

City of Spokane
Department of Public Works
808 W. Spokane Falls Blvd
Spokane, WA 99201-3343

Ordinance No. C- 34042

AN ORDINANCE ANNEXING TO THE CITY OF SPOKANE A 120-ACRE AREA OF LAND LYING SOUTH OF CASCADE WAY, WEST OF DIVISION STREET AND NORTH OF FRANCIS AVENUE IN A PORTION OF THE EAST HALF OF THE EAST HALF OF SECTIONS 19 AND 30, TOWNSHIP 26, RANGE 43, E.W.M IN SPOKANE COUNTY, COMMONLY REFERRED TO AS THE NORTH DIVISION ANNEXATION.

WHEREAS, by Notice of Intention to Commence Annexation Proceedings, dated May 2, 2006, the owners of not less than ten percent of the value of property within an approximately 15-acre area located on the eastern border of the Linwood area and contiguous to the City, notified the City Council of their intention to commence annexation proceedings; and

WHEREAS, on or about May 8, 2006, the City Council met with said initiating owners and, pursuant to RCW 35.13.125, determined by resolution 2006-0052 that the City would geographically modify the proposed annexation to include an approximately 134 acre area and subject it to specified conditions; and

WHEREAS, thereafter a sufficient petition for annexation was filed with the City Council pursuant to RCW 35.13.130, signed by the owners of not less than 75 percent in value, according to the assessed valuation for general taxation, of the property for which annexation is petitioned, seeking annexation to the City of Spokane of an approximately 134-acre area contiguous to the City, known as the "North Division Annexation Area" (the "Petition"); and

WHEREAS, upon receipt of the Petition, the City Council conducted a public hearing on the proposed annexation on January 2, 2007 and adopted

Resolution 06-141 indicating the City's intent to annex the North Division Area and directed staff to file a notice with the Boundary Review Board, as required by Chapter 36.93 RCW; and

WHEREAS, on February 28, 2007 and continued on March 19, 2007, the Boundary Review Board held a public hearing on the City's proposed annexation of the North Division Area; and

WHEREAS, pursuant to RCW 36.93.150(2), the Boundary Review Board may add or delete territory from a proposed annexation; and

WHEREAS, following the public hearing, on April 16, 2007, the Boundary Review Board filed its written decision under File No. 607-07 approving and modifying the City's proposed annexation of the North Division Area ("Modified North Division Area"), a copy of which written decision is attached and incorporated herein as Exhibit "A"; and

WHEREAS, pursuant to RCW 36.93.155, the City may not approve an annexation other than that which the Boundary Review Board has approved; and

WHEREAS, on May 29, 2007, the City Council held a public hearing to receive public comment on the City's proposed annexation of the Modified North Division Area; and

WHEREAS, the City Council has determined that the proposed annexation of the Modified North Division Area is consistent with the City's Comprehensive Plan and the annexation guidelines, as adopted therein by the City, and is a logical extension of the City's corporate limits, and that the property should therefore be annexed to the City under the authority of Chapter 35.13 RCW.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. The following described property, referred to herein as the Modified North Division Area, is annexed to and made a part of the City of Spokane, Washington, as of the effective date of this Ordinance (See also Exhibits "B" and "C"):

Approximately 120 acres of land legally described as follows:

"That portion of the east ½ of Section 30, Township 26 North, Range 43 East, W.M., and that portion of the southeast ¼ of the southeast ¼ of Section 19, Township 26 North, Range 43 East, W.M. generally situated westerly of Division Street and northerly of Francis Avenue, and adjoining the west limit of the City of Spokane; MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING at the southeast corner of Section 30, Township 26 North, Range 43 East, W.M.; THENCE westerly 366.58 feet more or less (MOL) along the south line of said Section 30 to the extension of the west line of Atlantic Street right-of-way; THENCE northerly 40 feet more or less (MOL) along the extension of the west line of Atlantic Street right-of-way to the southeast corner of Lot 20, Block 31, Spokane Terrace Addition (coincident with the north limit of the City of Spokane), the TRUE POINT OF BEGINNING; THENCE northerly 2,560.96 feet more or less (MOL) along the west line and extensions of the west line of Atlantic Street right-of-way to the north line of Weile Avenue (Rhoades Avenue) right-of-way; THENCE westerly 2,265.52 feet more or less (MOL) along the north line of Weile Avenue (Rhoades Avenue) right-of-way to the east line of Wall Street right-of-way; THENCE northerly along the east line of Wall Street right-of-way 1,303.44 feet more or less (MOL) to the southwest corner of Lot 33, Block 1, Bern-Thera Terrace Addition; THENCE easterly 1,292.18 feet more or less (MOL) along the south line of Block 1, Bern-Thera Terrace Addition to the southwest corner of Lot 24, Block 1, The Park on Calispel PUD; THENCE easterly along the south line of said PUD to the southeast corner of Lot 30, Block 1, The Park on Calispel PUD; THENCE northerly along the eastern border of The Park on Calispel PUD to the southern boundary line of Weipert Addition; THENCE easterly 180 feet more or less (MOL) along the south line of Weipert Addition to the southeast corner of Lot 2, Block 6, Weipert Addition; THENCE northerly 192.27 feet more or less (MOL) along the east line of Weipert Addition to the southwest corner of Parcel A of Record of Survey filed in Book 29 of Surveys page 29 on file in the Office of Spokane County Auditor ; THENCE easterly 135 feet more or less (MOL) along the south line of said Parcel A to the southeast corner of said Parcel A; THENCE northerly along the east line of said Parcel A to the south right-of-way line of Cascade Way; THENCE northwesterly to the northeast corner of Cascade Way and Normandie Street; THENCE southeasterly and southerly along the north right-of-way line of Cascade Way to a point on the west line of the Division Street right-of-way (coincident with the west limit of the City of Spokane); THENCE southerly along the west line of Division Street right-of-way (coincident with the west limit of the City of Spokane) to the south line of Lot 19, Block 32, Spokane Terrace Addition; THENCE southerly and westerly along the west line of Division Street right-of-way (coincident with the west limit of the City of Spokane) to the south line of Lot 20, Block 32, Spokane Terrace Addition (coincident with the north line of Francis Avenue right-of-way); THENCE westerly 214 feet more or less (MOL) along the north line of Francis Avenue right-of-way (coincident with the

north limit of the City of Spokane) to the east line of Atlantic Street right-of-way; THENCE westerly 60 feet more or less (MOL) (coincident with the north limit of the City of Spokane) to the southeast corner of Lot 20, Block 31, Spokane Terrace Addition, the TRUE POINT OF BEGINNING.

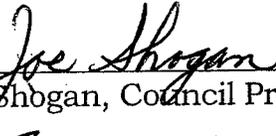
Section 2. Upon annexation, said property shall be assessed and taxed at the same rate and on the same basis as other property within the City is assessed and taxed to pay for any of the outstanding indebtedness of the City which indebtedness was approved by the voters, contracted, or incurred prior to, or existing at, the date of annexation.

Section 3. The Comprehensive Plan of the City of Spokane shall be deemed to apply to the annexed property from the effective date of this Ordinance.

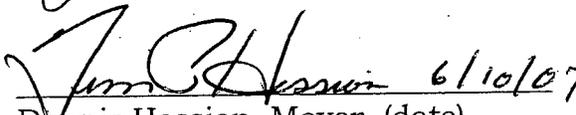
Section 4. The Clerk is directed to file the original of this Ordinance with the Boundary Review Board for Spokane County and prepare certified copies of this Ordinance and to cause the same to be filed with the Spokane County Board of Commissioners (three copies, with directions to forward two of the copies to the County Assessor), Spokane County Treasurer, and the Spokane County Assessor.

Section 5. This Ordinance shall take effect and be in force on the later of either 30 days after its enactment or the effective date of the Boundary Review Board's written decision under File NO. 607-07.

Passed the City Council on ^{June 4} ~~May 29~~, 2007.

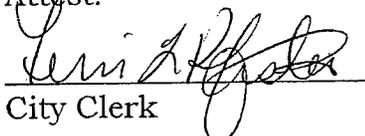


Joe Shogan, Council President

 6/10/07

Dennis Hession, Mayor (date)

Attest:



City Clerk

Approved as to form:



Assistant City Attorney

ORD C34042 - NORTH DIVISION
ANNEXATION ORDINANCE

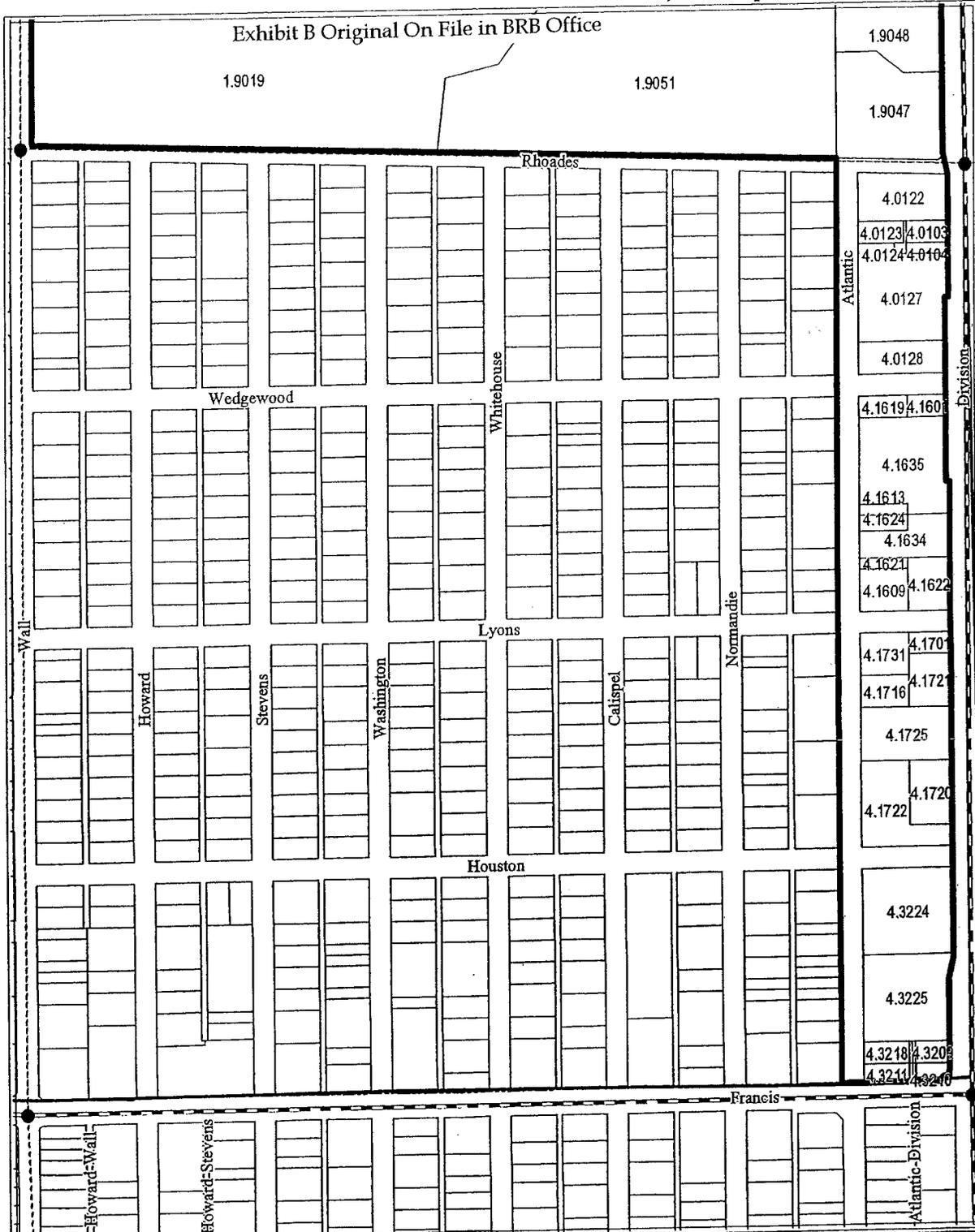
RECEIVED
06-19-07
CITY CLERK'S OFFICE
SPOKANE, WA

07-19-07

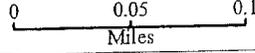
EFFECTIVE DATE



SE 1/4 Sec. 30, Township 26, Range 42, E.W.M



BRB 607-07
 Washington State Boundary Review Board
 For Spokane County



Parcel Map 1
 Annexation of 120 acres to
 the City of Spokane (North Division)

Assr. Parcel No. = 3630 (+ No. given on map)