

## **ORDINANCE NO. 1208**

**AN ORDINANCE ANNEXING LAND AREA INTO THE CITY OF ZILLAH, WASHINGTON, KNOWN AS THE BROWN ANNEXATION.**

**BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ZILLAH, WASHINGTON, AS FOLLOWS:**

**WHEREAS**, the Zillah City Council was presented with a petition to annex a portion of land adjoining the City and located within the Urban Growth Boundary from no less than sixty percent of owners of real property as described in Attachment "1" attached to and made a part of this ordinance by reference; and

**WHEREAS**, the Zillah City Council adopted Resolution 2009-12 which issued a Notice of Intent to Annex and presented said notice to Yakima County Boundary Review Board. Said Board declined jurisdiction and the forty-five day limit set for the Board decision expired on the 21<sup>st</sup> day of September, 2009; and

**WHEREAS**, on July 20, 2009, the City Council held a public hearing on the proposed annexation and considered all public comment and the recommendations to zone the property as (R-2) Residential for parcels 201125-23003, 201125-23004, and 201125-23005 upon annexation; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Zillah City Council, that

**Sections 1.** The legal description for real property set forth in Attachment "1" is as follows:

That portion of the Southwest Quarter of the Northwest Quarter of Section 25, Township 11 North, Range 20 East, W.M. Described as follows:

Beginning at a point on the North line of the South 150 feet of the North half of said Southwest Quarter, said point being 40 feet East of the West line of said Southwest Quarter as measured perpendicular thereto and on the Easterly right of way line of Cheyne Road;

Thence Easterly along said North line to a point being 260 feet East of said West line of said Southwest Quarter as measured perpendicular thereto;

Thence Southerly parallel with said West line of said Southwest Quarter to the South line of said North half of said Southwest Quarter;

Thence Westerly along said South line to a point being 208.7 feet East of the Northwest corner of the Southwest Quarter of said Southwest Quarter as measured along the North line of said Southwest Quarter, said point being the Northeast corner of Parcel B as described in that quit claim deed recorded in Volume 1162 of Deeds, page 524, under Auditor's file number 2736078, records of Yakima County, Washington;

Thence Southerly Parallel with the West line of said Southwest Quarter 417.4 feet to the Southeast corner of Parcel A as described in said quit claim deed;

Thence West to the easterly right of way line of said Cheyne Road said point being 35 feet Easterly of said West line of said Southwest Quarter;

Thence Northerly along said Easterly right of way line 417.4 to the North line of said Southwest Quarter of said Southwest Quarter;

Thence Easterly along said North line 5 feet;

Thence Northerly parallel with said West line of said Southwest Quarter to the Point of Beginning.

Situated in Yakima County, Washington

**Sections 2.** The real property set forth in Attachment "1" is hereby annexed into the City of Zillah, and the corporate limits of the City of Zillah shall include said property and territory herein above described. Said property shall be assessed and taxed to pay for the outstanding indebtedness of the City of Zillah contracted prior to, existing, or at the time of annexation.

**Section 3.** The zoning of the property upon the effective date of this annexation shall be (R-2) Residential, such property consisting of parcels 201125-23003, 201125-23004 and 201125-23005. The properties shall be further subject to the requirements of the Zillah Municipal Code as now adopted or hereafter amended.

**Section 4.** The City Clerk/Treasurer is directed to file a certified copy of this Ordinance with the Yakima County Auditor, and shall file a certification of population with the Office of Financial Management.

**Section 5.** This Ordinance shall be in full force and effect from and after its passage, upon approval and five days after the date of its publication as provided by law.

**PASSED BY THE CITY COUNCIL FOR THE CITY OF ZILLAH, WASHINGTON, this 5<sup>th</sup> day of October, 2009.**

\_\_\_\_\_  
Gary Clark, Mayor

ATTEST:

\_\_\_\_\_  
Sharon Bounds, City Clerk/Treasurer

APPROVED AS TO FORM:

\_\_\_\_\_  
Jamie Carmody, City Attorney

*Date Published:*

*Effective Date:*

I certify that this is a true and accurate document.

TOWN SEAL

\_\_\_\_\_  
Sharon Bounds, City Clerk/Treasurer