ORDINANCE NO. 4695

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON ANNEXING CERTAIN TERRITORY KNOWN AS THE "PFENNING ROAD/VANTAGE HIGHWAY" ANNEXATION TO THE CITY OF ELLENSBURG, WSHINGTON, ASSIGNING A COMBINATION OF RESIDENTIAL SUBURBAN AND COMMERCIAL HIGHWAY ZONING CLASSIFICATION, PROVIDING FOR THE ASSUMPTION OF EXISTING CITY INDEBTEDNESS AND FIXING A TIME WHEN THE SAME SHALL BE EFFECTIVE.

WHEREAS, on October 24 , 2014, the City of Ellensburg, Washington received a notice of intention to commence annexation proceedings pursuant to the "direct petition" method of RCW 35A.14.120 for the area to be known as the "Pfenning Road/Vantage Highway" annexation area; and

WHEREAS, on November 17, 2014, the City Council of the City of Ellensburg, Washington held a public meeting with the annexation initiators pursuant to RCW 35A.14.120 and determined that the initiators could proceed to acquire a 60% petition for annexation pursuant to RCW 35A.14.120; and

WHEREAS, at its November 17, 2014 public meeting the City Council set the annexation area and further determined that the property subject to annexation would be required to comply with the City's Zoning Code, be zoned a combination of Residential Suburban and Commercial Highway zoning, and assume the annexation area's share of City indebtedness; and

WHEREAS, the owners of not less than 60% in value, according to the assessed valuation for general taxation of the property hereinafter described, signed the petition pursuant to RCW 35A.14.120 for the annexation of said area to the City of Ellensburg, Washington; and

WHEREAS, the petition for annexation was certified as sufficient by the Kittitas County Assessor, on December 15, 2014, having determined that the petition signatures have a combined total assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area, in compliance with RCW 35A.01.040

WHEREAS, the City provided public notice of the petition for annexation and has provided an opportunity for comment thereon by all interested citizens at a duly called and noticed public hearing.

WHEREAS, on January 5, 2015, pursuant to proper notice given in accordance with RCW 35A.14.130, the City Council received and reviewed all of the documentation associated with this annexation proposal, conducted a public hearing on the proposed annexation in accordance with RCW 35A.14.140, and following such hearing determined to effect the

annexation of the territory described in Section 1 of this ordinance, finding that the petition for annexation met the applicable requirements, and that the best interests of the City of Ellensburg, Washington will be served by the annexation and that it is appropriate to good government of the City of Ellensburg, Washington and therefore accepted the petition for annexation pursuant to RCW 35A.14.120 and Ch. 15.360 ECC; and

WHEREAS, the territory described in Section 1 of this ordinance is contiguous to the City of Ellensburg, Washington and entirely within the City of Ellensburg Urban Growth Area established pursuant to RCW 36.70A.110,

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Annexation. The following described parcels and rights-of-ways are hereby annexed to and made a part of the City of Ellensburg, Washington, to wit:

That portion of the Northwest Quarter of Section 6, Township 17 North, Range 19 East, W.M., in the County of Kittitas, State of Washington, which lies north of the northerly right- of- way boundary of the John Wayne Trail (former Chicago, Milwaukee, St. Paul and Pacific Railroad);

EXCEPT, That portion of Lot 4, Section 6, Township 17 North, Range 19 East, W.M., in the County of Kittitas, State of Washington, which lies south and west of a line described as follows:

Beginning at the Northwest corner of said Section 6, thence South 0 °19'06" West along the West Section line of said Section 6 a distance of 75.008 feet to the south right- of- way of Vantage Highway and the true point of beginning for said described line; thence North 89 ° 30'00" East parallel with and 75 feet Southerly of the North section line of said Section 6 a distance of 296.00 feet; thence South 0°30'00"East a distance of 280.57 feet more or less, to the North right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad and the end of said described line.

AND

That portion of Vantage Highway right-of-way within the Southwest Quarter of Section 31, Township 18 North, Range 19 East, W.M., in the County of Kittitas, State of Washington.

AND

The West 30 feet of the South 602 feet of the Southwest Quarter of Section 31, Township 18 North, Range 19 East, W.M., in the County of Kittitas, State of Washington; EXCEPT that portion thereof within Vantage Highway right-of-way.

AND

That portion of Government Lot 4, Section 31, Township 18 North, Range 19 East, W.M., in the County of Kittitas, State of Washington, which is described as follows:

Beginning at a point on the East boundary line of the right-of-way of county road, which is 30 feet East of a point 452 feet North 0°32' West of the Southwest corner of said section; thence running North 0°32' West along the East boundary line of said right-of-way, 150 feet; thence North 89°30' East 197.3 feet; thence South 0°32' East 150 feet; and thence South 89°30' West 197.3 feet to the point of beginning.

AND

That portion of Vantage Highway right-of-way within the Northeast Quarter of Section 1, Township 17 North, Range 18 East, W.M., in the County of Kittitas, State of Washington;

AND

Blocks 87 and 88, State Addition to the City of Ellensburg No. 1, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 2 of Plats, page 48, records of said County; together with Pfenning Road right-of-way adjacent, all in Section 36, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington;

AND

That portion of Blocks 85 and 86, State Addition to the City of Ellensburg No. 1, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 2 of Plats, page 48, records of said County, which lie northerly of the northerly right-of-way of Vantage Highway;

AND

Block 84, State Addition to the City of Ellensburg No. 1, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 2 of Plats, page 48, records of said County, EXCEPT the west 140 feet thereof.

A depiction of the annexation territory, as illustrated in Exhibit A, attached hereto and incorporated by reference, shall be kept on file in the records of the City of Ellensburg Community Development Department.

Section 2. Assessment and Taxation. All property within the territory so annexed shall be assessed and taxed at the same rate and on the same basis as other property of the City of Ellensburg, Washington is assessed and taxed to pay for any outstanding indebtedness of the City of Ellensburg, Washington as presently adopted or as is hereafter amended.

Section 3. Comprehensive Plan Designation. All property within the territory so annexed shall be subject to and a part of the Comprehensive Plan of the City of Ellensburg, Washington as presently adopted or as is hereinafter amended.

Section 4. Land Use Designation and Zoning. All property within the territory so annexed shall be known and identified as the Pfenning Road/Vantage Highway Annexation and the individual land parcels are hereby zoned as follows. Parcels with the following Kittitas County Assessor Parcel Numbers shall be zoned Residential Suburban (R-S): 774034; 784034; 794034; 244734; 161933; 171933; 881933 and 181933. Parcels with the following Kittitas County Assessor Parcel Numbers shall be zoned Commercial Highway (C-H): 13192; 13191; 13189; 13190; 814034; 053437; 043437; 891933;191933; and 025236.

Section 5. Transmittal and Filing. The Ellensburg City Clerk is directed to file a certified copy of this ordinance with the Kittitas County Board of County Commissioners.

Section 6. Effective Date. This ordinance shall take effect and be in full force five (5) days after its passage, approval and publication.

Section 7. Corrections by City Clerk or Code Reviser. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance, including but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, sections/subsections numbers and any references thereto.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council of Ellensburg, Washington on January 20, 2015.

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Publish: 1-23-15

I, Coreen M. Reno, City Clerk of said City, do herby certify that Ordinance No. 4695 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4695 was published as required by law.

COREEN M. RENO, CMC