

## **ORDINANCE NO. 1240**

**AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE KEIFE PROPERTY TO THE CITY PURSUANT TO THE PETITION METHOD, SAID ANNEXATION BEING LEGALLY DESCRIBED AS SET FORTH IN EXHIBIT "A" TO THIS ORDINANCE, AND GENERALLY DEPICTED IN THE SURVEY MAP AS SET FORTH IN EXHIBIT "B" TO THIS ORDINANCE; DESIGNATING THE ZONING OF THE ANNEXATION AREA; APPROVING THE TITLE OF THE ORDINANCE; CONTAINING A SEVERABILITY PROVISION; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, Petitioners, being the owners as defined in RCW 35A.01.040, of not less than ten percent (10%) in value, according to the assessed valuation of the property for which annexation is petitioned, prior to initiation of the petition, notified the City Council of petitioners' intention to commence annexation proceedings for the area commonly known as the Keife annexation to the City of Cashmere (City); and

**WHEREAS**, the City Council met with said initiating owners on Monday, November 24, 2014 and determined by Council action that the City would accept the proposed annexation providing that existing City indebtedness shall be assumed by the area to be annexed and further providing that the City's Comprehensive Plan shall be deemed to apply to the area upon such annexation; and

**WHEREAS**, a sufficient petition for annexation was subsequently filed with the City Council pursuant to RCW 35A.14.120, signed by the owner of not less than 60 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 approximately 1.32 acres as legally described in Exhibit "A"; and

**WHEREAS**, pursuant to RCW 35A.14.130, the City fixed Monday, January 12, 2015, at the hour of 6:00 p.m. as the date and time for a public hearing on said proposed annexation and caused notice of such hearing to be published and posted in accordance with the law, and the hearing having been held on that date and all interested parties appearing at said hearing and desiring to be heard in regard to the proposed annexation having been heard by the Council; now therefore,

**The City Council of the City of Cashmere, Washington do ordain as follows:**

**Section 1. Annexation.** The real property commonly known as the Keife Annexation in Chelan County, Washington described below, contiguous to the City of Cashmere, Washington, and within the City of Cashmere Urban Growth Boundary, is hereby annexed to and incorporated in the city limits of the City of Cashmere, Washington, on the terms and conditions set forth in this ordinance.

The real property annexed by this ordinance is legally described on the attached Exhibit "A" and generally depicted in the survey map on the attached Exhibit "B" incorporated herein by this reference.

**Section 2. Zoning.** Zoning of the annexation area shall be Multi-Family (MF), the zoning depicted for the annexation in the "Map of the Cashmere Zoning Ordinance". The City Clerk/Treasurer is directed to insert this zoning for the annexation area on the "Map of the Cashmere Zoning Ordinance" when this Ordinance becomes effective.

**Section 3. Comprehensive Plan.** The annexed real property shall be subject to the Comprehensive Land Use Plan adopted heretofore by the City of Cashmere, Washington. The annexed real property is hereby zoned in accordance with the Comprehensive Plan as Multi-Family (MF), as set forth in the City of Comprehensive Plan Land Use Designation Map.

**Section 4. Taxation.** The annexed real property described herein shall be assessed and taxed at the same rate and on the same basis as other properties in the City of Cashmere, Washington to pay for all or any portion of the outstanding indebtedness of the City of Cashmere, approved by the voters, contracted or incurred prior to or existing at the date of annexation.

**Section 5. Summary.** The title of this Ordinance is hereby approved as a summary of this Ordinance.

**Section 6. Publication.** The City Clerk/Treasurer is hereby directed to cause a summary of this Ordinance to be published in a newspaper of general circulation in the City and the City's official newspaper. The City Clerk/Treasurer is further directed to file certified copies of this ordinance with the Board of Commissioners for Chelan County, Chelan County Auditor and Chelan County Assessor.

**Section 7. Severability.** If any section, sentence clause or phrase of this Ordinance shall be held invalid or unconstitutional by court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence clause or phrase of this ordinance.

**Section 8. Effective Date.** This ordinance shall take effect and be in full force five (5) days after the ordinance or a summary thereof consisting of the title is published.

Passed by the City Council of the City of Cashmere and approved by the Mayor at a regular open public meeting this 9<sup>th</sup> day of February, 2015.

CITY OF CASHMERE

By: \_\_\_\_\_  
Jeff Gomes, Mayor

Attest:

\_\_\_\_\_  
Kay Jones, City Clerk-Treasurer

Approved as to form:

By: \_\_\_\_\_  
Charles D. Zimmerman, City Attorney

Passed by the City Council: February 9, 2015  
Published in the Cashmere Valley Record: February 18, 2015  
Effective date: February 23, 2015  
Ordinance No: 1240

SUMMARY OF ORDINANCE NO. 1240

of the City of Cashmere, Washington

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On the 9<sup>th</sup> day of February, 2015, the City Council of the City of Cashmere, Washington, passed Ordinance No.1240. A summary of the content of said Ordinance, consisting of the title, provides as follows:

**AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE KEIFE PROPERTY TO THE CITY PURSUANT TO THE PETITION METHOD, SAID ANNEXATION BEING LEGALLY DESCRIBED AS SET FORTH IN EXHIBIT "A" TO THIS ORDINANCE, AND GENERALLY DEPICTED IN THE SURVEY MAP AS SET FORTH IN EXHIBIT "B" TO THIS ORDINANCE; DESIGNATING THE ZONING OF THE ANNEXATION AREA; APPROVING THE TITLE OF THE ORDINANCE; CONTAINING A SEVERABILITY PROVISION; AND PROVIDING AN EFFECTIVE DATE.**

The full text of this Ordinance will be mailed upon request.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Kay Jones, City Clerk-Treasurer

## Exhibit "A"

A portion of Lot 1, Short Plat No. 2009-066, Chelan County, Washington, according to the plat thereof recorded under Auditor's File No. 2325380, being Parcel A, Boundary Line Adjustment No. 2011-059, recorded AFN 2340760, described as follows:

Commencing at the northwest corner of Government Lot 2, Section 5, Township 23 North, Range 19 East of the Willamette Meridian, a 2-1/2" brass cap on a 1 inch iron pipe, from which the southwest corner of said Government Lot 2, a 5/8" rebar in monument case bears S 02°32'26" E a distance of 1,380.66 feet, thence S 02°32'26" E along the West line of Said Government Lot 2 a distance of 888.54 feet; thence N 87°27'34" E a distance of 30.00 feet to the northwest corner of said Lot 1, Short Plat No. 2009-066, and the True Point of Beginning of this description; thence N 87°27'34" E along the north line of said Lot 1 a distance of 151.35 feet to the West line of Parcel B, Boundary Line Adjustment No. 2011-059, recorded AFN 2340760; thence S 03°09'10" E along said West line Parcel B a distance of 115.54 feet; thence continuing along said West line Parcel B, S 06°03'14" E a distance of 171.25 feet; thence continuing along said West line Parcel B, S 04°38'34" E a distance of 64.98 feet to the Southwest corner said Parcel B; thence leaving said West line S 69°09'14" W along the Southerly Line Parcel A, Boundary Line Adjustment No. 2011-059, recorded AFN 2340760 a distance of 103.10 feet; thence continuing along said Southerly line Parcel A, N 88°31'30" W a distance of 37.68 feet to the East right of way line Evergreen Drive, CRP 169; thence along the East right of way line Evergreen Drive the following courses, N 02°32'26" W a distance of 69.69 feet; thence S 87°27'34" W a distance of 30.00 feet; thence N 02°32'26" W a distance of 35.00 feet; thence S 87°27'34" W a distance of 5.00 feet; thence N 02°32'26" W a distance of 140.00 feet; thence N 87°27'34" E a distance of 5.00 feet; thence N 02°32'26" W a distance of 136.46 feet to the Point of Beginning.

Area = 1.32 acres.



# Exhibit "B"

