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ORDINANCE # 534

A ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, AMENDING ORDINANCE #501 PROVIDING FOR THE PROPER DESCRIPTION OF THE REAL PROPERTY AS INTENDED TO BE ANNEXED IN ORDINANCE #501 TO THE TOWN OF YACOLT, AND INCORPORATING THE SAME WITHIN THE CORPORATE LIMITS THEREOF, PROVIDING FOR THE ASSUMPTION OF EXISTING INDEBTEDNESS, PROVIDING THE SAME SHALL BE SUBJECT TO THE COMPREHENSIVE LAND USE PLAN, AND ASSIGNING ZONING CLASSIFICATION

WHEREAS, the Town Council of the Town of Yacolt, Washington is in regular session this 6th day of April, 2015; and

WHEREAS, the members of the Town Council have had notice of the time, place, and purpose of said meeting; and

WHEREAS, the description of annexed property did not include the section of contiguous land as intended in Ordinance #501; and

WHEREAS, the effective dates remain in effect; and

WHEREAS, the proper description of annexed real property is described as follows:

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Yacolt, Washington, that Ordinance #501 is hereby amended as follows:

The parcel #229641000, The North half of the Southeast quarter of the Northeast quarter of Section 2, Township 4 North, Range 3 East of the Willamette Meridian;
Except any portion lying within Public Roads or Highways. Subject to easements of record.
Together with and subject to a non- exclusive easement for ingress, egress, and utilities over, under, and across both a strip of land 30 feet in width, the Northerly boundary of which is described as follows:
Beginning at the Northeasterly right of way line of Clark County's Lewis and Clark Railroad crossing at Hoag Street; thence Easterly along the North boundary of the South
Half of the South half of the North of Section 2, to a point 60 feet East of the West line of the Southeast quarter of the Northeast quarter of Section 2; all in Township 4 North, Range 3 East of the Willamette Meridian; and
BEGINNING AT A BRASS CAP MARKING THE EAST QUARTER CORNER OF SAID SECTION 2, SAID EAST QUARTER CORNER BEARS SOUTH 00°46'47" WEST A DISTANCE OF 2400.48 FEET FROM A BRASS CAP NOW USED AS A REFERENCE MONUMENT TO THE NORTHEAST CORNER OF SECTION

2 AS SHOWN IN UNRECORED SURVEY BOOK "DD",PAGE 121,RECORDS OF THE CLARK COUNTY AUDITOR;

THENCE NORTH 87°45'04" WEST FOR A DISTANCE OF 1328.18 FEET TO THE SOUTHEAST CORNER OF THE "WITT'S FARM SUBDIVISION RECORDED IN BOOK 310 OF PLATS, PAGE 286, RECORDS OF THE CLARK COUNTY AUDITOR; THENCE NORTH 00°47'54" EAST ALONG THE EAST LINE OF SAID " WITTS FARM " SUBDIVISION AND THE EAST LINE OF THE " BIG TIMBER PHASE 2 " RECORDED IN BOOK 310 OF PLATS, PAGE 400 RECORDS OF THE CLARK COUNTY AUDITOR, FOR A DISTANCE OF 635.10 FEET TO THE CENTERLINE OF A 60 FOOT EASEMENT AS DESCRIBED UNDER AUDITOR'S FILE NUMBER 8510240010, RECORDS OF CLARK COUNTY AND THE TRUE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL I, DEPICTED IN EXHIBIT "B";

THENCE SOUTH 87°49'30" EAST, 276.99 FEET+/- TO A POINT ONE FOOT WEST OF AN EXISTING CHAIN LINK FENCE; THENCE NORTH 00°25'27" WEST PARALLEL TO AND ONE FOOT WEST OF SAID CHAIN LINK FENCE FOR A DISTANCE OF 30.03 FEET; THENCE NORTH 87°49'30 WEST PARALLEL WITH SAID CENTERLINE FOR A DISTANCE OF 276.35 FEET TO THE EAST LINE OF SAID "BIG TIMBER PHASE 2; THENCE SOUTH 00°46'47" WEST ALONG SAID EAST LINE, 30.01 FEET TO THE TRUE POINT OF BEGINNING;

SUBJECT TO 60 FOOT EASEMENT AS DESCRIBED UNDER AUDITOR'S FILE NUMBER 8510240010;

SUBJECT TO 60 FOOT EASEMENT AS DESCRIBED UNDER AUDITOR'S FILE NUMBER 3818178 AND 4834411;

ALSO SUBJECT TO THE MCI TELECOMMUNICATIONS CORPORATION SITE LEASES CITED UNDER AUDITOR'S FILE NUMBER 8410290018,8510240010,8705050018,8710070183 AND 8807110010;

WHEREAS, All property within the territory annexed shall remain effective as of the existing dates of passage; and

Section 1 Comprehensive Plan: All property within the territory so annexed shall remain subject to and be part of the Comprehensive Plan of the Town of Yacolt as now adopted, or as hereinafter amended.

Section 2 Zoning: The subject real property shall remain zoned parks/open space

Section 3 Severability: If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, or its application to any person or circumstances is held invalid, the remaining portion of this Ordinance shall remain in full force and effect, and the application of the provision to other persons or circumstances shall not be affected.

Section 4 Effective Date: A copy of this Ordinance shall be filed and recorded as provided by law and this ordinance shall become effective from and after its passage by the Council; approved by the Mayor immediately upon publication as required by law.

Adopted this ~~6th~~ 20th day of April 2015

Town of Yacolt

Jeff Carothers

Jeff Carothers, Mayor

Attest:

Cindy Marbut, Clerk/Treasurer

Ayes:
Nays:
Absent:
Abstain:_____

Published: ~~4-15-15~~ 4-29-15

Summary of Ordinance # 534

The Town of Yacolt adopted Ordinance # 534 at its regularly scheduled Town Council meeting held on April ~~6th~~ 20th 2015 The content of this Ordinance is summarized in its title as follows:

A ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, AMENDING ORDINANCE #501 PROVIDING FOR THE PROPER DESCRIPTION OF THE REAL PROPERTY AS INTENDED TO BE ANNEXED IN ORDINANCE #501 TO THE TOWN OF YACOLT, AND INCORPORATING THE SAME WITHIN THE CORPORATE LIMITS THEREOF, PROVIDING FOR THE ASSUMPTION OF EXISTING INDEBTEDNESS, PROVIDING THE SAME SHALL BE SUBJECT TO THE COMPREHENSIVE LAND USE PLAN, AND ASSIGNING ZONING CLASSIFICATION

A copy of the full text of this Ordinance will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, PO Box 160, Yacolt, WA. 98675. Telephone (360) 686.3922

Effective this ~~15th~~ 20th day of April 2015.
Cindy Marbut, Town Clerk/ Treasurer.