

ORDINANCE NO. 2016-1510

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF CHELAN; PROVIDING FOR THE ASSUMPTION OF EXISTING INDEBTEDNESS AND ZONING DESIGNATION; AND APPROVING A PRE-ANNEXATION AGREEMENT

RECITALS

- A. Darrin Dietrich and Shari Dietrich, husband and wife, filed a “Notice of Intent to Commence Annexation Proceedings to the City of Chelan Washington” with the City on June 8, 2015 to annex the property they own be annexed into the City under the “10% petition” method of annexation authorized by RCW 35A.14.020, *et. seq.*
- B. The City Council accepted the Notice of Intent to Annex on September 10, 2015, and required the annexation be expanded to include the property depicted in *Exhibit A* and described in *Exhibit B* (the “Annexation Area”), the Annexation Area assume its share of the City’s indebtedness and the Annexation Area be zoned as Special Use District, according to the City’s pre-annexation zoning map.
- C. Subsequent to the City Council’s acceptance of the Notice of Intent to Annex, the owners of all properties within the Annexation Area (the “Property Owners”) agreed the Annexation Area be annexed into the City, thereby converting the process of annexation into the “60% Petition Annexation Method” authorized by RCW 35A.14.120, *et. seq.*
- D. The Property Owners and the City’s planning staff negotiated a “Pre-Annexation Agreement”, a copy of which, without exhibits, is attached as *Exhibit E*, which constitutes the petition by the Property Owners to annex the Annexation Area into the City;
- E. RCW 36.70B.170-.210 and CMC 19.38 authorize the City to enter into development agreements to control the use and development of property as part of a proposed annexation.
- F. On March 24, 2016, the City Council scheduled a public hearing for April 12, 2016 to afford interested persons to appear and voice approval or disapproval of the annexation of the Annexation Area into the City and the Pre-Annexation Agreement and directed the City’s Staff to provide notice of the public hearing;

- G. The City Council held the public hearing on April 12, 2016 and determined Notice of the public hearing was properly given; and
- H. The City Council has carefully reviewed and considered the annexation of the Annexation Area and the Pre-Annexation Agreement, and finds that the best interest of the City will be served and that it is appropriate to good government of the City to annex the Annexation Area into the City based on the terms of the Pre-Annexation Agreement.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CHELAN, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The above Recitals and the attached Exhibits are incorporated in and made a part of this Ordinance.

Section 2. The Annexation Area is annexed into the City under the “60% Petition Annexation Method” authorized by RCW 35A.14.120, *et. seq.*.

Section 3. The Pre-Annexation Agreement is approved and the Mayor shall execute the Pre-Annexation Agreement on behalf of the City.

Section 4. Except as provided in the Pre-Annexation Agreement, all water rights appurtenant to properties in the Annexation Area shall be transferred to the City, under Chapter 13.40 of the Chelan Municipal Code.

Section 5. The properties within the Annexation Area shall be assessed and taxed at the same rate and on the same basis as the property within the City is assessed and taxed, to pay for all of the outstanding indebtedness of the City.

Section 6. The Annexation Area shall be zoned Special Use District, as depicted in the official pre-annexation zoning map of the City. The Community Development Director shall insert the appropriate zoning for the Annexation Area on the official zoning map of the City on the effective date of this Ordinance.

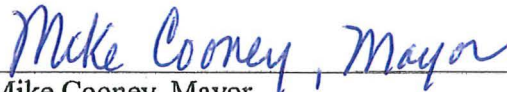
Section 7. The title is approved as a summary of this Ordinance.

Section 8. The Clerk shall cause the title of this Ordinance to be published in a newspaper of general circulation in the City and the City’s official newspaper, and shall file a certified copy of this Ordinance with the Board of Commissioners for Chelan County.

Section 9. Upon the effective date of this Ordinance, the Clerk shall record the Pre-Annexation Agreement with the Chelan County Auditor.

Section 10. This Ordinance shall become effective forty-five days after passage, approval and publication.

PASSED at the regular session of the City Council of the City of Chelan, Washington on April 12, 2016.



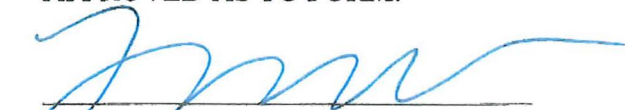
Mike Cooney, Mayor

ATTEST:



Peri Gallucci, City Clerk

APPROVED AS TO FORM:



Quentin Batjer, City Attorney

FILED WITH THE CITY CLERK: April 5, 2016
PASSED BY THE CITY COUNCIL: April 12, 2016
PUBLISHED: April 20, 2016
EFFECTIVE DATE: May 20, 2016
ORDINANCE NO.: 2016-1510

LORD ACREAGE AREA 1

272211675005, 272211675045, 272211240151, 272211240155

The following parcels of land located in Section 11, Township 27 North, Range 22 East of the Willamette Meridian, Chelan County, Washington.

Tracts 1, 2, 3, 8, Plus the North 110 feet of Tract 9, of The Lord Acreage, recorded in Book 3 of Plats, Page 34, records of Chelan County, Washington. Together with the West one half of the West one-half of the Southeast quarter of the Northwest quarter lying Southerly of the Chelan-Manson Highway located in Section 11, Township 27 North, Range 22 East of the Willamette Meridian more particularly described as follows:

Beginning at a point on the Southerly right of way of SR 150 and the Northeast corner of Tract 1, of said The Lord Acreage,

thence Northwesterly along said right of way, to the corner common to Tracts 3 and 4 of said The Lord Acreage;

thence Southerly along the North-South line of Tracts 3 and 4 to the Southerly right of way of Decatur Street;

thence Easterly along said right of way, to the Northwest corner of Tract 8;

thence Southerly along the West line of said Tract 8 to a point 110 feet Southerly from the Northwest corner of Tract 9, Lord Acreage;

thence East to the Easterly right of way of Dietrich Rd;

thence North along the Easterly right of way to the Southwest corner of the West one half of the West one half of the Southeast one quarter of the Northwest one quarter of Section 11;

thence Easterly to the Southeast corner of the West one half of the West one half of the Southeast one quarter of the Northwest one quarter of Section 11;

thence Northerly along the East boundary of the West one half of the West one half of the Southeast one quarter of the Northwest one quarter of Section 11; to the Southerly right of way of State Route 150;

thence Westerly along said South right of way to Point of Beginning.

together with SR 150 right-of-way that has not already been annexed

Dietrich Annexation

Annex2015-01
Direct Petition Method- 60%

Legend

 Dietrich Annexation

Martinson

Kevin
Dietrich

Decatur St

Darren
Dietrich

Kevin
Dietrich

Bighorn Way

Lord Acres Rd

Dietrich Rd

Paradise Way

Brimstone Ln

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Exhibit B: Annexation Area

Google earth

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1000 ft

