

ORDINANCE NO. 1290

An ordinance of the City of Cle Elum, Washington annexing certain real property commonly known as Lots A, B and C of the H&D Logging Co. Short Plat No. 1 recorded under Kittitas County Auditors File No. 199607120001, and as legally described in Exhibit "A" hereto, and depicted on the map Exhibit "B" hereto and designating the land use and zoning of the annexation area and establishing an effective date of the annexation.

WHEREAS, RCW 35.13.130 authorizes second class cities to utilize the petition method of annexation; and

WHEREAS, the City of Cle Elum is a second class municipal corporation organized under the laws of the State of Washington, located in Kittitas County, Washington; and

WHEREAS, the lands lying within the corporate limits of the City are subject by law to assessment and taxation for, among other things, bonded indebtedness of the City, if any; and

WHEREAS, the subject property is located within the City's Urban Growth Area; and

WHEREAS, on December 18, 2006 the City of Cle Elum received an annexation petition from owners of more than seventy-five percent of the value of the property sought to annexed into the City limits of Cle Elum; and

WHEREAS, on February 27, 2007 the Cle Elum City Council held a public hearing on the proposed annexation and passed Resolution No. 2007-09 indicating the City's intent to annex the 5.34 acres; and

WHEREAS, the City submitted a Notice of Intent to Annex with the Kittitas County Boundary Review Board concerning the proposed annexation on April 13, 2007; and

WHEREAS, on July 14, 2007 a period of forty five (45) days elapsed without the Kittitas County Boundary Review Board's jurisdiction having been invoked and pursuant to RCW 36.93.100, the annexation was deemed approved insofar as the Kittitas County Boundary Review Board portion of the process was applicable; and

WHEREAS, the City Council finds that the proposed annexation satisfies the Goals, Policies and Objectives of the Cle Elum Comprehensive Plan and satisfies the intent and requirements of the Washington State Growth Management Act;

NOW THEREFORE, the City Council of the City of Cle Elum, Washington does hereby ordain as follows:

Section 1: The real property that is contiguous and adjacent to the present corporate limits of the City of Cle Elum as legally described in Exhibit "A" attached hereto and depicted on the Map attached hereto as Exhibit "B", should be and hereby is annexed to and made a part of the City of Cle Elum.

Section 2: The Comprehensive Land Use Designation and the Zoning of the annexed area shall be specified as General Commercial District and the Planning Director is directed to insert the Comprehensive Land Use Designation and Zoning for the annexed area on the official Comprehensive Plan Land Use Designation and Zoning maps of the City when this Ordinance becomes effective.

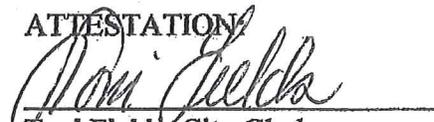
Section 3: The real property annexed hereby shall be assessed and taxed at the same rate and upon the same basis as the land now located in the City of Cle Elum, Washington.

Section 4: The area annexed hereby shall become a part of the City of Cle Elum, Washington, and this Ordinance shall take effect and be in force on April 23, 2008.

Section 5: The City Clerk is hereby direct to cause a summary of this ordinance to be published in a newspaper of general circulation in the City. The City Clerk is further directed to file a certified copy of this ordinance with the Board of County Commissioners for Kittitas County.

PASSED by the City Council of the City of Cle Elum, Washington, at a regular meeting thereof, held on this 22 day of April, 2008.


Charles Glondo, Mayor

ATTESTATION

Toni Fields, City Clerk

Approved as to form:

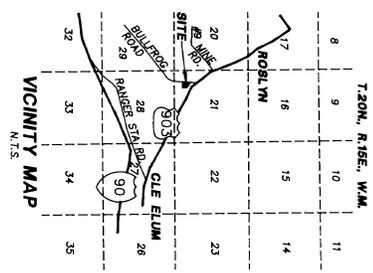

Phillip A. Lamb, City Attorney

EXHIBIT

“A”

H&D LOGGING CO. SHORT PLAT NO. 1
 KITTITAS COUNTY SHORT PLAT NO. 95-56
 PORTION OF THE SW1/4, SW1/4, SEC. 21, T.20N., R.15E., W.M.
 KITTITAS COUNTY, WASHINGTON
 ORIGINAL TAX PARCEL NO. 201521300029

1996 0712 0001



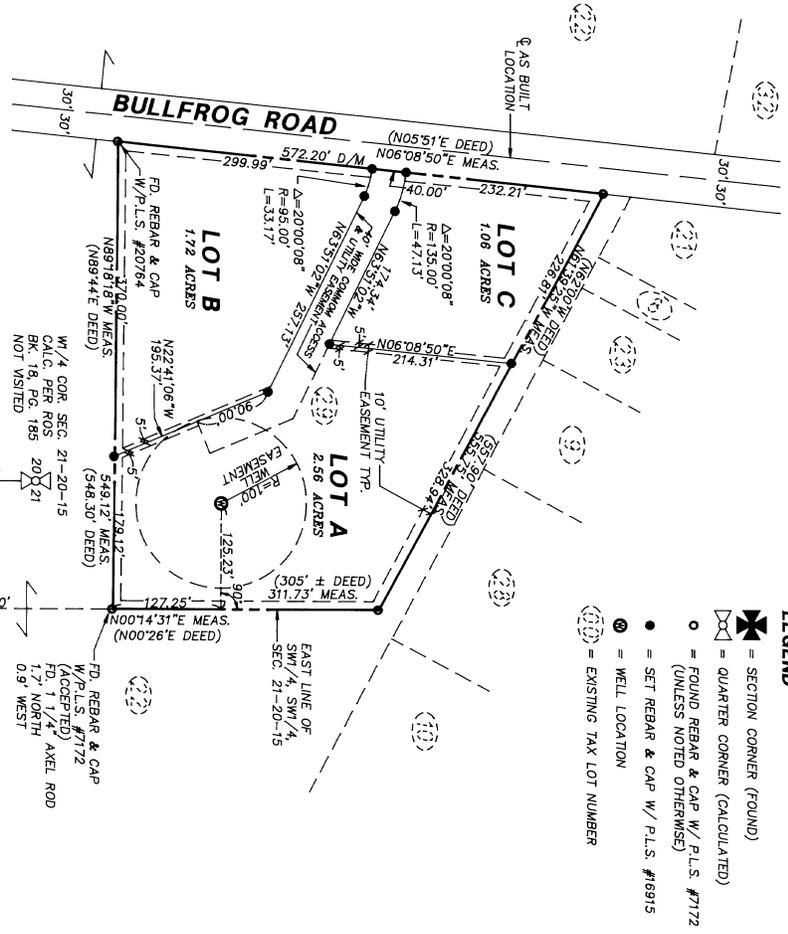
APPROVALS

KITTITAS COUNTY PUBLIC WORKS
 EXAMINED AND APPROVED THIS 22nd day of
 May A.D., 1992
Public Works Director

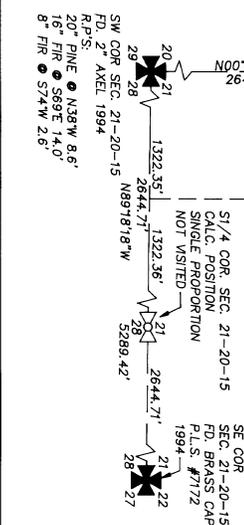
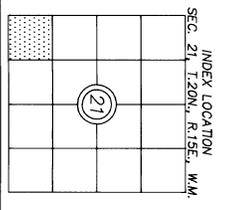
COUNTY PLANNING DIRECTOR
 I hereby certify that the "H&D Logging Short Plat has been
 examined by me and find that it conforms to the
 Comprehensive Plan of the Kittitas County Planning
 Commission."
 Dated this 24th day of May A.D., 1992
Kittitas County Planning Director

KITTITAS COUNTY HEALTH DEPARTMENT
 Preliminary inspection indicated soil conditions
 may allow use of septic tanks as a temporary
 means of disposal of sewage until a permanent
 sewerage system is installed. Prospective purchasers of lots are urged
 to make inquiries of the County Health Department
 about installation of septic tank permits for 1992.
 Dated this 17th day of June A.D., 1992
Kittitas County Health Officer

CERTIFICATE OF COUNTY TREASURER
 I hereby certify that the taxes and assessments
 due on the lots shown on this plat are in full.
 Dated this 8th day of July A.D., 1992
Kittitas County Treasurer

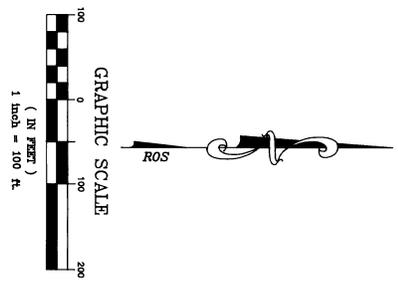


- LEGEND**
- ✦ = SECTION CORNER (FOUND)
 - ⊠ = QUARTER CORNER (CALCULATED)
 - = FOUND REBAR & CAP W/ P.L.S. #7172 (UNLESS NOTED OTHERWISE)
 - = SET REBAR & CAP W/ P.L.S. #6915
 - ⊙ = WELL LOCATION
 - ⊙ = EXISTING TAX LOT NUMBER



SURVEY NOTES:

1. BASIS OF BEARING AND SECTION BREAKDOWN ARE SHOWN PER A SURVEY DONE BY ROBERT F. WILPONTNER, P.L.S. NO. 7172, DATED AUGUST 10, 1993. SAID SURVEY SUPERCEDES AND CORRECTS A PREVIOUS MILLPONTNER SURVEY DATED JULY 8, 1992. FILED IN BOOK 18 OF SURVEYS ON PAGE 185.
2. FIELD WORK WAS DONE USING A TOPCON GTS-3 TOTAL STATION IN ACCORDANCE WITH WAC 352-150.



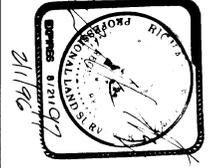
RECORDER'S CERTIFICATE # 199607120001
 Filed for record this 12th day of July 1996 at 9:05 A.M.
 In book _____ of page _____ at the request of
 RICHARD B. KITZ
 Deputy County Auditor
 Beverly M. Allenburg
 Deputy County Auditor

SURVEYOR'S CERTIFICATE
 This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of... STEVE LEMONS...
 In... OCTOBER... 1995
 Certificate No. 16915

K.C.S.P. NO. 95-56
 SW1/4, SW1/4, Sec. 21 T.20N., R.15E., W.M.
 Kittitas County, Washington

DWN BY	DATE	JOB NO.
S. KITZ	10/95	95524
CHKD BY	SCALE	SHEET
R. KITZ	1"=100'	1 OF 2

EASTSIDE CONSULTANTS, INC.
 ENGINEERS-SURVEYORS
 616 EAST FIRST
 C/O EAST WASHINGTON WASHINGTON 98922
 PHONE: [360] 974-7433



H&D LOGGING CO. SHORT PLAT NO. 1
PORTION OF THE SW1/4, SW1/4, SEC. 21, T.20N., R.15E., W.M.
KITTITAS COUNTY, WASHINGTON
ORIGINAL TAX PARCEL NO. 201521300029

1996 0712 0001

E-75

OWNER: H&D LOGGING CO.
 P.O. BOX 370
 LEAVENWORTH, WASHINGTON 98826
 WATER SOURCE: COMMUNITY WELL
 SEWER SOURCE: PRIVATE SEPTIC
 & DRAINFIELD
 DRAINAGE IMPROVEMENTS: NONE REQ'D
 EAST 7A4 PARCEL NO. 201521300029
 PARCEL AREA: 3.34 ACRES
 ZONE: SUBURBAN 1 AGR

DEDICATION

KNOW ALL MEN BY THESE PRESENTS that we the undersigned owners of interest in the land hereby subdivided, hereby declare this plat and dedication to the public forever all roads and ways shown hereon with the right to make all necessary repairs and improvements thereon and to use the same for the purposes herein set over and across any lot or lots, where water might take a natural course, in the original reasonable grading of the roads and ways shown hereon.

Following original reasonable grading of roads and ways hereon no drainage water on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road right-of-way, or natural course of water. Any such diversion or blocking shall be the responsibility of the owner of any lot or lots, where water might take a natural course, in the original reasonable grading of the roads and ways shown hereon.

IN WITNESS WHEREOF, We have hereunto set our hands and seal this 11th day of March, A.D., 1996.

Paul M. Brown, Sec.
 H&D Logging Co.
 ACKNOWLEDGMENT
 On this day personally appeared before me _____
 to my known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that _____ is the same as free and voluntary act and deed of the said _____ and _____ and _____ GIVEN UNDER _____ and official state seal this _____ day of _____ 19____
 Notary Public in and for the State of Washington, residing at _____ My appointment expires _____

STATE OF WASHINGTON)
 COUNTY OF Chelan) s.s.
 On this 11th day of March, 1996, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Steven L. Lemons, duly known to me to be the H&D Logging Company, Secretary, respectively, and Paul M. Brown, Secretary of the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, H&D Logging Company, and of each of the individuals therein named, and that the seal thereof is the corporate seal of said corporation.
 Wherein my hand and official seal hereto affixed the day and year first above written.

Paul M. Brown
 Notary Public, in and for the State of Washington, residing at Leavenworth

LEGAL DESCRIPTION:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 20 NORTH, RANGE 15 EAST, W.M., KITTITAS COUNTY, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT 291.99 FEET NORTH AND 800.30 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION, SAID POINT BEING ON THE EASTERN RIGHT OF WAY LINE OF DEED DATED JUNE 13, 1948, UNDER AUDITOR'S FILE NO. 198973, RECORDS OF SAID COUNTY;
 THENCE NORTH 89° 44' EAST, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 548.30 FEET TO A POINT ON THE EAST LINE OF SAID SUBDIVISION; THENCE NORTH 00° 28' EAST ALONG SAID EAST LINE, 305 FEET, MORE OR LESS, TO A POINT 30 FEET SOUTHWESTERLY, WHEN MEASURED AT RIGHT ANGLES, FROM THAT TRACT OF LAND CONVEYED BY NORTHWESTERN IMPROVEMENT COMPANY TO MIKE PASA BY THAT DEED DATED JUNE 20, 1934, THENCE NORTH 62° 00' WEST 557.90 FEET TO THE EASTERLY RIGHT OF WAY OF SAID COUNTY ROAD;
 THENCE SOUTH 05° 51' WEST ALONG SAID RIGHT OF WAY LINE, 572.20 FEET TO THE POINT OF BEGINNING.

GENERAL NOTES:

1. PER ROW 1710 140 LAND OWNERS ARE RESPONSIBLE FOR MAINTENANCE AND PREVENTION OF SPREAD OF NOXIOUS WEEDS ACCORDINGLY, THE KITTITAS COUNTY NOXIOUS WEED BOARD RECOMMENDS IMMEDIATE RESEEDING OF AREAS DISTURBED BY DEVELOPMENT TO PRECLUDE THE PROLIFERATION OF NOXIOUS WEEDS.
2. A PUBLIC UTILITY EASEMENT 10 FEET IN WIDTH IS RESERVED ALONG ALL LOT LINES AS SHOWN. SAID EASEMENTS SHALL ALSO BE USED FOR IRRIGATION.
3. MAINTENANCE OF ANY PRIVATE ACCESS WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS WHO BENEFIT FROM ITS USE. IF MORE THAN 6 LOTS WILL BE USING THE SHARED ACCESS, THEN A COUNTY ROAD WILL BE REQUIRED.
4. ACCESS TO THESE LOTS WILL BE LIMITED TO THE ACCESS SHOWN. ANY ADDITIONAL LOTS TO BE ADDED TO THIS SHORT PLAT WILL BE SUBJECT TO CUBESIGHT COUNTY AND PARTICIPATION IN THE ACCESS MAINTENANCE AGREEMENT.
5. DUE TO HIGH GROUND WATER AND SOIL COMPOSITION, ALTERNATIVE SEPTIC SYSTEMS WILL BE REQUIRED.



SURROUNDING OWNERSHIPS:

201521300032	Jeffrey Anderson	201521300009	Weasley Yarny
4402 Bullfrog Rd.	Cle Elum, Wa, 98922	P.O. Box 199	Roslyn, Wa, 98941
201521300021	John S. Madkins	201521300028	Berry Fisher
201521300008	Elenasburg, Wa, 98926	P.O. Box 514	Roslyn, Wa, 98941
201521300008	Maryette Nuzum	201521300010	Samra Bell Polley, et al
3020 State Route 903	Cle Elum, Wa, 98922	1058 Kirkland Ave. N.E.	Renton, Wa, 98056
201521300023	Kenneth Podge & Marlene Plesh	201521300022	Plum Creek Timber Co.
3000 State Route 903	Cle Elum, Wa, 98922	999 Third Ave. #2300	Seattle, Wa, 98104

RECORDERS CERTIFICATE # 1996 0712 0001

Filed for record this 11th day of March, 1996 at 9:05 A.M. in Book _____ of _____ at the request of Richard R. Kitz Surveyor's Name
Richard R. Kitz
 County Auditor
Deputy County Auditor

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act of the State of Washington.
 In: Kititas County, Washington
 Certificate No. 16915

K.C.S.P. NO. 95-56
SW1/4, SW1/4, Sec 21 T.20N., R.15E., W.M.
Kititas County, Washington

DWN BY	DATE	JOB NO.
S. KITZ	10/95	95524
CHKD BY	SCALE	SHEET
R. KITZ	N/A	2 OF 2

EASTSIDE CONSULTANTS, INC.
 ENGINEERS-SURVEYORS
 216 EAST FIRST
 CLEM ELLIOTT WASHINGTON 98922
 360KBE (509)974-7488

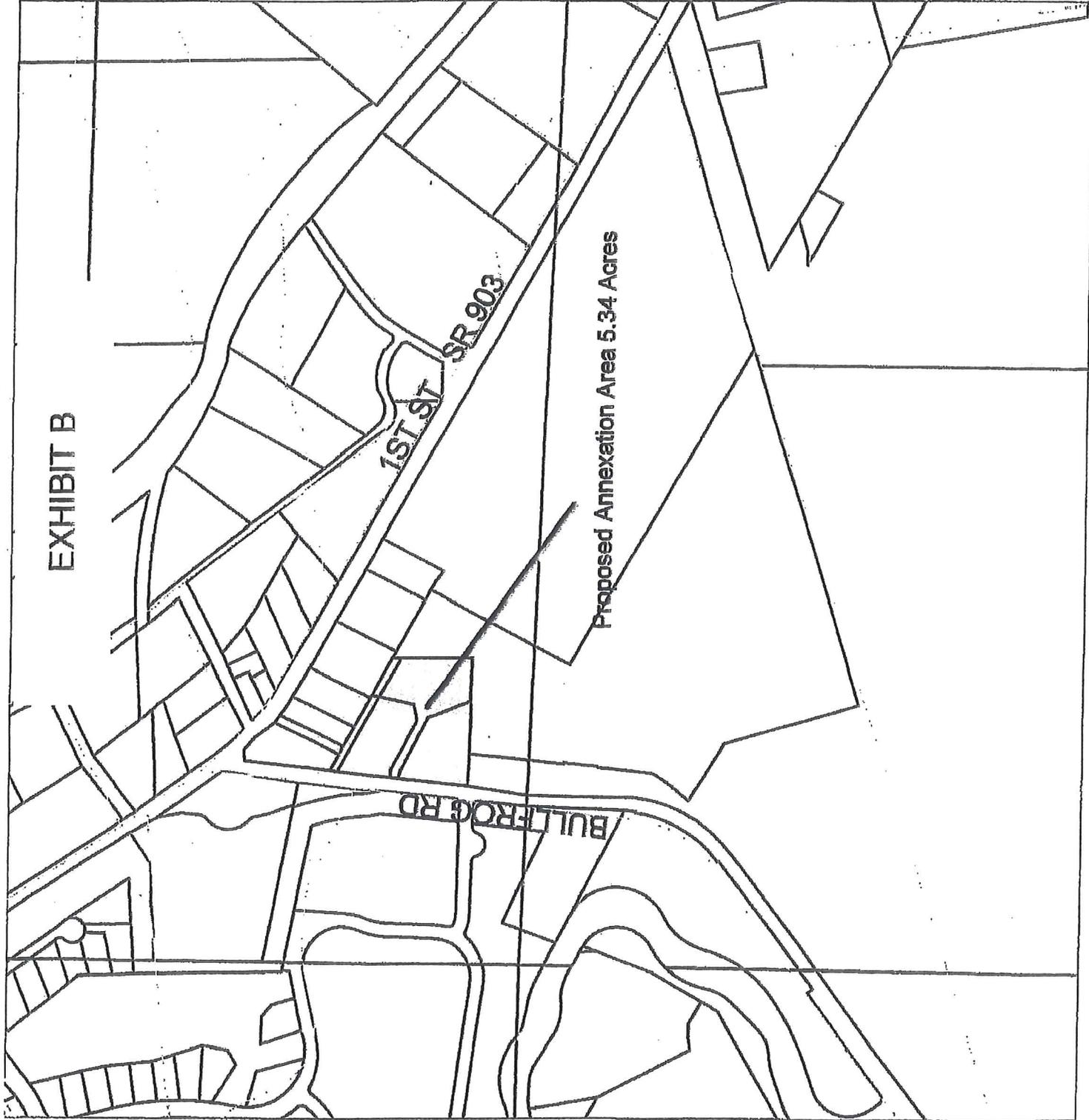
EXHIBIT

“B”

ANNX

EXHIBIT B

- County Roads
- Text Lots
 - Cities
 - Ellensburg
 - Kittitas
 - Roslyn
 - Cle Elum
 - South Cle Elum



Proposed Annexation Area 5.34 Acres

1ST ST SR 903

BULLFROG RD

This map is maintained only as an aid in the appraisal and assessment of real property. The Kittitas County Assessors Office does not warrant its accuracy.



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