

CITY OF SELAH
Attn: Mayor
115 West Naches Avenue
Selah, WA. 98942

TITLE OF INSTRUMENT(S): ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY BY THE CITY OF SELAH, WASHINGTON, AND INCORPORATING THE SAME WITHIN THE CORPORATE LIMITS THEREOF AND ZONING SAID REAL PROPERTY ONE-FAMILY RESIDENTIAL (R-1)

NAMES OF GRANTORS AND GRANTEE(S):
CITY OF SELAH, A MUNICIPAL CORPORATION

ABBREVIATED LEGAL DESCRIPTION:

ANNEXATION AREA:

PARCEL NOS. 181435-23511; 181435-23512

That portion of the Northwest quarter of Section 35, Township 14 North, Range 18 East, W.M., described as follows:

Beginning at the Southeast corner of Lot 2 of that Short Plat recorded under Auditor's File Number 7699523, records of Yakima County, Washington; Thence North along the East line of said Lot 2 to the Southerly right of way line of Speyers Road;
Thence Northwesterly along said right of way line to the Southerly extension of the West line of the East half of the Northwest quarter of the Northwest quarter of said Section 35;
Thence North along said West line to the Northerly right of way line of Speyers Road;
Thence Northwesterly along said right of way line 50.00 feet;
Thence Southwesterly at a right angle to the Southerly right of way line of Speyers Road;
Thence Southeasterly along said right of way line to the North line of said Lot 2; Thence West along said North line to the Northwest corner of said Lot 2; Thence South along the West line of said Lot 2 to the Southwest corner thereof; Thence East along said South line to the Point of Beginning;

Situate in Yakima County, State of Washington.

ORDINANCE NO. 2030

M.K.K.I. ANNEXATION

ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY BY THE CITY OF SELAH, WASHINGTON, AND INCORPORATING THE SAME WITHIN THE CORPORATE LIMITS THEREOF AND ZONING SAID REAL PROPERTY ONE-FAMILY RESIDENTIAL (R-1).

WHEREAS, pursuant to RCW 35A.14.120, there was filed with the City of Selah one petition of intent for annexation signed by the owners of not less than ten (10) percent in value, according to the assessed valuation for general taxation of the property for which annexation is sought; said petition of intent was accepted by the City Council of the City of Selah, and thereafter, owners representing one hundred (100) percent in value, according to the assessed valuation for general taxation of the property for which annexation is being petitioned, have signed petitions seeking annexation to incorporate the described property within the corporate limits of the City of Selah; and,

WHEREAS, said petitions set forth the fact that the City Council of the City of Selah, Washington, would require the assumption of a pro-rata share of existing City indebtedness by the area requesting to be annexed; if ultimately annexed the property would be zoned One-Family Residential (R-1) on the date of annexation, and, the annexation petition is to be conditioned in that petitioners grant the City of Selah a “right of first refusal” to secure ownership of any irrigation and/or domestic water rights appurtenant to the land; and,

WHEREAS, garbage, refuse collection and disposal service within the M.K.K.I. Annexation area is presently provided to properties by Yakima Waste Systems, Inc. under authority issued by the Washington Utilities and Transportation Commission (WUTC) and the City desires to provide such services in accordance with RCW 35.13.280; and,

WHEREAS, RCW 35.13.280 requires the City to grant Yakima Waste Systems, Inc., as the current WUTC authorized provider of garbage, refuse collection and disposal service within the M.K.K.I. Annexation area, a franchise to continue to provide such garbage, refuse collection and disposal service to properties within the M.K.K.I. Annexation area for a term of seven (7) years from the effective date of the annexation; and,

WHEREAS, RCW 35.13.280 requires the City to provide specific notice to the WUTC regarding the City’s intent to provide garbage, refuse collection and disposal service within the M.K.K.I. Annexation area, through a franchise to Yakima Waste Systems, Inc. to continue to provide such garbage, refuse collection and disposal service to properties within the M.K.K.I. Annexation area for a term of seven (7) years from the effective date of the annexation; and,

WHEREAS, the City Council fixed the date of August 8, 2017, as the date for public hearing

thereon and caused due and proper notice of said hearing to be published and posted pursuant to RCW 35A.14.130; and

WHEREAS, the public hearing has been held as scheduled, and the City Council considers that the best interests of the City and the property mapped in Exhibit A would be best served by annexing the area into the City of Selah; and,

WHEREAS, the City Council has determined that One-Family Residential (R-1) zoning is the appropriate zoning designation for the property to be annexed based on the adopted 2017 City of Selah Urban Growth Area Comprehensive Plan;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON does ordain as follows:

SECTION 1. That the property legally described in Exhibit A , as approved by the Yakima County Public Works Department, being contiguous to the City of Selah, be and the same is annexed to the City of Selah, and incorporated therein (Parcel Numbers 18143523512, and 18143523511).

SECTION 2. All property within the territory so annexed shall be assessed and taxed at the same rate and on the same basis as property within the City is assessed and taxed to pay for the now outstanding indebtedness of the City of Selah contracted prior to or existing at the date of annexation.

SECTION 3. The property described in Exhibit A is exempt from the City of Selah Fire Station Bond Levy.

SECTION 4. The property described in Exhibit B is hereby classified and zoned as One-Family Residential (R-1).

SECTION 5. The area hereby annexed shall become a part of the City of Selah, Washington, and this ordinance shall take effect and be in force five days after publication.

SECTION 6. The City Clerk/Treasurer is directed to file a certified copy of this ordinance with the Washington Utilities and Transportation Commission to notify it of the City's intent, pursuant to RCW 81.77.020 and subject to the provisions of RCW 35.13.280, to provide refuse collection and disposal service to the M.K.K.I. Annexation area through a franchise for Yakima Waste Systems, Inc.

SECTION 7. There is herein granted a franchise to Yakima Waste Systems, Inc., in accordance with RCW 35.13.280, an exclusive franchise agreement to provide garbage, refuse collection and disposal services, including residential curbside recycling and curbside yard waste

collection, to properties within the M.K.K.I. Annexation area for a term of seven (7) years from the effective date of the annexation in accordance with RCW 35.13.280.

SECTION 8. The City of Selah Urban Growth Area Comprehensive Plan is hereby amended to incorporate the provisions of this ordinance.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, this 14th day of November, 2017.




Sherry Raymond, Mayor

ATTEST:



Dale Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:



Bob Noe, City Attorney

ORDINANCE NO.: 2030

Adoption Date: November 14, 2017

Effective Date: ~~November 19, 2017~~

November 21, 2017

* Corrected to reflect five days from publication

Exhibit "A"

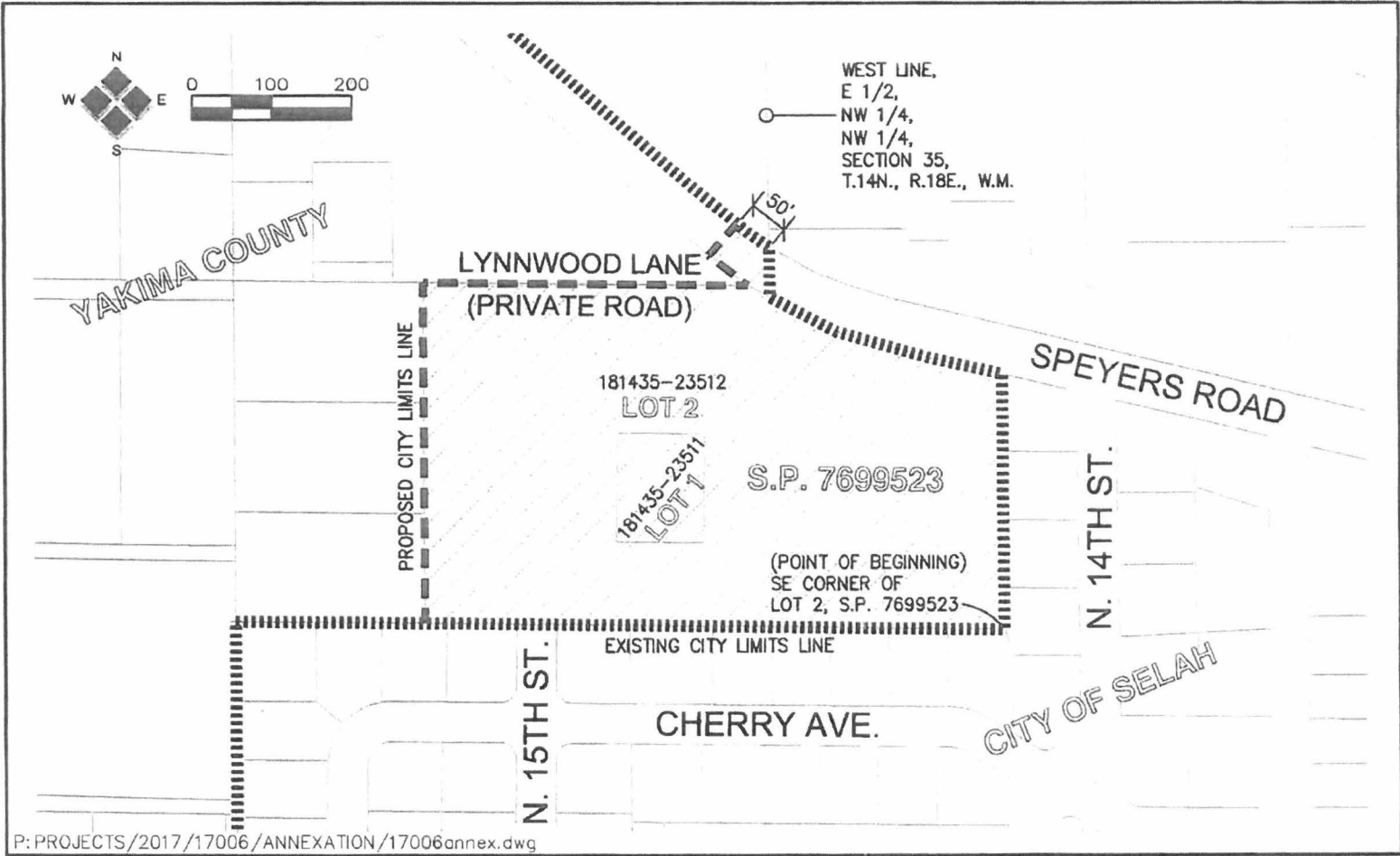
**City of Selah
M.K.K.I. Annexation
HLA Project# 17006
July 17, 2017**

Annexation Area

That portion of the Northwest quarter of Section 35, Township 14 North, Range 18 East, W.M., described as follows:

Beginning at the Southeast corner of Lot 2 of that Short Plat recorded under Auditor's File Number 7699523, records of Yakima County, Washington;
Thence North along the East line of said Lot 2 to the Southerly right of way line of Speyers Road;
Thence Northwesterly along said right of way line to the Southerly extension of the West line of the East half of the Northwest quarter of the Northwest quarter of said Section 35;
Thence North along said West line to the Northerly right of way line of Speyers Road;
Thence Northwesterly along said right of way line 50.00 feet;
Thence Southwesterly at a right angle to the Southerly right of way line of Speyers Road;
Thence Southeasterly along said right of way line to the North line of said Lot 2;
Thence West along said North line to the Northwest corner of said Lot 2;
Thence South along the West line of said Lot 2 to the Southwest corner thereof;
Thence East along said South line to the Point of Beginning;

Situate in Yakima County, State of Washington.



2803 River Road
Yakima, WA 98902
509.966.7000
Fax 509.965.3800
www.hlacivil.com

HLA PROJECT NO.: 17006
DATE: 17006

CITY OF SELAH
M.K.K.I. ANNEXATION
CITY OF SELAH,
YAKIMA COUNTY, WASHINGTON