

**ORDINANCE NO. 1699**

**CITY OF LEAVENWORTH, WASHINGTON**

**AN ORDINANCE OF THE CITY OF LEAVENWORTH, WASHINGTON PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY DESCRIBED AS LOT 1 OF BLA 2365, ASSESSOR'S PARCEL NUMBER 241711130150; AND ALL THAT PORTION OF MINE STREET RIGHT-OF-WAY LYING WESTERLY OF THE EXISTING CITY LIMITS BOUNDARY, TO THE CITY OF LEAVENWORTH, WASHINGTON, INCORPORATING THE SAME WITHIN THE CORPORATE LIMITS THEREOF, AND ADPTING ZONING REGULATIONS FOR THE ANNEXED PROPERTY.**

**WHEREAS**, the City of Leavenworth now has received a petition for annexation pursuant to RCW 35A.14.120 of certain property generally located at 9646 Marson Dr, including the adjacent Mine Street right-of-way, said property being contiguous to the city limits, within its Urban Growth Area and legally described in Exhibit A attached hereto; and

**WHEREAS**, the City prior to Petition received notice of Intent to Annex pursuant to the so-called Direct Petition Method of RCW 35A.14.120, and the City Council accepted the proposal at its September 10, 2024, Council meeting; and

**WHEREAS**, the City received a Petition for Annexation which included signatures of owners of record of more than 60% of the assessed value of the Annexation Territory on August 4, 2024, and revised to include right-of-way on September 13, 2024; and

**WHEREAS**, the City submitted the Petition for Annexation to the Chelan County Assessor on August 23, 2024, and revised the petition to include right-of-way on September 19, 2024, for a determination of sufficiency; and

**WHEREAS**, the Chelan County Assessor certified on September 27, 2024, that the petition signatures, provided in compliance with RCW 35A.14.120 through 35A.14.150, have an assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area; and

**WHEREAS**, a duly advertised public hearing was held on said annexation petition before the City of Leavenworth City Council on October 8, 2024, and the City Council heard testimony from staff, the applicant and the public, and was fully advised in the premises; and

**WHEREAS**, the following conditions were disclosed by motion of the Leavenworth City Council during the September 10, 2024, meeting:

The annexed property will retain the existing zoning and Comprehensive Plan designation, Residential Multifamily; and

The City will require the assumption of City indebtedness by the area proposed to be annexed; and

**WHEREAS**, the proposed annexation area is comprised of one multifamily residential parcel consisting of approximately 0.52 acres within the City of Leavenworth's Urban Growth Area.

**WHEREAS**, the Boundary Review Board Chair may exercise his discretion and expressly declare that review by the boundary review board is not necessary when the area proposed for annexation is less than ten acres and less than two million dollars in assessed valuation, pursuant to RCW 36.93.110.

**WHEREAS**, the Chelan County Boundary Review Board Chair issued a Declaration on October 24, 2024, pursuant to RCW 36.93.110, determining review by the board not necessary for the protection of the interest of the various parties.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LEAVENWORTH, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.** The real property is in Chelan County, Washington, described in Exhibit "A" and shown within Exhibit "B" attached hereto, owned by Gustavo Hoyos, consisting of approximately 0.52 acres, and further described as:

Lot 1, as described in and delineated on Boundary Line Adjustment No. 2365, recorded October 16, 1991, under Chelan County, Washington Auditor's File No. 9110160059, being a portion of Lot 1, Marson Short Plat No. 361, recorded under recording No. 786292, Chelan County, Washington; AND

All that portion the Mine Street right-of-way lying west of the existing city limits boundary

And the real property is hereby annexed to and incorporated into the city limits of the City of Leavenworth, Washington.

**Section 2.** A certified copy of this ordinance shall be filed with the Board of County Commissioners of Chelan County, Washington in the manner provided by law.

**Section 3.** The annexed real property shall be subject to the City of Leavenworth Comprehensive Plan and City of Leavenworth zoning regulations and shall retain the existing zoning of Multifamily Residential.

**Section 4.** The annexed property shall be subject to the following:

- A. The area shall be subject to the outstanding indebtedness of the City.
- B. The property will be and hereby is zoned Multifamily Residential.

**Section 5.** Once effective, this ordinance shall be recorded with the Chelan County Auditor and shall be binding upon the annexed property and the future owners thereof. This ordinance shall take effect five (5) days after its passage and publication as provided by law and annexation shall occur when the terms of Section 4 have been satisfied.

**Section 6.** The annexed real property herein shall be assessed and taxed at the same rate and on the same basis as other property in the City of Leavenworth, Washington to pay for all or any portion of the outstanding indebtedness to the City of Leavenworth approved by the voters, contracted or incurred prior to, or existing at, the date of annexation.

Passed by the City Council of City of Leavenworth, Washington and approved by the Mayor at an open public meeting on the \_\_\_\_ day of \_\_\_\_\_, 2024.

CITY OF LEAVENWORTH

By: \_\_\_\_\_  
Carl J. Florea, Mayor

Approved as to form:

Attest:

\_\_\_\_\_  
Thom Graafstra, City Attorney

\_\_\_\_\_  
Andrea Fischer, City Clerk

**EXHIBIT A**

**Legal Description of Property to be Annexed**

Lot 1, as described in and delineated on Boundary Line Adjustment No. 2365, recorded October 16, 1991, under Chelan County, Washington Auditor's File No. 9110160059, being a portion of Lot 1, Marson Short Plat No. 361, recorded under recording No. 786292, Chelan County, Washington.

AND

All that portion of the Mine Street right-of-way lying west of the existing city limits boundary.