

ORDINANCE NO. 1338

AN ORDINANCE OF THE CITY OF KALAMA, WASHINGTON, PROVIDING FOR THE ANNEXATION OF CERTAIN PROPERTIES KNOWN AS THE BOND - 5035 MEEKER DRIVE ANNEXATION TO THE CITY OF KALAMA, CLASSIFYING AND ZONING SAID PROPERTIES AND FIXING THE EFFECTIVE DATE OF THE ANNEXATION.

WHEREAS, the City of Kalama received an intent to annex approximately 5.34 acres to the City from James & Marie Bond on April 21, 2014;

WHEREAS, on the 7th day of May, 2014 the City Council of Kalama at a regular meeting determined the City would accept the intent to annex and would require the assumption by the newly annexing area of the existing outstanding indebtedness of the City of Kalama;

WHEREAS, at that meeting the City Council determined to accept the intent to annex and requested recommendations from the Kalama Planning Commission for zoning to be determined upon receipt of the petition to annex

WHEREAS, pursuant to RCW Chapter 35A.14, on May 22, 2014, the applicants for annexation submitted to the City a petition to annex signed by owners of 60 percent or more of the assessed valuation of the following parcels:

Tax Parcel	Approx. Acreage	Owner
60835	5.34	James & Marie Bond

(SEE ATTACHED EXHIBIT "A" FOR FULL LEGAL DESCRIPTION)

WHEREAS, the submitted Petition was certified sufficient by the Cowlitz County Assessor's Office on May 27, 2014;

WHEREAS, the City Council fixed the date of the public hearing on the 5035 Meeker Drive Annexation Petition for June 18, 2014 to take testimony and consider the annexation;

WHEREAS, at said hearing the City Council determined based on the recommendations of the Kalama Planning Commission the property be zoned as Mixed Use upon annexation

WHEREAS, the City Council also determined the annexation must be referred to the Boundary Review Board of Cowlitz County, for review;

WHEREAS, the Intent to Annex was submitted to the Washington State Boundary Review Board of Cowlitz County, accepted for filing on July 10, 2014 and pursuant to RCW 36.93.110 as an annexation of less than 10 acres and less than \$2 million in

assessed valuation, the 45 day review period was waived, allowing only for a 15 day review period;

WHEREAS, the City has received notification from the Boundary Review Board that the review period has expired on August 11, 2014 therefore they have deemed the intent to annex approved without modifications as of August 11, 2014

NOW THEREFORE, the City Council of the City of Kalama do ordain:

Section 1. There has been filed with the City Council of the CITY OF KALAMA an annexation petition signed by owners representing at least 60% of the assessed value, according to the assessed valuation for general taxation of the properties for which annexation was petitioned and said petition set forth the fact that the City Council of the CITY OF KALAMA was required to determine what indebtedness would be assumed by the area to be annexed.

Section 2. That the territory proposed by said petition and approved by the Boundary Review Board to be annexed to said CITY OF KALAMA is situated in the County of Cowlitz, State of Washington, and is contiguous, proximate, and adjacent to the present corporate limits of said city, and is more particularly described in Exhibit "A" attached hereto and shown on the attached map (Exhibit B) and incorporated in full herein by this reference.

Section 3. The territory set forth in Exhibit "A" of this Ordinance, should be and is hereby made a part of the CITY OF KALAMA, and the corporate limits of the CITY OF KALAMA are hereby extended so as to include the property and territory described in Exhibit "A" **with an effective date of October 1, 2014.** That said property be assessed and taxed at the same rate and on the same basis as the property of the CITY OF KALAMA is assessed and taxed to pay for outstanding indebtedness of the CITY OF KALAMA now existing or as hereafter contracted or incurred.

Section 4. That the property described in Exhibit "A" hereto be and the same is hereby classified and zoned as Mixed Use to conform with Chapter 17 of the Kalama Municipal Code in all respects. The CITY OF KALAMA zoning map and Comprehensive Plan shall be amended to reference the property as so designated herein.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 6. This Ordinance shall take effect five (5) days following its passage and publication in the official newspaper of the CITY OF KALAMA, and the Clerk is hereby directed to cause the same to be so published.

PASSED by the City Council and **APPROVED** by the Mayor at a regular meeting of the City Council held on the 20th day of August, 2014.

Mayor Pete Poulsen

Attest:

Coni McMaster, Clerk/Treasurer

Approved as to form:

City Attorney

Published: _____

Effective: _____

DRAFT

Exhibit A – Ordinance No. 1338

Exhibit "A"



A TRACT OF LAND IN THE JOSEPH DRAY DONATION LAND CLAIM, TOWNSHIPS 6 AND 7, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF THE JOSEPH DRAY D.L.C. LINE AND THE NORTH LINE OF THE JAMES ROCKEY DONATION LAND CLAIM IN TOWNSHIP 6 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, AS SAID LINE HAS BEEN ESTABLISHED BY STATE OF WASHINGTON ENGINEERS; SAID BEGINNING POINT BEING NORTH 76° 00' EAST 754.7 FEET FROM THE SOUTHWEST CORNER OF SAID JOSEPH DRAY D.L.C., AS SAID CORNER IS ESTABLISHED BY SAID ENGINEERS;
THENCE NORTH 0° 46' EAST 66.7 FEET TO AN IRON PIN FOUND;
THENCE NORTH 04° 29' EAST A DISTANCE OF 682.5 FEET TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 05° 30' EAST A DISTANCE OF 392.3 FEET TO AN EXISTING FENCE;
THENCE ALONG SAID EXISTING FENCE NORTH 83° 47' WEST A DISTANCE OF 458.9 FEET;
THENCE NORTH 88° 27' WEST A DISTANCE OF 156.9 FEET, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF WASHINGTON STATE FRONTAGE ROAD NO. 3 AND AT ENGINEERS STATION KR 61 + 04.64 70 RT;
THENCE SOUTHWESTERLY AND SOUTHERLY ALONG SAID EASTERLY RIGHT OF WAY LINE TO ENGINEERS STATION FR-3 117 + 59.5 25 RT, SAID POINT BEING NORTH 86° 33' WEST 491.7 FEET FROM THE TRUE POINT OF BEGINNING;
THENCE SOUTH 88° 33' EAST 491.7 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF COWLITZ, STATE OF WASHINGTON

Annexation Description



5035 WEEKER DRIVE - KALAMA, WA.

Exhibit B - Ordinance No. 1328

