

**CITY OF PROSSER, WASHINGTON  
ORDINANCE NO. 19-3083**

**AN ORDINANCE ANNEXING AND ZONING REAL PROPERTY WITH  
PARCEL NUMBER 1-0284-301-2463-004 COMMONLY KNOWN AS 8815 S  
1366 PR SW; MAKING THE PROVISIONS OF THE ORDINANCE  
SEVERABLE FROM ONE ANOTHER; SETTING FORTH THE  
EFFECTIVE DATE OF THE ORDINANCE; AND PROVIDING FOR  
PUBLICATION BY SUMMARY.**

**WHEREAS**, Petitioner David Stockdale and Teresa Stockdale being the owners of property constituting not less than 10 percent in assessed value, according to the assessed valuation for general taxation of the property for which annexation is petitioned, met with the City Council of the City of Prosser, Washington, on April 24, 2018, which date was prior to circulating their petition for annexation; and

**WHEREAS**, at the initial meeting the City Council determined that the City would accept the proposed annexation provided that property owned by David Stockdale and Teresa Stockdale be included in the petition for annexation and provided that existing City indebtedness was assumed by the area to be annexed; and

**WHEREAS**, on June 15, 2018, a sufficient petition for annexation was submitted to the Benton County Assessor and filed with the City Council pursuant to RCW 35A.14.120, signed by owners of not less than 60 percent of assessed valuation for general taxation of the property for which annexation is petitioned, seeking annexation to the City of Prosser of contiguous property commonly described in the attached exhibit "A"; and

**WHEREAS**, the Benton County Assessor issued a determination of sufficiency for the Petition for Annexation on August 22, 2018; and

**WHEREAS**, the City Council fixed the date of October 23, 2018, at the hour of 7:00 p.m.

or soon thereafter as may be held, as the date of the Public Hearing on the proposed annexation and caused notice of such hearing to be published and posted in accordance with RCW 35A.14.130, and the Public Hearing having been held on that date and all interested parties appearing at the hearing and desiring to be heard in regard to the proposed annexation; and

**WHEREAS**, on November 13, 2018, the City Council passed Resolution Number 18-1597 which determined that it is in the best interest of the City to annex the properties described on exhibit "A" and the annexation of the properties benefits the general welfare of the City's citizens by increasing the tax base of the City; and

**WHEREAS**, the annexation of property by a Code City is exempt from review under the State Environmental Policy Act pursuant to RCW 43.21C.222; and

**WHEREAS**, all statutory requirements having been complied with, a notice of intent to annex was accepted for review by the Benton County Boundary Review Board on January 17, 2019; and

**WHEREAS**, on February 12, 2019, the Benton County Boundary Review Board notified the City that per RCW 36.93.110, review by the Boundary Review board was not necessary, the City could proceed to annex the property; and

**WHEREAS**, the property was pre-zoned Residential Low Density District (RL) by Ordinance 18-3079;

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

**Section 1.** The following described real property is hereby annexed into and made a part of the City of Prosser, Washington:

SEE EXHIBIT AA@ ATTACHED HERETO AND INCORPORATED HEREIN

**Section 2.** All property within the territory annexed hereby shall be assessed and taxed at the same rate and on the same basis as property within the City, including assessments for taxes and payment of any bonds issued or debts contracted prior to or existing as of the date of annexation.

**Section 3.** From and after the effective date of this ordinance, the above described property shall be subject to all of the laws and ordinances then and thereafter in force and effect of the City of Prosser.

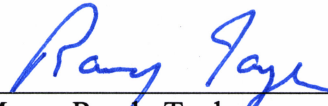
**Section 4.** The City Council hereby zones the property described in section 1 Residential Low Density District (RL). The City Council hereby adopts the recitals set forth above as additional findings.

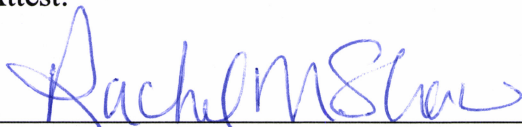
**Section 5.** City Staff is hereby authorized to negotiate with any solid waste provider a buy-out of their franchise rights to the area annexed. City Staff shall bring the amount of the buy-out back to the City Council for approval prior signing any agreement with such a provider, if any.


**Section 6. SEVERABILITY.** The provisions of this ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this ordinance shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid.

**Section 7.** This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

**PASSED** by the City Council and **APPROVED** by the Mayor this 12<sup>th</sup> day of March, 2019.

  
\_\_\_\_\_  
Mayor Randy Taylor

Attest:  
  
\_\_\_\_\_  
Rachel Shaw, City Clerk

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Howard Saxton, City Attorney

Publication Date: 3/20/2019



**Exhibit "A"**

**LEGAL DESCRIPTION OF REAL PROPERTY  
BELONGING TO DAVID AND TERESA STOCKDALE**

**Benton County Parcel Number 1-0284-301-2463-004**

Lot 4, Short Plat Number 2463, According to the Plat thereof Recorded under Benton County Auditor's Recording Number 1999-037650; Records of Benton County, State of Washington.

**SUMMARY OF ORDINANCE NO. 19-3083**

of the City of Prosser, Washington

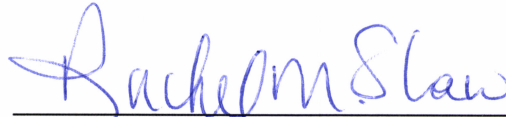
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On the 12<sup>th</sup> day of March, 2019, the City of Prosser, Washington, passed Ordinance No. 19-3083. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE ANNEXING AND ZONING REAL PROPERTY WITH PARCEL NUMBER 1-0284-301-2463-004 COMMONLY KNOWN AS 8815 S 1366 PR SW; MAKING THE PROVISIONS OF THE ORDINANCE SEVERABLE FROM ONE ANOTHER; SETTING FORTH THE EFFECTIVE DATE OF THE ORDINANCE; AND PROVIDING FOR PUBLICATION BY SUMMARY.

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

DATED this 12<sup>th</sup> day of March, 2019



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CITY CLERK, RACHEL SHAW