

ORDINANCE NO. 1254

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE HENSLEY ANNEXATION TO THE CITY PURSUANT TO THE PETITION METHOD, SAID ANNEXATION BEING LEGALLY DESCRIBED AS SET FORTH IN EXHIBIT "A" TO THIS ORDINANCE, AND GENERALLY DEPICTED IN THE SURVEY MAP AS SET FORTH IN EXHIBIT "B" TO THIS ORDINANCE; DESIGNATING THE ZONING OF THE ANNEXATION AREA; APPROVING THE TITLE OF THE ORDINANCE; CONTAINING A SEVERABILITY PROVISION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Petitioners, being the owners as defined in RCW 35A.01.040, of not less than ten percent (10%) in value, according to the assessed valuation of the property for which annexation is petitioned, prior to initiation of the petition, notified the City Council of petitioners' intention to commence annexation proceedings for the area commonly known as the Hensley annexation to the City of Cashmere (City); and

WHEREAS, the City Council met with said initiating owner on Monday, August 22, 2016 and determined by Council action that the City would accept the proposed annexation providing that existing City indebtedness shall be assumed by the area to be annexed and further providing that the City's Comprehensive Plan shall be deemed to apply to the area upon such annexation; and

WHEREAS, a sufficient petition for annexation was subsequently filed with the City Council pursuant to RCW 35A.14.120, signed by the owner 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 as legally described in Exhibit "A"; and

WHEREAS, pursuant to RCW 35A.14.130, the City fixed Monday, October 10, 2016, at the hour of 6:00 p.m. 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; now therefore,

The City Council of the City of Cashmere, Washington do ordain as follows:

Section 1. Annexation. The real property commonly known as the Hensley Annexation in Chelan County, Washington described below, contiguous to the City of Cashmere, Washington, and within the City of Cashmere Urban Growth Boundary, is hereby annexed to and incorporated in the city limits of the City of Cashmere, Washington, on the terms and conditions set forth in this ordinance.

The real property annexed by this ordinance is legally described on the attached Exhibit "A" and generally depicted in the survey map on the attached Exhibit "B" incorporated herein by this reference.

Section 2. Zoning. Zoning of the annexation area shall be Mixed Commercial/Light Industrial (C/LI), the zoning depicted for the annexation in the "Map of the Cashmere Zoning Ordinance". The City Clerk/Treasurer is directed to insert this zoning for the annexation area on the "Map of the Cashmere Zoning Ordinance" when this Ordinance becomes effective.

Section 3. Comprehensive Plan. The annexed real property shall be subject to the Comprehensive Land Use Plan adopted heretofore by the City of Cashmere, Washington. The annexed real property is hereby zoned in accordance with the Comprehensive Plan as Mixed Commercial/Light Industrial (C/LI), as set forth in the City of Comprehensive Plan Land Use Designation Map.

Section 4. Taxation. The annexed real property described herein shall be assessed and taxed at the same rate and on the same basis as other properties in the City of Cashmere, Washington to pay for all or any portion of the outstanding indebtedness of the City of Cashmere, approved by the voters, contracted or incurred prior to or existing at the date of annexation.

Section 5. Summary. The title of this Ordinance is hereby approved as a summary of this Ordinance.

Section 6. Publication. The City Clerk/Treasurer 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/Treasurer is further directed to file certified copies of this ordinance with the Board of Commissioners for Chelan County, Chelan County Auditor and Chelan County Assessor.

Section 7. Severability. If any section, sentence clause or phrase of this Ordinance shall be held invalid or unconstitutional by 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 the ordinance or a summary thereof consisting of the title is published.

Passed by the City Council of the City of Cashmere and approved by the Mayor at a regular open public meeting this 10th day of October, 2016.

CITY OF CASHMERE

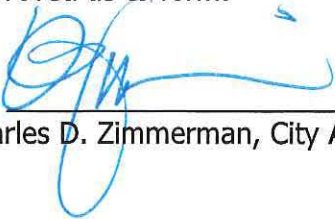
By:  _____
Jeff Gomes, Mayor

Attest:



Kay Jones, City Clerk-Treasurer

Approved as to form:

By: 

Charles D. Zimmerman, City Attorney

Passed by the City Council: 10/10/2016
Published in the Cashmere Valley Record: 10/19/2016
Effective date: 10/24/2016
Ordinance No: 1254

Exhibit "A"

A parcel of land being a portion of the Northeast quarter of Section 5, Township 23 North, Range 19 East of the Willamette Meridian, Chelan County, Washington, described as follows:

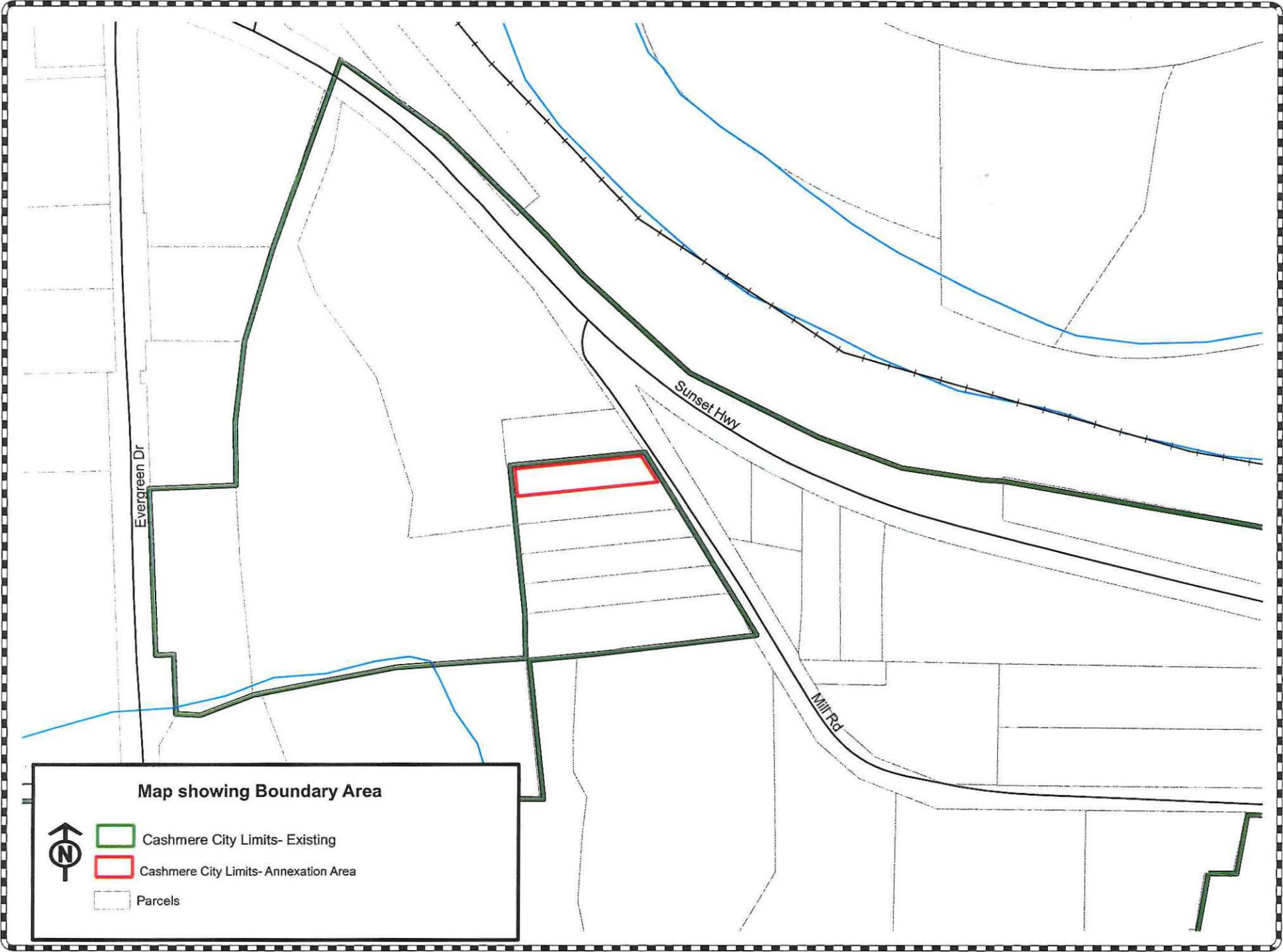
Commencing at the North 1/4 corner Section 5, a 3" brass cap on 1" iron pipe from which the C-N 1/16 corner section 5 a 5/8" steel rod in monument case bears S 02°32'35" E a distance of 1380.66 feet; thence S 48°13'43" E a distance of 1112.97 feet more or less to a found 5/8" rebar shown on that Record of Survey recorded Book 19 at Page 92, thence S 81°14'46" W a distance of 189.39 feet more or less to an angle point corner said survey; thence S 06°12'23" E a distance of 78.55 feet more or less to an angle point corner said survey; thence N 83°54'27" E a distance of 234.74 feet more or less to the westerly right of way Mill Road; thence northerly along the westerly right of way Mill Road a distance of 98.62 feet more or less to the point of beginning.

Area = 0.41 acres



Exhibit "B"







Evergreen Dr

Sunset Hwy

Mill Rd

Map showing Boundary Area



-  Cashmere City Limits- Existing
-  Cashmere City Limits- Annexation Area
-  Parcels