



ORDINANCE NO. 2024-01

An Ordinance Approving the Annexation of Approximately 14 Acres of Real Property to the City of La Center (Barnhart) and Rezoning that Property Consistent with the La Center Comprehensive Plan

The La Center City Council adopts the following findings:

WHEREAS, Edward C. Barnhart (Proponent) is the owner of record of certain real property (Assessor's Parcel No. 209479000) of approximately 14 acres, situated in unincorporated Clark County Washington, within the La Center Urban Growth Area, contiguous with the corporate limits of the City of La Center; and

WHEREAS, the "Annexation Territory" consists of one tax lot (209479000) located in the northwest quarter of Section 3, Township 4 north, Range 1 east, of the Willamette Meridian and more precisely described and illustrated in Exhibit A, which is attached hereto and incorporated by this reference; and

WHEREAS, the Proponent presented the City with a 10% Notice of Intent to Annex on July 31, 2023, pursuant to the so-called Direct Petition Method of RCW 35A.14.120, which the City Council accepted and approved at its September 13, 2023 regular meeting; and

WHEREAS, the Proponent then submitted a 60% Petition for Annexation on November 3, 2023, which included signatures of the owners of record of more than 60% of the assessed value of the Annexation Territory tax lot and a legal description and map thereof; and

WHEREAS, the City caused the SEPA Determination of Non-Significance (Ecology SEPA Register No. 202400169) relating to rezoning of the subject tax lot to be published on January 10, 2024, and the City, thereafter, received no comments or appeals on the proposed SEPA Determination of Non-Significance; and

WHEREAS, the City provided public notice of and an opportunity for comment thereon by all interested citizens at a duly noticed public meeting on January 24, 2024; and

WHEREAS, the Clark County Assessor certified sufficiency of the Proponent's petition and signatures on December 7, 2023; and

WHEREAS, the City Council finds that the Proponent has documented and satisfied all of the requirements for annexation and that approval of this annexation and zone change is in the public interest.

NOW THEREFORE, based on the foregoing findings, the La Center City Council ordains as follows:

Section 1 - Annexation. Pursuant to RCW 35A.14.120, the Annexation Territory, Parcel No. 209479000 (#1A SEC 3 T4N R1E WM, ~14 acres), more precisely described and illustrated in Exhibit A, attached hereto and incorporated herein by this reference, is hereby annexed, incorporated into, and made a part of the City of La Center.

Section 2 - Land Use Designation and Zoning. The Annexation Territory shall have a City comprehensive plan designation of Urban Low Density (UL). The Annexation Territory shall have a City zone of Low Density Residential (LDR-7.5) in accordance with LCMC Chapter 18.130. An Urban Holding (UH-10) zoning overlay shall also be applied to the Annexation Territory pursuant to LCMC 18.190, which shall remain until a capital facilities analysis is accepted by the City as part of a development proposal, at which point the City will remove the Urban Holding overlay.

Section 3 – Assessment and Taxation. The tax lot shall be assessed and taxed by the City in the same manner as other similarly situated and zoned property within the City as of the effective date of this ordinance.

Section 4 – Severability. If any portion of this ordinance is determined to be invalid or unenforceable for any reason, that finding shall not affect the validity or enforceability of any other provision of this ordinance.

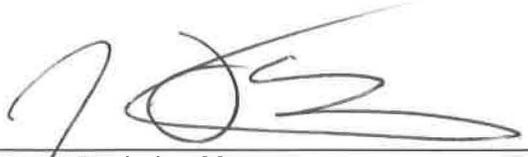
Section 5 – Transmittal. The City Clerk shall:

1. File a certified true copy of this ordinance, with the Clark County Board of Commissioners and the Clark County Assessor pursuant to LCMC 18.290.050.
2. Record a certified true copy of this ordinance with the County Auditor pursuant to LCMC 18.290.050.
3. Provide notice of this annexation to the Office of Financial Management pursuant to RCW 35A.14.700.

Section 6 – Effective Date: This ordinance shall be effective 75 days following its passage by the City Council and publication as required by law.

APPROVED and **ADOPTED** this 24th day of January 2024, by a majority of the La Center City Council.

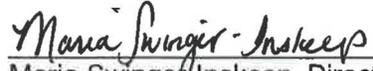
AYES: 5
NAYS: 0
ABSTAIN: 0
ABSENT: 0



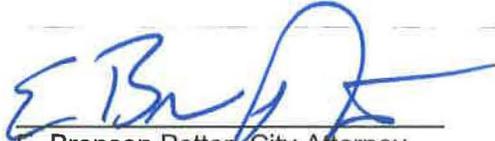
Thomas Strobehn, Mayor

ATTEST:

APPROVED AS TO FORM:



Maria Swinger-Inskeep, Director of
Administrative Services/City Clerk



E. Bronson Potter, City Attorney

EXHIBIT "A"

A Portion of that tract of land described in Quit Claim Deed to William D. Kays and Phillis E. Kays, Trustees, per AF #3539504, together with a portion of that tract of land described in Quit Claim Deed to William C. Barnhart, per AF #9409080208, records of Clark County, Washington, located in the NW 1/4 of Section 3, T4N, R1 E, Willamette Meridian, Clark County, Washington, being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 3; thence East, 672.00 Feet; thence continuing along said line, S 88° 31'43"E, 520.57 Feet to the intersection of said line with the Northerly projection of the Westerly line of "RASMUSSEN'S ADDITION TO LA CENTER", a Plat of record; thence along said Plat line, and Northerly projection thereof, S14 °23'04"E, 861.17 feet to the TRUE POINT OF BEGINNING; Thence continuing along said plat line, S 14°23'04" E, 620.00 feet to the Southwesterly corner of Block 15, RASMUSSEN'S ADDITION TO LA CENTER"; thence along the Northerly right of way line of 5th Street, S 75 °35'27" W, 855± feet to the center of the East Fork of the Lewis River; thence Northerly along the centerline thereof to its intersection with that parcel of land described in AF# 9807150430; thence along the South line of AF# 9807150430, S 88°31'51"E, 215± Feet to the Southeast corner of said parcel; thence N 01 °07'54" E, 636.66 feet along the East line of AF# 9807150430; thence S 87°36'57"E, 178.63 FEET; thence S 54°24'5"E, 103.17 feet; thence S 20°00'3"E, 212.66 feet; thence N 33°01'13"E, 55.00 feet; thence N75°37'22"E, 395.61 feet to the TRUE POINT OF BEGINNING.

Containing 14 acres, more or less

**AMENDED
RECORD OF SURVEY
OF BOOK 54 PAGE 142**

PREPARED FOR WADAC, LLC
AUGUST 19, 2008
LDC JOB #0810001

WARNING:
THE PURPOSE OF THIS SURVEY IS TO SHOW THAT PROPERTY IS
LOCATED WITHIN THE PART OF THE TRACT AS SHOWN ON THE
RECORDED SURVEY MAP OF THE TRACT, AND NOT TO
ESTABLISH BOUNDARIES THEREOF.

THE COURSE OF EACH BOUNDARY HAS BEEN ESTABLISHED BY MEASURING A BEARING
AND DISTANCE FROM A POINT OF BEGINNING TO EACH CORNER OF THE TRACT.
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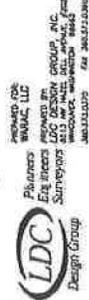
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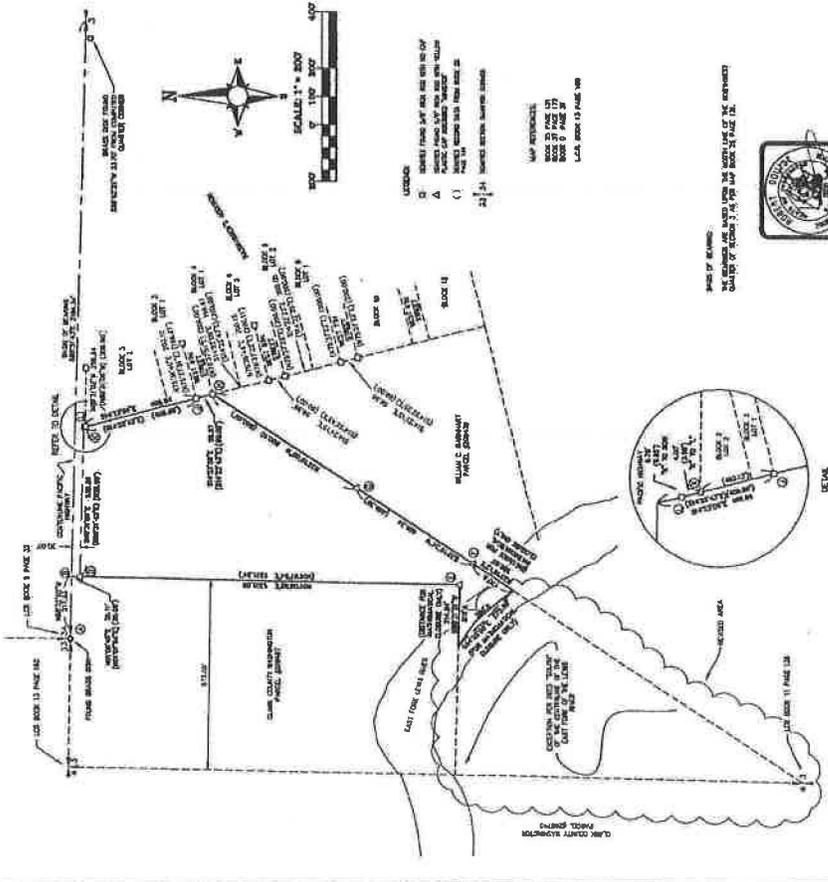
AUDITOR'S CERTIFICATE
FILED FOR RECORD THIS 19th DAY OF September, 2008
AT THE OFFICE OF THE CLERK OF CLATSOP COUNTY, OREGON
CLERK COUNTY CLERK AUDITOR

SURVEYOR'S CERTIFICATE
I, Robert J. Cook, Surveyor, do hereby certify that the above described
survey was made by me or under my direction in compliance with the requirements of
the Surveyors Act, at the request of WADAC, LLC
COMPLETION DATE: 8/19/08

ROBERT COOK PLS NO. 31128



Book 54, Page 142





PETITION FOR ANNEXATION

["60% Petition" per RCW 35A.14.120 -.150 & LCMC 18.290]

DECLARATIONS - We, the undersigned, are owners of real property lying outside of the corporate limits of the City of La Center, Washington, but contiguous thereto and designated as part of the La Center Urban Growth Area. We attest that we are owners of not less than 60% in value pursuant to the assessed valuation records compiled and maintained by the Clark County Department of Assessment and GIS of the total acreage of the properties described in the proposed annexation area. We acknowledge and accept our proportionate share of city and special district indebtedness. We further accept and shall abide by city land use regulations. We do hereby petition for annexation to the City of La Center, Washington.

The following information is included with our Petition to Annex Application: a perimeter legal description including the entire width of abutting public or private roadways; a scale map outlining the property(ies) proposed to be annexed; payment of annexation and SEPA fees; a certified listing of residents in the proposed area (on mailing labels) and the assessed valuation of each property obtained from the Clark County Assessor's Office, and; a completed State Environmental Policy Act checklist.

WARNING - Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

AUTHORIZATION - Printed names, addresses and signatures of all persons having an interest in real property in the described area whose consent is required by virtue of such interest to authorize the filing of this notice are hereto identified:

Name of Property Owner/Authorized Representative (Print Clearly)	Signature of Property Owner/Authorized Representative	Address of Property Owner/Authorized Representative	Clark County Assessors Parcel Number	Date Signed
Edward Barnhart		555 W 5 th Street La Center, WA 98629	209479000	11/3/2003

Note: If additional space is needed, please obtain and use an additional "Notice of Petition" form(s).

4936980 D

RecFee - \$74.00 Pages: 3 - EDDIE BARNHART
Clark County, WA 01/31/2013 01:00



WHEN RECORDED RETURN TO

MARGARET MADISON PHELAN P.S.
502 E McLoughlin Blvd
Vancouver WA 98663-3357
360 696-2069 · 503 243-7810

688585 + 688586

Real Estate Excise Tax
Ch. 11 Rev. Laws 1951

EXEMPT

Affd. # _____ Date 01/31/13
For Details of tax paid see _____

Affd. # _____
Doug Lasher
Clark County Treasurer

By _____ Deputy

QUIT CLAIM DEED

GRANTOR: WILLIAM CLIFTON BARNHART

GRANTEE: EDDIE BARNHART, a married man as his separate property, and LARRY BARNHART a single person as his separate property

ABBREVIATED LEGAL DESCRIPTION: #1A OF JOHN TIMMONS & A BREEZE HD CL 14A M/LPTN OF TT DD TO W D KAYS ET UZ PER AF 3539504 TOGWI A PTN ...

ASSESSOR'S TAX PARCEL ID #: 209479 000, 062140-000, 063490-000, 063500-000,

REFERENCE NO: N/A 063510-000, 063520-000

THE GRANTOR, WILLIAM CLIFTON BARNHART, for and in consideration of love and affection, conveys and quit claims in equal shares to EDDIE BARNHART, a married man as his separate property, and LARRY BARNHART, a single person as his separate property as joint tenants with rights of survivorship and not as tenants in common, the following-described real property commonly known as 555 W 5th Street, La Center, situated in Cowlitz County, Washington, together with all after-acquired title of the Grantor therein:

See Exhibit "A" attached hereto and incorporated herein by this reference.

Dated this 30 day of October, 2012

William P. Barnhart
WILLIAM CLIFTON BARNHART

STATE OF WASHINGTON)
: ss.
County of CLARK)

I certify that I know or have satisfactory evidence that WILLIAM CLIFTON BARNHART is the person who appeared before me, and said person acknowledged that WILLIAM CLIFTON BARNHART signed this instrument and acknowledged it to be WILLIAM CLIFTON BARNHART'S free and voluntary act for the uses and purposes mentioned in the instrument.

DATED OCT 30, 2012.

Amberlynn Howard
Notary Public for Washington
PRINTED NAME: Amberlynn Howard
My Commission Expires: 3-22-16
Residing at: Camas, WA

NOTARY: Please place seal within borders of box.



Exhibit "A"

Serial no. 209479-000

LEGAL DESCRIPTION

A Portion of that tract of land described in Quit Claim Deed to Willam D. Kays and Phillis E. Kays, Trustees, per AF #3539504, together with a portion of that tract of land described in Quit Claim Deed to William C. Barnhart, per AF #9409080208, records of Clark County, Washington, located in the NW 1/4 of Section 3, T4N, R1 E, Willamette Meridian, Clark County, Washington, being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 3; thence East, 672.00 Feet; thence continuing along said line, S 88° 31'43"E, 520.57 Feet to the intersection of said line with the Northerly projection of the Westerly line of "RASMUSSEN'S ADDITION TO LA CENTER", a Plat of record; thence along said Plat line, and Northerly projection thereof, S14 °23'04"E, 861.17 feet to the TRUE POINT OF BEGINNING; Thence continuing along said plat line, S 14°23'04" E, 620.00 feet to the Southwesterly corner of Block 15, RASMUSSEN'S ADDITION TO LA CENTER"; thence along the Northerly right of way line of 5th Street, S 75 °35'27" W, 855± feet to the center of the East Fork of the Lewis River; thence Northerly along the centerline thereof to its intersection with that parcel of land described in AF# 9807150430; thence along the South line of AF# 9807150430, S 88°31'51"E, 215± Feet to the Southeast corner of said parcel; thence N 01 °07'54" E, 636.66 feet along the East line of AF# 9807150430; thence S 87°36'57"E, 178.63 FEET; thence S 54°24'15"E, 103.17 feet; thence S 20°00'13"E, 212.66 feet; thence N 33°19'13"E, 55.00 feet; thence N75°37'22"E, 395.61 feet to the TRUE POINT OF BEGINNING.

Containing 14 acres, more or less

Serial no. 062640-000

BEGINNING at the Northwest corner of said Section 3; thence East along the North line of said Section 3, 672.00 feet; thence continuing East, along the Northerly line of said Section 3, 545 feet, more or less, to the intersection point of the Northerly projection of the Westerly line of the subdivision recorded as "Rasmussen's Addition" to the Town of La Center; thence Southerly along the Westerly line of said "Rasmussen's Addition" subdivision 504 feet, more or less, to the Northwesterly corner of Block 4 in said "Rasmussen's Addition" subdivision; thence continuing Southerly along the Westerly line of said "Rasmussen's Addition" subdivision 980 feet, more or less, to the Southwesterly corner of Block 15 of said "Rasmussen's Addition" Subdivision, being the Southwesterly corner of said subdivision; thence Southwesterly 320 feet, more or less, along the Northerly right of way line of 5th Street of the Town of La Center, to the intersection point of the Northerly projection of the Westerly right of way line of "E" Street of the "La Center Addition" subdivision to the Town of LaCenter; thence Southerly along the Westerly right of way line of said "E" Street 550 feet, more or less, to the Westerly projection of the center line of "3rd" Street of said "LaCenter Addition" to the Town of La Center, and the Easterly projection of the North line of "Lewis River Acres" subdivision to the Town of LaCenter, said point being the TRUE POINT OF BEGINNING of the tract herein described; thence Westerly along the Northerly line of said "Lewis River Acres" subdivision 470 feet, more or less, to the center of the East Fork of the Lewis River;

thence Northerly along the center of said East Fork of the Lewis River to its point of intersection with the Westerly projection of the Southerly right of way line of "5th" Street of said "La Center Addition" to the Town of La Center; thence Easterly along Southerly right of way line of said "5th" Street and its Westerly project, to the Northwest corner of Lot 5, Block 22, TOWN OF LA CENTER, according to the plat thereof, recorded at Volume "A" of plats, at page 4, records of Clark County, Washington; thence Southerly along the East right of way line of "H" Street, to the Southwest corner of Lot 3, Block 22, TOWN OF LA CENTER, according to the plat thereof, recorded at Volume "A" of plats, at page 4, records of Clark County, Washington; thence Easterly, along the Northerly right of way line of "4th" Street, to the Westerly right of way line of "E" Street of the "La Center Addition" subdivision to the Town of La Center; thence Southerly along the Westerly right of way line of said "E" Street to the POINT OF BEGINNING.

EXCEPT public roads and easements of record.

Serial no. 063490-000

Lot 1 and Lot 2, Block 22, TOWN OF LA CENTER, according to the plat thereof, recorded at Volume "A" of plats, at page 4, records of Clark County, Washington.

Serial no. 063500-000

Lot 3 and Lot 4, Block 22, TOWN OF LA CENTER, according to the plat thereof, recorded at Volume "A" of plats, at page 4, records of Clark County, Washington.

Serial no. 063510-000

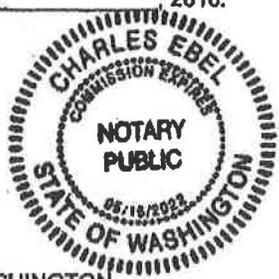
Lot 5 and Lot 6, Block 22, TOWN OF LA CENTER, according to the plat thereof, recorded at Volume "A" of plats, at page 4, records of Clark County, Washington.

Serial no. 063520-000

Lot 7 and Lot 8, Block 22, TOWN OF LA CENTER, according to the plat thereof, recorded at Volume "A" of plats, at page 4, records of Clark County, Washington.

appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Dated 6/18 2018.

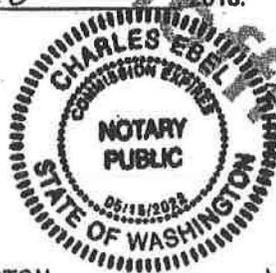


Charles Ebel
Notary Public in and for the State of Washington
Residing at VANCOUVER WA
My appointment expires 5/15/22

STATE OF WASHINGTON)
COUNTY OF CLARK) ss

I certify that I know or have satisfactory evidence that LARRY BARNHART is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Dated 6/18 2018.



Charles Ebel
Notary Public in and for the State of Washington
Residing at VANCOUVER WA
My appointment expires 5/15/22

STATE OF WASHINGTON)
COUNTY OF CLARK) ss

I certify that I know or have satisfactory evidence that GREG THORNTON is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the MAYOR of the CITY OF LA CENTER to be the free and voluntary act of such entity for the uses and purposes mentioned in the instrument.

Dated 6-25-18 2018.



Naomi R. Hansen
Notary Public in and for the State of Washington
Residing at La Center, WA
My appointment expires 7-19-19

EASEMENT FOR STORM AND SANITARY SEWER - 2

Exhibit "A"

Serial no. 209479-000

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Official Copy