

ORDINANCE NO. 1680

AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON, PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY OWNED BY BRETT SMITH D/B/A QUAIL RUN MHP, LLC, TO THE CITY OF GRANDVIEW PURSUANT TO THE NEW PETITION METHOD, AND INCORPORATING THE SAME WITHIN THE CORPORATE LIMITS THEREOF, PROVIDING FOR THE ASSUMPTION OF EXISTING INDEBTEDNESS, REQUIRING SAID PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN SAID CITY, ADOPTING A COMPREHENSIVE LAND USE PLAN, AND CHANGING THE OFFICIAL ZONING MAP OF THE CITY

WHEREAS, the City of Grandview, Washington received a petition for annexation, known as the Brett Smith d/b/a Quail Run MHP, LLC, Annexation, of certain real property pursuant to RCW 35A.14.120, a legal description of which is attached hereto on Exhibit "A"; and

WHEREAS, that said petition set forth the fact that the City Council of the City of Grandview required the assumption of City indebtedness by the area requesting to be annexed; and

WHEREAS, prior to filing of said petition, the City Council had indicated a tentative approval of said annexation; and

WHEREAS, petitioners further understood the proposed zoning of said area proposed for annexation would be MR2 Manufactured Home Park District; and

WHEREAS, notices of hearing before the Planning Commission and the City Council were published in the manner as provided by law; and

WHEREAS, all property within the territory so annexed shall be subject to and is a part of the Comprehensive Plan of the City of Grandview as presently adopted or as is hereafter amended; and

WHEREAS, the Council of the City of Grandview has determined that the best interests and general welfare of the city would be served by the annexation; and

WHEREAS, prior to the City Council taking final action, the City Clerk submitted a "Notice of Intention" to the Yakima County Boundary Review Board pursuant to RCW 36.93.090; and

WHEREAS, on July 8, 2004, the Yakima Boundary Review Board notified the City that the 45-day review period lapsed on the "Notice of Intention" and the County did not invoke jurisdiction,

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANDVIEW DO ORDAIN, as follows:

SECTION 1. There has been filed with the City Council of the City of Grandview, a petition in writing signed by owners of a majority of the acreage of the area proposed for annexation, and a majority of the registered voters residing in the area proposed for annexation hereinafter described on Exhibit "A"; that said petition set forth the fact that the City Council of the City of Grandview required the assumption of City indebtedness by the area requesting to be annexed; that prior to filing of said petition, the City Council had on March 15, 2004, agreed to consider the annexation as proposed in the Letter of Intent; and that petitioners further understood the proposed zoning of said area proposed for annexation would be MR2 Manufactured Home Park District.

SECTION 2. April 21, 2004 was set as the date for the open record public hearing by the Grandview Planning Commission and May 3, 2004 was set as the date for the closed record public hearing on said petition before the Grandview City Council; notice of such hearings were published in the Yakima Herald, a newspaper of general circulation in the City of Grandview; notice of such hearings was also posted in three public places within the territory proposed for annexation; notice of such hearings was also mailed to owners of property within three hundred feet of the territory proposed for annexation; and said notice specified the time and place of such hearings and invited interested persons to appear and voice approval or disapproval of the annexation.

SECTION 3. The territory proposed by said petition to be annexed to the City of Grandview is situated in the County of Yakima in the State of Washington, is contiguous, approximate and adjacent to the present corporate limits of said City, and is more particularly described in Exhibit "A," which is attached hereto and incorporated in full by this reference.

SECTION 4. The territory set forth in this ordinance and for which said petition for annexation as filed should be and is hereby made a part of the City of Grandview.

SECTION 5. Pursuant to the terms of the annexation petition, all property within this territory annexed hereby shall be assessed and taxed at the same rate and on the same basis as property within the City, including assessment or taxes in payment of any bonds issued or debts contracted prior to or existing at the date of annexation.

SECTION 6. All property within the territory so annexed shall be subject to and a part of the Comprehensive Plan of the City of Grandview as presently adopted or as is hereafter amended.

SECTION 7. All property within the territory so annexed shall be and hereby is zoned MR2 Manufactured Home Park District.

SECTION 8. This ordinance shall take effect and be in full force five (5) days after its passage and publication as provided by law.

PASSED by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on July 12, 2004.

MAYOR



ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PUBLICATION: 7/14/04

EFFECTIVE: 7/19/04



Public Works

VERN M. REDIFER, P.E. - DIRECTOR/COUNTY ENGINEER
GARY N. EKSTEDT, P.E. - ASSISTANT DIRECTOR / TRANSPORTATION
DONALD H. GATCHALIAN, P.E. - ASSISTANT DIRECTOR / ENVIRONMENTAL

128 North 2nd Street, Room 408 Courthouse, Yakima, Washington 98901-2639
MAIN (509) 574-2300 / FAX (509) 574-2301
(Internet Address: www.pan.co.yakima.wa.us/pubworks/)

March 31, 2004

Anita G. Palacios
City Clerk
City of Grandview
207 W. 2nd Street
Grandview, Washington 98930



RE: Proposed Brett D. Smith Annexation

Dear Anita:

I have reviewed the subject proposal. Yakima County Public Works has no technical objection to the proposed boundary line adjustment and annexation/amended annexation. The proposed legal descriptions are acceptable.

Sincerely,

Mark P. Cleaver, P.E.
Development Project Engineer

MPC:mc



August 21, 2003
 Brett Smith
 Project No. 23085

Legal Descriptions for a Boundary Line Adjustment

Parcel No. 230927-11403 (existing description)

That portion of Tract 64, GRANDVIEW ORCHARD TRACTS, as recorded in Volume "B" of Plats, Page 14, records of Yakima County, Washington, described as follows:
 Commencing at the southwest corner of said Tract 64; thence East along the south line thereof, a distance of 494 feet; thence North 408 feet, more or less, to the north line of said Tract 64; thence West 296 feet, more or less, to the northwest corner of said Tract 64; thence Southwesterly along the west line of said Tract 64 to the point of beginning.

Parcel No. 230927-11403 (new description)

That portion of Tract 64, GRANDVIEW ORCHARD TRACTS, as recorded in Volume "B" of Plats, Page 14, records of Yakima County, Washington, described as follows:
 Commencing at the southwest corner of said Tract 64; thence East along the south line thereof, a distance of 494 feet; thence North 408 feet, more or less, to the north line of said Tract 64; thence West 296 feet, more or less, to the northwest corner of said Tract 64; thence Southwesterly along the west line of said Tract 64 to the point of beginning.

EXCEPT that portion of Tract 64, GRANDVIEW ORCHARD TRACTS, as recorded in Volume "B" of Plats, Page 14, records of Yakima County, Washington, described as follows:
 Beginning at the northeast corner of Section 27, T.9N., R.23E., W.M.; thence S0°06'00"W along the east line of said Section 500.00 feet to the south line of Tract 64 extended easterly; thence N89°56'00"W, parallel with the south line of the northeast quarter of said Section 27 and along the south line of said Tract 64 extended easterly, 1034.37 feet to the true point of beginning; thence N0°05'06"E 104.25 feet to the west line of said Tract 64; thence southwesterly along the west line of said Tract 64 to a line bearing N89°56'00"W from the point of beginning; thence S89°56'00"E 97.89 feet, more or less to the true point of beginning.

TOGETHER WITH that portion of Tract 65, GRANDVIEW ORCHARD TRACTS, as recorded in Volume "B" of Plats, Page 14, records of Yakima County, Washington, described as follows:
 Beginning at the northeast corner of Section 27, T.9N., R.23E., W.M.; thence S0°06'00"W along the east line of said Section 500.00 feet to the south line of Tract 64 extended easterly; thence N89°56'00"W, parallel with the south line of the northeast quarter of said Section 27 and along the south line of said Tract 64 extended easterly, 635.58 feet to the true point of beginning; thence continuing N89°56'00"W 398.79 feet; thence S0°05'06"W 6.14 feet; thence S51°55'20"E 421.60 feet to the east line of said Tract 65; thence along the courses and distances of said east line N21°07'40"E 31.43 feet; N7°56'00"W 117.00 feet; N41°10'00"E 108.79 feet; N0°12'00"E 38.59 feet to the true point of beginning.

Parcel No. 230927-11405 (existing description)

That portion of Tract 65, GRANDVIEW ORCHARD TRACTS, as recorded in Volume "B" of Plats, Page 14, records of Yakima County, Washington, described as follows:

Parcel No. 230927-11405 (new description)

That portion of Tract 65, GRANDVIEW ORCHARD TRACTS, as recorded in Volume "B" of Plats, Page 14, records of Yakima County, Washington, described as follows:

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Beginning at the northeast corner of Section 27, T.9N.,R.23E., W.M.; thence $S0^{\circ}06'00''W$ along the east line of said Section 500.00 feet to the south line of Tract 64 extended easterly; thence $N89^{\circ}56'00''W$, parallel with the south line of the northeast quarter of said Section 27 and along the south line of said Tract 64 extended easterly, 635.58 feet to the true point of beginning; thence continuing $N89^{\circ}56'00''W$ 398.79 feet; thence $S0^{\circ}05'06''W$ 6.14 feet; thence $S51^{\circ}55'20''E$ 421.60 feet to the east line of said Tract 65; thence along the courses and distances of said east line $N21^{\circ}07'40''E$ 31.43 feet; $N7^{\circ}56'00''W$ 117.00 feet; $N41^{\circ}10'00''E$ 108.79 feet; $N0^{\circ}12'00''E$ 38.59 feet to the true point of beginning.

TOGETHER WITH that portion of Tract 64, GRANDVIEW ORCHARD TRACTS, as recorded in Volume "B" of Plats, Page 14, records of Yakima County, Washington, described as follows:

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