

ORDINANCE # 593

AN ORDINANCE of the City of Rainier, correcting the legal description of a track of land annexed to the City of Rainier, Thurston County, Washington, by Ordinance 544 and amending said Ordinance 544.

WHEREAS, A petition requesting the annexation of the property located at the NE section of State Route 507 and 133rd Avenue SE, cross street, was submitted to the Rainier City Council and was duly accepted by the council at its regular meeting on November 11, 2003 in accordance with applicable state statute; and

WHEREAS, The property for annexation as described in the petition is 2.92 acres of unimproved land; the petitioners, B & D Inc NW, are the owners of the property, and the property, proposed for annexation is adjacent to the existing boundaries of the City of Rainier; and

WHEREAS, Petitioner duly submitted an application to the Thurston County Boundary Review Board pursuant to Chapter 36.93 RCW and review was duly completed pursuant to RCW 36.93.110; and

WHEREAS, Pursuant to applicable state statute a public hearing was duly held on the proposed annexation on March 9, 2004 and all testimony received at that hearing was fully considered;

WHEREAS, It has been determined that minor errors in the legal description of the annexation should be corrected, but will otherwise have no effect on the effective date of the annexation as provided by Ordinance 544;

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

Section 1. Ordinance 544 entitled, "AN ORDINANCE of the City of Rainier, annexing a tract of land adjacent to the City of Rainier, Thurston County, Washington, as described in this ordinance" and adopted by the City on October 10, 2006, be and the same hereby is amended to read as follows:

The following described property be annexed into the City of Rainier and shall become a part of the City on the effective date of this ordinance, as provided in applicable state statute;

1. That portion of the East half of the Southeast quarter of Section 4, Township 16 North, Range 1 East, W.M., lying Southeasterly of SR-507 and lying Northwesterly of the Chehalis Western Railroad right-of-way (formerly the Chicago Milwaukee and St Paul and Pacific Railway Company). Except that portion conveyed to The German Evangelical Lutheran Zion Congregation of Rainier by deed recorded October 20, 1969

under Auditor File No. 811146. Also excepting therefrom that tract of land Northerly of said German Evangelical Lutheran Zion Congregation Tract.

2. All that portion of Burlington Northern railroad company's (formerly Northern Pacific Railway Company) Yelm to Tenino, Washington Branch Line right-of-way, now discontinued, varying in width on both sides of said Railroad Company's Main Tract centerline as originally located upon over and across the Southeast corner of Section 4, Township 16 North, Range 1 East, W.M. and the west half of section 3 Township 16 North, Range 1 East, W.M.

3. That portion of the right-of-way, extra width property, track and appurtenances located thereon of the Chehalis Western railroad as located upon over and across the Southeast quarter of Section 4, Township 16 North, Range 1 East, W.M.

4. That portion of State Route 507 right-of-way located upon over and across the Southeast quarter of Section 4, Township 16 North, Range 1 East, W.M. and the Western ½ of the Southwest quarter of Section 3 Township 16 North, Range 1 East, W.M.

A map of said annexation entitled "CITY OF RAINIER, ASCHENBRENNER ANNEXATION REVISED 1-11-11" is annexed hereto and by this reference incorporated herein.

Section 2. This ordinance shall take effect and be in force thirty days after its passage, approval and publication as provided by law.

Adopted by the Rainier City Council at its regularly scheduled meeting this 25th day of January, 2011.

Randall L. Schleis, Mayor

ATTEST:

Charmayne Garrison, CMC
City Clerk

APPROVED AS TO FORM:

William L. Cameron, City Attorney