

ORDINANCE 2023-1017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE SKOCILICH AND HABITAT FOR HUMANITY ANNEXATION AREA TO THE CITY PURSUANT TO THE PETITION METHOD, SAID ANNEXATION AREA BEING LEGALLY DESCRIBED AS SET FORTH IN EXHIBIT "A" TO THIS ORDINANCE AND DEPICTED IN THE MAP, EXHIBIT "B" TO THIS ORDINANCE; DESIGNATING THE ZONING OF THE ANNEXATION AREA; APPROVING THE TITLE AND EXHIBIT "A" AS THE SUMMARY OF THE ORDINANCE; CONTAINING A SEVERABILITY PROVISION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, petitioners, 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, prior to initiation of their petition, notified the City Council of their intention to commence annexation proceedings for the area commonly known as the Skocilich and Habitat for Humanity Annexation Area to the City of Deer Park ("City"); and

WHEREAS, the City Council met with said initiating owners and determined by Council action that the City would accept the proposed annexation providing that existing City indebtedness shall be assumed by the area to be annexed and further providing that the City's Comprehensive Plan shall be deemed to apply to the area upon such annexation; and

WHEREAS, a sufficient petition for annexation was subsequently filed with the City Council pursuant to RCW 35A.14.120, signed by the owners of not less than 60 percent in value, according to the assessed valuation for general taxation, of the property for which annexation is petitioned, seeking annexation to the City of the property contiguous to the City and described in Exhibit "A" and as shown on Exhibit "B" to this Ordinance; and

WHEREAS, pursuant to RCW 35A.14.130, the City fixed August 2, 2023, at the hour of 7:00 PM as the date and time for a public hearing on said proposed annexation and caused notice of such hearing to be published and posted in accordance with the law, and the hearing having been held on that date and all interested parties appearing at said hearing and desiring to be heard in regard to the proposed annexation having been heard by the Council; and

WHEREAS, having considered the foregoing matters, the City Council determined that the best interest and general welfare of the City and adjacent territory would be served by annexing the Skocilich and Habitat for Humanity Annexation Area to the City; and

WHEREAS, the City Council finds that approval of this Ordinance is in the best interest of the health, safety, morals, and general welfare of the citizens of the City and the citizens of the annexation area; **NOW THEREFORE**,

THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Annexation. The territory that is contiguous and adjacent to the present corporate limits of the City of Deer Park and commonly known as the Skocilich and Habitat for Humanity Annexation Area that is legally described in Exhibit "A" attached hereto and depicted on the map, Exhibit "B", attached hereto (hereinafter the "Annexation Area"), should be and hereby is annexed to and made a part of the City of Deer Park.

Section 2. Zoning. Zoning of the Annexation Area shall be Diversified Commercial (C-D), the zoning depicted in the official pre-annexation zoning map of the City and the zoning identified

in the 60 percent petition for annexation. The City Director of Community Services is directed to insert this zoning for the Annexation Area on the official zoning map of the City when this Ordinance becomes effective.

Section 3. Taxation. The territory annexed by this Ordinance shall be assessed and taxed at the same rate and upon the same basis as the land now located in the City of Deer Park, Washington.

Section 4. City Indebtedness. The territory annexed by this Ordinance shall be subject to and assume all current City indebtedness on the same basis as other land located in the City.

Section 5. Summary. The title of this Ordinance and Exhibit "A" to this Ordinance collectively are hereby approved as a summary of this Ordinance.

Section 6. Publication. The City Clerk is hereby directed to cause a summary of this Ordinance to be published in a newspaper of general circulation in the City and the City's official newspaper. The City Clerk is further directed to file certified copies of this Ordinance with the Board of Commissioners for Spokane County, the Spokane County Auditor, and the Spokane County Assessor.

Section 7. Severability. If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 8. Effective Date. This Ordinance shall take effect and be in full force five (5)

days after publication of a summary of this Ordinance.

APPROVED BY THE CITY COUNCIL OF THE CITY
OF DEER PARK AT AN OPEN PUBLIC MEETING
THE 16th DAY OF August
2023.



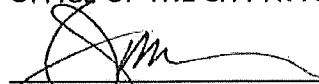
Tim Verzal, Mayor

ATTEST/AUTHENTICATED:



Deby Cragun, City Clerk-Treasurer

Approved as to form:
OFFICE OF THE CITY ATTORNEY



Charles D. Zimmerman

FILED WITH THE CITY CLERK:	<u>8/10/2023</u>
PASSED BY THE CITY COUNCIL:	<u>8-16-2023</u>
PUBLISHED:	<u>8-18-2023</u>
EFFECTIVE DATE:	<u>8-25-2023</u>
ORDINANCE NO.:	<u>2023-1017</u>

**SUMMARY OF ORDINANCE NO. 2023-1017
OF THE CITY OF DEER PARK, WASHINGTON**

On the 16th day of August, 2023, the City Council of the City of Deer Park, passed Ordinance No. 2023-1017. A summary of the content of said Ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE SKOCILICH AND HABITAT FOR HUMANITY ANNEXATION AREA TO THE CITY PURSUANT TO THE PETITION METHOD, SAID ANNEXATION AREA BEING LEGALLY DESCRIBED AS SET FORTH IN EXHIBIT "A" TO THIS ORDINANCE AND DEPICTED IN THE MAP, EXHIBIT "B" TO THIS ORDINANCE; DESIGNATING THE ZONING OF THE ANNEXATION AREA; APPROVING THE TITLE AND EXHIBIT "A" AS THE SUMMARY OF THE ORDINANCE; CONTAINING A SEVERABILITY PROVISION; AND PROVIDING AN EFFECTIVE DATE.

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

DATED this 17th day of August, 2023.



Deby Cragun, Clerk-Treasurer

EXHIBIT A

28112.9125 / HABITAT FOR HUMANITY:

ALL THAT PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN, LYING WEST OF DALTON ROAD AND LYING EASTERLY OF GREAT NORTHERN RAILWAY CO. RIGHT-OF-WAY;

EXCEPT THAT PORTION LYING WITHIN THE BOUNDS OF THE GREAT NORTHERN RAILWAY COMPANY RIGHT-OF-WAY;

EXCEPT THE NORTH 602 FEET THEREOF;

EXCEPT THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 11;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

28112.9124 / SKOCILICH, MARK & LAURIE:

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT DALTON ROAD;

EXCEPT THE GREAT NORTHERN RAILROAD RIGHT-OF-WAY;

AND EXCEPT THAT PORTION LYING NORTHEASTERLY OF THE GREAT NORTHERN RAILROAD RIGHT-OF-WAY;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

28113.9120 / SKOCILICH, MARK & LAURIE:

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER LYING EASTERLY OF P.S.H. NO. 3;

TOGETHER WITH THAT PORTION OF THE NORTH HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, INCLUDING THAT PORTION OF VACATED INLAND EMPIRE HIGHWAY NO. 13A, LYING WITHIN SAID WEST HALF;

EXCEPT THAT PORTION LYING EAST OF DALTON ROAD;

ALSO TOGETHER WITH THAT PORTION OF THE NORTH HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER LYING WESTERLY OF DALTON ROAD ALL IN SECTION 11, TOWNSHIP 28 NORTH, RANGE 42 EAST OF THE WILLIAMETTE MERIDIAN

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

28113.9122 / SKOCILICH, MARK & LAURIE:

THAT PORTION OF THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN, LYING EASTERLY OF PRIMARY STATE HIGHWAY NO. 3 AND WESTERLY OF DALTON ROAD;

EXCEPT THAT PORTION LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER;
THENCE WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION, 267.80 FEET;
THENCE NORTH 139.84 FEET TO THE EAST LINE OF PRIMARY STATE HIGHWAY NO. 3;
THENCE CONTINUING NORTH ALONG THE EAST LINE OF SAID HIGHWAY, 1,185.07 FEET, TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 89°45'34" EAST, 444.03 FEET TO A POINT ON THE WEST LINE OF DALTON ROAD;
THENCE NORTH 15°41'24" WEST, 118.81 FEET TO THE BEGINNING OF A CURVE HAVING A CENTRAL ANGLE OF 15°15' AND A RADIUS OF 1,432.5 FEET;
THENCE NORTHERLY ALONG SAID CURVE, 220.40 FEET TO A POINT;
THENCE NORTH 89°51'51" WEST, 200.00 FEET TO A POINT;
THENCE NORTH 0°33'12" EAST, 140.00 FEET TO A POINT;
THENCE NORTH 89°51'51" WEST, 449.54 FEET TO A POINT ON THE EAST LINE OF HIGHWAY NO. 395;
THENCE SOUTH 32°24'00" EAST, 552.20 FEET TO THE POINT OF BEGINNING;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

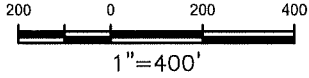
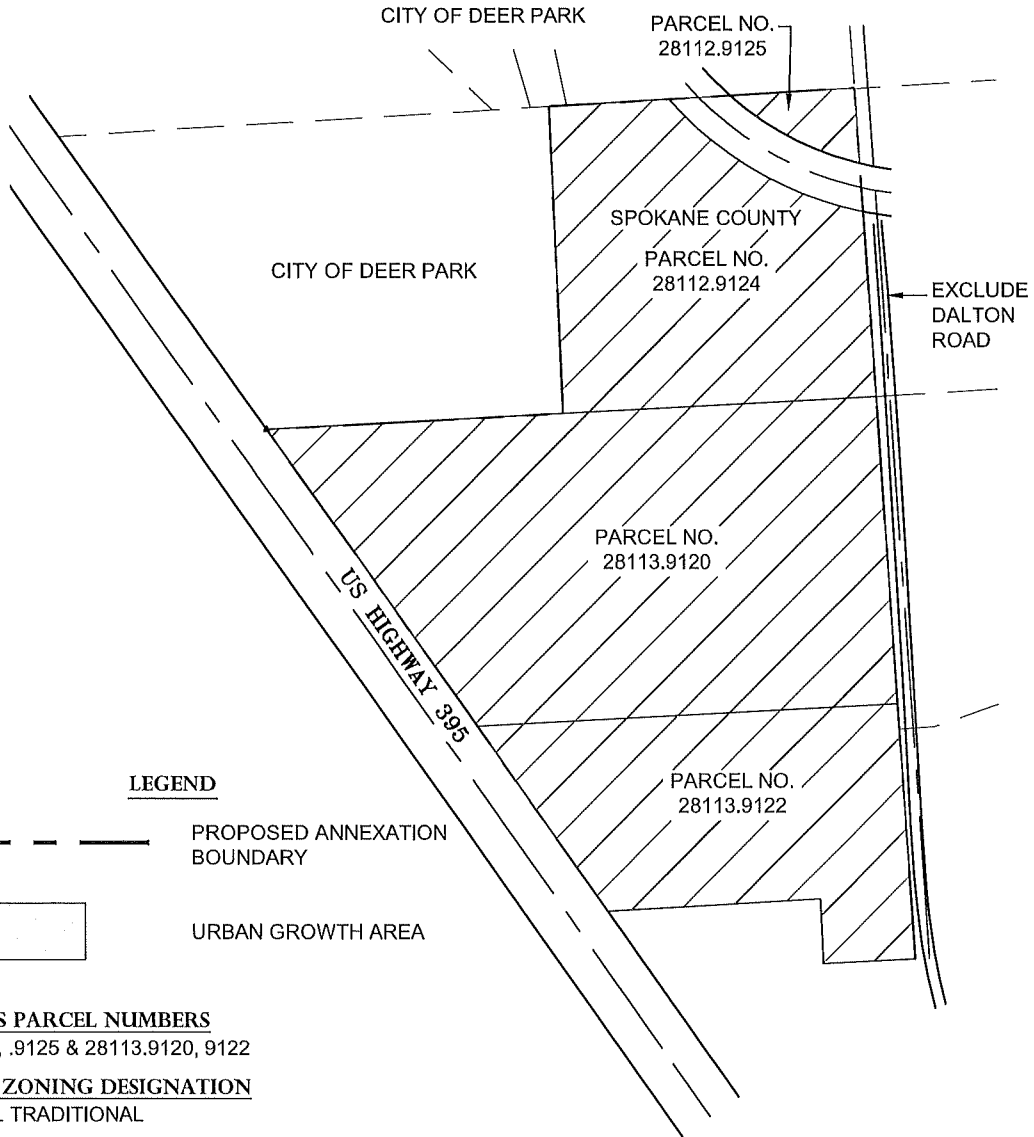

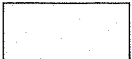


EXHIBIT "B"
ANNEXATION EXHIBIT FOR MARK SKOCILICH
 LOCATED IN SECTION 11, T.28N. R.42E., W.M.,
 CITY OF DEER PARK, SPOKANE COUNTY, WA.
 AUGUST, 2023



LEGEND

-  PROPOSED ANNEXATION BOUNDARY
-  URBAN GROWTH AREA

ASSESSOR'S PARCEL NUMBERS

28112.9124, .9125 & 28113.9120, 9122

CURRENT ZONING DESIGNATION

RT - RURAL TRADITIONAL

PROPOSED CITY ZONING DESIGNATION

DIVERSIFIED COMMERCIAL - CD

CURRENT COMPREHENSIVE PLAN

MIXED USE - RESIDENTIAL & COMMERCIAL


PROPOSED PROPERTY SIZE (GROSS)

33.70 ACS.

NOTE:

DALTON ROAD RIGHT-OF-WAY IS SPECIFICALLY EXCLUDED FROM ANNEXATION

SHEET 1 OF 1



ARDURRA
 1717 S. RUSTLE STREET, SUITE 201
 SPOKANE, WA 99224
 509-319-2580 | WWW.ARDURRA.COM
 DATE: 8/14/23 JOB: 210382