

ORDINANCE NO. 2130

AN ORDINANCE OF THE CITY OF RITZVILLE, WASHINGTON ANNEXING OF CERTAIN REAL PROPERTY KNOWN AS THE REST HOME OR C.J. SMICK ADDITION ANNEXATION AREA TO THE CITY OF RITZVILLE

WHEREAS, exceptions in a 1983 City of Ritzville annexation Ordinance No. 474 excluded Parcel Nos. 2935230340513 and 1935230660036 located directly adjacent to the City of Ritzville in the jurisdiction of Adams County, and

WHEREAS, a petition to annex, signed by the owners of not less than sixty percent (60%) in value pursuant to RCW 35.13.125, hereinafter the real property described was accepted by the City Council of the City of Ritzville on the 19th of February, 2019, and

WHEREAS, having received a determination of legal sufficiency of the petition from the Adams County Assessor on the 8th day of March 2019, verifying one owner owns well in excess of 60% of the acreage of the Annexation Area, and

WHEREAS, after review by the Ritzville Planning Commission, the Ritzville City Council passed Resolution No. 2019-04 on 16th of April, 2019 making the applicable zoning for the annexed property the High Density Residential (R-3) zone as designated on the Comprehensive Plan zoning map, and

WHEREAS, that said petition hearing came before the City Council at the regular council meeting on the 16th day of April, 2019 and 21st of May, 2019; that notice of said hearing was posted and published in the manner provided by law;

WHEREAS, that review procedures were not required as per RCW 35A.14.220; that said area is contiguous to the City of Ritzville and that the City Council deems it in the best interest of the City of Ritzville that said area should become a part of the City of Ritzville, Washington.

Section 1: The following Ordinance 474 excepted territory from annexation to the City of Ritzville, to wit:

See attached Exhibit "A" Ordinance 474 and C.J. Smick Addition Map which is incorporated herein by this reference.

Section 2: The Adams County Assessor notified Department of Revenue about the exception of the parcels in 1994, to wit:

See Exhibit "B" Adams County Assessor Letter to Department of Revenue which is incorporated herein by this reference.

Section 3: The Washington State Department of Transportation notified City of Ritzville about the exception of parcels in 2018, to wit:

See Exhibit “C” Department of Transportation notification which is incorporated herein by this reference.

Section 3: The following described territory is hereby annexed to and made a part of the City of Ritzville, to wit:

See attached Exhibit “D” annexation map which is incorporated herein by this reference.

Section 4: 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 Ritzville is assessed and taxed and to pay for any outstanding indebtedness of the City contracted prior to or existing at the date hereof. The property shall be developed according to provisions of the application for approval of pre-plat.

Section 5: All property within the territory so annexed shall be subject to and a part of the comprehensive plan of the City of Ritzville as presently adopted or as is hereafter amended. The zoning for this property is High Density Residential (R-3) following the zoning that has been set forth in the City of Ritzville Comprehensive Plan.

Section 6: Upon passage of this annexation ordinance, the City Clerk is directed to file an annexation certificate and additional supporting documents to the state office of Financial Management within 30 days of the effective date of annexation as directed by RCW 35.13.260. A certified copy will be sent to the county as directed by RCW 35.13.150, and a notice mail to Department of Revenue.

Section 7: If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 8: Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 9: This ordinance shall be in full force and effect five (5) days after passage and publication as provided by law.

READ in open meeting.

PASSED by unanimous vote of the City Council present, and,

ORDERED PUBLISHED this 21st day of May, 2019.

Gary Cook, Mayor

Attest:

Julie Flyckt, Clerk-Treasurer

Approved as to form:

John Kragt, City Attorney