

**CITY OF NEWPORT, WASHINGTON
ORDINANCE NUMBER 2107**

AN ORDINANCE UNDER RCW 35A.14.120 AND 36.70B.170 PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY TO THE CITY OF NEWPORT, WASHINGTON; COMMONLY KNOWN AS THE "CLARK ANNEXATION"; PROVIDING FOR THE ASSUMPTION OF EXISTING INDEBTEDNESS; ADOPTING THE COMPREHENSIVE LAND USE PLAN AND ZONING DESIGNATION OF SAID REAL PROPERTY.

WHEREAS, the City of Newport received an Annexation/Zoning Application (attached hereto as Exhibit A) to annex a single parcel of approximately 6.79 acres within the City's Urban Growth Area (the "Clark Annexation"), lying contiguous to the City's boundary on March 10, 2022, signed by CT Property Partners LLC, which owns not less than 60 percent (60%) in assessed valuation of the property proposed for annexation to the City of Newport; and

WHEREAS, the real property proposed to be annexed is more particularly described as:

The North Half of Government Lot 5 in Section 19, Township 31 North, Range 46 E.W.M., Pend Oreille County, Washington. EXCEPT, the parcel of land known as Tax 9, more particularly described as follows: Beginning at the Northwest corner of Government Lot 5; thence East 80 feet; thence South 150 feet parallel with the West line of Government Lot 5; thence West 80 feet to the West line of Government Lot 5; thence North 150 feet to the point of beginning.

Parcel Number: #463119050001 as depicted in the attached Exhibit A; and

WHEREAS, the Clark Annexation application included a request to designate the zoning of the annexed property as Medium Density Residential Multifamily (R-2), consistent with the City Comprehensive Plan land use designation of Housing, and consistent with the current Pend Oreille County zoning designation as Urban Residential 3; and

WHEREAS, RCW 35A.14.120 authorizes the City Council to annex into the City unincorporated territory lying contiguous to the City's boundary; and

WHEREAS, the City Council approved by motion the City staff to proceed with the Clark Annexation on April 4, 2022; and

WHEREAS, the Planning Commission, after required public notice, held a public hearing on September 26, at 5:30 PM in the Newport Council Chambers of Newport City Hall to receive public input on the proposed annexation; and

WHEREAS, public comment was received during the public hearing; and

WHEREAS, the City Council deems the annexation of the Clark Annexation to the City of Newport and designation of said annexed property as Medium Density Residential (R-2) to be in the best interest of the City and its citizens; and

NOW, THEREFORE, The City Council of the City of Newport, Washington, do ordain as follows:

Section 1: The foregoing recitals are incorporated into this Ordinance as if set forth in full.

Section 2: That the real estate situated in Pend Oreille County, contiguous to the City of Newport, as depicted in the map included in Exhibit A is hereby annexed to and incorporated in the City of Newport:

Section 3: All real property annexed shall hereinafter be assessed and taxed at the same rate and on the same basis as the other real property within the City to pay for any outstanding indebtedness of the City of Newport including indebtedness contracted prior to or existing at the date of annexation. No real property herein annexed shall be released from any outstanding indebtedness levied against it prior to said annexation.

Section 4: That a copy of this ordinance together with the map depicting the real property to be annexed in Exhibit A shall be recorded and filed with the Pend Oreille County Auditor, the Pend Oreille County board of commissioners per RCW 35.13.150, and other local and state offices in the manner required by law.

Section 5: That the annexed real property is hereby made subject the City of Newport's Comprehensive Plan and Zoning Code.

Section 6: That the annexed real property is zoned Medium Density Residential (R-2) as set forth in the City's Zoning Code and subject to the provisions of the City's Zoning Code.

Section 7: This Ordinance shall be published in the official newspaper of the City of Newport after passage.

Section 8: The provisions of this Ordinance are declared separate and severable. If any provision of this ordinance or its application to any person or circumstances is held invalid, the remainder of this ordinance or application of the provision to other persons or circumstances, shall be unaffected.

Section 9: This ordinance shall take effect and be in full force five (5) days after passage and publication, as provided by law.

Approved by the Newport City Council at a regular meeting thereof on the 7th of November 2022.

Mayor Keith Campbell

Attest/Authenticated:

Approved as to form:

Kendell Froese, City Attorney

EXHIBIT A

LEGAL DESCRIPTION: The North Half of Government Lot 5 in Section 19, Township 31 North, Range 46 E.W.M., Pend Oreille County, Washington.

EXCEPT, the parcel of land known as Tax 9, more particularly described as follows:

Beginning at the Northwest corner of Government Lot 5; thence East 80 feet; thence South 150 feet parallel with the West line of Government Lot 5; thence West 80 feet to the West line of Government Lot 5; thence North 150 feet to the point of beginning.

