEAK LN	0.12	COLLEEN M / QUINCY LONG
36352.0609	4504 E PEAK LN	0.12	KENNETH AND DOROTHY EMERT
36352.0610	0 E PEAK LN 6015 N	0.17	GREENFIELD ESTATES HOMEOWNERS
36352.0701	FOOTHILLS LN 6011 N	0.12	ROBERT E AND LAYNA L LAMARCHE
36352.0702	FOOTHILLS DR 6007 N	0.14	GENE T AND VERNA F MCKAY MANZAK, F A & M J / VACCARINO
36352.0703	FOOTHILLS LN	0.13	FAMILY TR
36352.0704	0 N HAVANA ST	0.26	GREENFIELD ESTATES HOMEOWNERS
36352.0705	0 N HAVANA ST 5914 N VANTAGE LN	1.45	GREENFIELD ESTATES HOMEOWNERS
36352.0805	5910 N VANTAGE LN	0.16	D JOHN AND TAMARA S SCARCELLO
36352.0806	4315 E MT. BALDY LN	0.19	D JOHN AND TAMARA S SCARCELLO
36352.0910	4319 E MT. BALDY LN	0.13	IGOR AND OLGA VYSHNEVSKYI MOMAND, ABDULE J & GULTABAH A / ABDUL Q
36352.0911	4321 E MT. BALDY LN	0.10	TLIE AND ELENA PRUTIAN
36352.0912	4407 E MT. BALDY LN	0.10	DANIEL O AND IRENE A MALTSEV
36352.0913	4409 E MT. BALDY LN	0.10	VIKTOR BOBRONVNIKOV
36352.0914	4413 E MT. BALDY LN	0.10	COMMUNITY FRAMEWORKS
36352.0915	4417 E MT. BALDY LN	0.10	COMMUNITY FRAMEWORKS
36352.0916	4419 E MT. BALDY LN	0.10	COMMUNITY FRAMEWORKS
36352.0917	4423 E MT. BALDY LN	0.10	COMMUNITY FRAMEWORKS
36352.0918	4501 E MT. BALDY LN	0.10	COMMUNITY FRAMEWORKS
36352.0919	5921 N	0.10	COMMUNITY FRAMEWORKS
36352.1004	FOOTHILLS LN 5917 N	0.14	SOCORRO VENEGAS
36352.1005	FOOTHILLS LN 5913 N	0.12	ANTHONY C BARR
36352.1006	FOOTHILLS LN	0.13	AUDREY R AND CURTIS J DEEM
36352.1101	4308 E MT. BALDY	0.13	CHONG M CHONG

	LN		
	4310 E MT. BALDY		
36352.1102	LN	0.12	TOREY AND DESIREE ALTAMIRANO
	4314 E MT. BALDY		
36352.1103	LN	0.12	JENNIFER M LESLIE
	4316 E MT. BALDY		
36352.1104	LN	0.12	JEREMY M AND JENNIFER M TRACY
	4320 E MT. BALDY		
36352.1105	RD	0.12	SERGEY N AND YULIYA V KOZLOV
	4404 E MT. BALDY		
36352.1106	LN	0.12	TYLER W AND TONYA R LUCKI
	4408 E MT. BALDY		
36352.1107	RD	0.12	JESSE S AND MELINIE M WEAVER
	4410 E MT. BALDY		
36352.1108	LN	0.12	BENNY J GALLAGHER
	4414 E MT BALDY		
36352.1109	LN	0.12	NIKOLAY AND RAISA GANTUKH
	4418 E MT. BALDY		
36352.1110	LN	0.12	YIGEZU / DARGE BELEW
	4422 E MT. BALDY		
36352.1111	LN	0.12	PAVEL AND VERA KOPETS
	4424 E MT. BALDY		
36352.1112	LN	0.12	MIKALAI AND MARYIA BELAVUS
	4502 E MT. BALDY		
36352.1113	RD	0.13	MIKALAI AND MARYIA BELAVUS
36352.1114	0 E MT. BALDY LN	0.07	GREENFIELD ESTATES HOMEOWNERS
36352.1115	0 E MT. BALDY LN	0.69	GREENFIELD ESTATES HOMEOWNERS

Exhibit "C"

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR SPOKANE COUNTY

CERTIFICATE OF EXPIRATION OF 45-DAY PERIOD

I hereby certify that more than 45 days have elapsed since the following described Notice of Intention was filed with the Washington State Boundary Review Board for Spokane County and that at no time during said period was a Request for Review filed with the Board. The proposed action is hereby deemed approved as provided in RCW 36.93.100.

FILE NO.: BRB 624-09: Proposed Annexation of 15.9 Acres to the City of Spokane (Greenfield Estates)

INITIATOR(S): City of Spokane

DATE FILED: August 7, 2009

45-DAY REVIEW


PERIOD ENDS: September 21, 2009

LEGAL DESCRIPTION: The following described lands situated in Spokane County, State of Washington, to wit: Please see attached Exhibit A.

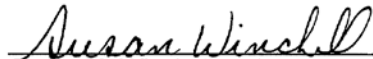
TIME LIMIT: The action proposed in this Notice of Intention must be officially consummated on or before September 21, 2012, or the approval, as defined in this document shall be null and void. (Boundary Review Board Rules of Practice and Procedure)

DATED at Spokane, Washington this twenty-second day of September, 2009.

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR SPOKANE COUNTY


David Troyke, Chair

ATTEST:


Susan M. Winchell, AICP
Boundary Review Board Director