

ORDINANCE NO. 3128

An Ordinance annexing the real property hereinafter described to the City of Longview, Cowlitz County, Washington, as provided by the laws of the State of Washington.

WHEREAS, on the 5th day of November, 2009, the City Council of the City of Longview, Washington, did hold the final public hearing, pursuant to notice duly published and posted, on the petition addressed to the City Council of said City requesting that the boundaries of said City be altered by including therein certain real property contiguous to the City of Longview, said petition having been signed by the owners of not less than 60% in value, according to the assessed valuation for general taxation of said property; and

WHEREAS, on December 31, 2009 the annexation was filed with the Cowlitz County Boundary Review Board ("Board"); and

WHEREAS, on February 17, 2010 the Notice of Intention was deemed approved by the Board following a full forty-five (45) days comment period; and

WHEREAS, the area proposed for annexation is approximately 13.45 acres more or less in size, and is of \$3,121,150.00 in assessed valuation; and

WHEREAS, all requirements of RCW 35A.14 preliminary to said final hearing have been duly complied with; and

NOW, THEREFORE, the City Council of the City of Longview do ordain as follows:

Section 1. That said City Council specifically finds that the land described in the Petition for Annexation is situated in the County of Cowlitz in the State of Washington, is contiguous, proximate and adjacent to the present corporate limits of said City and is more particularly described on "Exhibit A" attached hereto and by this reference made a part of this Ordinance.

Section 2. That all of the covenants and conditions precedent to the annexation of said property are hereby made a part of this Ordinance as though fully set forth herein. Said covenants and conditions precedent, are as contained in the Petition for Annexation, and are on file in the office of the City Clerk of said City.

Section 3. That the territory, set forth in said "Exhibit A" and as shown in "Exhibit B" hereto attached, shall be, and is hereby, made a part of the City of Longview, Cowlitz County, Washington, on the date that this Ordinance takes effect.

Section 4. The City Council hereby declares that should any section, paragraph, sentence or word of this Ordinance be declared for any reason to be invalid, it is the intent of said City Council that it would have passed all other portions of this Ordinance independent of the

elimination herefrom of any such portion as may be declared invalid, and that the remainder of said Ordinance shall be and remain in full force and effect.

Section 5. This Ordinance shall take effect and be in full force and effect from and after thirty (30) days of its passage and publication as required by law.

Passed by the City Council this 25th day of _____, 2010.

Approved by the Mayor this 25th day of _____, 2010.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Published:_____

EXHIBIT A

A portion of the plat of Columbia Heights Garden located in Section 21, Township 8 North, Range 2 west of the Willamette meridian duly recorded in Volume 7 of plats, page 61, Records of the auditor of Cowlitz County, Washington, more particularly described as follows:

Beginning at the most easterly corner of Lot 7, Block 1 of the aforementioned plat, said corner being on the northwesterly line of a portion of Lindsey Drive currently known and hereinafter referred to as Virginia Way, said corner being also a point on the existing Longview City limits line;

Thence southwesterly along said City limits line and the northwesterly line of Virginia Way to the most easterly corner of lot 5 of Block 1;

Thence northwesterly along the existing City limits line and the northeasterly line of said Lot 5 to an intersection with the northerly line of Block 1 of said plat of Columbia Heights Gardens;

Thence continuing along the existing City limits line and the northerly line of Block 1, easterly to an intersection with the southwesterly right-of-way line of Columbia Heights Road;

Thence leaving the existing City limits line southeasterly along the southwesterly line of Columbia Heights Road to the most easterly corner of Lot 14 of said Block 1;

Thence crossing the aforementioned Virginia Way on a direct line southeasterly to the most northerly corner of Lot 27, Block 4 of the plat of Columbia Heights Gardens;

Thence southwesterly along the southeasterly right-of-way line of Virginia Way to the most northerly corner of Lot 29 of said Block 4;

Thence southeasterly along the northeasterly line of said Lot 29 to a point on a line lying southeasterly of and 10.00 feet distant from and parallel to the southeasterly right-of-way line of Virginia Way as shown by the short subdivision recorded under Auditor's File number 3230807, Volume 13, Page 160.

Thence southwesterly along said parallel line to an intersection with the southwesterly line of said Lot 29;

Thence northwesterly along said southwesterly line to the most westerly corner of Lot 29;

Thence southwesterly along the southeasterly right-of-way line of Virginia Way to the most northerly corner of that certain parcel described under Auditor's File number 429647, Volume 559, Page 489, said point also being a point on the existing Longview City limits line;

Thence crossing Virginia Way northwesterly along the existing City limits line to the most easterly corner of Lot 7 of Block 1 and the point of beginning.

Containing 13.45 acres more or less.



Exhibit B

