

ORDINANCE NO. 1187

AN ORDINANCE OF THE CITY OF WOODLAND ANNEXING AN AREA CONTIGUOUS TO THE CITY AND RELATED TO LAND USE APPLICATION NO. 209-927, COMMONLY REFERRED TO AS THE CRC AND HAMILTON MATERIALS ANNEXATION. THE PROPOSED ANNEXATION AREA IS LOCATED WITHIN THE CITY'S URBAN GROWTH BOUNDARY (UGB), SOUTHWEST OF THE EXISTING CITY LIMIT, WEST OF THE BURLINGTON NORTHERN SANTA FE (BNSF) RAIL LINE, AND GENERALLY SOUTH OF GUILD ROAD (E. SCOTT AVENUE), AND MORE PARTICULARLY SET FORTH HEREIN.

WHEREAS, the City Council authorized the Notice of Intent at their September 21, 2009 meeting;

WHEREAS, the City received a petition on October 21, 2009 and the Cowlitz County Assessor certified on October 26, 2009 that the petition was signed by the property owners of at least 60% in value;

WHEREAS, the City Council determined that the best interests of the City would be served if the said Property, legally described in Exhibit "A" attached hereto and incorporated herein, is annexed into the City and that said property should be subject to the existing City's indebtedness;

WHEREAS, at the March 10, 2010 meeting, the Planning Commission held a public hearing in accordance with Woodland Municipal Code Chapter 17.84.030 and recommended the City Council approve the requested annexation and zoning designations as Light Industrial (I-1) and Heavy Industrial (I-2), as shown in Exhibit "B" attached hereto;

WHEREAS, at the May 3, 2010 meeting, the City Council held a public hearing in accordance with RCW 35A.14.130 and .340 and approved the first reading of Ordinance 1187;

WHEREAS, by its adoption of Resolution No. 599 the City Council declared its intent to annex the said area and directed staff to submit the Notice of Intention to the Cowlitz County Boundary Review Board (BRB);

WHEREAS, the Notice of Intention was filed with the Cowlitz County BRB on August 2, 2010, and a review of the said annexation was duly conducted by the Cowlitz County BRB;

WHEREAS, the City received on September 28, 2010 a notice from the Cowlitz County BRB stating that the said Notice of Intention was deemed approved by the Cowlitz County BRB on September 15, 2010; and

WHEREAS, the City Council held a public hearing on October 18, 2010 in accordance with RCW 35A.14.130 and .340, and approved the final reading of Ordinance No. 1187.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND, STATE OF WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The proposed annexation area, an area that is contiguous and adjacent to the present corporate limits of the City of Woodland, is commonly known as the CRC and Hamilton Materials Annexation area. The proposed annexation area is located within the Urban Growth Boundary (UGB), southwest of the existing City Limit, west of the Burlington Northern Santa Fe (BNSF) rail line, and generally south of Guild Road (E. Scott Avenue), and legally described in Exhibit "A" attached hereto and should be and hereby is annexed to and made a part of the City of Woodland.

Section 2. Zoning designations of the annexation area as described in Section 1 of this Ordinance shall be Light Industrial (I-1) and Heavy Industrial (I-2) as shown in Exhibit "B" attached hereto.

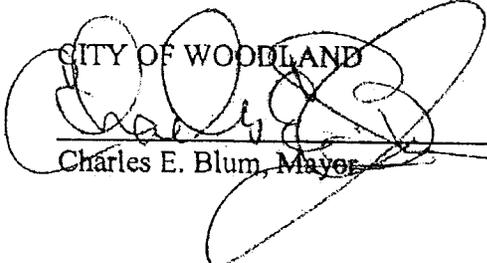
Section 3. Assessment and taxation. On the effective date of this annexation, all property within the CRC and Hamilton Materials Annexation area shall be assessed and taxed at the same rate and on the same basis as the property the City of Woodland is assessed and taxed to pay for a portion of the outstanding indebtedness of the City of Woodland, contracted for, incurred prior to, or existing at, the date of annexation.

Section 4. All Conditions of Approval 1 through 5 outlined in the Planning Commission report for this annexation shall be met.

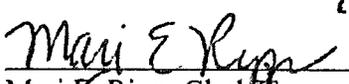
Section 5. Severability. If any section sentence, clause or phase of this ordinance is ruled invalid by a court of competent jurisdiction, the remaining portions of this ordinance shall remain valid and in full force and effect.

Section 6. This Ordinance shall become effective five days after passage, approval and publication as provided by law.

ADOPTED this 18th day of October, 2010.

CITY OF WOODLAND

Charles E. Blum, Mayor

ATTEST:


Mari E. Ripp, Clerk/Treasurer

APPROVED AS TO FORM:

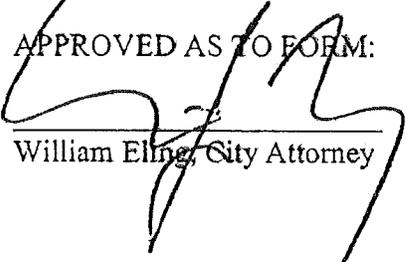

William Eling, City Attorney

Exhibit A

City of Woodland Annexation Legal Description
March 2010

In portions of the Milly Bozarth Donation Land Claim, the Hans C. Kraft Donation Land Claim, the Stephen Butts Donation Land Claim, the Lydia Webb Donation Land Claim, and the J. Brant Donation Land Claim, located in Sections 13, 14, 23, 24 and 25, in Township 5 North, Range 1 West, Willamette Meridian, Cowlitz County, Washington, described as follows:

Commencing at the Northwest corner of said Milly Bozarth Donation Land Claim, hereinafter referred to as the "Bozarth DLC", as shown on that certain Survey recorded in Volume 26 of Surveys, at page 66, recorded under Cowlitz County Auditor's File No. (AFN) 3253086; thence South 80°26'13" East along the Northerly line of said Bozarth DLC, also the Southerly line of the Solomon Strong Donation Land Claim, a distance of 902.88 feet more or less to the Northwest corner of that certain tract recorded under AFN 3164615, hereinafter referred to as the "Bozarth Living Trust" tract, and the Point of Beginning; thence continuing South 80°26'13" East along the Northerly line of said Bozarth DLC and said Southerly line of said Solomon Strong DLC and the Northerly line of said Bozarth Living Trust tract, a distance of 2,128.59 feet more or less to the Easterly margin of North Pekin Road, as shown on the certain Survey recorded in Volume 8 of Surveys, at page 160; thence Southerly along said Easterly margin of North Pekin Road a distance of 1,440 feet more or less to the North line of the South Half of said Bozarth DLC, described in Deed, Volume 1025, at page 247, recorded under AFN 870803025; thence continuing Southerly along said Easterly margin a distance of 1,410 feet more or less to the Northwest corner of that certain tract recorded under AFN 3013670; thence East along the North line of said tract recorded under AFN 3013670, parallel with the South line of said Bozarth DLC, a distance of 524 feet more or less to the Westerly right-of-way line of the Burlington Northern Santa Fe Railway (formerly known as Northern Pacific Railway), hereinafter referred to as "BNSF Railway", thence Southerly along said Westerly BNSF Railway right-of-way line, also the Easterly line of said tract recorded under AFN 3013670, also the Easterly line of that certain tract recorded under AFN 554886, a distance of 370 feet more or less to the South line of said Bozarth DLC, also the North line of said Hans C. Kraft Donation Land Claim, hereinafter referred to as the "Kraft DLC"; thence Westerly along said North line of said Kraft DLC, a distance of 45 feet more or less to the Westerly right-of-way line of said BNSF Railway as shown in deed dated August 25, 1907, recorded in Volume 44 of Deeds, at page 44, and shown on the Northern Pacific Railway's *Station Map, Tracks and Structures*, dated June 30, 1917, Mainline Station 5997+00 to Station 6051+00; thence Southerly along said Westerly BNSF Railway right-of-way line a distance of 480 feet more or less to the Southerly line of that certain tract recorded under AFN 3254671; thence Westerly along said Southerly line a distance of 60 feet more or less to said Easterly margin of North Pekin Road; thence Southeasterly along said Easterly margin a distance of 500 feet more or less to the Northerly margin of Goerig Road/Davidson Avenue; thence Easterly along said Northerly margin a distance of 200 feet more or less to the intersection with the Easterly right-of-way line of said BNSF Railway; thence Southerly along said Easterly right-of-way a distance of 60 feet more or less to the Northwest corner of Goerig's 2nd Addition to Woodland, as recorded in Volume 3 of Plats, at page 105; thence Southerly along said Easterly right-of-way line of the BNSF Railway, a distance of 3,025 feet more or less to the Southwest corner of Raspberry Park Phase 2, as recorded in Volume 14 of Plats, at page 6; thence Northwesterly 350 feet more or less to the Southeast corner of that certain tract of land recorded under AFN 822158, dated October 1977, hereinafter referred to as the "Thoeny Tract"; thence Westerly along the Southerly line of said Thoeny Tract a distance of 1,676.4 feet more or less, (said AFN 822158) to the center of Goerig Slough, also being a point on the Easterly line of Parcel 26 in that certain Statutory Warranty Deed dated November 9, 1994, recorded under AFN 941115016; thence continuing Westerly along said Southerly line of that certain tract recorded under AFN 822158 extended Westerly, a distance

Exhibit A

of 325 feet more or less, to a point intersected by the Southerly extension of the Westerly line of that certain tract as recorded under AFN 800422039; thence Northerly along said Southerly extended Westerly line of said tract recorded under AFN 800422039 a distance of 1,700 feet more or less to the Southwest corner of said tract recorded under AFN 800422039, also the Southeast corner of that certain tract recorded under AFN 3254894, being a point on the common line between said Kraft DLC and said J Brant DLC; thence Westerly along said common line a distance of 760 feet more or less to the Southwest corner of said Kraft DLC, also the Southwest corner of that certain tract recorded under AFN 3254894; thence Northerly along the Westerly line of said tract recorded under AFN 3254893, a distance of 1,285 feet more or less to the Northerly margin of Goerig Road and a point on the Easterly line of that certain tract recorded under AFN 820715041, hereinafter referred to as the "Thoeny Farms Tract"; thence Westerly along said Northerly margin of said Goerig Road, a distance of 400 feet more or less to the Easterly line of that certain tract recorded under AFN 930414028, and shown on that certain Survey recorded in Volume 9 of Surveys, at page 112; thence continuing Westerly along said Northerly margin a distance of 417.42 feet to the Westerly line of tract recorded under AFN 930414028; thence North $01^{\circ}44'23''$ West a distance of 400.00 feet more or less to the Northwest corner of said tract recorded under AFN 930414028; thence continuing Northerly along the West line of said Thoeny Farms Tract a distance of 640 feet more or less to the Northerly margin of Caples Road; thence South $89^{\circ}22'56''$ East along said Northerly margin, as shown on that certain Survey recorded in Volume 8 of Surveys, at page 89, to the Southeast corner of the Jane Caples Donation Land Claim, hereinafter referred to as the "J. Caples DLC", and the Westerly line of the aforescribed Bozarth DLC; thence North $00^{\circ}56'18''$ West, as shown in said Survey, recorded in Volume 8, page 89, along the common line between said J. Caples DLC and said Bozarth DLC, a distance of 1,639.15 feet more or less to the North line of the South Half of said "Bozarth DLC", as recorded in a boundary line adjustment under AFN 870803025, in Volume 1025 of Deeds, at page 247, and the Southwest corner of that certain tract recorded under AFN 3330489, hereinafter referred to as the "Reeves Tract"; thence Northerly along the Westerly line of said Reeves Tract, a distance of 1,590 feet more or less to the Northwest corner of said Reeves Tract, also the Southwest corner of Parcel 1, as recorded under AFN 3379359; thence Easterly along the common line between said Reeves Tract and said Parcel 1, a distance of 681.83 feet more or less to the Westerly line of the aforescribed Bozarth Living Trust tract; thence Northerly along said Westerly line a distance of 110 feet more or less to the Point of Beginning.

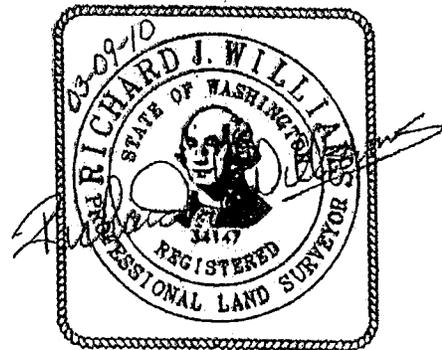
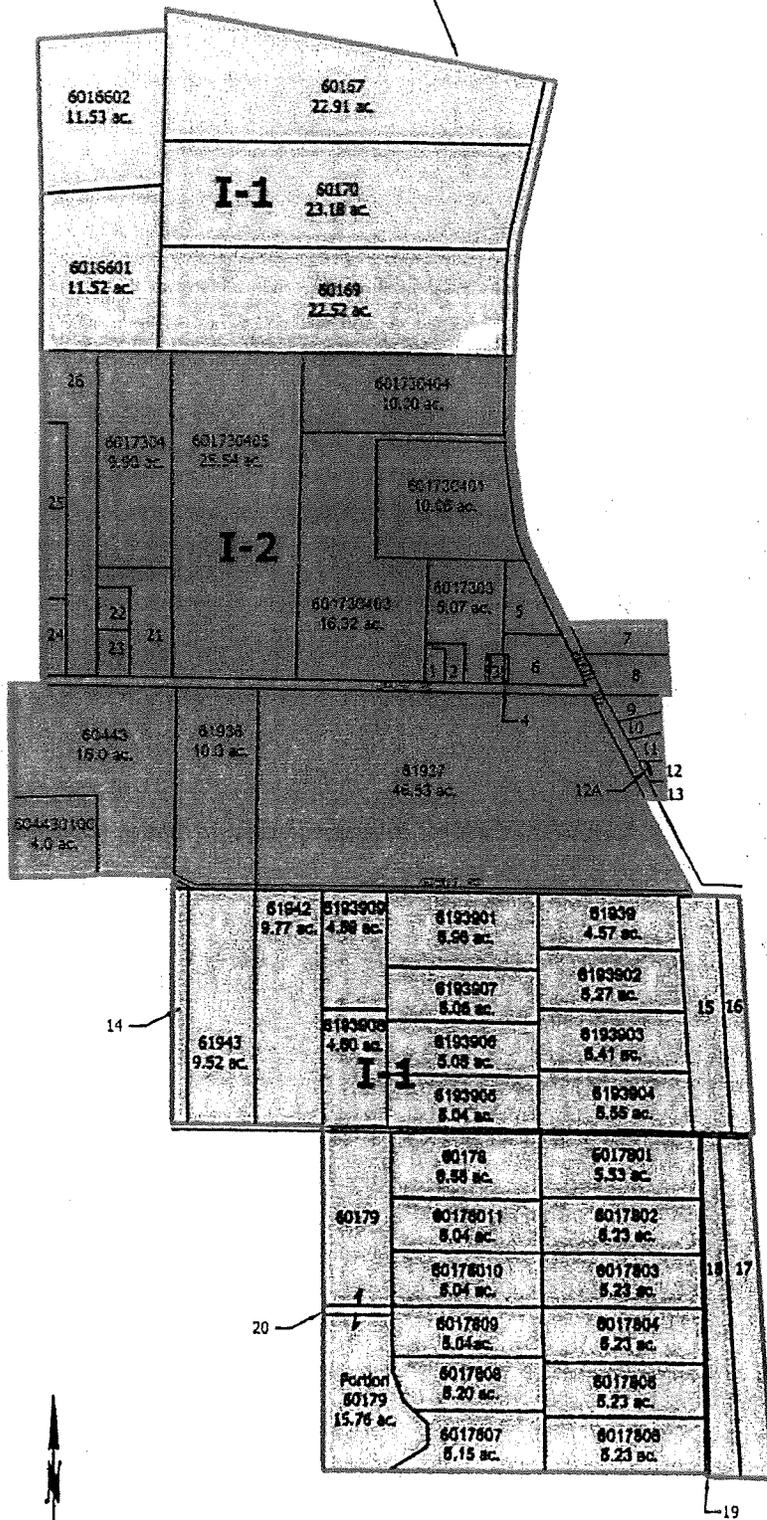


EXHIBIT B

PROPOSED TERRITORY
TO BE ANNEXED INTO
CITY OF WOODLAND

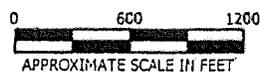


KEY			
1.	60173021		0.44 ac.
2.	60173		0.55 ac.
3.	60173022		0.34 ac.
4.	60173022		0.87 ac.
5.	601730203		1.81 ac.
6.	6017302		2.09 ac.
7.	60172205		1.77 ac.
8.	6017301		1.90 ac.
9.	60193601		0.64 ac.
10.	60193602		0.54 ac.
11.	60193802		0.54 ac.
12.	60193803		0.32 ac.
12A.	60770925	Mobile Home	14'x66'
13.	601938		0.17 ac.
14.	60194301		2.26 ac.
15.	6019450200		5.59 ac.
16.	601945		3.38 ac.
17.	6352102	Portion	6.77 ac.
18.	635210200	Portion	5.10 ac.
19.	60180	Portion	0.65 ac.
20.	6017901	Portion	0.39 ac.
21.	6017305		3.27 ac.
22.	6017601		0.82 ac.
23.	60176		0.91 ac.
24.	601750101		1.00 ac.
25.	6017501		2.32 ac.
26.	60175		6.80 ac.

Legend

- I-1 Light Industrial
- I-2 Heavy Industrial

- NOTES:**
1. Base map provided by Cowlitz County GIS.
 2. Parcel numbers and acreages provided by Cowlitz County Assessor.



URLING PLANNING ASSOCIATES, LLC PO Box 1213 Longview, WA 98632 Office Fax: (360) 703-3033	DATE: 10/14/09 DWN: CB/MMM REQ. BY: SU PRJ. MGR: SU CHK: SU APPR: PROJ. #: 558-04	Figure 3 PROPOSED ZONING Southwest Woodland Industrial Area Annexation Columbia River Carbonates City of Woodland, Cowlitz County, Washington Sections 13, 14, 23, 24, and 25 Township 5N, Range 1W, W.M.
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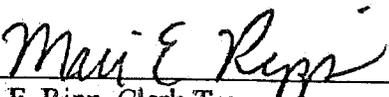
**SUMMARY OF ORDINANCE NO. 1187
OF THE CITY OF WOODLAND, WASHINGTON**

On October 18, 2010 the City Council of the City of Woodland, Washington, approved Ordinance No. 1187 the main point which may be summarized by its title as follows:

AN ORDINANCE OF THE CITY OF WOODLAND ANNEXING AN AREA CONTIGUOUS TO THE CITY AND RELATED TO LAND USE APPLICATION NO. 209-927, COMMONLY REFERRED TO AS THE CRC AND HAMILTON MATERIALS ANNEXATION. THE PROPOSED ANNEXATION AREA IS LOCATED WITHIN THE CITY'S URBAN GROWTH BOUNDARY (UGB), SOUTHWEST OF THE EXISTING CITY LIMIT, WEST OF THE BURLINGTON NORTHERN SANTA FE (BNSF) RAIL LINE, AND GENERALLY SOUTH OF GUILD ROAD (E. SCOTT AVENUE), AND MORE PARTICULARLY SET FORTH HEREIN.

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

APPROVED by the City Council at their meeting on 18th day of October, 2010.



Mari E. Ripp, Clerk-Treasurer

Published: October 27, 2010
Effective: November 1, 2010

STATE OF WASHINGTON)

CLARK COUNTY)
COWLITZ COUNTY)

ss. CERTIFICATE OF MAILING

I, Mari Ripp, of the City of Woodland, Washington, Clark County, and Cowlitz County, Washington, do hereby certify that Ordinance No. 1187 was signed and adopted October 18, 2010.

Attached is Ordinance No. 1187, Exhibits and Summary

In Witness Wherein, I have this date set my hand and Seal affirmed of the City of Woodland this 4th day of November, 2010.



Mari E Ripp

Mari Ripp
Clerk Treasurer
City of Woodland
Woodland, Washington