

ORDINANCE NO. 13-015

AN ORDINANCE ANNEXING CERTAIN LANDS KNOWN AS
THE MARCHEL ANNEXATION TO THE CITY

THE CITY COUNCIL OF THE CITY OF KITTITAS, WASHINGTON ORDAINS AS
FOLLOWS:

Section 1. Annexed Lands. Pursuant to RCW, Chapter 35A.14 and RCW Title 35A, the City of Kittitas does hereby annex the following described real estate situated in Kittitas County, Washington into the corporate limits of the City of Kittitas:

See Exhibit A attached hereto and incorporated herein by this reference

Section 2. Zoning and Regulation. The City's comprehensive plan shall be adopted for the area annexed by this ordinance, and these lands shall be subject to all City regulations. All parcels described on Exhibit A shall be zoned Mixed-Commercial Industrial until their designation is changed.


Section 3. Existing indebtedness. This entire area to be annexed and described above shall be required to assume all existing City indebtedness. No portion of the property annexed herein shall be released from any outstanding indebtedness levied against it prior to this annexation.

Section 4. Filing. A certified copy of this ordinance shall be filed with the Board of County Commissioners and the County Auditor of Kittitas County, Washington.

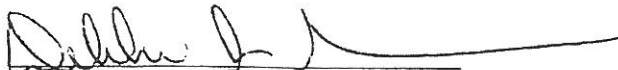
Section 5. Extension of Franchise. By operation of law, there is hereby granted to any franchise garbage hauler serving any portion of the annexed property a seven year franchise to continue the collection and disposal of garbage and other solid waste for the areas served on the date of the adoption of this ordinance.

Section 6. Effective Date. This annexation shall be effective five days after passage of this ordinance and publication of its summary.

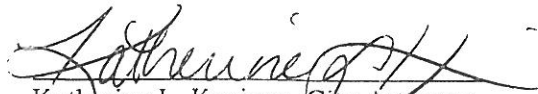
PASSED by the City Council of the City of Kittitas, Washington, this 9th day of July, 2013.


Tony Helland, Mayor 7/9/13

ATTEST:


Debbie Lee, City Clerk

APPROVED AS TO FORM:


Katherine L. Kenison, City Attorney

PASSED the 9th day of July, 2013.

APPROVED the 9th day of July, 2013.

PUBLISHED the 12th day of July, 2013.

RECORDER'S USE ONLY

07/17/2013 01:02:42 PM

201307170011

\$74.00
Ordinance CITY KITTITAS
Kittitas County Auditor

Page 1 of 3



TREASURER'S USE ONLY

Return To:

City of Kittitas
P.O. Box 719
Kittitas Wa 98934

Kittitas County Auditor/Recorder's Indexing Form*Please Print Or Type All Information in Black Ink***A. Document Titles (or transactions contained therein):**

- 1 Ordinance 13-015 an Ordinance annexing
2 Certain Lands Known as the Marchel Annexation to the city.

B.**Grantor (last name, first name, middle initial):**1 Bare Marchel LLC

2 _____

Additional grantors on page _____ of document.

C.**Grantee (last name, first name, middle initial):**

1 _____

2 _____

Additional grantees on page _____ of document.

D.**Legal description (lot, block, plat or section, township, range):**

of the South west 1/4 section 12, township 17 North, Range 19 East
Additional legal description on page _____ of document. Kittitas County Washington

E.**Assessor's property tax parcel/account number(s):**No. 10866/17-19-12030-0004**F.****Reference numbers of documents assigned or released:**

Additional references on page _____ of document.

The auditor or recording officer will rely on the information provided on this form. The staff will not read the document to verify the accuracy of or the completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document

COPY

Lathrop, Winbauer, Harrel, Slothower & Denison L.L.P.
Attorneys at Law

Post Office Box 1088, 201 West Seventh Avenue, Ellensburg, WA 98926

F. Steven Lathrop, P.S.
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Susan K. Harrel
Jeff Slothower
James T. Denison, Jr.
Douglas W. Nicholson

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April 12, 2013



Tony Helland, Mayor
City of Kittitas
P.O. Box 719
Kittitas, WA 98934

Re: Request for Annexation of Kittitas County Tax Parcel No. 10866

Dear Mayor Helland:

I represent Bare Marchel, LLC who recently purchased Kittitas County Tax Parcel No. 10866 from Olympic Pipeline Company.¹ Kittitas County Tax Parcel 10866 currently has an Urban Land Use designation under the Kittitas County Comprehensive Plan and is zoned Light Industrial.² The property is located within the City of Kittitas Urban Growth Area.³

Bare Marchel desires to annex and hereby requests to annex this property into the City of Kittitas so that it can be developed consistent with the City of Kittitas Municipal Code.

Once it has been annexed into the City of Kittitas, Bare Marchel desires the property be zoned Mixed-Commercial Industrial C-M (KMC Chapter 17.36).

I had a preliminary discussion about the City of Kittitas' annexation process with the Katherine Kenison, the City's attorney. It is my understanding that, upon receipt of this request for annexation, you will set a pre-annexation meeting at which my client and I would have an opportunity to meet with City of Kittitas officials and discuss the issues related to the annexation. After that, I understand the annexation would be processed through a public process through the City Council.

Please let me know if you need any additional information to process this petition for annexation. Please also advise when the pre-annexation meeting will occur.

¹ A copy of the Statutory Warranty Deed dated March 7, 2013 is attached hereto as Exhibit 1.

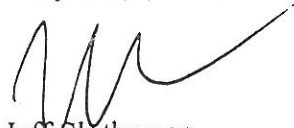
² See Kittitas County Parcel Report Printout attached hereto as Exhibit 2.

³ See City of Kittitas Urban Growth Area printout attached hereto as Exhibit 3.

Tony Helland, Mayor
City of Kittitas
April 12, 2013
Page 2 of 2

I look forward to hearing from you.

Very truly yours,



Jeff Slothower

JS:jcj

JSlothower\Bare Marchel L.L.C\Annexation\Ltr Mayor Tom Helland 4-10-13.doc

cc: Bare Marchel, LLC
Katherine Kenison, City Attorney – via e-mail: kkenison@basinlaw.com

Enclosures: Exhibit 1 – Statutory Warranty Deed
Exhibit 2 – Kittitas County Parcel Report Printout
Exhibit 3 – City of Kittitas Urban Growth Area printout

Exhibit 1

03/13/2013 11:09:07 AM

201303130003

\$73.00
 Warranty Deed STAT
 Kittitas County Auditor

Page 1 of 2



RE EXCISE TAX PAID

Amount 4,136.-Date 3/13/2013Affidavit No. 2013-319

KITTITAS COUNTY TREASURER

WHEN RECORDED RETURN TO:

Name: Bare Marchel LLC
 Address: 16271 Vantage Highway
 Ellensburg, WA 98926

Escrow Number: 30235pl

Filed for Record at Request of: Stewart Title of Kittitas CountyBy M. FOX

\$73

STATUTORY WARRANTY DEED

The Grantor(s), Olympic Pipe Line Company, a Delaware Corporation, for and in consideration of Ten Dollars and other good and valuable consideration in hand paid, conveys, and warrants to Bare Marchel LLC, a Washington limited liability company the following described real estate, situated in the County of Kittitas, State of Washington:

SEE ATTACHED EXHIBIT A

Abbreviated Legal: (Required if full legal not inserted above.) of the Southwest 1/4 of Section 12, Township 17 North, Range 19 East, Kittitas County, Washington

TOGETHER WITH all water rights and irrigation ditches appurtenant thereto, if any.

SUBJECT TO: All matters, including reservations, restrictions, exceptions, easements and rights-of-way, apparent or of record.

Tax Parcel Number(s): 10866/17-19-12030-0004

Dated: March 7, 2013

Olympic Pipe Line Company

BY:

Edward Cimarrilli
 Vice President

STATE OF WASHINGTON

ss.

COUNTY OF KITITAS

I certify that I know or have satisfactory evidence that Edward Cimarrilli is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the Vice President of Olympic Pipe Line Company to be the free and voluntary act of such party for the uses and purposes mentioned this instrument.

Dated: March 8, 2013

Pamela D. Brady
 Notary Public in and for the State of Washington
 Residing at See Hle
 My appointment expires: 2/9/14

EXHIBIT A

That portion of the Southwest quarter of Section 12, Township 17 North, Range 19 East, W.M., in the County of Kittitas, State of Washington, described as follows:

Beginning at the Southwest corner of said Section 12;
Thence North $2^{\circ}12'30''$ East along the West line of said Section 12 a distance of 1680.93;
Thence South $87^{\circ}47'30''$ East a distance of 201.87 feet to the true point of beginning;
Thence continuing South $87^{\circ}47'30''$ East a distance of 980.00 feet;
Thence South $2^{\circ}12'30''$ West parallel with the West line of said Section 12 a distance of 1341.11 feet to the North margin of Interstate 90 (as shown on Washington State Highway plans SR90, SR82, Bull Road to Renslow sheet 16 of 27 Kittitas Interchange, dated February 8, 1967);
Thence North $83^{\circ}34'42''$ West along said North margin of Interstate 90 a distance of 365.60 feet;
Thence North $65^{\circ}21'58''$ West along said North margin of Interstate 90 a distance of 574.67 feet;
Thence South $88^{\circ}38'01''$ West along said North margin of Interstate 90 a distance of 43.16 feet;
Thence North $0^{\circ}03'51''$ East a distance of 1098.48 feet to the true point of beginning.

Exhibit 2

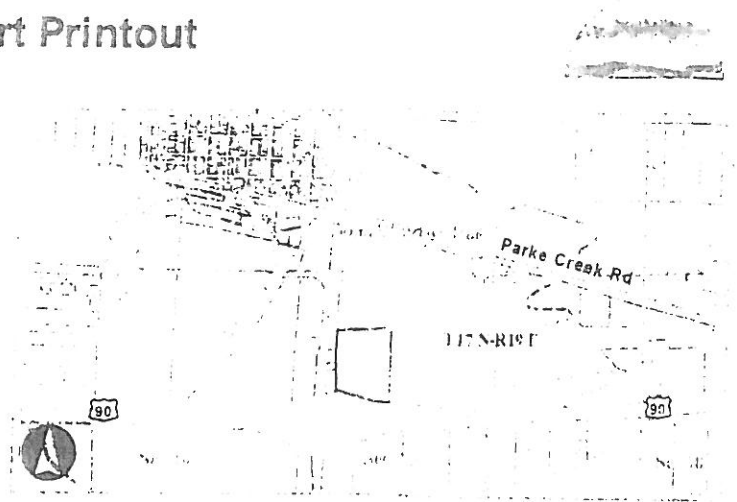
Kittitas County Parcel Report Printout

Parcel Info

Parcel # 10866
Map # 17-19-12030-0004
Acres 27.41000000
Recorded
Situs Address S MAIN ST KITTITAS
Owner Name OLYMPIC PIPE LINE CO
Mailing Address C/O BP AMERICA INC
Address Cont. PO BOX 1548
City/State WARRENVILLE IL
Zipcode 60555-

Critical Areas

Contains > 30% Slope No
DOE G.W. Moratorium No
PHS Site Name
Roof Hazard LOW_HAZARD RATING
Roof Class CLASS C
Seismic Category C
Flood Zone
Shore Line
Wetland Code U
FEMA Flood Map 5300950557B
FIRM Zone ZONE C
Coalmine Shaft
Airport Zone
Zone Name Light Industrial
Land Use Urban
Max Elevation 1627



Legend

- Townships
- Sections
- Tax Parcels
- Schools
- Parks and Preserves
- Railroads
- Forest Service Roads
- County Roads
- Private Roads
- Highways
- Water Bodies
- Rivers and Creeks
- Canals

PG 33
ISO 0.02

Districts

	CITY OF KITTITAS
Fire District	95-1, Fire District 2 (Rural Ellensburg)
Hospital District	HOSPITAL DISTRICT 1
Irrigation District	Cascade
School District	Kittitas School District
Voting District	Kittitas 2, Park
Commissioner District	1
Weed District	INCORPORATED, WEED DISTRICT # 4

Disclaimer

Kittitas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. Kittitas County does not guarantee the accuracy of the material contained herein and is not responsible for any use, misuse or representations by others regarding this information or its derivatives.

Exhibit 3

A better map will be available soon

Kititas Urban Growth Boundary



Map Center: Township:17 Range:19 Section:12

Kititas County Disclaimer

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