

ORDINANCE NO. 1788

AN ORDINANCE OF THE CITY OF KETTLE FALLS, WASHINGTON, ANNEXING PARCEL 1925200 TO THE CITY OF KETTLE FALLS, WASHINGTON, PROVIDING FOR THE ASSUMPTION OF EXISTING CITY INDEBTEDNESS AND FIXING A TIME WHEN THE SAME SHALL BE EFFECTIVE.

WHEREAS, the Kettle Falls City Council in January 2020, received a notice of intention to commence annexation proceedings pursuant to the “direct petition” method of annexation, RCW 35A.14.120, for parcel # 1925200;

WHEREAS, on January 14, 2020, the City Council of the City of Kettle Falls, Washington held a public meeting with the annexation initiator pursuant to RCW 35A.14.120 and determined that the initiator could proceed to acquire a 60% petition for annexation pursuant to RCW 35A.14.120; and

WHEREAS, at its January 14, 2020 public meeting the City Council set the annexation area and further determined that the property subject to annexation would retain the same zoning designation, and assume the annexation area’s share of City indebtedness; and

WHEREAS, the owners of not less than 60% in value, according to the assessed valuation for general taxation of the property hereinafter described, signed the petition pursuant to RCW 35A.14.120 for the annexation of said area to the City of Kettle Falls, Washington; and

WHEREAS, the petition for annexation was delivered to the Stevens County Assessor, Stevens County Auditor, Stevens County Planning, and Stevens County Commissioners; and

WHEREAS, all owners of the territory described in Section 1 of this ordinance signed the petition; and

WHEREAS, the City provided public notice of the petition for annexation and has provided an opportunity for comment thereon by all interested citizens at a duly called and noticed public hearing; and

WHEREAS, on August 18, 2020, pursuant to proper notice given in accordance with RCW 35A.14.130, the council conducted a public hearing on the proposed annexation, and following such hearing the City Council reviewed all documentation associated with this annexation proposal, conducted a public hearing on the proposed annexation in accordance with RCW 35A.14.140, and following such hearing determined to effect the annexation of the territory described in Section 1 of this ordinance, finding that the petition for annexation met the applicable requirements, and that the best interests of the City of Kettle Falls, Washington will be served by the annexation and that it is appropriate to and therefore accepted the petition for annexation pursuant to RCW 35A.14.120; and

WHEREAS, the territory described in Section 1 of this ordinance is contiguous to the City of Kettle Falls, Washington and entirely within the City of Kettle Falls Urban Growth Area,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KETTLE FALLS, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Annexation. The following described parcel and rights-of-ways are hereby annexed to and made a part of the City of Kettle Falls, Washington, to wit:

Parcel #1925200

That portion of the NW ¼ of the SE ¼ of Section 19, Township 36 North, Range 38 East, W.M., in Steven County, Washington, described as follows:

From the intersection of North right of way line of Old Highway #3206 and East line of NW ¼ of the SE ¼ said Section 19; South 70°13'29" West 285.12 feet to point of beginning; thence North 0°34;26: West 220.65 feet; thence North 86°53;42: West 196.60 feet; thence South 0°24;27: East 301.90 feet to North right of way of said Highway #3206; thence North 70°13'29" East 208.69 feet; more or less, along the North right of way to point of beginning.

Designated as Lot 3 on Amended Short Plat SP 19-75, recorded under Auditor's File No. 456411.

And a portion of the NW1/4 of the SE1/4 of Section 19, Township 36 North, Range 38 East, W.M. in Stevens County, Washington, lying North of County Road No. 3206, as per record of Survey, under Auditor's File No. 8703807, more particularly described as follows:

Commencing at the North line of the County Road No. 3206 and the East line of the NW ¼ of the SE ¼ of said Section 19; thence South 67°56;49: West 495.66 feet along said North line of the County Road to the true point of beginning. Thence South 67°56'49" West 15.41 feet to a 1 ½ inch Iron pipe; thence North 2°39;48: West 302.02 feet to a 1 ½ inch iron pipe; thence South 89°07'34" East 16.65 feet; thence south 02°14'57" East 295.74 feet to the point of beginning.

EXCEPT a portion of the NW ¼ of the SE ¼ of said Section 19, lying North of County Road #3206, as per record of Survey under Auditor's File No. 8703807, described as follows:

Commencing at the North line of County Road #3206 and the East line of the NW ¼ of the SE ¼ of said Section 19, thence South 67°56'49" West 495.66 feet along said North line of County Road #3206; thence North 02°14'57" West 295.74 feet to point of beginning; thence South 89°07'34" East 179.95 feet to a ½ inch iron pipe per Short Plat, Book A, page 22; thence North 02°49'47" West 10.69 feet; thence North 89°07'04" West 179.84 feet; thence South 02°14'57" East 10.71 feet to the point of beginning.

Section 2. Assessment and Taxation. 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 Kettle Falls, Washington is assessed and taxed to pay for any outstanding indebtedness of the City of Kettle Falls, Washington as presently adopted or as is hereafter amended.

Section 3. Zoning. All property within the territory so annexed as described in Section 1 of this ordinance shall retain its current zoning designation.

Section 4. Transmittal and Filing. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this ordinance.

PASSED by vote of the Council present this ____ day of August, 2020.

Approved:

John Ridlington, Mayor

Attest:

Raena L. Hallam, Clerk/Treasurer
Approved as to form:

Logan Worley, City Attorney