

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-07
Richland, WA 99352

ORDINANCE NO. 2023-21

AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, ANNEXING APPROXIMATELY 1,641 ACRES, TO BE KNOWN AS THE NORTHWEST ADVANCED CLEAN ENERGY PARK (FORMERLY THE NORTH HORN RAPIDS INDUSTRIAL PARK), LOCATED WITHIN PORTIONS OF SECTIONS 3, 4, 9, 10, 15 & 16, TOWNSHIP 10 NORTH, RANGE 28 EAST AND PORTIONS OF SECTIONS 33 & 34, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, PROVIDING FOR ASSUMPTION OF EXISTING CITY INDEBTEDNESS, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF RICHLAND.

WHEREAS, the City received a notice of intent to annex from the City of Richland's Economic Development Office representing owners of real property described as Assessor's Tax Parcel Nos. 1-1008-100-0001-003, 1-1008-100-0001-004, 1-0308-400-0001-000, 1-3418-300-0001-000, 1-0308-100-0001-000 and 1-3418-300-0002-000, the value of which constituted 100% of the proposed annexation area and so qualified to commence annexation proceedings for annexation into the City of Richland; and

WHEREAS, on September 6, 2022, a meeting was held between the initiating party of this annexation and the Richland City Council, at which time the Council adopted Resolution No. 2022-111, accepting the notice of intention to commence annexation proceedings for the real property legally described in **Exhibit A** attached hereto, subject to simultaneous adoption of the Comprehensive Plan for the proposed annexation area, and the assumption of the appropriate share of all existing City indebtedness; and

WHEREAS, Resolution No. 2022-111 further authorized and directed the Richland Planning Commission to develop and forward a recommendation to the Richland City Council as to the most appropriate zoning designation for the area proposed to be annexed; and

WHEREAS, the Richland Planning Commission held a public hearing on January 25, 2023 to consider an appropriate zoning designation for the proposed annexation area, and recommended adoption of Heavy Manufacturing (M-2) zoning for the property; and

WHEREAS, on February 21, 2023, Richland City Council adopted Resolution No. 2023-24, authorizing the circulation of an annexation petition for annexation of the real property legally described in **Exhibit A** attached hereto; and

WHEREAS, a petition was circulated and signed by the property owners representing 100% of the assessed value of the proposed annexation area, thereby exceeding the state requirement that owners representing at least sixty percent (60%) of the value of the proposed annexation area petition the City for annexation, with such value determined according to the assessed valuation for general taxation; and

WHEREAS, the Richland City Council held a public hearing to consider the annexation on September 5, 2023, which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation and through the mailing of notice to all property owners within the annexation area, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, the matter was duly considered by the Richland City Council, and the Council has determined that the annexation would be of general benefit to the residents of the City of Richland.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. The real property legally described in **Exhibit A** attached hereto is hereby annexed to the City of Richland and is hereby declared to be within the corporate limits of the City of Richland, Benton County, Washington (the “Annexed Area”).

Section 2. The Richland Comprehensive Plan adopted October 3, 2017 by passage of Ordinance No. 45-17, as amended, shall serve as the comprehensive plan for the Annexed Area. All property within the annexation shall be designated as “Industrial” under the land use map that is part of the Richland Comprehensive Plan.

Section 3. It is hereby found, as an exercise of the City’s police power, that the best zoning for the properties included in the Annexed Area shall be Heavy Manufacturing (M-2) as depicted on **Exhibit B**, attached hereto, when consideration is given to the interest of the general public.

Section 4. The property within the Annexed Area shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments or taxes in payment for all or of any portion of the outstanding indebtedness of the City, approved by the voters, contracted, or incurred prior to, or existing at the date of annexation.

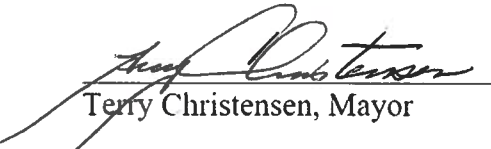
Section 5. Title 23 of the City of Richland Municipal Code and the Official Zoning Map of the City as adopted by Section 23.08.040 of said title are hereby amended by creating new Sectional Map No. 25 and amending Sectional Map Nos. 1, 3 and 4, all of which are part of a series of maps constituting said Official Zoning Map, as shown on the attached **Exhibit B** bearing the numbers 1, 3, 4 and 25 together with the number and date of passage of this Ordinance, and by this reference made a part of this Ordinance and of the Official Zoning Map of the City.

Section 6. The City Clerk is directed to file a copy of this annexation with the Board of Commissioners of Benton County and the State of Washington in the manner required by law. The City Clerk is also directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance, and shall attach the amended sectional map, as necessary, and an amended Annexation map, all duly certified by the City Clerk as true copies.

Section 7. As authorized and required by RCW 35.13.280, the City shall negotiate a new franchise with the solid waste collection service provider currently serving the Annexed Area on terms that are acceptable to the City and that comply with the City's Solid Waste Management Plan.

Section 8. This Ordinance shall take effect on the day following its publication in the official newspaper of the City of Richland.

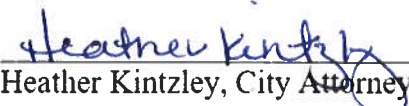
PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 19th day of September, 2023.


Terry Christensen, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to Form:


Heather Kintzley, City Attorney

First Reading: September 5, 2023

Second Reading: September 19, 2023

Date Published: September 24, 2023

EXHIBIT A

Legal Description for Proposed 1,643-Acre Northwest Advanced Clean Energy Park Annexation (Formerly the North Horn Rapids Industrial Park)

The 1,643-Acre Northwest Advanced Clean Energy Park annexation consists of the following:

THOSE PARCELS DEPICTED AS PARCEL A, PARCEL B, PARCEL C, AND PARCEL D ON THAT RECORD OF SURVEY 5069, RECORDED UNDER AUDITOR'S FILE NUMBER 2018-029107 AND FURTHER DESCRIBED AS FOLLOWS:

ENERGY NORTHWEST

Parcels 103081000001000 & 134183000002000

(PARCEL A AS DESCRIBED ON RECORD OF SURVEY 5069)

THAT PORTION OF TRACT 37 OF THE BLM DEPENDENT RESURVEY OF PORTIONS OF TOWNSHIP 10 AND 11 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, ACCORDING TO THE OFFICIAL PLAT THEREOF, APPROVED FEBRUARY 6, 2018, BY THE BLM OFFICE OF CADASTRAL SURVEYS, PORTLAND, OREGON. SAID PORTION OF TRACT 37 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BLM MONUMENT MARKING ANGLE POINT 19 (AP19) OF TRACT 37 OF SAID SURVEY (SAID POINT ALSO BEING THE NORTHWEST CORNER OF TRACT 38 (AP2) OF SAID SURVEY, SAID POINT BEARS SOUTH 41°32'53"EAST, 2046.25 FEET FROM THE NORTHWEST CORNER OF SECTION 3, OF SAID TOWNSHIP 10 NORTH, RANGE 28 EAST); THENCE NORTH 89°55'49" EAST, 3819.30 FEET ALONG THE NORTH LINE OF SAID TRACT 38 TO A BLM MONUMENT MARKING THE NORTHEAST CORNER OF SAID TRACT 38 (AP1); THENCE NORTH 00°49'09" WEST, 2989.90 FEET ALONG THE EAST LINE OF SAID TRACT 37 TO A BLM WITNESS POINT MONUMENT; THENCE CONTINUING ALONG SAID LINE, NORTH 00°49'19" WEST, 446.90 FEET; THENCE LEAVING SAID EAST LINE, SOUTH 89°55'49" WEST, 3786.13 FEET; THENCE SOUTH 00°15'59" EAST, 3436.53 FEET TO ANGLE POINT 19 (AP19) OF SAID TRACT 37 AND **THE TRUE POINT OF BEGINNING.**

CONTAINING 300.00 ACRES MORE OR LESS.

PORT OF BENTON

Parcels 103084000001000 & 134183000001000

(PARCEL B OF DEED RECORDED UNDER AFN: 2019-018734)

THAT PORTION OF TRACT 37 OF THE BLM DEPENDENT RESURVEY OF PORTIONS OF TOWNSHIP 10 AND 11 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, ACCORDING TO THE OFFICIAL PLAT THEREOF, APPROVED FEBRUARY 6, 2018, BY THE BLM OFFICE OF CADASTRAL SURVEYS, PORTLAND, OREGON. SAID PORTION OF TRACT 37 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BLM MONUMENT MARKING THE NORTHWEST CORNER OF TRACT 37 (*ANGLE POINT 16*) OF SAID SURVEY; THENCE NORTH 85° 26' 55" EAST, 2675.68 FEET ALONG THE NORTH LINE OF SAID TRACT 37 TO AN ALUMINUM CAP MARKED "BLM WP"; THENCE NORTH 85°27'10" EAST, 2675.63 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID TRACT 37 (*ANGLE POINT 17*); THENCE

SOUTH 00°49'19" EAST, 2111.61 FEET ALONG THE EAST LINE OF SAID TRACT 37; THENCE LEAVING SAID LINE, SOUTH 89°55'49" WEST, 3786.13 FEET; THENCE SOUTH 00°15'59" EAST, 3436.53 FEET TO THE NORTHWEST CORNER OF TRACT 38 (*ANGLE POINT 2*) OF SAID SURVEY; (*SAID POINT BEING IDENTICAL WITH ANGLE POINT 19, TRACT 37*) THENCE CONTINUING SOUTH 00°15'59" EAST, 4101.78 FEET ALONG THE WEST LINE OF TRACT 38 TO ANGLE POINT 3 OF SAID TRACT 38; (*SAID POINT BEING IDENTICAL WITH ANGLE POINT 20 OF SAID TRACT 37*); THENCE SOUTH 89°34'39" WEST, 1555.00 FEET TO THE WEST LINE OF SAID TRACT 37; THENCE NORTH 00°21'50" WEST, 377.97 FEET ALONG SAID WEST LINE TO A BLM MONUMENT STAMPED "WP2"; THENCE CONTINUING NORTH 00°21'53" WEST, 3410.37 FEET TO A BLM MONUMENT STAMPED "WP3"; THENCE CONTINUING NORTH 00°21'43" WEST, 3289.12 FEET ALONG THE WEST LINE TO A BLM MONUMENT STAMPED "WP4"; THENCE CONTINUING NORTH 00°21'57" WEST, 2163.99 FEET ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID TRACT 37 AND **THE TRUE POINT OF BEGINNING.**

CONTAINING 503.89 ACRES MORE OR LESS.

PORT OF BENTON

Parcel 110081000001004

(PARCEL C OF DEED RECORDED UNDER AFN: 2019-018734)

THAT PORTION OF TRACT 37 OF THE BLM DEPENDENT RESURVEY OF PORTIONS OF TOWNSHIP 10 AND 11 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, ACCORDING TO THE OFFICIAL PLAT THEREOF, APPROVED FEBRUARY 6, 2018, BY THE BLM OFFICE OF CADASTRAL SURVEYS, PORTLAND, OREGON. SAID PORTION OF TRACT 37 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BLM MONUMENT MARKING ANGLE POINT 20 (AP20), TRACT 37 OF SAID SURVEY (*SAID POINT BEING IDENTICAL WITH ANGLE POINT 3 (AP3) OF TRACT 38 OF SAID SURVEY, WHICH POINT BEARS SOUTH 00°15'59 " EAST, 4101.78 FEET FROM ANGLE POINT 19 (AP 19) OF SAID TRACT 37*); THENCE SOUTH 45°45'03" EAST, 1801.02 FEET ALONG THE SOUTHWESTERLY LINE OF TRACT 38 OF SAID SURVEY TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING SOUTH 45°45'03 " EAST, 575.68 FEET TO A BLM MONUMENT "WP TR38/TR37"; THENCE CONTINUING SOUTH 45°44'49" EAST, 2376.72 FEET ALONG SAID LINE TO ANGLE POINT 21 (AP21) OF SAID TRACT 37 (*SAID POINT BEING IDENTICAL WITH ANGLE POINT 4 OF SAID TRACT 38*); THENCE NORTH 89°58'15" EAST, 420.91 FEET TO ANGLE POINT 22 (AP22) AND THE EAST LINE OF SAID TRACT 37 (*SAID POINT BEING IDENTICAL WITH ANGLE POINT 5 (AP5) OF SAID TRACT 38*); THENCE SOUTH 00°27'34" EAST, 3741.20 FEET ALONG THE EAST LINE OF SAID TRACT 37 TO ANGLE POINT 23 (AP23); THENCE SOUTH 01°16'02" WEST, 409.57 FEET ALONG THE EAST LINE TO THE MOST SOUTHEASTERLY CORNER OF SAID TRACT 37 (*ALSO KNOWN AS ANGLE POINT 1(AP1) OF SAID TRACT 37*); THENCE SOUTH 89°46'43" WEST, 77.68 FEET ALONG THE SOUTH LINE OF SAID TRACT TO A BLM MONUMENT WP TR37 SEC. 15; THENCE SOUTH 89°43'55" WEST, 1812.56 FEET ALONG SAID SOUTH LINE TO ANGLE POINT 2 (AP2) OF SAID TRACT; THENCE LEAVING SAID SOUTH LINE, NORTH 00°00'32" WEST, 1853.05 FEET TO ANGLE POINT 3 (AP3) OF SAID TRACT; THENCE SOUTH 89°59'57" WEST, 566.33 FEET TO THE NORTH-SOUTH CENTERLINE OF SECTION 15 OF SAID TOWNSHIP 10 NORTH, RANGE 28 EAST; THENCE NORTH 01°18'31" WEST, 709.42 FEET TO A BLM MONUMENT MARKING THE NORTH ONE-QUARTER CORNER OF SAID SECTION 15; THENCE CONTINUING NORTH 01°18' 33" WEST, 3657.99 FEET **TO THE TRUE POINT OF BEGINNING.**

CONTAINING 260.11 ACRES MORE OR LESS

CITY OF RICHLAND

Parcel 110081000001003

(PARCEL D OF DEED RECORDED UNDER AFN: 2019-018735)

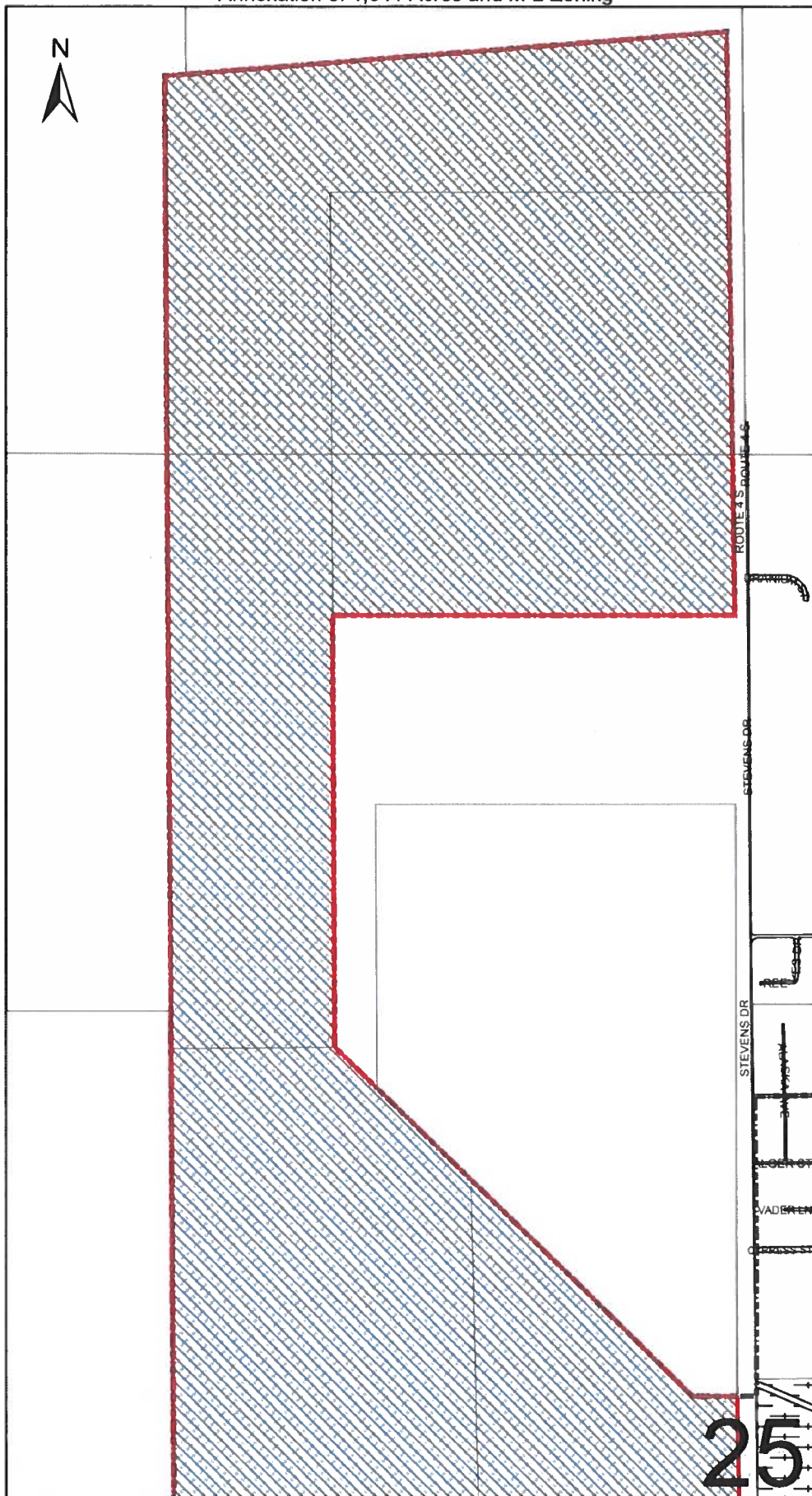
THAT PORTION OF TRACT 37 OF THE BLM DEPENDENT RESURVEY OF PORTIONS TOWNSHIP 10 AND 11 N, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, ACCORDING TO THE OFFICIAL PLAT THEREOF, APPROVED FEBRUARY 6, 2018, BY THE BLM OFFICE OF CADASTRAL SURVEYS, PORTLAND, OREGON. SAID PORTION OF TRACT 37 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BLM MONUMENT MARKING ANGLE POINT 20 (AP20), TRACT 37 OF SAID SURVEY (*SAID POINT BEING IDENTICAL WITH ANGLE POINT 3 (AP3) OF TRACT 38 OF SAID SURVEY, WHICH POINT BEARS SOUTH 00°15'59" EAST, 4101.78 FEET FROM ANGLE POINT 19 (AP19) OF SAID TRACT 37*); THENCE SOUTH 45°45'03" EAST, 1801.02 FEET ALONG THE SOUTHWESTERLY LINE OF TRACT 38 OF SAID SURVEY; THENCE SOUTH 01°18'33" EAST, 3657.99 FEET TO A BLM ALUMINUM MONUMENT MARKING THE SOUTH ONE-QUARTER CORNER OF SECTION 10 OF SAID TOWNSHIP 10 NORTH, RANGE 28 EAST; THENCE CONTINUING SOUTH 01°18'31" EAST, 709.42 FEET TO LINE AP3-AP4 OF TRACT 37 OF SAID SURVEY; THENCE SOUTH 89°59'57" WEST, 1117.97 FEET ALONG SAID LINE TO A BLM MONUMENT MARKING ANGLE POINT 4 (AP4) OF SAID TRACT; THENCE SOUTH 00°00'14" WEST, 1860.73 FEET TO A BLM MONUMENT MARKING ANGLE POINT 5 (AP5) OF SAID TRACT; THENCE SOUTH 89°43'55" WEST, 1604.94 FEET ALONG THE SOUTH LINE OF SAID TRACT TO A BLM MONUMENT MARKING ANGLE POINT (AP6) OF SAID TRACT; THENCE NORTH 00°18'01" EAST, 1436.06 FEET ALONG SAID TRACT TO A BLM MONUMENT MARKING ANGLE POINT 7 (AP7) OF SAID TRACT; THENCE SOUTH 89° 54'27" WEST, 1612.56 FEET TO A BLM MONUMENT MARKING ANGLE POINT 8 (AP8) OF SAID TRACT; THENCE SOUTH 00°12'17" EAST, 1440.92 FEET TO A BLM MONUMENT MARKING ANGLE POINT 9 (AP9) OF SAID TRACT; THENCE SOUTH 89°44'16" WEST, 889.48 FEET TO A BLM MONUMENT MARKING ANGLE POINT 10 (AP10) OF SAID TRACT; THENCE NORTH 01°03'43" WEST, 503.20 FEET TO A BLM MONUMENT MARKING ANGLE POINT 11 (AP11) OF SAID TRACT; THENCE NORTH 89°59'43" WEST, 823.01 FEET TO BLM MONUMENT MARKING ANGLE POINT 12 (AP12) OF SAID TRACT; THENCE NORTH 00°00'36" WEST, 2032.02 FEET TO ANGLE POINT 13 (AP13) OF SAID TRACT; THENCE CONTINUING NORTH 00°00'38" EAST, 446.43 FEET TO ANGLE POINT 14 (AP14) OF SAID TRACT; THENCE SOUTH 88°51'16" EAST, 3129.85 FEET TO ANGLE POINT 15 (AP15) ON THE WEST BOUNDARY OF SAID TRACT (*SAID POINT BEARS NORTH 37°13'18" WEST, 428.71 FEET FROM THE BLM MONUMENT MARKING THE CORNER OF SECTIONS 9-10-15-16 OF SAID TOWNSHIP 10 NORTH, RANGE 28 EAST*); THENCE NORTH 00°21'49" WEST, 2470.20 FEET ALONG SAID WEST BOUNDARY TO A BLM MONUMENT STAMPED "WP1"; THENCE CONTINUING ALONG SAID BOUNDARY, NORTH 00°21'50" WEST, 2102.20 FEET; THENCE LEAVING SAID WEST BOUNDARY, NORTH 89°34'39" EAST, 1555.00 FEET TO ANGLE POINT 20 (AP20) **AND THE TRUE POINT OF BEGINNING.**

CONTAINING 577.25 ACRES MORE OR LESS.

These descriptions include the following Benton County Parcel Identification Numbers:

110081000001003	134183000001000
110081000001004	103081000001000
103084000001000	134183000002000



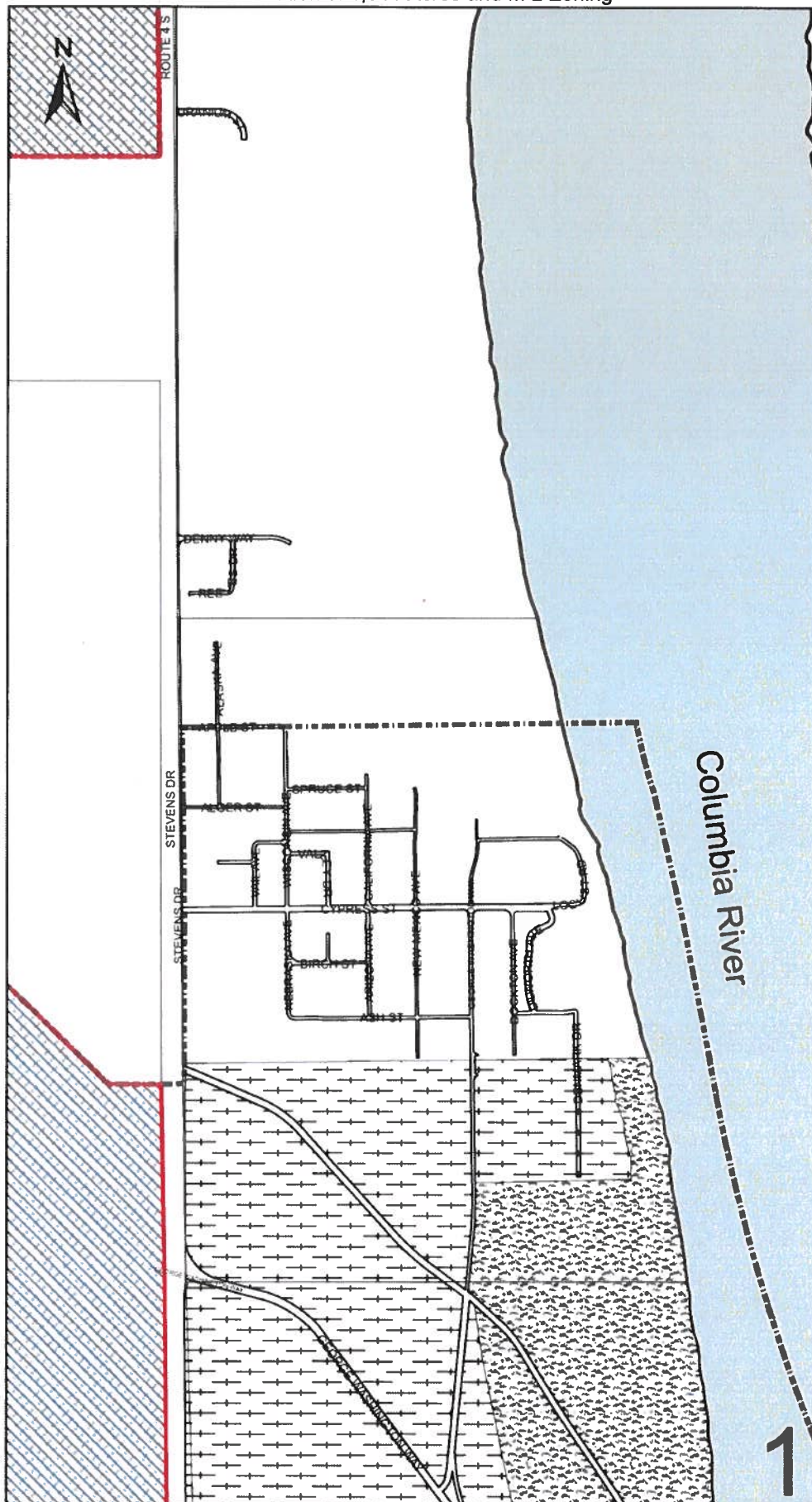


Exhibit B - Pg. 3 to Ordinance No. 2023-21 Approved 09/19/2023
Annexation of 1,641 Acres and M-2 Zoning

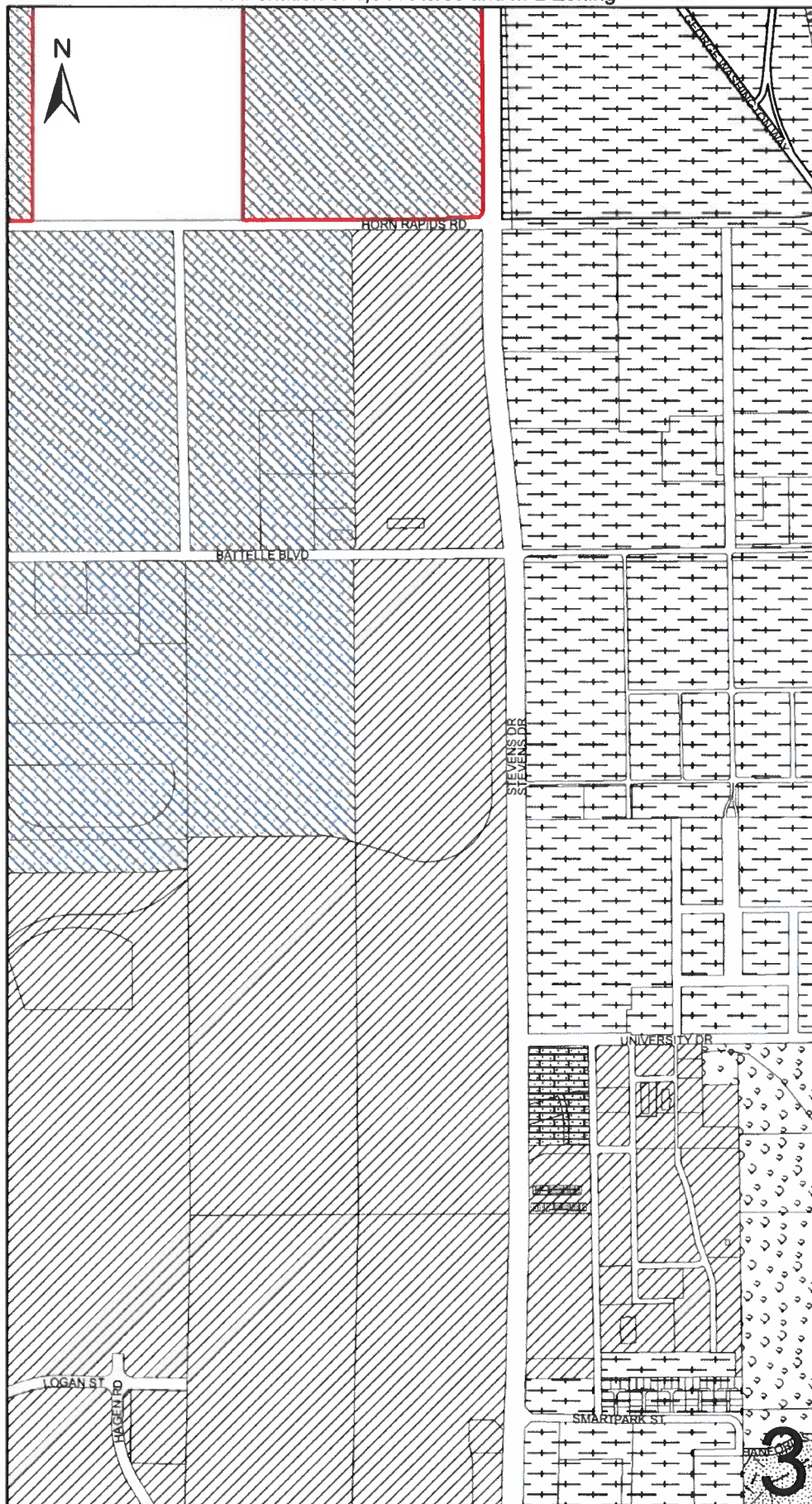


Exhibit B - Pg. 4 to Ordinance No. 2023-21 Approved 09/19/2023
Annexation of 1,641 Acres and M-2 Zoning

