

TG-110249



Richland

Office of the City Clerk – MS#05

505 Swift Boulevard, P.O. Box 190 Richland, WA 99352
Telephone 509-942-7390, Fax 509-942-5666

www.ci.richland.wa.us

January 28, 2011

Utilities & Transportation Commission
P.O. Box 47250
Olympia, WA 98504

RE: Badger Mountain South Annexation

For your reference, attached is a copy of City of Richland Ordinance No. 41-10, annexing approximately 1,878 acres to the City. The ordinance was approved December 7, 2010, and went into effective December 13, 2010.

Included is a map and legal description of the annexed property. The annexed area currently includes one residence located at 1276 North Bermuda Road, Kennewick, WA 99338.

Sincerely,

Marcia Hopkins
City Clerk

Enclosure: Ordinance No. 41-10
Annexation Map

cc: City Departments Distribution List

2011 FEB - 1 AM 8:03



WHEN RECORDED RETURN TO:

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

ORDINANCE NO. 41-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHLAND, Benton County Washington, annexing approximately 1,878 Acres including the Badger Mountain South Master Planned Community, providing for assumption of existing City indebtedness and amending the Official Zoning Map.

WHEREAS, the City received a notice of intent from the owners of more than ten percent in value of the real property legally described in Exhibit A attached hereto, to commence annexation proceedings for annexation into the City of Richland; and

WHEREAS, a meeting was held on the 17th day of August, 2010, between the initiating parties of this annexation and the Council of the City of Richland, at which time the Council passed Resolution No. 46-10, 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 Badger Mountain Subarea Plan to serve as the Comprehensive Plan for the proposed annexation area, and the assumption of the appropriate share of all existing city indebtedness; and

indebtedness of the City, approved by the voters, contracted, or incurred prior to, or existing at the date of annexation.

Section 4. The zoning for the portion of the Annexed Area within the Badger Mountain South Master Planned Community shall be as set forth in the Master Agreement and associated Land Use and Development Regulation for the Badger Mountain Master Planned area adopted December 7, 2010 by Resolution No. 77-10 ("LUDR").

Section 5. It is hereby found, as an exercise of the City's police power, that the best zoning for the existing Reata Ridge Subdivision residential lots, located in the southeastern portion of the Annexed Area, shall be R-1-12 Single Family Residential zoning, when consideration is given to the interest of the general public.

Section 6. It is hereby found, as an exercise of the City's police power, that the best zoning for the remaining portion of the Annexed Area shall be Agricultural Use zoning, when consideration is given to the interest of the general public.

Section 7. A map identifying the zoning classifications for the Annexed Area is attached hereto as Exhibit B. The Official Zoning Map of the City, as adopted by RMC 23.08.040, is hereby amended by adding the Annexed Area with the zoning designations set forth in Exhibit B. Sectional maps shall be amended and new sectional maps shall be created as necessary to reflect the zoning designations set forth in Exhibit B. Said maps shall bear the number and date of passage of this ordinance, and be made a part of the Official Zoning Map of the City.

Section 8. The City Clerk is directed to file a copy of this annexation with the Board of County 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 amended sectional maps and additional sectional maps as necessary and an amended Annexation Map, duly certified by the Clerk as a true copy.

Section 9. 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 requires compliance with the City's Solid Waste Management Plan.

Section 10. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

**EXHIBIT A
LEGAL DESCRIPTION OF
ANNEXED AREA**

Parcel "A":

The East half of the East half of Section 31, Township 9 North, Range 28 East, W.M., Benton County, Washington; EXCEPT that portion described as follows:
The Southwest corner of the Southeast quarter of the Southeast quarter being the True Point of Beginning;
Thence East along the South line thereof 360.00 feet;
Thence Northwesterly in a straight line to a point on the West line of said Southeast quarter of the Southeast quarter, a distance of 360.00 feet North of the Southwest corner thereof;
Thence Southerly along said West line 360.00 feet to the True Point of Beginning;
AND EXCEPT that portion thereof lying Southerly and Westerly of the State Highway right-of-way.
AND EXCEPT that portion deeded to the County of Benton, State of Washington, under Quit Claim Deed, recorded October 10, 1968, under Auditor's File No. 595151, records of Benton County, Washington;
AND EXCEPT State Highway right-of-ways;
AND EXCEPT those portions acquired by the State of Washington under eminent domain proceedings filed in Benton County Superior Court Cause No. 82-2-00869-6;

Parcel "B":

All of Section 32, Township 9 North, Range 28 East, W.M., Benton County Washington;
EXCEPT that portion deeded to the County of Benton, State of Washington, under Quit Claim Deed, recorded October 10, 1968, under Auditor's File No. 595151, records of Benton County, Washington;
AND EXCEPT that portion thereof lying Southerly and Westerly of the State Highway right-of-way.
AND EXCEPT State Highway right-of-ways;
AND EXCEPT those portions acquired by the State of Washington under eminent domain proceedings filed in Benton County Superior Court Cause No. 82-2-00869-6;
AND ALSO EXCEPT any portion lying within Short Plat 2465.

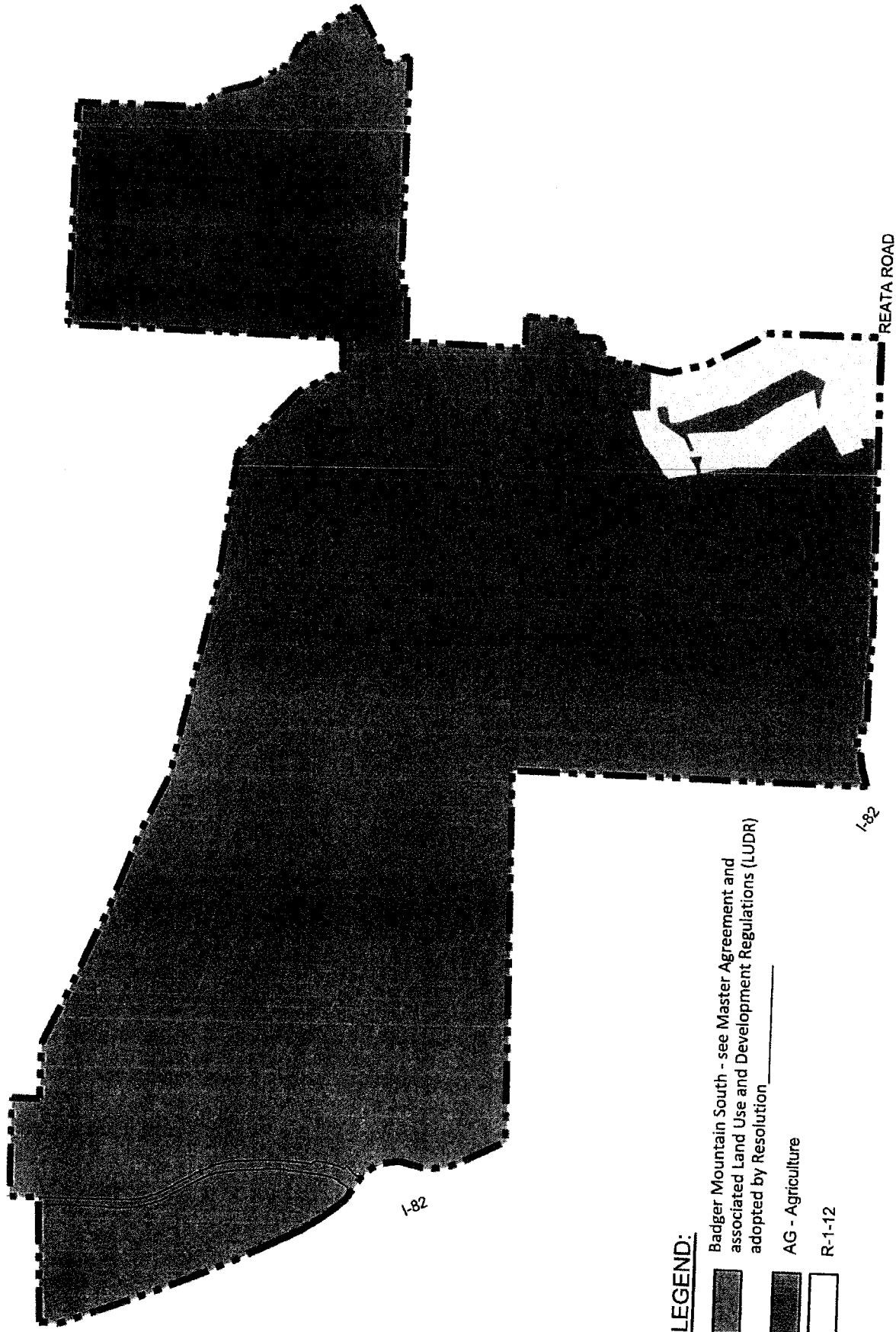
Parcel "C":

Section 33, Township 9 North, Range 28 East, W.M., Benton county, Washington, EXCEPT that portion thereof lying Northerly and Easterly of the following described line:

Beginning at the Northwest corner of said section;
Thence South 02°34'20" West, 1330.20 feet along the West line of said section to the True Point of Beginning;
thence South 77°57'14" East, 2389.11 feet;
thence South 83°23'24" East, 1450.14 feet;
thence South 48°00'49" East, 1013.41 feet;
thence South 28°44'51" East, 566.24 feet;
thence North 88°55'28" East, 380.42 feet to the East line of said section and the terminus of said line, said point bears South 00°45'19" West, 3237.80 feet from the Northeast corner of said section.

(Also known as Tract 4 of Survey recorded August 31, 1998, under Recording No. 1998-025706, records of Benton County, Washington.)

EXCEPT State Highway right-of-way;
AND EXCEPT those portions acquired by the State of Washington under eminent domain proceedings filed in Benton County Superior Court Cause No. 82-2-00869-6;



LEGEND:

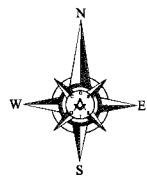
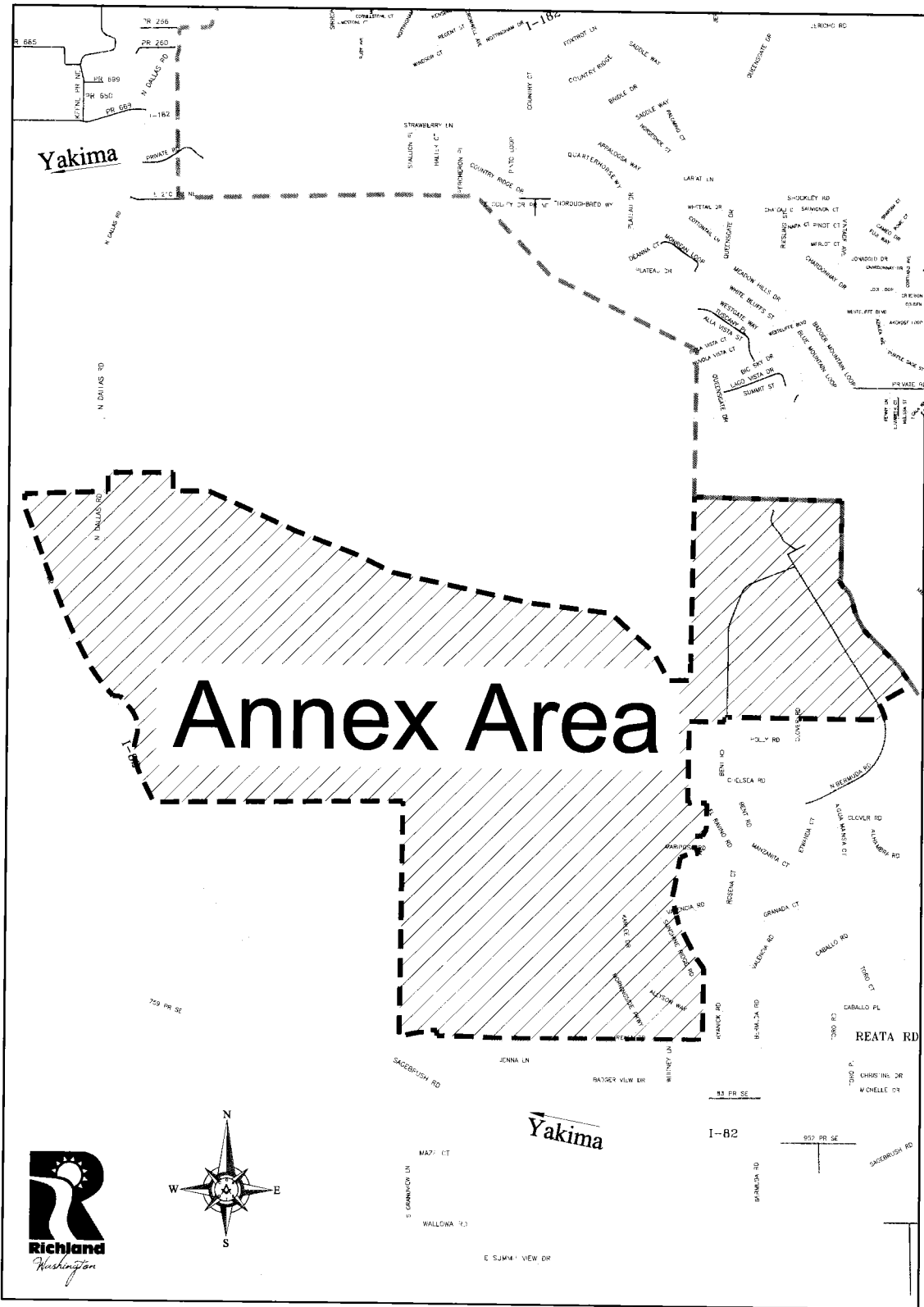
 Badger Mountain South - see Master Agreement and associated Land Use and Development Regulations (LUDR) adopted by Resolution _____

 AG - Agriculture

 R-1-12

EXHIBIT B
Zoning Designations for Annexation Area





Annex Area

Yakima

Yakima

REATA RD

I-182

SAGEBRUSH RD

MAZ? CT

WALLOWA RD

E SUMMIT VIEW DR

759 PR SE

82 PR SE

897 PR SE

700 PR

700 P

CHRISTINE DR

MICHELLE DR

CABALLO RD

CABALLO PL

700 PR

700 PR

700 PR

700 PR

700 PR

700 PR

700 PR

700 PR

700 PR

700 PR

700 PR

700 PR

700 PR

700 PR

700 PR