

City of Toledo Annexation Ordinance

ORDINANCE NO. 805

AN ORDINANCE OF THE CITY OF TOLEDO, WASHINGTON ANNEXING CERTAIN PROPERTY TO THE CITY AND ESTABLISHING THE ZONING DESIGNATIONS FOR SUCH PROPERTY

WHEREAS, the City of Toledo received a petition for annexation from property owners representing not less than 10% of the assessed value of the property proposed for annexation on October 17, 2022, and a subsequent petition representing 60% of the assessed value on May 15, 2023, in accordance with RCW 35A.14.120; and

WHEREAS, the City Council of the City of Toledo accepted the 10% petition on October 17, 2022, and the 60% petition on May 15, 2023; and

WHEREAS, the City has completed the necessary review of the annexation proposal, including a SEPA determination of non-significance issued on June 6, 2023; and

WHEREAS, the Planning Commission held a public hearing on June 21, 2023, and recommended the Council approve the annexation; and

WHEREAS, a Notice of Intent to annex was submitted to the Washington State Boundary Review Board for Lewis County on April 24, 2024, and the city modified the annexation area to include a portion of Toledo-Vader Road to resolve comments received during the 45 day Boundary Review Board period, and the 45-day period for review lapsed without a request for review as certified by the Board on June 21, 2024, in accordance with RCW 36.93.100; and

WHEREAS, the proposed annexation area is within the City's Urban Growth Area and is consistent with the City's Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOLEDO, WASHINGTON, AS FOLLOWS:

Section 1. Annexation of Property

The following described property is hereby annexed to and made a part of the City of Toledo, Washington:

Legal Description:

THOSE PORTIONS OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 11 NORTH, RANGE 1 WEST, W.M. AND THE SIMON PLOMONDON DONATION LAND CLAIM (DLC) NO. 41 LOCATED IN SECTIONS 7 AND 8, TOWNSHIP 11 NORTH, RANGE 1 WEST, W.M.

DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 7;

THENCE N00°03'28"W A DISTANCE OF 1291.98 FEET TO THE SOUTHERLY MARGIN OF TOLEDO VADER ROAD NO. 1090, BEING THE NORTHWEST CORNER OF LOT 2 OF LEWIS COUNTY LARGE LOT SIMPLE SEGREGATION NO. SS 22-00001, RECORDED UNDER AUDITOR'S FILE NO. (AFN) 3573228;

THENCE S89°33'42"E ALONG SAID SOUTHERLY MARGIN A DISTANCE OF 42.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 746.20 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY MARGIN AND SAID CURVE THROUGH A CENTRAL ANGLE OF 20°25'00" AN ARC DISTANCE OF 265.90 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY MARGIN N70°01'18"E A DISTANCE OF 1,167.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 686.20 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY MARGIN AND SAID CURVE THROUGH A CENTRAL ANGLE OF 15°55'07" AN ARC DISTANCE OF 190.65 FEET TO THE SOUTHWESTERLY MARGIN OF DREWS PRAIRIE AND TOLEDO VADER ROAD NO. 1090 AS SHOWN ON SAID LEWIS COUNTY LARGE LOT SIMPLE SEGREGATION NO. SS 22-00001;

THENCE NORTHWEST ALONG THE SAID SOUTHWESTERLY MARGIN TO THE NORTHWESTERLY INTERSECTION OF TOLEDO VADER ROAD NO. 1090 AND DREWS PRAIRIE ROAD NO. 630;

THENCE EASTERLY ALONG THE NORTHERLY MARGIN OF SAID TOLEDO VADER ROAD TO THE INTERSECTION OF THE NORTHEASTERLY MARGIN OF THE DREWS PRAIRIE ROAD AND THE NORTHERLY MARGIN OF SAID TOLEDO VADER ROAD;

THENCE NORTHWEST ALONG THE NORTHEASTERLY MARGIN OF SAID DREWS PRAIRIE ROAD TO THE MOST SOUTHERLY CORNER OF TRACT 1 OF MOUNTAIN MEADOWS 1 FIVE ACRE TRACT DIVISION RECORDED UNDER AFN: 9213513 BEING VOLUME 10 OF SURVEYS AT PAGE 261, BEING ON THE EASTERLY MARGIN OF DREWS PRAIRIE ROAD NO. 630;

THENCE N43°09'49"E ALONG THE SOUTHEASTERLY LINE OF SAID MOUNTAIN MEADOWS A DISTANCE OF 932.88 FEET TO AN ACCEPTED ANGLE POINT IN SAID SOUTHEASTERLY LINE;

THENCE CONTINUING ALONG THE SOUTHEASTERLY LINE OF SAID MOUNTAIN MEADOWS N43°10'19"E A DISTANCE OF 466.61 FEET TO THE MOST NORTHERLY CORNER OF THAT PARTICULAR TRACT OF LAND CONVEYED TO TOLEDO TELEPHONE COMPANY PER STATUTORY WARRANTY DEED RECORDED UNDER AFN: 833888 AND DEPICTED ON RECORD OF SURVEY RECORDED UNDER VOLUME 2 OF SURVEYS AT PAGE 140 RECORDS OF LEWIS COUNTY;

THENCE S46°45'05"E ALONG THE EASTERLY LINE OF SAID TOLEDO TELEPHONE COMPANY TRACT AND THE PROJECTION THEREOF A DISTANCE OF 1290.28 FEET TO THE NORTHWESTERLY MARGIN OF THE OLD COWLITZ-OLYMPIA ROAD NO. 148, NOW KNOWN AS PLOMONDON ROAD;

THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY MARGIN TO THE INTERSECTION WITH THE NORTHEASTERLY MARGIN OF TOLEDO VADER ROAD NO. 1090;

THENCE SOUTHEASTERLY ALONG THE SAID NORTHEASTERLY MARGIN OF TOLEDO VADER ROAD BEING 30.00 FEET DISTANT MEASURED AT RIGHT ANGLES FROM THE CENTERLINE THEREOF AS SHOWN ON WASHINGTON DEPARTMENT OF TRANSPORTATION (WSDOT) STATE ROUTE (SR) 505 RIGHT-OF-WAY PLANS, CONTRACT NO. 2722, APPROVED APRIL 29, 1941, TO STATION 119+00; THENCE NORTHEASTERLY A DISTANCE OF 10.00 FEET MEASURED RADIALLY FROM THE CENTERLINE THEREOF;

THENCE CONTINUING SOUTHEASTERLY ALONG SAID NORTHEASTERLY MARGIN BEING 40.00 FEET DISTANT MEASURED AT RIGHT ANGLES AND RADIALLY FROM THE CENTERLINE THEREOF TO

STATION 124+50;
THENCE SOUTHWESTERLY A DISTANCE OF 10.00 FEET MEASURED AT RIGHT ANGLES FROM THE CENTERLINE THEREOF;
THENCE CONTINUING SOUTHEASTERLY ALONG SAID NORTHEASTERLY MARGIN BEING 30.00 FEET DISTANT MEASURED AT RIGHT ANGLES FROM THE CENTERLINE THEREOF TO STATION 128+00;
THENCE NORTHEASTERLY A DISTANCE OF 20.00 FEET MEASURED AT RIGHT ANGLES FROM THE CENTERLINE THEREOF;
THENCE CONTINUING SOUTHEASTERLY ALONG SAID NORTHEASTERLY MARGIN BEING 50.00 FEET DISTANT MEASURED AT RIGHT ANGLES AND RADially FROM THE CENTERLINE THEREOF TO STATION 129+50;
THENCE NORTHEASTERLY A DISTANCE OF 10.00 FEET MEASURED RADially FROM THE CENTERLINE THEREOF;
THENCE CONTINUING SOUTHEASTERLY ALONG SAID NORTHEASTERLY MARGIN BEING 60.00 FEET DISTANT MEASURED RADially FROM THE CENTERLINE THEREOF TO THE NORTHERLY MARGIN OF SALAL STREET AND BEING THE CURRENT TOLEDO CITY LIMITS LINE;
THENCE WESTERLY ALONG SAID CURRENT CITY LIMIT LINE TO THE INTERSECTION WITH THE SOUTHWESTERLY MARGIN OF SAID TOLEDO VADER ROAD BEING 30.00 FEET DISTANT MEASURED RADially FROM THE CENTERLINE THEREOF;
THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY MARGIN OF TOLEDO VADER ROAD BEING 30.00 FEET DISTANT MEASURED RADially AND AT RIGHT ANGLES FROM THE CENTERLINE THEREOF TO STATION 125+50;
THENCE SOUTHWESTERLY A DISTANCE OF 10.00 FEET MEASURED AT RIGHT ANGLES FROM THE CENTERLINE THEREOF;
THENCE CONTINUING ALONG SAID SOUTHWESTERLY MARGIN BEING 40.00 FEET DISTANT MEASURED AT RIGHT ANGLES FROM THE CENTERLINE THEREOF TO STATION 124+50;
THENCE SOUTHWESTERLY A DISTANCE OF 10.00 FEET MEASURED AT RIGHT ANGLES FROM THE CENTERLINE THEREOF;
THENCE CONTINUING ALONG SAID SOUTHWESTERLY MARGIN BEING 50.00 FEET DISTANT MEASURED AT RIGHT ANGLES FROM THE CENTERLINE THEREOF TO STATION 123+50;
THENCE NORTHEASTERLY A DISTANCE OF 10.00 FEET MEASURED AT RIGHT ANGLES FROM THE CENTERLINE THEREOF;
THENCE CONTINUING ALONG SAID SOUTHWESTERLY MARGIN BEING 40.00 FEET DISTANT MEASURED AT RIGHT ANGLES AND RADially FROM THE CENTERLINE THEREOF TO STATION 118+00;
THENCE NORTHEASTERLY A DISTANCE OF 10.00 FEET MEASURED RADially FROM THE CENTERLINE THEREOF;
THENCE CONTINUING ALONG SAID SOUTHWESTERLY MARGIN BEING 30.00 FEET DISTANT MEASURED AT RIGHT ANGLES AND RADially FROM THE CENTERLINE THEREOF TO THE INTERSECTION OF THE SOUTHEASTERLY MARGIN OF PLOMONDON ROAD;
THENCE SOUTHWESTERLY ALONG SAID SOUTHEASTERLY MARGIN TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF PLOMONDON DONATION LAND CLAIM;
THENCE S30°07'55"E ALONG SAID SOUTHWESTERLY LINE TO THE INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 7, BEING S89°33'16"E A DISTANCE OF 2650.91 FEET FROM THE POINT OF BEGINNING;

THENCE N89°33'16"W ALONG SAID SOUTH LINE A DISTANCE OF 2650.91 FEET TO THE POINT OF BEGINNING.

AND

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF THE SIMON PLOMONDON DONATION LAND CLAIM NO. 41 (DLC), BEING N60°10'12"E A DISTANCE OF 1763.15 FEET FROM THE SOUTHWEST CORNER OF SAID DLC;

THENCE N73°23'15"W A DISTANCE OF 285.25 FEET; THENCE

N21°52'23"W A DISTANCE OF 727.61 FEET;

THENCE N35°24'38"E A DISTANCE OF 1598.61 FEET TO A CONCRETE MONUMENT;

THENCE N84°43'47"E A DISTANCE OF 517.30 FEET TO THE WESTERLY MARGIN OF STATE ROUTE 505;

THENCE SOUTHWESTERLY ALONG SAID WESTERLY MARGIN TO THE INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID DLC;

THENCE S60°10'12"W ALONG SAID SOUTHEASTERLY LINE A DISTANCE OF 402.04 FEET TO A POINT THAT IS N60°10'12"E A DISTANCE OF 2052.52 FEET FROM THE SOUTHWEST CORNER OF SAID DLC;

THENCE S10°49'15"W A DISTANCE OF 154.59 FEET;

THENCE N89°23'03"W A DISTANCE OF 213.46 FEET TO THE SOUTHEASTERLY LINE OF SAID DLC;

THENCE N60°10'12"E ALONG SAID SOUTHEASTERLY LINE A DISTANCE OF 10.88 FEET TO THE POINT OF BEGINNING.

CONTAINING 174.5 ACRES MORE OR LESS, OF WHICH 11.0 ACRES MORE OR LESS IS WITHIN THE ROAD

RIGHT-OF-WAYS.

Section 2. Zoning Designation

The property described in Section 1 is hereby zoned as follows upon annexation into the City:

- Parcels 011445009001, 011445009002, 011437002000, 011437007000, 011437008000, 011437009000: Residential
- Parcels 011445008000, 011448002001, 011448002002, 011448001000, 011443008001: Commercial
- Parcel 011438001001: Residential/Commercial

Section 3. Assumption of Indebtedness

The area described in Section 1 shall assume its proportionate share of the City of Toledo's existing indebtedness as provided in RCW 35A14.120.

Section 4. Implementation

The City Clerk is hereby directed to file a certified copy of this ordinance with the Lewis County Auditor and the Washington State Office of Financial Management, and to take such further actions as may be necessary to implement the provisions of this ordinance.

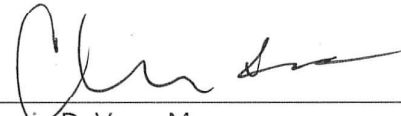
Section 5. Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

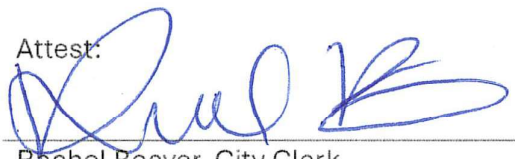
Section 6. Effective Date

This ordinance shall take effect and be in force five days after its passage, approval, and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF TOLEDO, WASHINGTON, AND APPROVED BY THE MAYOR THIS 5TH DAY OF AUGUST, 2024.



Cherie DeVore, Mayor

Attest: 

Rachel Beaver, City Clerk

Approved as to form:

James M.B. Buzzard

James M.B. Buzzard, WSBA # 33555
City Attorney

Approved Reading:	<u>8/5/2024</u>
Publication Date:	<u>8/6/2024</u>
Effective Date:	<u>8/11/2024</u>

Signature: 
Jim Buzzard (Aug 7, 2024 08:28 PDT)

Email: jim@buzzardlaw.com