

ORDINANCE NO. 2024-08

AN ORDINANCE CORRECTING CITY ORDINANCE 2005-08 (NOV. 16, 2005) ANNEXING UNINCORPORATED LAND WITHIN THE CITY OF WALLA WALLA'S URBAN GROWTH AREA BOUNDARY CONSISTING OF APPROXIMATELY 75.9 ACRES OF PROPERTY, BEING GENERALLY LOCATED SOUTH AND EAST OF SR 125, NORTH OF HIGHLAND RD. AND WEST OF THE WALLA WALLA COUNTRY CLUB (A-4-04), AND TAKING SUCH OTHER ACTION RELATED THERETO

WHEREAS, the City of Walla Walla passed City Ordinance A-2405 on May 13, 1970 which classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, RCW Ch. 35A.14 provides for annexation by direct petition initiated by the filing of notification by owners of property in the territory proposed for annexation; and

WHEREAS, the City of Walla Walla annexed approximately 75.9 acres of property to the city in accordance with RCW Ch. 35A.14 by City Ordinance 2005-08 (Nov. 16, 2005), being generally located south and east of SR 125, north of Highland Rd. and west of the Walla Walla Country Club; and

WHEREAS, the City of Walla Walla has been informed that there was an error in the legal description in City Ordinance 2005-08 (Nov. 16, 2005) and a portion of the property to be annexed was omitted; and

WHEREAS, the Walla Walla City Council has considered this matter during a regularly and duly called public meeting of said Council, has given said matter careful review and consideration, and finds that good government and the best interests of the City of Walla Walla will be served by correction of City Ordinance 2005-08 (Nov. 16, 2005), annexation of the area described in section 2 hereto, and taking such other action related thereto;

NOW THEREFORE, the City Council of the City of Walla Walla do ordain as follows:

Section 1: The City of Walla Walla confirms the annexation of the following described property to the City of Walla Walla effective January 1, 2006 by City Ordinance 2005-08 (Nov. 16, 2005):

Beginning at a point in the north line of the southwest quarter of the northeast quarter of Section 31 in Township 7 north, Range 36 east of the Willamette Meridian, which point is 736.0 feet west, measured along said north line, from the northeast corner of said subdivision: thence on a curve to the left having a radius of 122 feet and a central angle

of 90° for a distance of 191.6 feet; thence south 341.0 feet; thence south 55° 24' west 54.6 feet; thence south 16°50' west 536.30 feet; thence south 4°46' east 169.7 feet, more or less, to the northeast corner of the tract conveyed to Harrison Ward Gardner by deed recorded under auditor's file No. 269597; thence north 85°30' west 307.4 feet; thence south 75°16' west 408.7 feet; thence south 17°30' west 70.3 feet; thence south 35°00' east 152.5 feet; thence south 3°00' west 183.0 feet to the northerly line of the tract conveyed to JDT Ranches, Inc., by deed recorded under auditor's file No 491378; thence south 89°41' west, along the northerly line of said JDT Ranches tract, a distance of 881.0 feet; thence south 75°16' west 438.0 feet, more or less, to the southeasterly line of the state Highway; thence northeasterly, along the southeasterly line of said State Highway, to a point north of the point of beginning; thence south to the point of beginning.

AND

Beginning at a point in the south line of Block 2 Highland according to the official plat thereof of record in the office of the Auditor of Walla Walla County, Washington, which point is 992.0 feet East, measured along the said south line, from the point of intersection of the extended south line of said Block 2, with the west line of Section 31, Township 7 North, Range 36 East, W.M., and run thence East, along the south line of said Block 2, a distance of 1326.68 feet to a point therein which is 142.32 feet west, measured along the said south line, from the southeast corner of Lot 3 in said Block 2; thence north, parallel to the east line of said Lot 3, a distance of 769.53 feet; thence East, parallel to the north line of said Block 2, a distance of 326.32 feet to a point in a line parallel to and 38.60 feet west of the extended east line of Lot 2 of the aforesaid Block 2; thence North, parallel to the east line of said Lot 2, a distance of 538.70 feet more or less to a point in the south line of the property owned by Harrison Ward Gardner; thence South 89°41' West, along the south line of the Gardner tract 76.40 feet to an angle point therein; thence North 3°00' East 601.1 feet; thence south 75°16' west 196.0 feet; thence south 17°30' west 70.3 feet; thence south 35°00' east 152.50 feet; thence south 3°00' west 183.00 feet; thence North 89°41' west 881.00 feet; thence south 75°16' west 438.00 feet, more or less to a point in the southerly line of the right-of-way of Primary State Highway No. 3; thence southwesterly, along the southerly line of the said right-of-way, 250.00 feet, more or less to a point therein which is 960.0 feet east, measured at right angles, from the west line of said Section 31; thence southerly, in a straight line, 1255.00 feet, more or less to the point of beginning.

All situated in Walla Walla County, State of Washington.

Section 2: In addition to the area annexed by City Ordinance 2005-08 (Nov. 16, 2005), the City of Walla Walla hereby annexes the following described property to the

City of Walla Walla:

A. Parcel 1:

PARCEL #1 OF SHORT PLAT RECORDED MARCH 3, 1993 IN VOLUME 2, OF SHORT PLATS AT PAGE 206, UNDER AUDITOR'S FILE NO. 9302134, RECORDS OF WALLA WALLA COUNTY, WASHINGTON. ALSO REFERRED TO AS ASSESSOR PARCEL NUMBER 36-07-31-51-0206.

B. Parcel 2:

PARCEL #2 OF SHORT PLAT RECORDED MARCH 3, 1993 IN VOLUME 2, OF SHORT PLATS AT PAGE 206, UNDER AUDITOR'S FILE NO. 9302134, RECORDS OF WALLA WALLA COUNTY, WASHINGTON. ALSO REFERRED TO AS ASSESSOR PARCEL NUMBER 36-07-31-31-0052.

Section 3: The Walla Walla Zoning Code, Walla Walla Municipal Code Title 20, as amended, and the zoning designation of neighborhood residential (RN) are hereby adopted as zoning regulations for the property described in section 2(A) herein.

Section 4: The Walla Walla Zoning Code, Walla Walla Municipal Code Title 20, as amended, and the zoning designation of highway commercial (CH) are hereby adopted as zoning regulations for the property described in section 2(B) herein.

Section 5: Subject to any applicable exemptions, all property within the areas described in section 2 herein shall be assessed and taxed at the same rate and on the same basis as other property in the City of Walla Walla is assessed and taxed subject to any applicable exemptions. Subject to any applicable exemptions, all property within the areas described in section 2 herein shall be assessed and taxed at such rate and basis to pay for any outstanding indebtedness of the City of Walla Walla contracted prior to, or existing at, the date of annexation.

Section 6: The annexation of the territory described in section 2 herein shall cancel, as of the effective date of such annexation, any franchise or permit theretofore granted to any person, firm or corporation by the state of Washington, or by the governing body of such territory, authorizing or otherwise permitting the operation of any public utility, including but not limited to, public electric, water, transportation, garbage disposal, solid waste collection, or other similar public service business or facility within the limits of the annexed territory.

Section 7: The Walla Walla City Clerk is directed to file a certified copy of this ordinance with the Board of Commissioners for Walla Walla County as provided in RCW 35A.14.140.

Section 8: The Walla Walla City Clerk is directed to submit certificates of annexation as provided in RCW 35A.14.700.

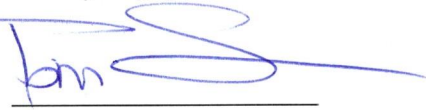
Section 9: The Walla Walla City Clerk is directed to file, record, and give notice of this ordinance in such manner as required by law.

Section 10: The Walla Walla City Clerk is directed to publish a summary of this ordinance as permitted by RCW 35A.13.200 and 35A.12.160.

Section 11: The Walla Walla City Council designates this ordinance as a public emergency ordinance necessary for the protection of public health, public safety, public property or public peace which shall take effect immediately.

Section 12: If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance and the application of the provision to other persons or circumstances is not affected.

PASSED on April 24, 2024 by at least a majority plus one of the whole membership of the Walla Walla City Council.




Mayor

Attest:



City Clerk

Approved as to form:



City Attorney

SUMMARY OF ORDINANCE NO. 2024-08

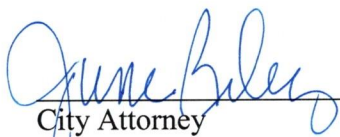
AN ORDINANCE CORRECTING CITY ORDINANCE 2005-08 (NOV. 16, 2005) ANNEXING UNINCORPORATED LAND WITHIN THE CITY OF WALLA WALLA'S URBAN GROWTH AREA BOUNDARY CONSISTING OF APPROXIMATELY 75.9 ACRES OF PROPERTY, BEING GENERALLY LOCATED SOUTH AND EAST OF SR 125, NORTH OF HIGHLAND RD. AND WEST OF THE WALLA WALLA COUNTRY CLUB (A-4-04), AND TAKING SUCH OTHER ACTION RELATED THERETO

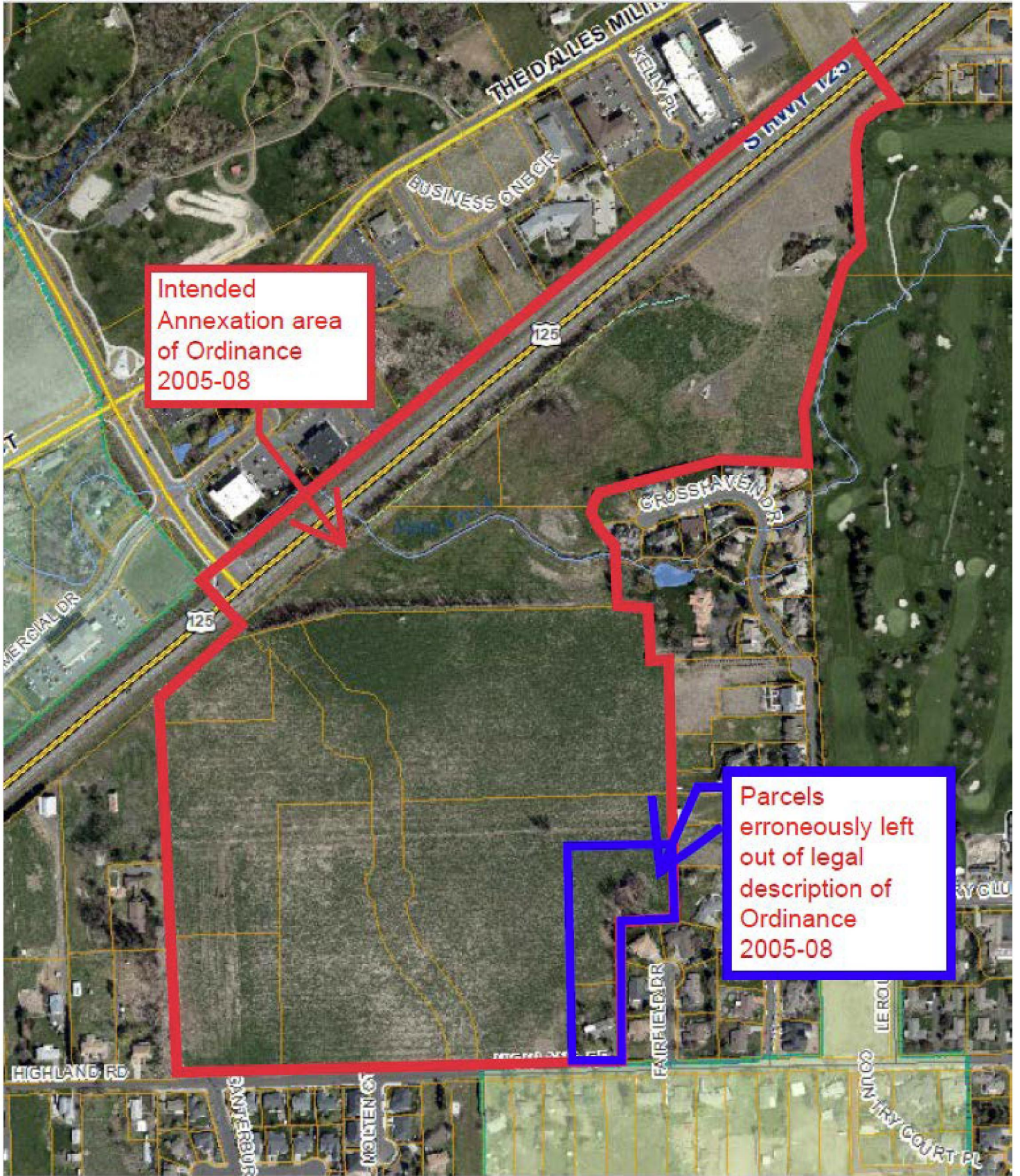
The Walla Walla City Council passed an ordinance at its April 24, 2024 regular meeting which corrects City Ordinance 2005-08 (Nov. 16, 2005) and annexes the following described property to the City of Walla Walla effective immediately:

PARCEL #1 AND #2 OF SHORT PLAT RECORDED MARCH 3, 1993 IN VOLUME 2, OF SHORT PLATS AT PAGE 206, UNDER AUDITOR'S FILE NO. 9302134, RECORDS OF WALLA WALLA COUNTY, WASHINGTON. ALSO REFERRED TO AS ASSESSOR PARCEL NUMBERS 36-07-31-51-0206, 36-07-31-31-0052

The full text of the ordinance will be mailed upon request made to the Walla Walla City Clerk at Walla Walla City Hall, 15 N. Third Ave., Walla Walla, WA 99362.

Summary approved as to form:


City Attorney



Intended
Annexation area
of Ordinance
2005-08

Parcels
erroneously left
out of legal
description of
Ordinance
2005-08



ar-5318

Pgs. 97-138

City Council - Regular Meeting

Meeting Date: 04/24/2024

Item Title: Ordinance correcting legal descriptions errors in annexation Ord. 2005-08

Submitted For: Preston Frederickson, Development Services Department

Add'l Contributors: Elizabeth Chamberlain, City Manager

Financial Comments:

N/A

All Contracts:

Not Applicable

Federally funded contracts only:

Not Applicable

Construction contracts only:

Not Applicable

Brief Summary of Requested Action:

Ordinance correcting legal descriptions errors in annexation Ord. 2005-08

Information

HISTORY:

The Walla Walla City Council passed Ordinance 2005-08 on November 16, 2005, annexing property being generally located south and east of SR 125, North of Highland Road and west of the Walla Walla Country Club. These properties were commonly referred to as the JDT Ranches, Inc. (Donovan) and Larry & Caroline Smith (Smith) properties. The intention of the annexation was to also include two parcels of property at the southeast corner of the annexation area, however the legal description in Ordinance 2005-08 did not include these parcels. See attached Ordinance 2005-08 and associated legislative record showing proposed annexation maps which sought to include the two subject parcels.

The City learned of this annexation legal description error in late March 2024, when coordinating with the Walla Walla County Assessors office with regards to the proposed Tax Increment Financing Area. As a result, City staff immediately sought confirmation with current owners/representatives of the two parcels that it was, and remains, their intent to be part of the City of Walla Walla. Attached to this agenda report is a map showing the area that was intended to be annexed into the City in 2005 (red outline) and the two subject parcels that were erroneously left out of the annexation ordinance legal description (blue outline).

The proposed Ordinance corrects these errors and property brings these properties into the Walla Walla City limits.

POLICY ISSUES:

There are no policy issues identified in this action. If the City Council approves the Ordinance the subject parcels would be part of the Walla Walla City limits as it was intended to be in 2005.

ALTERNATIVES:

City Council may choose to not pass the resolution but doing so would prohibit the subject parcel property owners from being in the Walla Walla City limits as they indented and desire.

STAFF RECOMMENDATION:

Adopt the Ordinance as presented.

CITY MANAGER COMMENTS:

Concur with the staff recommendation and approved for City Council action.

Attachments

Ord 2024-08

Map

Ordinance 2005-08
