

ORDINANCE 2023-1018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE LAKESIDE 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 Lakeside Annexation Area to the City of Deer Park ("City"); and

WHEREAS, the City Council met with said initiating owners on September 7, 2022 and determined by Council action that the City would accept the 10 percent initiators petition dated August 9, 2022, require assumption of City indebtedness by the annexation area, designate the zoning of the annexation area as Single Family Residential 2B, and geographically modify the annexation area to include four parcels on the west side of Dalton Road as identified as Spokane County Assessor Parcel Numbers 29353.9027, 29353.9055, 29353.9054, 29353.9029; 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 September 20, 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 Lakeside 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 Lakeside 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 Single Family Residential 2B, 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 Mayor or his designee 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.

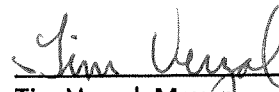
Section 6. Publication. The City Clerk is hereby directed to cause a summary of this Ordinance to be published in a newspaper of general circulation in the City and the City's official newspaper. The City Clerk is further directed to file certified copies of this Ordinance with the Board of Commissioners 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 4TH DAY OF October,
2023.



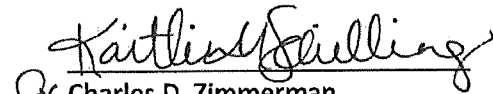
Tim Verzal, Mayor

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>9-28-2023</u>
PASSED BY THE CITY COUNCIL:	<u>10-4-2023</u>
PUBLISHED:	<u>10-6-2023</u>
EFFECTIVE DATE:	<u>10-13-2023</u>
ORDINANCE NO.:	<u>2023-1018</u>

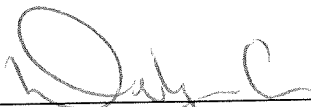
**SUMMARY OF ORDINANCE NO. 2023-1018
OF THE CITY OF DEER PARK, WASHINGTON**

On the 4TH day of October, 2023, the City Council of the City of Deer Park, passed Ordinance No. 2023-1018. 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 LAKESIDE 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 5TH day of October, 2023.



Deby Cragun, Clerk-Treasurer

EXHIBIT A: LEGAL DESCRIPTIONS

29351.9042

LAKESIDE CAPITAL GROUP LLC, A WASHINGTON LIMITED LIABILITY COMPANY

THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 29 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29351.9059

LAKESIDE REAL ESTATE HOLDINGS I, LLC, A WASHINGTON LIMITED LIABILITY COMPANY

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 28 NORTH, RANGE 42 EAST OF WILLAMETTE MERIDIAN;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29353.9027

DVORAK

THE NORTH HALF OF THE NORTH HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 29 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29353.9054

JACKSON

THE SOUTH 300 FEET OF THE NORTH HALF OF THE SOUTH HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 29 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29353.9053

JACKSON

THE NORTH HALF OF THE SOUTH HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER;

EXCEPT SOUTH 300 FEET;

AND THE SOUTH HALF OF THE NORTH HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 29 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29353.9029

LYONAIS

THE SOUTH HALF OF THE SOUTH HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 29 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT THAT PORTION INCLUDED IN HOPKINS ADDITION TO DEER PARK;

AND EXCEPT COUNTY ROAD;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29354.9086

LEMAY

THE NORTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 29 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN, EXCEPT THE EAST 25 FEET THEREOF;

AND EXCEPT THAT PORTION LYING WITHIN DALTON ROAD;

SAID PROPERTY IS DELINEATED AS PARCEL 1 OF THAT CERTAIN SURVEY RECORDED MARCH 16, 2021, UNDER AUDITOR'S FILE NO. 7047174 IN BOOK 185 OF SURVEYS, PAGE 17, RECORDS OF SPOKANE COUNTY;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29354.908Z

LAJINESS LIVING TRUST

THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 28 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT THE EAST 25 FEET THEREOF;

AND EXCEPT THAT PORTION LYING WITHIN DALTON ROAD;

SAID PROPERTY IS DELINEATED AS PARCEL 2 OF THAT CERTAIN SURVEY RECORDED MARCH 15, 2021, UNDER AUDITOR'S FILE NO. 7047174 IN BOOK 185 OF SURVEYS, PAGE 17, RECORDS OF SPOKANE COUNTY;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29354.908B

O'DEA

THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 28 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT THE EAST 25 FEET THEREOF AND EXCEPT THAT PORTION LYING WITHIN DALTON ROAD;

SAID PROPERTY IS DELINEATED AS PARCEL 3 OF THAT CERTAIN SURVEY RECORDED MARCH 15, 2021, UNDER AUDITOR'S FILE NO. 7047174 IN BOOK 185 OF SURVEYS, PAGE 17, RECORDS OF SPOKANE COUNTY;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29354.9089

LAKESIDE REAL ESTATE HOLDINGS I LLC, A WASHINGTON LIMITED LIABILITY COMPANY

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER EXCEPT THE EAST 895 FEET THEREOF, AND EXCEPT THE SOUTH 400 FEET THEREOF, TOGETHER WITH THE EAST 25 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 28 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT ANY PORTION LYING WITHIN THE SOUTH HALF OF THE SOUTH HALF OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;

SAID PROPERTY IS DELINEATED AS PARCEL 4 OF THAT CERTAIN SURVEY RECORDED MARCH 15, 2021, UNDER AUDITOR'S FILE NO. 7047174 IN BOOK 185 OF SURVEYS, PAGE 17, RECORDS OF SPOKANE COUNTY;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29354.9090

LAKESIDE REAL ESTATE HOLDINGS I LLC, A WASHINGTON LIMITED LIABILITY COMPANY

THE WEST 437.00 FEET OF THE EAST 895.00 FEET OF THE NORTHEAST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 29 NORTH, RANGE 42 EAST OF THE
WILLAMETTE MERIDIAN;

EXCEPT THE SOUTH 400.00 FEET THEREOF;

SAID PROPERTY IS DELINEATED AS PARCEL 5 OF THAT CERTAIN SURVEY RECORDED MARCH
15, 2021, UNDER AUDITOR'S FILE NO. 7047174 IN BOOK 185 OF SURVEYS, PAGE 17, RECORDS
OF SPOKANE COUNTY;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29354.9091

LAKESIDE REAL ESTATE HOLDINGS I LLC, A WASHINGTON LIMITED LIABILITY COMPANY

THE EAST 458.00 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 35, TOWNSHIP 29 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT THE SOUTH 400.00 FEET THEREOF;

SAID PROPERTY IS DELINEATED AS PARCEL 6 OF THAT CERTAIN SURVEY RECORDED MARCH
15, 2021, UNDER AUDITOR'S FILE NO. 7047174 IN BOOK 185 OF SURVEYS, PAGE 17, RECORDS
OF SPOKANE COUNTY;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29354.9076

TAYLOR

THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST
QUARTER OF SECTION 35, TOWNSHIP 29, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT ROAD RIGHT OF WAY;

SAID PROPERTY IS DELINEATED AS PARCEL A OF THAT CERTAIN SURVEY RECORDED AUGUST
06, 2015, UNDER AUDITOR'S FILE NO. 6423961 IN BOOK 159 OF SURVEYS, PAGE 88, RECORDS
OF SPOKANE COUNTY;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29354.9076

PROSSER

THE NORTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 29, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT ROAD RIGHT OF WAY;

SAID PROPERTY IS DELINEATED AS PARCEL B OF THAT CERTAIN SURVEY RECORDED AUGUST 06, 2015, UNDER AUDITOR'S FILE NO. 6423961 IN BOOK 159 OF SURVEYS, PAGE 89, RECORDS OF SPOKANE COUNTY;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29354.9077

KLINGENSMITH

THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 29, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT ROAD RIGHT OF WAY;

SAID PROPERTY IS DELINEATED AS PARCEL C OF THAT CERTAIN SURVEY RECORDED AUGUST 06, 2015, UNDER AUDITOR'S FILE NO. 6423961 IN BOOK 159 OF SURVEYS, PAGE 89, RECORDS OF SPOKANE COUNTY;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29354.9078

ALLEN

THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 29, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT ROAD RIGHT OF WAY;

SAID PROPERTY IS DELINEATED AS PARCEL D OF THAT CERTAIN SURVEY RECORDED AUGUST 06, 2015, UNDER AUDITOR'S FILE NO. 6423961 IN BOOK 159 OF SURVEYS, PAGE 89, RECORDS OF SPOKANE COUNTY;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

29354.9079

ST. MARY PRESENTATION CATHOLIC PARISH - DEER PARK

THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 29, TOWNSHIP 29 NORTH, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT ROAD RIGHT OF WAY;

AND EXCEPT THAT PORTION OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 29, RANGE 42 EAST OF THE WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF COLVILLE ROAD AND THE NORTHERLY RIGHT-OF-WAY LINE OF 6TH STREET (NOTE: SHOWN AS THE SOUTHWEST CORNER OF PARCEL E ON THAT CERTAIN RECORD OF SURVEY RECORDED UNDER AUDITOR'S FILE NO. 6423961, RECORDS OF SPOKANE COUNTY);

THENCE NORTH 02°44'34" WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF COLVILLE ROAD, 303.35 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35;

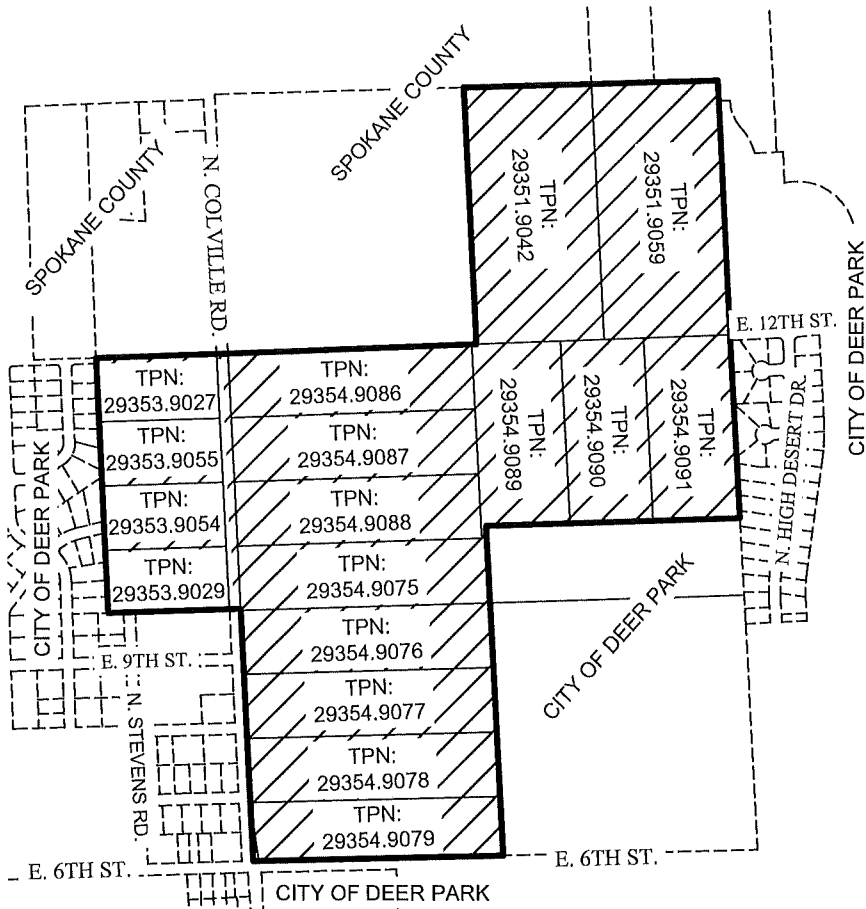
THENCE SOUTH 08°15'13" EAST 306.50 FEET, MORE OR LESS, TO SAID NORTHERLY RIGHT-OF-WAY LINE OF 6TH STREET;

THENCE SOUTH 88°41'08" WEST, 29.35 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;

SAID PROPERTY IS DELINEATED AS PARCEL E OF THAT CERTAIN SURVEY RECORDED AUGUST 06, 2016, UNDER AUDITOR'S FILE NO. 6423961 IN BOOK 159 OF SURVEYS, PAGE 89, RECORDS OF SPOKANE COUNTY;

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

EXHIBIT 'B'



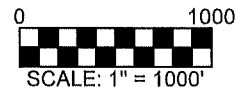
TPN = TAX PARCEL NUMBER

CURRENT ZONING DESIGNATION
RURAL TRANSITIONAL

PROPOSED CITY ZONING DESIGNATION
SINGLE FAMILY RESIDENTIAL - 2B

COMPREHENSIVE PLAN
SINGLE FAMILY RESIDENTIAL

ANNEXED AREA SIZE (GROSS)
169.61 ACRES



ANNEXATION EXHIBIT

SECTION 35, TOWNSHIP 29 NORTH, RANGE 42 EAST,
WILLAMETTE MERIDIAN, CITY OF DEER PARK
SPOKANE COUNTY, WASHINGTON

Johnson
Surveying

DATE SURVEYED: JAN. 2022

DRAFTED BY: DTL

PROJECT No.: 22-013

P.O. Box 2544 Post Falls, ID 83877
208-660-2351

PLOT DATE: 10/12/2023

CHECKED BY: DTL

PAGE: 1 OF 1

johnsonsurveyingnw.com