

WHEN RECORDED RETURN TO:

Richland City Clerk
P.O. Box 190 MS-05
Richland, WA 99352

PID#: 1-2298-202-0005-010, 1-2298-202-0005-011, 1-2298-202-0005-009, 1-2209-202-0004-013, 1-2298-202-0004-005

ORDINANCE NO. 25-17

AN ORDINANCE of the City of Richland, Benton County Washington, annexing approximately 13.2 acres of land located at the eastern terminus of Jericho Road and south of Columbia Park Trail, providing for assumption of existing City indebtedness, and amending the Official Zoning Map.

WHEREAS, the City received a notice of intent to annex from Randy and Abbey Aust, owners of real property, the value of which exceeded 10% of the proposed annexation area and so qualified to commence annexation proceedings for annexation into the City of Richland; and

WHEREAS, a meeting was held on December 6, 2016 between the initiating parties of this annexation and the City Council of the City of Richland, at which time the Council adopted Resolution No. 227-16, accepting the notice of intention to commence annexation proceedings for the real property legally described in Exhibit A attached hereto, subject to simultaneous adoption of the Comprehensive Plan for the proposed annexation area, and the assumption of the appropriate share of all existing City indebtedness; and

WHEREAS, Resolution No. 227-16 further authorizes and directs the Richland Planning Commission to propose and forward a recommendation to the City Council as to the most appropriate zoning designation for the area proposed to be annexed; and

WHEREAS, the Richland Planning Commission held a public hearing on January 11, 2017 to consider an appropriate zoning designation for the proposed annexation area, and recommended adoption of Single Family Residential R-1-10 zoning for the property; and

WHEREAS, a notice of intention to annex was duly filed with the Benton County Boundary Review Board. Jurisdiction of the Boundary Review Board was not invoked within 45 days of filing, and thus, the proposed annexation was deemed approved by the Boundary Review Board on March 24, 2017; and

WHEREAS, on April 4, 2017, Richland City Council adopted Resolution No. 64-17, authorizing the circulation of an annexation petition for annexation of the real property legally described in Exhibit A attached hereto; and

WHEREAS, a petition was circulated and signed by property representing 90% of the assessed value of the proposed annexation area, thereby exceeding the state requirement that owners representing at least sixty percent (60%) of the value of the proposed annexation area petition the City for annexation, with such value determined according to the assessed valuation for general taxation; and

WHEREAS, the Richland City Council held a public hearing to consider the annexation on July 18, 2017, which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation and through the mailing of notice to all property owners within the annexation area, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, the matter was duly considered by the City Council of the City of Richland, and the Council has determined that the annexation would be of general benefit to the residents of the City of Richland.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Richland as follows:

Section 1. The real property legally described in Exhibit A attached hereto is hereby annexed to the City of Richland and is hereby declared to be within the corporate limits of the City of Richland, Benton County, Washington (the "Annexed Area").

Section 2. The Richland Comprehensive Plan, adopted October 6, 1997 by passage of Ordinance No. 26-97, shall serve as the comprehensive plan for the Annexed Area. All properties within the annexation shall be designated as "low density residential" under the land use map that is part of the comprehensive plan.

Section 3. The property within the Annexed Area shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments or taxes in payment for all or of any portion of the outstanding indebtedness of the City, approved by the voters, contracted, or incurred prior to, or existing at the date of annexation.

Section 4. Title 23 of the City of Richland Municipal Code (RMC) and the Official Zoning Map of the City as adopted by Section 23.08.040 of said title, hereby amends Sectional Map Nos. 47 which is one of a series of maps constituting said Official Zoning Map, bearing the number and date of passage of this ordinance and by this reference made a part of this ordinance and of the Official Zoning Map of the City.

Section 5. It is hereby found, as an exercise of the City's police power, that the best zoning for the properties included in the Annexed Area shall be R1-10 Single Family Residential, as depicted on Exhibit B, attached hereto, when consideration is given to the interest of the general public.

Section 6. The City Clerk is directed to file a copy of this annexation with the Board of Commissioners of Benton County and the State of Washington in the manner required by law. The City Clerk is also directed to file with the Auditor of Benton County, Washington, a copy of this ordinance and shall attach the amended sectional map, as necessary, and an amended Annexation map, duly certified by the Clerk as a true copy.

Section 7. As authorized and required by RCW 35.13.280, the City shall negotiate a new franchise with the solid waste collection service provider currently serving the Annexed Area on terms that are acceptable to the City and that comply with the City's Solid Waste Management Plan.

Section 8. This ordinance shall be effective August 15, 2017 following publication in the official newspaper of the City.

PASSED by the City Council of the City of Richland on this 1st day of August, 2017.

ROBERT J. THOMPSON
Mayor

ATTEST:

APPROVED AS TO FORM:

MARCIA HOPKINS
City Clerk

HEATHER KINTZLEY
City Attorney

Date Published: August 6, 2017

EXHIBIT A

Legal Description for the Jericho Road Annexation

The Jericho Road annexation consists of the following lots location within the plat of Badger Heights:

- The portion of Block 4, Lot 4 defined as follows: Beginning at the Southeast corner of Lot 4; Thence North a distance of 152.55 feet; Thence Northwesterly along the property line a distance of 250 feet along the property line; Thence South a distance of 219.5 feet to the South line; Thence east along south property line a distance of 240.89 feet to a Point of Beginning; Together with the portion of vacated road right of way per Resolution #91-1885, recorded 2/5/91;
- Block 4, Lot 5;
- Block 5, Lot 9 subject to right of way and easements 1-6-56 Together with the portion of vacated road right of way per resolution #91-026, recorded 2/5/91;
- Block 5, Lot 10 subject to easements and restrictions of record;
- Block 5, Lot 11 subject to easements and restrictions of record.

Together with the following segments of right of way:

- That portion of Jericho Road lying easterly and adjacent to the westerly line of Block 4, Lot 5 of Badger Heights to the easterly line of Block 5, Lot 11 of Badger Heights; and
- That portion of Columbia Park Trail extending from existing City limits (the right of way adjacent to the eastern boundary of Lot 4, Block 4 of Badger Heights) extending easterly to the easterly line of Block 5, Lot 9 of the Badger Heights.

This description includes the following County Parcel Identification Numbers:

1-2298-202-0005-010
1-2298-202-0005-011
1-2298-202-0005-009
1-2209-202-0004-013
1-2298-202-0004-005

EXHIBIT B

ZONING FOR JERICHO ROAD ANNEXATION

