

ORDINANCE NO. 2019-1572

**AN ORDINANCE OF THE CITY OF CHELAN,
WASHINGTON ANNEXING CERTAIN REAL PROPERTY
INTO THE CITY OF CHELAN KNOWN AS THE CHELAN
FRUIT ANNEXATION; PROVIDING FOR THE
ASSUMPTION OF EXISTING INDEBTEDNESS AND
ZONING DESIGNATION; AND ESTABLISHING AN
EFFECTIVE DATE**

RECITALS

WHEREAS, Seven Acres Foundation and Real Life filed a “Notice of Intent to Commence Annexation Proceedings to the City of Chelan Washington” with the City on August 27, 2019 to annex the property they own into the City under the “10% Petition” method authorized by RCW 35A.14.020, *et. seq.*

WHEREAS, the City Council accepted the Notice of Intent to Annex on October 8, 2019, as proposed, without expanding the annexation boundary and described in *Exhibit A* (the “Annexation Area”) and depicted in *Exhibit B*. The Annexation Area would assume its share of the City’s indebtedness and the Annexation Area would be zoned as Single Family Residential, according to the City’s pre-annexation zoning map.

WHEREAS, subsequent to the City Council’s acceptance of the Notice of Intent to Annex, the owners of all properties within the Annexation Area (the “Property Owners”) agreed that the Annexation Area be annexed into the City, thereby converting the process of annexation into the “60% Petition Method” authorized by RCW 35A.14.120, *et. seq.*

WHEREAS, Chelan County Assessor issued a “Determination of Sufficiency of Petition for Annexation” for the Chelan Fruit Annexation on March 8, 2018, *Exhibit C*.

WHEREAS, on November 12, 2019, the City Council scheduled a public hearing for November 26, 2019 to afford interested persons to appear and voice approval or disapproval of the annexation of the Annexation Area into the City and directed the City’s Staff to provide notice of the public hearing;

WHEREAS, the City Council held the public hearing on November 26, 2019 and determined notice of the public hearing was properly given; and

WHEREAS, the City Council has carefully reviewed and considered the annexation of the Annexation Area, and finds that the best interest of the City will be served and that it is appropriate to good government of the City to annex the Annexation Area into the City.

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

Section 1. Incorporation of Recitals. The above recitals and the attached Exhibits are incorporated in and made a part of this Ordinance.

Section 2. Method of Annexation. The Annexation Area is annexed into the City under the “60% Petition Annexation Method” authorized by RCW 35A.14.120, *et seq.*

Section 3. Transfer of Water Rights. All water rights appurtenant to properties in the Annexation Area shall be transferred to the City at the time of development, under Chapter 13.40 of the Chelan Municipal Code.

Section 5. Assumption of Indebtedness. The properties within the Annexation Area shall be assessed and taxed at the same rate and on the same basis as the property within the City is assessed and taxed, to pay for all of the outstanding indebtedness of the City.

Section 6. Zoning Designation. The Annexation Area shall be zoned Single Family, as depicted in the official pre-annexation zoning map of the City. The Community Development Director shall insert the appropriate zoning for the Annexation Area on the official zoning map of the City on the effective date of this Ordinance.

Section 7. Publication. The Clerk shall cause the title of this Ordinance to be published in a newspaper of general circulation in the City and the City’s official newspaper and shall file a certified copy of this Ordinance with the Board of Commissioners for Chelan County.

Section 8. Effective Date. This Ordinance shall become effective thirty days after passage, approval and publication.

PASSED at the regular session of the City Council of the City of Chelan, Washington on December 17, 2019.

CITY OF CHELAN,

By: _____
MICHAEL COONEY, Mayor

ATTEST:

By: _____
PERI S. GALLUCCI, City Clerk

APPROVED AS TO FORM:

By: _____
QUENTIN D. BATJER, City Attorney

FILED WITH THE CITY CLERK: April 18, 2018
PASSED BY THE CITY COUNCIL: April 24, 2018
PUBLISHED: May 2, 2018
EFFECTIVE DATE: June 1, 2018
ORDINANCE NO. 2018-1539