

ORDINANCE NO. 754

AN ORDINANCE of the City of Tonasket, Washington annexing certain territory to the City of Tonasket, Washington, incorporating the same within the corporate limits thereof; requiring the assumption of existing indebtedness, and assigning zoning classifications, specifying conditions and an effective date.

WHEREAS, Double S Meats, Inc. did file a Notice of Intent to Commence Annexation Proceedings on October 29, 2012 regarding the possibility of the annexation of certain territory containing real property and rights-of-way which is contiguous to the City of Tonasket; and,

WHEREAS, the City Council did after consultation with the Planning Commission did respond to Double S Meats, Inc.'s annexation inquiry on November 27, 2012 that the City would consider the annexation if certain conditions and stipulations were met:

- (1) Require the simultaneous adoption of zoning consistent with the Comprehensive Plan for the area; and
- (3) Require the assumption of a pro rata share of all existing city indebtedness by the area to be annexed; and
- (4) Require conditions that prohibited the construction of non-municipal wells and require that the City be a party in changes in water use within the territory annexed;

And,

WHEREAS, Double S Meats, Inc. did file an annexation petition on January 28, 2015; and,

WHEREAS, said annexation petition was determined sufficient by the County Assessor's Office on February 4, 2015; and

WHEREAS, the City Council did by Resolution 2015-3 fixed a date for public hearing and caused notice thereof to be published and posted as required by law; and

WHEREAS, a public hearing was held by the City Council of the City of Tonasket on the 24th day of February, 2015, and after said hearing a motion was made, seconded and unanimously passed to approve the annexation of the subject territory.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TONASKET,
WASHINGTON, DO ORDAIN as follows:**

Section 1. The territory described on Exhibit A and shown on Exhibit B-1 and Exhibit B-2 attached hereto, being situated within the County of Okanogan, State of Washington, and being contiguous to the City of Tonasket, is hereby annexed to and incorporated into the City of Tonasket.

Section 2. All property within the territory annexed shall, after the effective date hereof, be assessed and taxed at the same rate and on the same basis as the property within the city for any outstanding indebtedness of the City of Tonasket contracted prior to, or existing at the date of annexation.

Section 3. The territory is hereby zoned as follows:

- a. The real property owned by Double S Meats, Inc. together with the abutting railroad right-of-way to the centerline thereof is zoned Commercial Two (C-2); and
 - b. The railroad right-of-way from the centerline thereof to the abutting Chief Tonasket City Park real property is zoned Industrial (M-1);
- Unless modified in the future in accordance with the zoning code and the Comprehensive Plan.

Section 4. No new non-municipal wells shall be constructed within the territory annexed and the City shall be a party in changes in use of water in the territory annexed.

Section 5. This ordinance shall become effective from and after its passage by the City Council, approval by the Mayor, and publication as prescribed by law.

PASSED BY THE CITY COUNCIL this 24th day of February, 2015.

APPROVED:

Patrick Plumb, Mayor

ATTEST:

Alice J. Attwood, Clerk-Treasurer

APPROVED AS TO FORM:

Michael D. Howe, Attorney

Ordinance 754 Exhibit "A"
Double S Meats, Inc. Annexation
February 27, 2105

Annexation Territory Description

That portion of the North Half of the Northwest quarter of the Northwest quarter of Section 21, Township 37 North, Range 27 East, W.M., lying Northwesterly of State Highway 97 right-of-way.

EXCEPT the North 160 feet thereof conveyed by Deed recorded under Auditor's File No. 739935.

EXCEPT that portion lying Westerly of the Westerly right-of-way of the Burlington Northern Railroad conveyed by Deed recorded under Auditor's File No. 820609.

Reference Statutory Warranty Deed recorded under Auditor's File No. 3162268
TOGETHER WITH that portion of the of the railroad right-of-way that is adjacent and between the above described property and the current corporate boundaries of the City of Tonasket and has Northerly and Southerly boundaries that are perpendicular to the center-line of said railroad right-of-way.

All situated in the County of Okanogan, Washington.