

## ORDINANCE NO. 1333

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASHMERE, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE BARROS 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.**

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**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 Barros Annexation Area to the City of Cashmere ("City"); and

**WHEREAS**, the City Council met with said initiating owners on August 12, 2024 and determined by Council action that the City would accept the 10 percent initiators petition, require assumption of City indebtedness by the annexation area, and designate the zoning of the annexation area as Multi-Family Residential; 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 October 14, 2024 at the hour of

6:00 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**, on the 28<sup>th</sup> day of October, 2024 the City Council passed Resolution No. 08-2024, which declared the City's intentions to annex the Barros Annexation Area property subject to completion of the Chelan County Boundary Review Board ("BRB") process set forth in Chapter 36.93 RCW; and

**WHEREAS**, following the action of the City Council, a Notice of Intention was filed by the City with the BRB on the 25<sup>th</sup> day of November, 2024 proposing to annex the Barros Annexation Areas into the City (identified by the BRB as Notice of Intention No. 2024-007); and

**WHEREAS**, due to the size and assessed value of the proposed Barros Annexation Area, the Chair of the BRB exercised its right to review the Notice of Intention under the authority set forth in RCW 36.93.110 and render conclusions, rather than submit the Notice of Intention to the BRB for full review; and

**WHEREAS**, the BRB process was completed on the 16<sup>th</sup> day of December, 2024 by issuance of a Declaration by the Chair of the BRB pursuant to RCW 36.93.110 declaring that the BRB review process was unnecessary; and

**WHEREAS**, having considered the foregoing matters, the City Council determined that the best interest and general welfare of the City would be served by annexing the Barros 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 CASHMERE, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1. Annexation.** The territory that is contiguous and adjacent to the present corporate limits of the City of Cashmere and commonly known as the Barros 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 Cashmere.

**Section 2. Zoning.** Zoning of the Annexation Area shall be Multi-Family Residential, 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 Cashmere, 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 Chelan County, the Chelan County Auditor, and the Chelan 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 CASHMERE AT AN OPEN PUBLIC MEETING  
THE 13<sup>th</sup> DAY OF JANUARY, 2025.

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James Fletcher Mayor

ATTEST/AUTHENTICATED:

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Kay Jones, City Clerk-Treasurer

Approved as to form:  
OFFICE OF THE CITY ATTORNEY

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Julie K. Norton

PASSED BY THE CITY COUNCIL: 1/13/2025  
PUBLISHED: 1/29/2025  
EFFECTIVE DATE: 2/3/2025  
ORDINANCE NO.: 1333