

Administration	(509) 527-4463
Engineering	(509) 527-4537
Fleet Services	(509) 527-4506
Landfill	(509) 527-4591
Sanitation	(509) 527-4479
Streets	(509) 527-4363
Water	(509) 527-4380

January 13, 2012


Mr. Dave Danner, Executive Director  
UTC  
P. O. Box 47250  
Olympia, Washington 98504

Dear Mr. Danner:

This letter is to inform you that the City of Walla Walla will be taking over the solid waste regulation within the attached territory.

If you have any questions, please do not hesitate to contact me.

Sincerely,

  
Ki Bealey, P.E.  
Public Works Director

Attachments

RECEIVED  
REGIONS MARKETING  
2012 JAN 17 AM 8:12  
STATE OF WASH  
UTIL. AND TRN.  
COMM. DIV.

January 12, 2012

Administration	(509) 527-4463
Engineering	(509) 527-4537
Fleet Services	(509) 527-4506
Landfill	(509) 527-4591
Sanitation	(509) 527-4479
Streets	(509) 527-4363
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Mr. Darrick Dietrich  
Basin Disposal, Incorporated  
P.O. Box 3850  
Pasco, Washington 99302-3850

Dear Mr. Dietrich:

During a recent audit of City sanitation service addresses and past annexations, we have discovered that several City granted post annexation franchises have expired for certain annexed areas which are currently being serviced by BDI. Those post annexation franchises were issued pursuant to the requirements of RCW 35A.14.900, as amended, upon the effective date of such annexations. I have attached for your convenience the applicable annexation ordinances for your reference. It is of note that these annexations fall outside the March 2005 Settlement Agreement between then DSI and the City of Walla Walla.

With that in mind, the City plans on assuming responsibility for providing sanitation service to following areas:

Annexation Areas:

Ordinance 2003-25, known as East End Island Area 1, annexed into the city as of December 23, 2003  
Ordinance 2003-26, known as East End Island Area 2, annexed into the city as of December 23, 2003  
Ordinance 2003-27, known as East End Island Area 3, annexed into the city as of December 23, 2003  
Ordinance 2004-19, known as Offner Road (Rosehaven), annexed into the city as of October 1, 2004  
Ordinance A-3125, known as School Avenue and Loubeck Street (Braymer, et al) 1 & 2, annexed into the city as of September 10, 1980

The City understands that the associated revenue impact for BDI is appreciable. Therefore, I want to provide you advanced notice and inform you of our transition plan and schedule for change.

Transition Plan

January- March 2012 - City makes necessary operational changes, conducts a public bidding process for container purchase, and completes purchasing.

April/May - City provides the affected customers notice of the change and delivers new containers.

Post June 1, 2012 - BDI makes arrangements thereafter to pick up its containers.

Mr. Darrick Dietrich  
January 12, 2012  
Page 2

June 1, 2012 - At this time, we are planning to begin service on this date, but will update you on our transition progress in March and confirm a start of service date.

We desire to make these changes with as little disruption to customers as possible and ask that BDI join us in this effort.

If you have questions or require additional information, please contact Mori Struve, Public Works Manager or Rick Dudgeon, Sanitation Supervisor. Thank you for your help in making this transition.

Sincerely,

A handwritten signature in black ink, appearing to read "Ki Bealey". The signature is written in a cursive, flowing style with a large, prominent initial "K".

Ki Bealey, P.E.  
Public Works Director

c:   Nabiel Shawa, City Manager  
      City Finance Division  
      Rick Dudgeon, Sanitation Supervisor

**RESOLUTION NO. 2005-42**

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF WALLA WALLA TO EXECUTE A SETTLEMENT AGREEMENT WITH DAHL-SMYTH, INC.

WHEREAS, the City of Walla Walla passed Municipal Ordinance A-2405 on May 13, 1970 which classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, Dahl-Smyth, Inc. (DSI) is a garbage hauler operating in the unincorporated areas of Walla Walla County; and

WHEREAS, DSI purchased the certificate of convenience allowing it to operate in this area from Vern Tompkins on October 1, 1981; and

WHEREAS, RCW 35.13.280, originally enacted in 1957, *see*, 1957 Wash. Laws 282 §1, and RCW 35A.14.900, provide that a garbage hauler's certificate of convenience is partially canceled anytime a city annexes territory, but require the city to give a franchise to the affected franchisee following the annexation, and provides that any person, firm or corporation whose franchise or permit has been canceled and has suffered any measurable damages as a result of any annexation shall have a right of action against any city or town causing such damages; and

WHEREAS, DSI sued the City of Walla Walla in Walla Walla County Super. Ct. #85-2-00344-7 claiming damages resulting from annexations of territory described in its certificate of convenience; and

WHEREAS, the parties have reached a mutually beneficial settlement agreement whereby DSI releases all past, present, and future claims against the City of Walla Walla in return for franchises in annexed areas for specified periods of time upon certain terms and conditions; and

WHEREAS, the parties exchanged correspondence on April 4, 2005 clarifying their mutual understanding regarding provision of certain services in annexed areas otherwise served by DSI; and

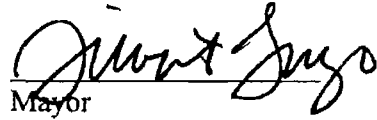
WHEREAS, the Walla Walla City Council has considered said agreement during a regularly and duly called public meeting of said Council, has given said agreement careful review and consideration, and finds that good government and the best interests of the City of Walla Walla will be served by the execution of said agreement,

**NOW THEREFORE, the City Council of the City of Walla Walla do resolve as follows:**

*Section 1:* The terms of a certain an "Settlement Agreement" between the Dahl-Smyth, Inc. and the City of Walla Walla" are hereby accepted on behalf of the City of Walla Walla, and the Mayor of the City of Walla Walla is hereby authorized, empowered and directed to execute said agreement on behalf of the City of Walla Walla.

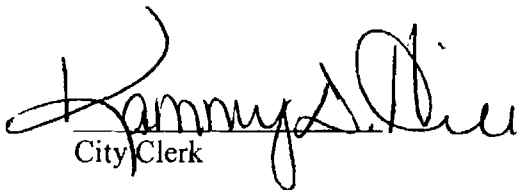
**PASSED** by the City Council of the City of Walla Walla, Washington, this 13th


day of April, 2005

  
\_\_\_\_\_  
Mayor

Attest:

Approved as to form

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
City Attorney

**ORDINANCE NO. 2003-25**

AN ORDINANCE ANNEXING CERTAIN PROPERTY INTO THE CITY OF WALLA WALLA GENERALLY LOCATED IN THE WEST HALF OF SECTION 22 AND THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 7, RANGE 36 EAST, WILLAMETTE MERIDIAN (A-2-03) (ALSO REFERRED TO AS EAST END ISLAND ANNEXATION AREA 1), CANCELING AND GRANTING FRANCHISES IN THE ANNEXED TERRITORY, AND TAKING SUCH OTHER ACTION RELATED THERETO

WHEREAS, the City of Walla Walla passed Municipal Ordinance A-2405 on May 13, 1970 which classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, RCW 35A.14.295(1)(b) provides in pertinent part that “[t]he legislative body of a code city may resolve to annex territory containing residential property owners to the city if there is within the city, unincorporated territory ... [o]f any size and having at least eighty percent of the boundaries of such area contiguous to the city if such area existed before June 30, 1994, and is within the same county and within the same urban growth area designated under RCW 36.70A.110, and the city was planning under chapter 36.70A RCW as of June 30, 1994;” and

WHEREAS, RCW 35A.14.297 provides in pertinent part that “[t]he legislative body may provide by ordinance for annexation of the territory described in the resolution, but the effective date of the ordinance shall be not less than forty-five days after the passage thereof;” and

WHEREAS, this annexation ordinance is subject to referendum for forty-five days after its passage as provided in RCW 35A.14.297 and RCW 35A.14.299; and

WHEREAS, the Walla Walla City Council conducted public hearings on April 12, 1989 and May 24, 1989, and, thereafter passed Municipal Ordinance A-3602 on May 24, 1989 adopting an Urbanizable Area Prezone Map; and

WHEREAS, the area described in exhibit pages 0000001-0000005 hereto has been pre-zoned to R-72 single-family residential and R-60 single family residential; and

WHEREAS, the Walla Walla County Board of Commissioners passed County Resolution number 90-449 on October 30, 1990 opting into planning activities under the Washington Growth Management Act, RCW Ch. 36.70A, and, therefore, the City of Walla Walla was planning under RCW Ch. 36.70A as of June 30, 1994; and

WHEREAS, the City of Walla Walla adopted an Urban Area Comprehensive Plan & Environmental Impact Statement by Municipal Resolution 97-65 on October 8, 1997; and

WHEREAS, the Board of Commissioners for Walla Walla County approved the “Urban Area Comprehensive Plan & Environmental Impact Statement – 1996-2015” by Walla Walla County Ordinance 242 on April 27, 1998; and

WHEREAS, Walla Walla Municipal Resolution 99-36 passed on June 9, 1999

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adopted the “1999 Amendments-Urban Area Comprehensive plan & Environmental Impact Statement, 1996-2015;” and

WHEREAS, the Board of Commissioners for Walla Walla County approved the “1999 Amendments – Urban Area Comprehensive Plan & Environmental Impact Statement – 1996-2015” by Walla Walla County Ordinance 252 on August 24, 1999 and removed an amount of vacant acres from the designated urban growth area by passage of Walla Walla County Ordinance 253 on August 31, 1999; and

WHEREAS, the Board of Commissioners for Walla Walla County passed Ordinance 264 on May 15, 2001 adopting the “Walla Walla County 2021 Comprehensive Plan”; and

WHEREAS, Walla Walla Municipal Ordinance 2001-19 passed on October 10, 2001 adopted the “2001 Amendments-Urban Area Comprehensive Plan & Environmental Impact Statement, 1996-2015;” and

WHEREAS, the Board of Commissioners for Walla Walla County approved the “2001 Amendments-Urban Area Comprehensive Plan & Environmental Impact Statement, 1996-2015” by Walla Walla County Ordinance 272 on May 6, 2002; and

WHEREAS, Walla Walla Municipal Ordinance 2002-22 passed on September 25, 2002 approved map amendments to the Walla Walla Urban Area Comprehensive Plan; and

WHEREAS, the Board of Commissioners for Walla Walla County approved the 2002 amendments to the Walla Walla Urban Area Comprehensive Plan by Walla Walla County Resolution 03129 and Walla Walla County Ordinance 284 on April 29, 2003; and

WHEREAS, the Board of Walla Walla County Commissioners passed Walla Walla County Ordinance 287 and Walla Walla County Resolution 03207 on July 8, 2003 amending the “Walla Walla County 2021 Comprehensive Plan”; and

WHEREAS, the area described in exhibit pages 0000001-0000005 hereto existed before June 30, 1994, at least eighty percent of the boundaries of the unincorporated territory described in exhibit pages 0000001-0000005 hereto are contiguous to the City of Walla Walla, and the area described in exhibit pages 0000001-0000005 is within Walla Walla County and the Walla Walla urban growth area designated under RCW 36.70A.110; and

WHEREAS, the Walla Walla City Council passed Municipal Resolution 2003-55 on June 11, 2003 resolving to annex the unincorporated territory described in exhibit pages 0000001-0000005 hereto, describing the boundaries of the area to be annexed, stating the number of voters residing therein as nearly as may be at 367, and setting July 23, 2003 as the date for a public hearing upon such resolution of annexation; and

WHEREAS, the City of Walla Walla published notice of the public hearing in the newspaper of general circulation in the city and the area to be annexed on July 8, 2003 and July 15, 2003; and

WHEREAS, the Walla Walla City Council conducted a public hearing upon the resolution for annexation on July 23, 2003 and afforded the residents and property owners in the area described in exhibit pages 0000001-0000005 hereto an opportunity to be heard; and

WHEREAS, the City of Walla Walla filed a notice of intention to annex with the

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Walla Walla County Boundary Review Board on August 13, 2003;

WHEREAS, the Walla Walla County Boundary Review Board met on September 29, 2003, and the proposed annexation was approved; and

WHEREAS, this ordinance was introduced for first reading at the October 22, 2003 Walla Walla City Council meeting; and

WHEREAS, the Walla Walla City Council has considered this matter during a regularly and duly called public meeting of said Council, has given said matter careful review and consideration, and finds that good government and the best interests of the City of Walla Walla will be served by annexation of the area described in exhibit pages 0000001-0000005 hereto and taking such other action related thereto;

**NOW THEREFORE, the City Council of the City of Walla Walla do ordain as follows:**

**Section 1:** The property described in exhibit pages 0000001-0000005 hereto is hereby annexed to the City of Walla Walla effective December 23, 2003.

**Section 2:** The Walla Walla Zoning Code, Walla Walla Municipal Code Title 20, as amended, and the rezoning designations stated in the Urbanizable Area Prezone Map approved by Municipal Ordinance A-3602, as amended, are hereby adopted as zoning regulations for the property described in exhibit pages 0000001-0000005 hereto upon the effective date of annexation.

**Section 3:** All property within the area described in exhibit pages 0000001-0000005 hereto shall be assessed and taxed at the same rate and on the same basis as other property in the City of Walla Walla is assessed and taxed. All property within the area described in exhibit pages 0000001-0000005 hereto shall be assessed and taxed at such rate and basis to pay for any outstanding indebtedness of the City of Walla Walla contracted prior to, or existing at, the date of annexation.

**Section 4:** The annexation of the territory described in exhibit pages 0000001-0000005 hereto shall cancel, as of the effective date of such annexation, any franchise or permit theretofore granted to any person, firm or corporation by the state of Washington, or by the governing body of such territory, authorizing or otherwise permitting the operation of any public utility, including but not limited to, public electric, water, transportation, garbage disposal, solid waste collection, or other similar public service business or facility within the limits of the annexed territory.

A. The holder of any such franchise or permit canceled pursuant to this section is forthwith granted by the City of Walla Walla a franchise to continue such business within the annexed territory for a term which shall expire upon the earliest of either (a) the purchase by the City of Walla Walla of said franchise, business, or facilities at an agreed or negotiated



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price, (b) the acquiring of the same by condemnation, (c) the expiration of the remaining term of the original franchise or permit, or (d) the expiration of seven years following the effective date of annexation. Nothing herein shall prevent the City of Walla Walla from extending similar or competing services to the annexed territory by franchise, permit or public operation upon a proper showing of the inability or refusal of the franchisee to adequately service said annexed territory at a reasonable price.

B. The City of Walla Walla hereby decides to contract for solid waste collection or provide solid waste collection itself pursuant to RCW 81.77.020 as of the effective date of annexation. The Walla Walla City Clerk is hereby directed to notify the State of Washington Utilities and Transportation Commission, in writing, of the City of Walla Walla's decision to contract for solid waste collection or provide solid waste collection itself pursuant to RCW 81.77.020 as of the effective date of annexation and to attach a copy of this ordinance to such notification.

C. Terms and conditions of solid waste collection franchises. The following terms and conditions apply to solid waste collection franchises:

(1) Franchisees must notify the City of Walla Walla in writing of any change in physical business address, business mailing address, or business telephone number. The notice must be filed at least ten days before the effective date of the change.

(2) Franchisees must keep and maintain records as provided in Washington Administrative Code Section (WAC) 480-70-061. Franchisees must adhere to accounting requirements of WAC 480-70-066. Franchisees must file with the City of Walla Walla, by no later than May 1 of each year, a complete, accurate, annual report showing an end-of-the-year summary of financial and operational activity of franchisee in the annexed territory. Each franchisee shall make its records available for inspection by the City of Walla Walla.

(3) Franchisees shall maintain insurance in a form and amount as provided in WAC 480-70-181 which covers each motor vehicle it operates in the annexed territory.

(4) Franchisees shall comply with WAC 480-70-191, 480-70-196, WAC 480-70-201, WAC 480-70-206, and WAC 480-211 with respect to their equipment and drivers.

(5) Franchisees shall comply with biomedical waste and hazardous waste rules and regulations promulgated by the State of Washington Utilities and Transportation Commission.

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(6) Customers in the annexed territory shall be subject to the same rates, charges, customer notice requirements, and consumer rules which apply to the franchisee's customers in unincorporated areas of Walla Walla County.

(7) Franchisees shall pay a franchise fee to the City of Walla Walla at a rate of one percent of the franchisee's annual gross operating revenue for the annexed territory. Franchise fees must be paid to the City of Walla Walla by April 1 of each year. The franchise fees shall be used to cover the costs of regulating franchisee.

(8) Franchisees shall comply with all federal, state, and local rules and regulations. The terms and conditions of this franchise do not relieve any franchisee from any of its duties or obligations under the laws of the United States, the State of Washington, Walla Walla County, or the City of Walla Walla. The City of Walla Walla reserves and retains the authority to impose additional or different requirements on any solid waste collection company in appropriate circumstances, consistent with the requirements of law.

(9) WAC 480-70-041 is hereby incorporated for the definition of terms used in the Washington Administrative Code, and the City of Walla Walla adopts by reference the regulations and standards identified in WAC 480-70-999.

(10) Any amendment of the rules and regulations referenced in this franchise grant shall be deemed to amend the terms hereof in conformity therewith.

(11) Noncompliance with any of the terms or conditions of this franchise shall be deemed to be an inability or refusal of the franchisee to adequately service the annexed territory at a reasonable price.

**Section 5:** The Walla Walla City Clerk is directed to publish this ordinance at least once each week for two weeks subsequent to its passage in the newspaper of general circulation in the city and the area to be annexed as notice of the matters stated herein.

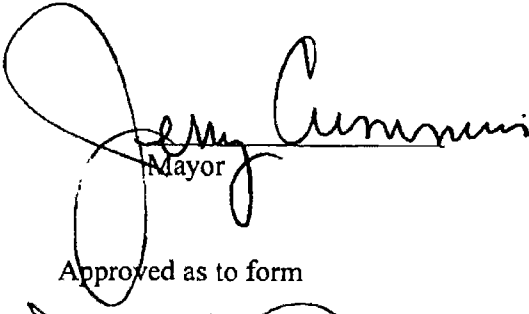
**Section 6:** The Walla Walla City Clerk is directed to submit certificates of annexation as provided in RCW 35A.14.700.

**Section 7:** The Walla Walla City Clerk is directed to file and record copies of this ordinance in such manner as required by law.

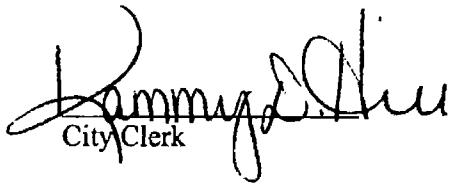
**Section 8:** If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance and the application of the provision to other persons or circumstances is not affected.

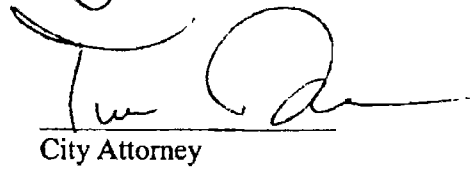
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**PASSED** by the City Council of the City of Walla Walla, Washington, this 5th  
day of November, 2003.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

Approved as to form  
  
\_\_\_\_\_  
City Attorney

**LEGAL DESCRIPTION FOR EAST END ISLAND ANNEXATION – AREA 1  
(A-2-03)**

**Mill Creek South to East-West Centerline of Section 22.**

Beginning at the Northwest corner of the Southwest Quarter of the Northwest Quarter of Section 22, T7N, R36 E.W.M. and run thence S89°-43'-30"E, along the North line of said subdivision 1430.80 feet; thence S0°-26'-30"E, a distance of 512.0 feet to the face of the revetment on the North bank of Mill Creek and the TRUE POINT OF BEGINNING for this description; thence S59°-41'W, along said revetment face 563.4 feet, more or less, to the Southeast corner of East Milbrooke Park Addition, as recorded in Volume "F" of Plats at page 13, Records of Walla Walla County Auditor; thence continue along said revetment face and the Southerly line of said East Milbrooke Park Addition S53°-26'-30"W, 638.4 feet to its intersection with the Northerly extension of the East right of way of Brock Street; thence S0°-01'-30"E, along said Northerly extension of the East line of Brock Street, 143.5 feet, more or less, to a point in the East-West centerline of said Section 22; thence East, along said East-West centerline 1706.3 feet to a point 470.0 feet West of the North-South centerline of said Section 22; thence North, parallel to said North-South centerline, 770.0 feet, more or less, to the Northerly bulkhead of Mill Creek; thence Westerly, along said Northerly bulkhead 711.0 feet, more or less, to the true point of beginning. Containing 24.17 acres.

**ALSO,**

**Alder Street North to East-West Centerline of Sect. 22**

Beginning at the Northwest corner of the Southwest Quarter of Section 22, T7N, R36 E.W.M. and run thence S89°-50'E, along the North line of said subdivision 435.80 feet to a point on the East right of way line of Brock Street and the TRUE POINT OF BEGINNING for this description; thence S0°-01'-30"E, along said East right of way line of Brock Street 284.4 feet to a point in a line parallel to and 100.0 feet North of the Easterly extension of the South line of Lot 77 in Valley Homes Addition, as recorded in Volume "A" of Plats at page 81, Records of Walla Walla County Auditor; thence S89°-58'-30"W, along said parallel line 183.00 feet; thence S0°-01'-30"E, parallel to the centerline of said Brock Street, 100.0 feet to a point in the North line of Lot 54 of said Valley Homes Addition; thence S89°-58'-30"W, along said North line 32.0 feet; thence S0°-01'-30"E, parallel to said centerline of Brock Street 86.0 feet; thence S89°-58'-30"W, parallel to the North line of aforesaid Lot 54, a distance of 10.0 feet; thence S0°-01'-30"E, parallel to the centerline of said Brock Street 181.0 feet; thence N89°-58'-30"E, parallel to the North line of aforesaid Lot 54, a distance of 225.0 feet to point in the East line of Brock Street; thence S0°-01'-30"E, along said East line 97.0 feet to the Easterly extension of the South line of Lot 51 of aforesaid Valley Homes Addition; thence S89°-58'-30"W, along the South line of 51 and its Easterly extension and the South line of Lot 52, a distance of 392.0 feet to the Easterly right of way line of Wilbur Avenue, as now established; thence Southerly, along said

Easterly right of way line 274.0 feet to a point in a line parallel to and 90.0 feet North of the South line of Lot 26 of said Valley Homes Addition; thence N89°-58'-30"E, along said parallel line 167.0 feet, more or less, to a point in the East line of said Lot 26; thence S0°-01'-30"E, along the said East line 90.0 feet to the Southeast corner thereof; thence N89°-58'-30"E, along the North line of Lot 2 of said Valley Homes Addition and its Easterly extension 225.0 feet to a point in the East right of way line of aforesaid Brock Street; thence S0°-01'-30"E, along said East right of way line and its southerly extension, 212.0 feet to a point in the centerline of East Alder Street; thence N89°-58'-30"E, along the centerline of East Alder Street 2155.0 feet to a point in a line parallel to and 45.4 feet West of the West line of Aspen Street; thence North, along said parallel line 30.0 feet to a point in the North line said East Alder Street; thence East, along said North line 45.4 feet to a point in the West line of said Aspen Street; thence North, along the West line of Aspen Street, 910.0 feet to a point in the South line of Lot 66 of aforesaid Valley Homes Addition; thence West, along the South line of said Lot 66, a distance of 174.25 feet to the East line of Commercial Street; thence North, along the East line of Commercial Street 406.7 feet to the centerline of Garrison Street, said centerline lies 30.0 feet North of the East-West centerline of aforesaid Section 22; thence West, along said centerline 260.6 feet to a point in a line parallel to and 470.0 feet West of the North-South centerline of said Section 22; thence South, along said parallel line 30.0 feet to a point in the East-West centerline of said Section 22; thence West, along said East-West centerline 1706.3 feet to the true point of beginning. Containing 71.04 acres.

**ALSO,**

**North of Whitman & Tract Between Holly & Wilbur**

Lots 15, 16, 17 & 9 and the North 2.0 feet in width of Lot 10, all in Block 5 of aforesaid Parkside Addition, together with the 15.00 foot alley lying between Lots 9 & 16 and the 15.0 foot alley lying adjacent to the North 2.0 feet in width of Lot 10.

ALSO, beginning at the Southwest corner of Lot 15 in Block 5 of aforesaid Parkside Addition and run thence West, parallel to the centerline of Whitman Street 40.0 feet to a point in the West line of Section 22, T7N, R36 E.W.M.; thence North, along said West line 500.00 feet to a point in the Westerly extension of the North line of aforesaid Block 5; thence East, along said extension 40.0 feet to the Northwest corner of said Block 5; thence South, along said West line of Block 5, a distance of 500.0 feet to the point of beginning.

All containing 1.00

**ALSO,**

**Between School and Berney Drive, South of Alder & North of Wallace.**

Beginning at the Northwest corner of the Southeast Quarter of the Southwest Quarter of Section 22, T7N, R36 E.W.M., said point being at the intersection of the centerline of East Alder St. and the centerline of School Avenue, as delineated on Alderbrook Park Addition, as recorded in Volume "E" of Plats at page 23, records of Walla Walla County Auditor and run thence S89°-58'-30"E, along the centerline of said East Alder Street 1271.01 feet to a point 45.40 feet West

of the Southerly extension of the West line of Aspen Street, said point also being on the West line of Annexation # 2987; thence South, along said Annexation West line, 30.0 feet to the Northwest corner of Lot 3 of Savages Replat of Block 4 of Alderbrook Park Addition, as recorded in Volume 4 of Roll Files at page B-3, Records of Walla Walla County Auditor; thence West, along the South line of East Alder Street, 542.22 feet to the intersection with the Southwest right of way of Berney Drive; thence Southeasterly, along said Southwest right of way 828.68 feet to the Northeast corner of Tract 1 of Barrow's Home Tracts, as recorded in Volume "C" of Plats at page 53, Records of aforesaid Auditor; thence Westerly, along the North line of Tracts 1 & 2 of said Barrow's Home Tracts 195.98 feet; thence South, parallel to the East line of said Tract 2, a distance of 49.50 feet; thence Westerly, along the North line of Tract 2, a distance of 3.22 feet; thence South, parallel to the East line of Tract 2, a distance of 95.20 feet; thence East, parallel to the South line of said Tract 2, a distance of 36.10 feet; thence South, parallel to the aforesaid East line 108.7 feet to a point in the North right of way of Wallace Street; thence West, along said North right of way 555.64 feet to the East line of Annexation # 2995; thence North, along said Annexation line, the following courses: North, parallel to School Avenue 184.0 feet to a point in the North line of aforesaid Barrow's Home Tracts; thence Westerly, along said North line 250.26 feet; thence South, parallel to School Avenue 174.69 feet to a point in the North line of aforesaid Wallace Street; thence West, along said North line 33.2 feet to its intersection with the West line of Period Street; thence South, along said West line of Period Street 20.17 feet; thence West, parallel to Delmont Street 332.0 feet to a point in the East right of way of School Avenue, said point also being the East line of Annexation # 3522; thence North, along the East line of said Annexation and the East right of way of School Avenue 229.2 feet; thence West, along said Annexation line 20.00 feet to a point in the West line of aforesaid Southeast Quarter of the Southwest Quarter of Section 22; thence leave said Annexation line and run thence North, along the West line of said Southeast Quarter of the Southwest Quarter 560.5 feet to the point of beginning.

ALSO, Block 4 of Alderbrook Park Addition, as recorded in Volume "E" of Plats at page 23, Records of Walla Walla County Auditor, EXCEPTING therefrom, however, Savages Replat of said Block 4, as recorded in Volume 4 of Roll Files at page B-3. Containing 20.36 acres.

ALSO,

**West of School, South of Alder, Around Krein's Add.**

Beginning at the Southeast corner of Section 21, T7N, R36 E.W.M. and run thence North, along the East line of said Section, a distance of 130.0 feet to the TRUE POINT OF BEGINNING for this description; thence N89°-28'-30"W, parallel to the South line of said Section, 25.0 feet to a point in the West line of Wilbur Avenue; thence South, along said West line 30.0 feet; thence N89°-28'-30"W, parallel to said South line, a distance of 240.0 feet to the Southwest corner of Lot 5 in Block 1 of Jacob Krein's Addition, as recorded in Volume "E" of Plats at page 25, Records of Walla Walla County Auditor; thence North, along the West line of Lots 5 & 6, a distance of 120.0 feet to the Northwest corner of said Lot 6; thence S89°-28'-30"E, along the North line of said Lot 6, a distance of 120.0 feet to the Northeast corner thereof; thence North, along the East line of Lot 7 of aforesaid Addition, 60.0 feet to the Northeast corner of Lot 7; thence N89°-28'-30"W, along said North line 96.2 feet to the Northwest corner thereof; thence

Northwesterly, along a curve to the left, having a radius of 50.0 feet and a central angle of 73°-14', said curve being tangent to a line bearing N13°-14'E, an arc distance of 63.91 feet; thence North, parallel to the aforesaid East line of Section 21, a distance of 6.47 feet to a point in the North line of aforesaid Jacob Krein's Addition; thence S89°-28'-30"E, along said North line 265.0 feet to the East line of said Section 21; thence South, along said East line 211.0 feet to the true point of beginning.  
Containing 1.26 acres.

**ALSO,** Beginning at the Southeast corner of Watertown Addition, as recorded in Volume "C" of Plats at page 56, Records of Walla Walla County Auditor and run thence North, along the East line of said Addition 499.0 feet to the Northeast corner of Lot 1 in Block 10 of said Addition; thence East, along the South line of East Olive Street 60.0 feet; thence North, parallel to the East line of said Watertown Addition 205.0 feet to a point in a line parallel to and 125.0 feet South of the South line of East Alder Street; thence East along said parallel line 403.0 feet to the East line of aforesaid Section 21; thence South, along said East line of Section 21, a distance of 835.55 feet to the Easterly extension of the North line of of Jacob Krein's Addition, as recorded in Volume "E" of Plats at page 25, Records of Walla Walla County Auditor; thence West, along said extension and said North line, a distance of 145.0 feet to the Northeast corner of Lot 8 in Block 1 of said Addition; thence North, parallel to the aforesaid East line of Section 21, a distance of 100.0 feet; thence West, parallel to the aforesaid North line Jacob Krein's Addition 120.0 feet; thence North, parallel to the East line of said Section, a distance of 14.3 feet; thence West, parallel to said North line 136.5 feet, more or less to the East line of that tract conveyed to Danie Snyder, by deed dated 7/28/37 and recorded in Book 198 of Deeds at page 80; thence North, along said Snyder East line 15.8 feet, more or less, to the point of beginning.  
Containing 6.79 acres.

**ALSO,**

**Between Wilbur & School & South of Alder**

Beginning at the Northeast corner of the Southwest Quarter of the Southwest Quarter of Section 22, T7N, R36 E.W.M. and run thence South, along the East line of said subdivision 560.51 feet to a point in the North line of Annexation # 3522; thence along said Annexation line, the following courses: West 25.0 feet to the west right of way of School Avenue, said point being the centerline of Garrison Creek; thence along said creek centerline and the Annexation line S63°-00'W, 42.8 feet; thence S88°-30'W, 42.0 feet; thence S70°-30'W, 107.0 feet; thence South, parallel to the West right of way of School Avenue, 47.0 feet; thence West, parallel to the centerline of Whitman Street 60.4 feet; thence South, parallel to the aforesaid West right of way 185.0 feet; thence West, parallel to the centerline of Whitman Street, 58.75 feet to the centerline of Sycamore Street and the Northeast corner of Annexation #2374; thence West, along the North line of said Annexation #2374, a distance of 302.50 feet to a point in the East line of Ankeny Street; thence North, along the said East line of Ankeny Street 185.0 feet to a point in the South line of Annexation # 2989; thence along said Annexation line, the following courses: East, parallel to the North line of aforesaid Southwest Quarter of the Southwest Quarter of Section 22, a distance of 51.4 feet to an angle point therein; thence North, parallel to the East line of said Southwest Quarter of the Southwest Quarter, 321.9 feet; thence West, parallel to the North line

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of said Southwest Quarter of the Southwest Quarter, 134.1 feet; thence South, parallel to said East line 356.9 feet to a point in the South line of Ruth Street; thence West, along said South line and aforesaid Annexation # 2989, a distance of 441.08 feet to the Northeast corner of Lot 24, Block 5 of Parkside Addition, as recorded in Volume "D" of Plats at page 37, Records of Walla Walla County Auditor; thence leave said Annexation #2989 and run thence West, along the North line of Lot 24 and its West extension 162.58 feet to a point in the West line of aforesaid Southwest Quarter of the Southwest Quarter of Section 22; thence North, along said West line 550.78 feet, more or less, to a point in a line parallel to and 150.0 feet South of the North line of the Southwest Quarter of the Southwest Quarter, said point also being on the South line of Annexation #3050; thence East, along said parallel line and said Annexation line 157.2 feet to a point in a line parallel to and 175.0 feet East of the West right of way of South Wilbur Avenue; thence North, along said parallel line and said Annexation line, 120.0 feet to a point in the South line of Alder Street; thence leave said Annexation line and run thence East, along said South line of Alder Street 268.0 feet to a point in the Southerly extension of the East line of Brock Street; thence North, along said extension, 30.0 feet to a point in the centerline of Alder Street, said point also being on the North line of aforesaid Southwest Quarter of the Southwest Quarter of Section 22; thence East, along said North line 884.0 feet to the point of beginning.  
Containing 19.95 acres.

TOGETHER, all containing approximately 144.57 ACRES.

0000005



**ORDINANCE NO. 2003-26**

AN ORDINANCE ANNEXING CERTAIN PROPERTY INTO THE CITY OF WALLA WALLA GENERALLY LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 7, RANGE 36 EAST, WILLAMETTE MERIDIAN (A-3-03) (ALSO REFERRED TO AS EAST END ISLAND ANNEXATION AREA 2), CANCELING AND GRANTING FRANCHISES IN THE ANNEXED TERRITORY, AND TAKING SUCH OTHER ACTION RELATED THERETO

WHEREAS, the City of Walla Walla passed Municipal Ordinance A-2405 on May 13, 1970 which classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, RCW 35A.14.295(1)(b) provides in pertinent part that “[t]he legislative body of a code city may resolve to annex territory containing residential property owners to the city if there is within the city, unincorporated territory ... [o]f any size and having at least eighty percent of the boundaries of such area contiguous to the city if such area existed before June 30, 1994, and is within the same county and within the same urban growth area designated under RCW 36.70A.110, and the city was planning under chapter 36.70A RCW as of June 30, 1994;” and

WHEREAS, RCW 35A.14.297 provides in pertinent part that “[t]he legislative body may provide by ordinance for annexation of the territory described in the resolution, but the effective date of the ordinance shall be not less than forty-five days after the passage thereof;” and

WHEREAS, this annexation ordinance is subject to referendum for forty-five days after its passage as provided in RCW 35A.14.297 and RCW 35A.14.299; and

WHEREAS, the Walla Walla City Council conducted public hearings on April 12, 1989 and May 24, 1989, and, thereafter passed Municipal Ordinance A-3602 on May 24, 1989 adopting an Urbanizable Area Prezone Map; and

WHEREAS, the area described in exhibit page 0000001 hereto has been pre-zoned to R-96 single-family residential; and

WHEREAS, the Walla Walla County Board of Commissioners passed County Resolution number 90-449 on October 30, 1990 opting into planning activities under the Washington Growth Management Act, RCW Ch. 36.70A, and, therefore, the City of Walla Walla was planning under RCW Ch. 36.70A as of June 30, 1994; and

WHEREAS, the City of Walla Walla adopted an Urban Area Comprehensive Plan & Environmental Impact Statement by Municipal Resolution 97-65 on October 8, 1997; and

WHEREAS, the Board of Commissioners for Walla Walla County approved the “Urban Area Comprehensive Plan & Environmental Impact Statement – 1996-2015” by Walla Walla County Ordinance 242 on April 27, 1998; and

WHEREAS, Walla Walla Municipal Resolution 99-36 passed on June 9, 1999

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adopted the “1999 Amendments-Urban Area Comprehensive plan & Environmental Impact Statement, 1996-2015;” and

WHEREAS, the Board of Commissioners for Walla Walla County approved the “1999 Amendments – Urban Area Comprehensive Plan & Environmental Impact Statement – 1996-2015” by Walla Walla County Ordinance 252 on August 24, 1999 and removed an amount of vacant acres from the designated urban growth area by passage of Walla Walla County Ordinance 253 on August 31, 1999; and

WHEREAS, the Board of Commissioners for Walla Walla County passed Ordinance 264 on May 15, 2001 adopting the “Walla Walla County 2021 Comprehensive Plan”; and

WHEREAS, Walla Walla Municipal Ordinance 2001-19 passed on October 10, 2001 adopted the “2001 Amendments-Urban Area Comprehensive Plan & Environmental Impact Statement, 1996-2015;” and

WHEREAS, the Board of Commissioners for Walla Walla County approved the “2001 Amendments-Urban Area Comprehensive Plan & Environmental Impact Statement, 1996-2015” by Walla Walla County Ordinance 272 on May 6, 2002; and

WHEREAS, Walla Walla Municipal Ordinance 2002-22 passed on September 25, 2002 approved map amendments to the Walla Walla Urban Area Comprehensive Plan; and

WHEREAS, the Board of Commissioners for Walla Walla County approved the 2002 amendments to the Walla Walla Urban Area Comprehensive Plan by Walla Walla County Resolution 03129 and Walla Walla County Ordinance 284 on April 29, 2003; and

WHEREAS, the Board of Walla Walla County Commissioners passed Walla Walla County Ordinance 287 and Walla Walla County Resolution 03207 on July 8, 2003 amending the “Walla Walla County 2021 Comprehensive Plan”; and

WHEREAS, the area described in exhibit page 0000001 hereto existed before June 30, 1994, at least eighty percent of the boundaries of the unincorporated territory described in exhibit page 0000001 hereto are contiguous to the City of Walla Walla, and the area described in exhibit page 0000001 is within Walla Walla County and the Walla Walla urban growth area designated under RCW 36.70A.110; and

WHEREAS, the Walla Walla City Council passed Municipal Resolution 2003-56 on June 11, 2003 resolving to annex the unincorporated territory described in exhibit page 0000001 hereto, describing the boundaries of the area to be annexed, stating the number of voters residing therein as nearly as may be at 17, and setting July 23, 2003 as the date for a public hearing upon such resolution of annexation; and

WHEREAS, the City of Walla Walla published notice of the public hearing in the newspaper of general circulation in the city and the area to be annexed on July 8, 2003 and July 15, 2003; and

WHEREAS, the Walla Walla City Council conducted a public hearing upon the resolution for annexation on July 23, 2003 and afforded the residents and property owners in the area described in exhibit page 0000001 hereto an opportunity to be heard; and

WHEREAS, the City of Walla Walla filed a notice of intention to annex with the Walla Walla County Boundary Review Board on August 13, 2003;

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WHEREAS, the Walla Walla County Boundary Review Board met on September 29, 2003, and the proposed annexation was approved; and

WHEREAS, this ordinance was introduced for first reading at the October 22, 2003 Walla Walla City Council meeting; and

WHEREAS, the Walla Walla City Council has considered this matter during a regularly and duly called public meeting of said Council, has given said matter careful review and consideration, and finds that good government and the best interests of the City of Walla Walla will be served by annexation of the area described in exhibit page 0000001 hereto and taking such other action related thereto;

**NOW THEREFORE, the City Council of the City of Walla Walla do ordain as follows:**

**Section 1:** The property described in exhibit page 0000001 hereto is hereby annexed to the City of Walla Walla effective December 23, 2003.

**Section 2:** The Walla Walla Zoning Code, Walla Walla Municipal Code Title 20, as amended, and the rezoning designations stated in the Urbanizable Area Prezone Map approved by Municipal Ordinance A-3602, as amended, are hereby adopted as zoning regulations for the property described in exhibit page 0000001 hereto upon the effective date of annexation.

**Section 3:** All property within the area described in exhibit page 0000001 hereto shall be assessed and taxed at the same rate and on the same basis as other property in the City of Walla Walla is assessed and taxed. All property within the area described in exhibit page 0000001 hereto shall be assessed and taxed at such rate and basis to pay for any outstanding indebtedness of the City of Walla Walla contracted prior to, or existing at, the date of annexation.

**Section 4:** The annexation of the territory described in exhibit page 0000001 hereto shall cancel, as of the effective date of such annexation, any franchise or permit theretofore granted to any person, firm or corporation by the state of Washington, or by the governing body of such territory, authorizing or otherwise permitting the operation of any public utility, including but not limited to, public electric, water, transportation, garbage disposal, solid waste collection, or other similar public service business or facility within the limits of the annexed territory.

A. The holder of any such franchise or permit canceled pursuant to this section is forthwith granted by the City of Walla Walla a franchise to continue such business within the annexed territory for a term which shall expire upon the earliest of either (a) the purchase by the City of Walla Walla of said franchise, business, or facilities at an agreed or negotiated price, (b) the acquiring of the same by condemnation, (c) the expiration of the remaining

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term of the original franchise or permit, or (d) the expiration of seven years following the effective date of annexation. Nothing herein shall prevent the City of Walla Walla from extending similar or competing services to the annexed territory by franchise, permit or public operation upon a proper showing of the inability or refusal of the franchisee to adequately service said annexed territory at a reasonable price.

B. The City of Walla Walla hereby decides to contract for solid waste collection or provide solid waste collection itself pursuant to RCW 81.77.020 as of the effective date of annexation. The Walla Walla City Clerk is hereby directed to notify the State of Washington Utilities and Transportation Commission, in writing, of the City of Walla Walla's decision to contract for solid waste collection or provide solid waste collection itself pursuant to RCW 81.77.020 as of the effective date of annexation and to attach a copy of this ordinance to such notification.

C. Terms and conditions of solid waste collection franchises. The following terms and conditions apply to solid waste collection franchises:

(1) Franchisees must notify the City of Walla Walla in writing of any change in physical business address, business mailing address, or business telephone number. The notice must be filed at least ten days before the effective date of the change.

(2) Franchisees must keep and maintain records as provided in Washington Administrative Code Section (WAC) 480-70-061. Franchisees must adhere to accounting requirements of WAC 480-70-066. Franchisees must file with the City of Walla Walla, by no later than May 1 of each year, a complete, accurate, annual report showing an end-of-the-year summary of financial and operational activity of franchisee in the annexed territory. Each franchisees shall make its records available for inspection by the City of Walla Walla.

(3) Franchisees shall maintain insurance in a form and amount as provided in WAC 480-70-181 which covers each motor vehicle it operates in the annexed territory.

(4) Franchisees shall comply with WAC 480-70-191, 480-70-196, WAC 480-70-201, WAC 480-70-206, and WAC 480-211 with respect to their equipment and drivers.

(5) Franchisees shall comply with biomedical waste and hazardous waste rules and regulations promulgated by the State of Washington Utilities and Transportation Commission.

(6) Customers in the annexed territory shall be subject to the same rates,

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charges, customer notice requirements, and consumer rules which apply to the franchisee's customers in unincorporated areas of Walla Walla County.

(7) Franchisees shall pay a franchise fee to the City of Walla Walla at a rate of one percent of the franchisee's annual gross operating revenue for the annexed territory. Franchise fees must be paid to the City of Walla Walla by April 1 of each year. The franchise fees shall be used to cover the costs of regulating franchisee.

(8) Franchisees shall comply with all federal, state, and local rules and regulations. The terms and conditions of this franchise do not relieve any franchisee from any of its duties or obligations under the laws of the United States, the State of Washington, Walla Walla County, or the City of Walla Walla. The City of Walla Walla reserves and retains the authority to impose additional or different requirements on any solid waste collection company in appropriate circumstances, consistent with the requirements of law.

(9) WAC 480-70-041 is hereby incorporated for the definition of terms used in the Washington Administrative Code, and the City of Walla Walla adopts by reference the regulations and standards identified in WAC 480-70-999.

(10) Any amendment of the rules and regulations referenced in this franchise grant shall be deemed to amend the terms hereof in conformity therewith.

(11) Noncompliance with any of the terms or conditions of this franchise shall be deemed to be an inability or refusal of the franchisee to adequately service the annexed territory at a reasonable price.

**Section 5:** The Walla Walla City Clerk is directed to publish this ordinance at least once each week for two weeks subsequent to its passage in the newspaper of general circulation in the city and the area to be annexed as notice of the matters stated herein.

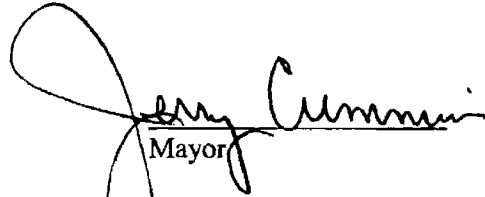
**Section 6:** The Walla Walla City Clerk is directed to submit certificates of annexation as provided in RCW 35A.14.700.

**Section 7:** The Walla Walla City Clerk is directed to file and record copies of this ordinance in such manner as required by law.

**Section 8:** If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance and the application of the provision to other persons or circumstances is not affected.

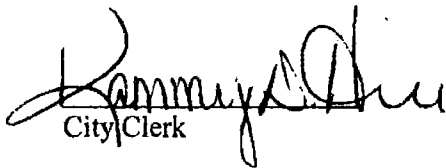
**PASSED** by the City Council of the City of Walla Walla, Washington, this 5th

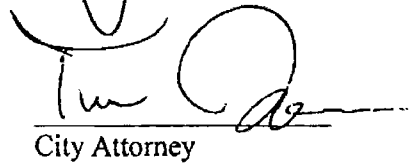
day of November, 2003.

  
Mayor

Attest:

Approved as to form

  
City Clerk

  
City Attorney

**LEGAL DESCRIPTION FOR EAST END ISLAND ANNEXATION – AREA 2  
(A-03-03)**

**Island Between Wallace & Delmont**

Beginning at the Northeast corner of Lot 12 of Barrow's Home Tracts, as recorded in Book "C" of Plats at page 53, Records of Walla Walla County Auditor and run thence West, along the South line of Wallace Street 300.7 feet to a point in a line parallel to and 150.7 feet East of the West line of Lot 11 in said Barrow's Home Tracts; thence South, along said parallel line 153.0 feet to a point in the North line of Delmont Street; thence West, along said North line of Delmont Street, 513.4 feet to a point 117.0 West of the West line of Period Street; thence North, parallel to School Avenue, 90.0 feet; thence West, 110.07 feet to a point 86.0 feet North of the North line of Delmont Street; thence South, parallel to School Avenue, 126.0 feet to a point in the South line of Delmont Street; thence East, along said South line 63.0 feet to a point in a line parallel to and 2.0 feet East of the West line of Lot 22 of said Barrow's Home Tracts; thence South, along said parallel line 150.0 feet to a point in the South line of said Barrow's Home Tracts; thence East, along said South line 944.96 feet to a point in a line parallel to and 83.86 feet East of the West line of Lot 18 in said Addition; thence North, along said parallel line 190.0 feet to a point in the North line of aforesaid Delmont Street; thence West, along said North line, 83.86 feet to the Southeast corner of aforesaid Lot 12; thence North, along the East line of said Lot 12, a distance of 153.0 feet to the point of beginning.  
Containing 5.46 acres.

**ORDINANCE NO. 2003-27**

AN ORDINANCE ANNEXING CERTAIN PROPERTY INTO THE CITY OF WALLA WALLA GENERALLY LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 7, RANGE 36 EAST, WILLAMETTE MERIDIAN (A-4-03) (ALSO REFERRED TO AS EAST END ISLAND ANNEXATION AREA 3), CANCELING AND GRANTING FRANCHISES IN THE ANNEXED TERRITORY, AND TAKING SUCH OTHER ACTION RELATED THERETO

WHEREAS, the City of Walla Walla passed Municipal Ordinance A-2405 on May 13, 1970 which classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, RCW 35A.14.295(1)(b) provides in pertinent part that “[t]he legislative body of a code city may resolve to annex territory containing residential property owners to the city if there is within the city, unincorporated territory ... [o]f any size and having at least eighty percent of the boundaries of such area contiguous to the city if such area existed before June 30, 1994, and is within the same county and within the same urban growth area designated under RCW 36.70A.110, and the city was planning under chapter 36.70A RCW as of June 30, 1994;” and

WHEREAS, RCW 35A.14.297 provides in pertinent part that “[t]he legislative body may provide by ordinance for annexation of the territory described in the resolution, but the effective date of the ordinance shall be not less than forty-five days after the passage thereof;” and

WHEREAS, this annexation ordinance is subject to referendum for forty-five days after its passage as provided in RCW 35A.14.297 and RCW 35A.14.299; and

WHEREAS, the Walla Walla City Council conducted public hearings on April 12, 1989 and May 24, 1989, and, thereafter passed Municipal Ordinance A-3602 on May 24, 1989 adopting an Urbanizable Area Prezone Map; and

WHEREAS, the area described in exhibit page 0000001 hereto has been pre-zoned to R-60 single-family residential; and

WHEREAS, the Walla Walla County Board of Commissioners passed County Resolution number 90-449 on October 30, 1990 opting into planning activities under the Washington Growth Management Act, RCW Ch. 36.70A, and, therefore, the City of Walla Walla was planning under RCW Ch. 36.70A as of June 30, 1994; and

WHEREAS, the City of Walla Walla adopted an Urban Area Comprehensive Plan & Environmental Impact Statement by Municipal Resolution 97-65 on October 8, 1997; and

WHEREAS, the Board of Commissioners for Walla Walla County approved the “Urban Area Comprehensive Plan & Environmental Impact Statement – 1996-2015” by Walla Walla County Ordinance 242 on April 27, 1998; and

WHEREAS, Walla Walla Municipal Resolution 99-36 passed on June 9, 1999



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adopted the "1999 Amendments-Urban Area Comprehensive plan & Environmental Impact Statement, 1996-2015;" and

WHEREAS, the Board of Commissioners for Walla Walla County approved the "1999 Amendments – Urban Area Comprehensive Plan & Environmental Impact Statement – 1996-2015" by Walla Walla County Ordinance 252 on August 24, 1999 and removed an amount of vacant acres from the designated urban growth area by passage of Walla Walla County Ordinance 253 on August 31, 1999; and

WHEREAS, the Board of Commissioners for Walla Walla County passed Ordinance 264 on May 15, 2001 adopting the "Walla Walla County 2021 Comprehensive Plan"; and

WHEREAS, Walla Walla Municipal Ordinance 2001-19 passed on October 10, 2001 adopted the "2001 Amendments-Urban Area Comprehensive Plan & Environmental Impact Statement, 1996-2015;" and

WHEREAS, the Board of Commissioners for Walla Walla County approved the "2001 Amendments-Urban Area Comprehensive Plan & Environmental Impact Statement, 1996-2015" by Walla Walla County Ordinance 272 on May 6, 2002; and

WHEREAS, Walla Walla Municipal Ordinance 2002-22 passed on September 25, 2002 approved map amendments to the Walla Walla Urban Area Comprehensive Plan; and

WHEREAS, the Board of Commissioners for Walla Walla County approved the 2002 amendments to the Walla Walla Urban Area Comprehensive Plan by Walla Walla County Resolution 03129 and Walla Walla County Ordinance 284 on April 29, 2003; and

WHEREAS, the Board of Walla Walla County Commissioners passed Walla Walla County Ordinance 287 and Walla Walla County Resolution 03207 on July 8, 2003 amending the "Walla Walla County 2021 Comprehensive Plan"; and

WHEREAS, the area described in exhibit page 0000001 hereto existed before June 30, 1994, at least eighty percent of the boundaries of the unincorporated territory described in exhibit page 0000001 hereto are contiguous to the City of Walla Walla, and the area described in exhibit page 0000001 is within Walla Walla County and the Walla Walla urban growth area designated under RCW 36.70A.110; and

WHEREAS, the Walla Walla City Council passed Municipal Resolution 2003-57 on June 11, 2003 resolving to annex the unincorporated territory described in exhibit page 0000001 hereto, describing the boundaries of the area to be annexed, stating the number of voters residing therein as nearly as may be at 11, and setting July 23, 2003 as the date for a public hearing upon such resolution of annexation; and

WHEREAS, the City of Walla Walla published notice of the public hearing in the newspaper of general circulation in the city and the area to be annexed on July 8, 2003 and July 15, 2003; and

WHEREAS, the Walla Walla City Council conducted a public hearing upon the resolution for annexation on July 23, 2003 and afforded the residents and property owners in the area described in exhibit page 0000001 hereto an opportunity to be heard; and

WHEREAS, the City of Walla Walla filed a notice of intention to annex with the Walla Walla County Boundary Review Board on August 13, 2003;

WHEREAS, the Walla Walla County Boundary Review Board met on September 29, 2003, and the proposed annexation was approved; and

WHEREAS, this ordinance was introduced for first reading at the October 22, 2003 Walla Walla City Council meeting; and

WHEREAS, the Walla Walla City Council has considered this matter during a regularly and duly called public meeting of said Council, has given said matter careful review and consideration, and finds that good government and the best interests of the City of Walla Walla will be served by annexation of the area described in exhibit page 0000001 hereto and taking such other action related thereto;

**NOW THEREFORE, the City Council of the City of Walla Walla do ordain as follows:**

**Section 1:** The property described in exhibit page 0000001 hereto is hereby annexed to the City of Walla Walla effective December 23, 2003.

**Section 2:** The Walla Walla Zoning Code, Walla Walla Municipal Code Title 20, as amended, and the rezoning designations stated in the Urbanizable Area Prezone Map approved by Municipal Ordinance A-3602, as amended, are hereby adopted as zoning regulations for the property described in exhibit page 0000001 hereto upon the effective date of annexation.

**Section 3:** All property within the area described in exhibit page 0000001 hereto shall be assessed and taxed at the same rate and on the same basis as other property in the City of Walla Walla is assessed and taxed. All property within the area described in exhibit page 0000001 hereto shall be assessed and taxed at such rate and basis to pay for any outstanding indebtedness of the City of Walla Walla contracted prior to, or existing at, the date of annexation.

**Section 4:** The annexation of the territory described in exhibit page 0000001 hereto shall cancel, as of the effective date of such annexation, any franchise or permit theretofore granted to any person, firm or corporation by the state of Washington, or by the governing body of such territory, authorizing or otherwise permitting the operation of any public utility, including but not limited to, public electric, water, transportation, garbage disposal, solid waste collection, or other similar public service business or facility within the limits of the annexed territory.

A. The holder of any such franchise or permit canceled pursuant to this section is forthwith granted by the City of Walla Walla a franchise to continue such business within the annexed territory for a term which shall expire upon the earliest of either (a) the purchase by the City of Walla Walla of said franchise, business, or facilities at an agreed or negotiated price, (b) the acquiring of the same by condemnation, (c) the expiration of the remaining

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term of the original franchise or permit, or (d) the expiration of seven years following the effective date of annexation. Nothing herein shall prevent the City of Walla Walla from extending similar or competing services to the annexed territory by franchise, permit or public operation upon a proper showing of the inability or refusal of the franchisee to adequately service said annexed territory at a reasonable price.

B. The City of Walla Walla hereby decides to contract for solid waste collection or provide solid waste collection itself pursuant to RCW 81.77.020 as of the effective date of annexation. The Walla Walla City Clerk is hereby directed to notify the State of Washington Utilities and Transportation Commission, in writing, of the City of Walla Walla's decision to contract for solid waste collection or provide solid waste collection itself pursuant to RCW 81.77.020 as of the effective date of annexation and to attach a copy of this ordinance to such notification.

C. Terms and conditions of solid waste collection franchises. The following terms and conditions apply to solid waste collection franchises:

(1) Franchisees must notify the City of Walla Walla in writing of any change in physical business address, business mailing address, or business telephone number. The notice must be filed at least ten days before the effective date of the change.

(2) Franchisees must keep and maintain records as provided in Washington Administrative Code Section (WAC) 480-70-061. Franchisees must adhere to accounting requirements of WAC 480-70-066. Franchisees must file with the City of Walla Walla, by no later than May 1 of each year, a complete, accurate, annual report showing an end-of-the-year summary of financial and operational activity of franchisee in the annexed territory. Each franchisee shall make its records available for inspection by the City of Walla Walla.

(3) Franchisees shall maintain insurance in a form and amount as provided in WAC 480-70-181 which covers each motor vehicle it operates in the annexed territory.

(4) Franchisees shall comply with WAC 480-70-191, 480-70-196, WAC 480-70-201, WAC 480-70-206, and WAC 480-211 with respect to their equipment and drivers.

(5) Franchisees shall comply with biomedical waste and hazardous waste rules and regulations promulgated by the State of Washington Utilities and Transportation Commission.

(6) Customers in the annexed territory shall be subject to the same rates,

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charges, customer notice requirements, and consumer rules which apply to the franchisee's customers in unincorporated areas of Walla Walla County.

(7) Franchisees shall pay a franchise fee to the City of Walla Walla at a rate of one percent of the franchisee's annual gross operating revenue for the annexed territory. Franchise fees must be paid to the City of Walla Walla by April 1 of each year. The franchise fees shall be used to cover the costs of regulating franchisee.

(8) Franchisees shall comply with all federal, state, and local rules and regulations. The terms and conditions of this franchise do not relieve any franchisee from any of its duties or obligations under the laws of the United States, the State of Washington, Walla Walla County, or the City of Walla Walla. The City of Walla Walla reserves and retains the authority to impose additional or different requirements on any solid waste collection company in appropriate circumstances, consistent with the requirements of law.

(9) WAC 480-70-041 is hereby incorporated for the definition of terms used in the Washington Administrative Code, and the City of Walla Walla adopts by reference the regulations and standards identified in WAC 480-70-999.

(10) Any amendment of the rules and regulations referenced in this franchise grant shall be deemed to amend the terms hereof in conformity therewith.

(11) Noncompliance with any of the terms or conditions of this franchise shall be deemed to be an inability or refusal of the franchisee to adequately service the annexed territory at a reasonable price.

**Section 5:** The Walla Walla City Clerk is directed to publish this ordinance at least once each week for two weeks subsequent to its passage in the newspaper of general circulation in the city and the area to be annexed as notice of the matters stated herein.

**Section 6:** The Walla Walla City Clerk is directed to submit certificates of annexation as provided in RCW 35A.14.700.

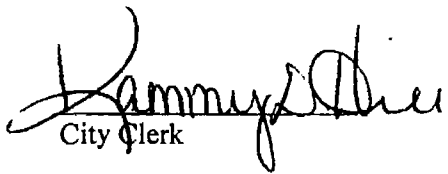
**Section 7:** The Walla Walla City Clerk is directed to file and record copies of this ordinance in such manner as required by law.

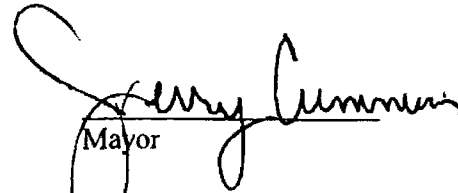
**Section 8:** If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance and the application of the provision to other persons or circumstances is not affected.

**PASSED** by the City Council of the City of Walla Walla, Washington, this 5th

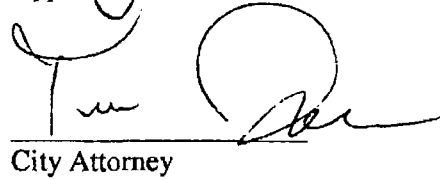
day of November, 2003.

Attest:

  
City Clerk

  
Mayor

Approved as to form

  
City Attorney

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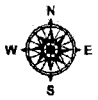
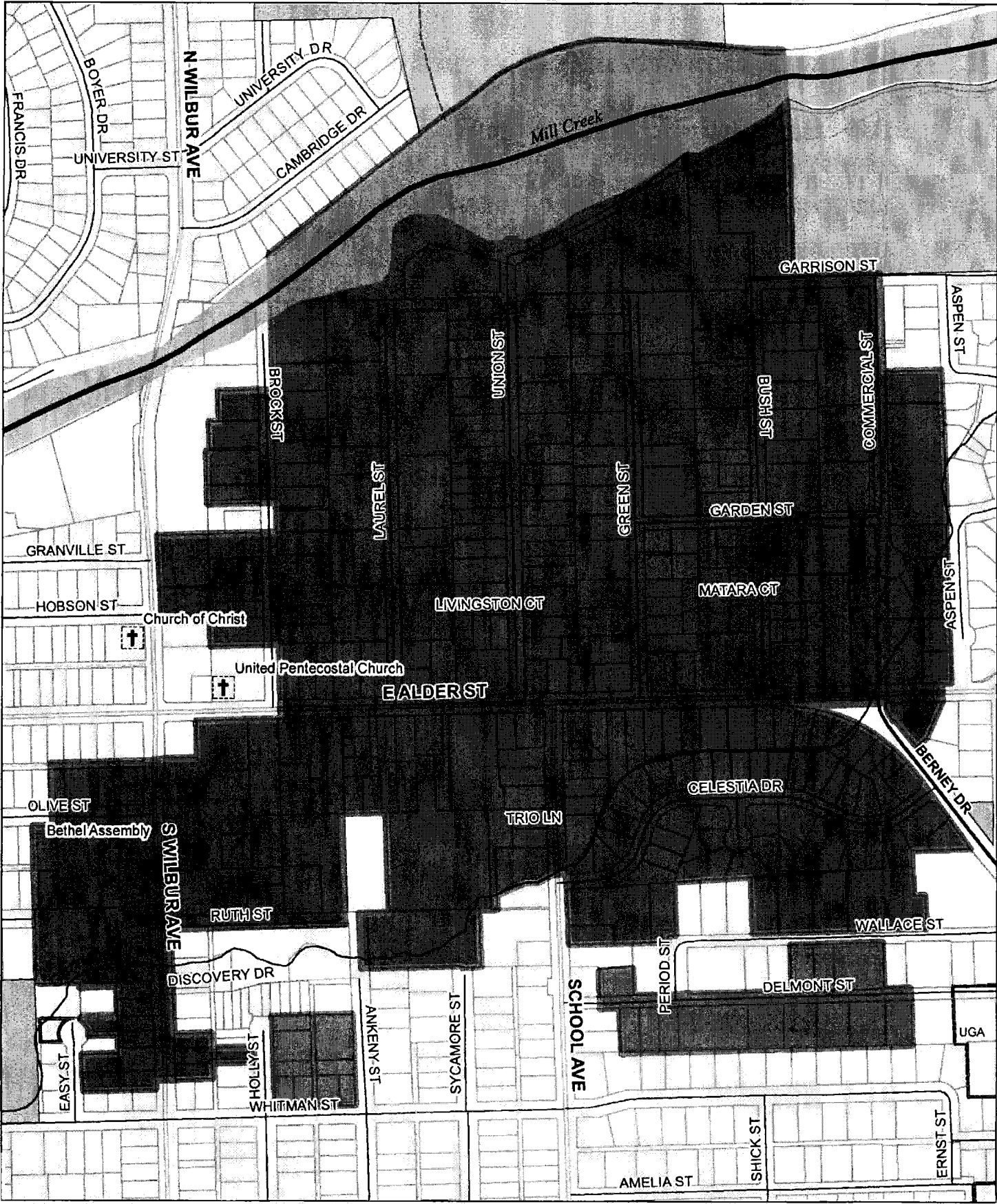
**LEGAL DESCRIPTION FOR EAST END ISLAND ANNEXATION – AREA 3  
(A-04-03)**

**Island Between Ankeny & Holly**

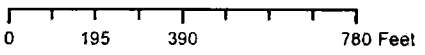
Lots 7 through 18, all in Block 6 of Parkside Addition, according to the official plat thereof record in Volume "D" of Plats at page 37, Records of Walla Walla County Auditor, together with the 15.0 foot alley lying adjacent to the aforesaid Lots.  
Containing 1.84 acres.

0000001

# East End Island Areas 1, 2 & 3



Print Date: December, 2011



The City of Walla Walla does not warrant, guarantee or accept any liability for the accuracy, precision or completeness of any information shown or described hereon or for any inferences made therefrom. Any use made of this information is solely at the risk of the user.



Return Address:  
  
City Clerk  
City of Walla Walla  
PO Box 478  
Walla Walla WA 99362

Document Title(s) (or transactions contained therein):  
ORDINANCE NO. 2004-19

AN ORDINANCE ANNEXING UNINCORPORATED LAND WITHIN THE CITY OF WALLA WALLA'S URBAN GROWTH AREA BOUNDARY, BEING GENERALLY LOCATED IN THE NW QUARTER OF SECTION 30, TOWNSHIP 7, RANGE 36E, W.M., (A-1-04), COMMONLY KNOWN AS THE OFFNER ROAD ANNEXATION, CANCELING AND GRANTING FRANCHISES IN THE ANNEXED TERRITORY, AND TAKING SUCH OTHER ACTION RELATED THERETO

Reference Number(s) of Documents assigned or release:  
N/A  
  
(on page \_\_\_ of document(s))

Grantor(s) (Last name first, then first name and initials)  
N/A  
  
Additional names on page \_\_\_ of document.

Grantee(s) (Last name first, then first name and initials)  
N/A  
  
Additional names on page \_\_\_ of document.

Legal description (i.e. lot, block, plat or section, township, range)  
See page 2 for the legal description  
  
Additional legal is on page \_\_\_ of document.

Assessor's Property Tax Parcel/Account Number  
N/A  
  
Additional legal is on page \_\_\_ of document.

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein. Please print or type information.



ORDINANCE NO. 2004-19

AN ORDINANCE ANNEXING UNINCORPORATED LAND WITHIN THE CITY OF WALLA WALLA'S URBAN GROWTH AREA BOUNDARY, BEING GENERALLY LOCATED IN THE NW QUARTER OF SECTION 30, TOWNSHIP 7, RANGE 36E, W.M., (A-1-04), COMMONLY KNOWN AS THE OFFNER ROAD ANNEXATION, CANCELING AND GRANTING FRANCHISES IN THE ANNEXED TERRITORY, AND TAKING SUCH OTHER ACTION RELATED THERETO

WHEREAS, the City of Walla Walla passed Municipal Ordinance A-2405 on May 13, 1970 which classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, the City of Walla Walla received sufficient notification from property owners in the territory described in section 1 herein initiated by the Walla Walla Housing Authority; and

WHEREAS, said property is commonly located immediately East of Offner Rd. adjacent to the Walla Walla City limits in the vicinity of W. Rose St.; and

WHEREAS, the owners of property in the area which is not less than sixty percent (60%) of the assessed value of the property to be annexed have signed a petition for annexation; and

WHEREAS, the property is included in within the Urban Growth Area for the City of Walla Walla; and

WHEREAS, the property described above is subject to, and annexation is consistent with, the City of Walla Walla's Urban Area Comprehensive Plan; and

WHEREAS, the Walla Walla City Council conducted public hearings on April 12, 1989 and May 24, 1989, and, thereafter passed Municipal Ordinance A-3602 on May 24, 1989 adopting an Urbanizable Area Prezone Map; and

WHEREAS, the area described in section 1 herein has been pre-zoned to R-60 single family residential; and

WHEREAS, the Walla Walla City Council passed Municipal Resolution 2004-57 at its July 28, 2004 regular meeting setting September 8, 2004 as the date for hearing the annexation petition, and notice of hearing was given in the manner required by RCW 35A.14.130; and

WHEREAS, the Walla Walla County Boundary Review Board notified the City of Walla Walla by letter dated August 24, 2004 that board review was not necessary; and

WHEREAS, the Walla Walla City Council conducted a public hearing at its September 8, 2004 regular meeting; and

WHEREAS, this ordinance was introduced for first reading at the September 8, 2004 Walla Walla City Council meeting following the public hearing; and

WHEREAS, the Walla Walla City Council has considered this matter during a regularly and duly called public meeting of said Council, has given said matter careful review

and consideration, and finds that good government and the best interests of the City of Walla Walla will be served by annexation of the area described in section 1 hereto and taking such other action related thereto;

**NOW THEREFORE, the City Council of the City of Walla Walla do ordain as follows:**

**Section 1:** The following described property is hereby annexed to the City of Walla Walla effective October 1, 2004:

Township 7 North, Range 36 East of the Willamette Meridian, Section 30. Beginning at the point of intersection with the West line of Section 30, with the Original Northerly line of the U.S. Military Reserve and running thence North 61°08' East along the said Northerly line, 674 feet; thence North 26°24' West 252 feet; thence South 61°08' West, parallel to the said original U.S. Military Reserve line, 544.2 feet to a point in the West line of the said Section 30; thence South, along the said West line, 288.4 feet to the point of beginning.

Also, a 0.50 feet wide strip of land within Government Lot 6 in Section 30 of Township 7 North, Range 36 East, Willamette Meridian, being described more particularly as follows:

Commencing at the iron pipe marking the Northwest corner of Government Lot 7 in said Section 30; thence North 61°21'32" East for a distance of 674.00 feet along the original North line of the U.S. Military Reservation for the true point of beginning for this legal description; thence North 61°21'32" East for a distance of 0.50 feet, continuing along said original North line; thence North 26°16'28" West for a distance of 252.00 feet to a point on the extended North line of that parcel deeded to Eisele per Deed recorded in Deed Book 209, Page 1979, Walla Walla County Deed Records; thence South 61°21'32" West for a distance of 0.50 feet along said extended North line to the Northeast corner of said parcel; thence South 26°16'28" East for a distance of 252.00 feet, along the East line of said parcel to the true point of beginning.

ALSO the adjacent right-of-way for Offner Road extending west from the westerly boundary of the above described property to the westerly right-of-way line for Offner Road, and extending south to the existing corporate boundary for the city of Walla Walla.

All situated in Walla Walla County, State of Washington.

**Section 2:** The Walla Walla Zoning Code, Walla Walla Municipal Code Title 20, as

amended, and the rezoning designation of R-60 Single-Family Residential, stated in the Urbanizable Area Prezone Map approved by Municipal Ordinance A-3602, as amended, are hereby adopted as zoning regulations for the property described in section 1 herein upon the effective date of annexation.

**Section 3:** Subject to any applicable exemptions, all property within the area described in section 1 herein shall be assessed and taxed at the same rate and on the same basis as other property in the City of Walla Walla is assessed and taxed subject to any applicable exemptions. Subject to any applicable exemptions, all property within the area described in section 1 herein shall be assessed and taxed at such rate and basis to pay for any outstanding indebtedness of the City of Walla Walla contracted prior to, or existing at, the date of annexation.

**Section 4:** The annexation of the territory described in section 1 herein shall cancel, as of the effective date of such annexation, any franchise or permit theretofore granted to any person, firm or corporation by the state of Washington, or by the governing body of such territory, authorizing or otherwise permitting the operation of any public utility, including but not limited to, public electric, water, transportation, garbage disposal, solid waste collection, or other similar public service business or facility within the limits of the annexed territory.

A. The holder of any such franchise or permit canceled pursuant to this section is forthwith granted by the City of Walla Walla a franchise to continue such business within the annexed territory for a term which shall expire upon the earliest of either (a) the purchase by the City of Walla Walla of said franchise, business, or facilities at an agreed or negotiated price, (b) the acquiring of the same by condemnation, (c) the expiration of the remaining term of the original franchise or permit, or (d) the expiration of seven years following the effective date of annexation. Nothing herein shall prevent the City of Walla Walla from extending similar or competing services to the annexed territory by franchise, permit or public operation upon a proper showing of the inability or refusal of the franchisee to adequately service said annexed territory at a reasonable price.

B. The City of Walla Walla hereby decides to contract for solid waste collection or provide solid waste collection itself pursuant to RCW 81.77.020 as of the effective date of annexation. The Walla Walla City Clerk is hereby directed to notify the State of Washington Utilities and Transportation Commission, in writing, of the City of Walla Walla's decision to contract for solid waste collection or provide solid waste collection itself pursuant to RCW 81.77.020 as of the effective date of annexation and to attach a copy of this ordinance to such notification.

C. Terms and conditions of solid waste collection franchises. The following

terms and conditions apply to solid waste collection franchises:

(1) Franchisees must notify the City of Walla Walla in writing of any change in physical business address, business mailing address, or business telephone number. The notice must be filed at least ten days before the effective date of the change.

(2) Franchisees must keep and maintain records as provided in Washington Administrative Code Section (WAC) 480-70-061. Franchisees must adhere to accounting requirements of WAC 480-70-066. Franchisees must file with the City of Walla Walla, by no later than May 1 of each year, a complete, accurate, annual report showing an end-of-the-year summary of financial and operational activity of franchisee in the annexed territory. Each franchisee shall make its records available for inspection by the City of Walla Walla.

(3) Franchisees shall maintain insurance in a form and amount as provided in WAC 480-70-181 which covers each motor vehicle it operates in the annexed territory.

(4) Franchisees shall comply with WAC 480-70-191, 480-70-196, WAC 480-70-201, WAC 480-70-206, and WAC 480-211 with respect to their equipment and drivers.

(5) Franchisees shall comply with biomedical waste and hazardous waste rules and regulations promulgated by the State of Washington Utilities and Transportation Commission.

(6) Customers in the annexed territory shall be subject to the same rates, charges, customer notice requirements, and consumer rules which apply to the franchisee's customers in unincorporated areas of Walla Walla County.

(7) Franchisees shall pay a franchise fee to the City of Walla Walla at a rate of one percent of the franchisee's annual gross operating revenue for the annexed territory. Franchise fees must be paid to the City of Walla Walla by April 1 of each year. The franchise fees shall be used to cover the costs of regulating franchisee.

(8) Franchisees shall comply with all federal, state, and local rules and regulations. The terms and conditions of this franchise do not relieve any franchisee from any of its duties or obligations under the laws of the United States, the State of Washington, Walla Walla County, or the City of Walla Walla. The City of Walla Walla reserves and retains the authority to impose additional or different requirements on any solid waste collection company in appropriate circumstances, consistent with the requirements of law.

(9) WAC 480-70-041 is hereby incorporated for the definition of terms used in the Washington Administrative Code, and the City of Walla Walla adopts by reference the regulations and standards identified in WAC 480-70-999.

(10) Any amendment of the rules and regulations referenced in this franchise grant shall be deemed to amend the terms hereof in conformity therewith.

(11) Noncompliance with any of the terms or conditions of this franchise shall be deemed to be an inability or refusal of the franchisee to adequately service the annexed territory at a reasonable price.

**Section 5:** The Walla Walla City Clerk is directed to file a certified copy of this ordinance with the Board of Commissioners for Walla Walla County as provided in RCW 35A.14.140.

**Section 6:** The Walla Walla City Clerk is directed to submit certificates of annexation as provided in RCW 35A.14.700.

**Section 7:** The Walla Walla City Clerk is directed to file, record, and give notice of this ordinance in such manner as required by law.

**Section 8:** The Walla Walla City Clerk is directed to publish a summary of this ordinance as permitted by RCW 35A.13.200 and 35A.12.160 in the form attached hereto.

**Section 9:** If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance and the application of the provision to other persons or circumstances is not affected.

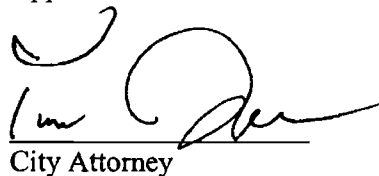
**PASSED** by the City Council of the City of Walla Walla, Washington, this 22nd day of September, 2004.

  
Mayor

Attest:

  
City Clerk

Approved as to form

  
City Attorney

## **SUMMARY OF ORDINANCE NO. 2004-19**

AN ORDINANCE ANNEXING UNINCORPORATED LAND WITHIN THE CITY OF WALLA WALLA'S URBAN GROWTH AREA BOUNDARY, BEING GENERALLY LOCATED IN THE NW QUARTER OF SECTION 30, TOWNSHIP 7, RANGE 36E, W.M., (A-1-04), COMMONLY KNOWN AS THE OFFNER ROAD ANNEXATION, CANCELING AND GRANTING FRANCHISES IN THE ANNEXED TERRITORY, AND TAKING SUCH OTHER ACTION RELATED THERETO

The Walla Walla City Council passed Municipal Ordinance 2004-19 at its September 22, 2004 regular meeting which in summary provides as follows:

**Section 1:** Annexes property to the City of Walla Walla, effective October 1, 2004, which is commonly located immediately East of Offner Rd. adjacent to the Walla Walla City limits in the vicinity of W. Rose St. and legally described as follows:

Township 7 North, Range 36 East of the Willamette Meridian, Section 30. Beginning at the point of intersection with the West line of Section 30, with the Original Northerly line of the U.S. Military Reserve and running thence North 61°08' East along the said Northerly line, 674 feet; thence North 26°24' West 252 feet; thence South 61°08' West, parallel to the said original U.S. Military Reserve line, 544.2 feet to a point in the West line of the said Section 30; thence South, along the said West line, 288.4 feet to the point of beginning.

Also, a 0.50 feet wide strip of land within Government Lot 6 in Section 30 of Township 7 North, Range 36 East, Willamette Meridian, being described more particularly as follows:

Commencing at the iron pipe marking the Northwest corner of Government Lot 7 in said Section 30; thence North 61°21'32" East for a distance of 674.00 feet along the original North line of the U.S. Military Reservation for the true point of beginning for this legal description; thence North 61°21'32" East for a distance of 0.50 feet, continuing along said original North line; thence North 26°16'28" West for a distance of 252.00 feet to a point on the extended North line of that parcel deeded to Eisele per Deed recorded in Deed Book 209, Page 1979, Walla Walla County Deed Records; thence South 61°21'32" West for a distance of 0.50 feet along said extended North line to the Northeast corner of said parcel; thence South 26°16'28" East for a distance of 252.00 feet, along the East line of said parcel to the true point of beginning.

All situated in Walla Walla County, State of Washington.

**Section 2:** Adopts an R-60 Single-Family Residential zoning designation for the annexed property and provides that the property is subject to City zoning regulations.

**Section 3:** Provides that the annexed property shall be assessed and taxed at the same rate and on the same basis and subject to municipal indebtedness as other property in the City of Walla Walla is assessed and taxed subject to any applicable exemptions.

**Section 4:** Cancels and grants franchises in the annexed area upon certain terms and conditions.

**Section 5:** Directs the Walla Walla City Clerk to file a certified copy of the ordinance with the Board of Commissioners for Walla Walla County as provided in RCW 35A.14.140.

**Section 6:** Directs the Walla Walla City Clerk to submit certificates of annexation as provided in RCW 35A.14.700.

**Section 7:** Directs the Walla Walla City Clerk to file, record, and give notice of this ordinance in such manner as required by law.

**Section 8:** Directs the Walla Walla City Clerk to publish this summary.

**Section 9:** Provides for severability if any provision of this ordinance or its application to any person or circumstance is held invalid.

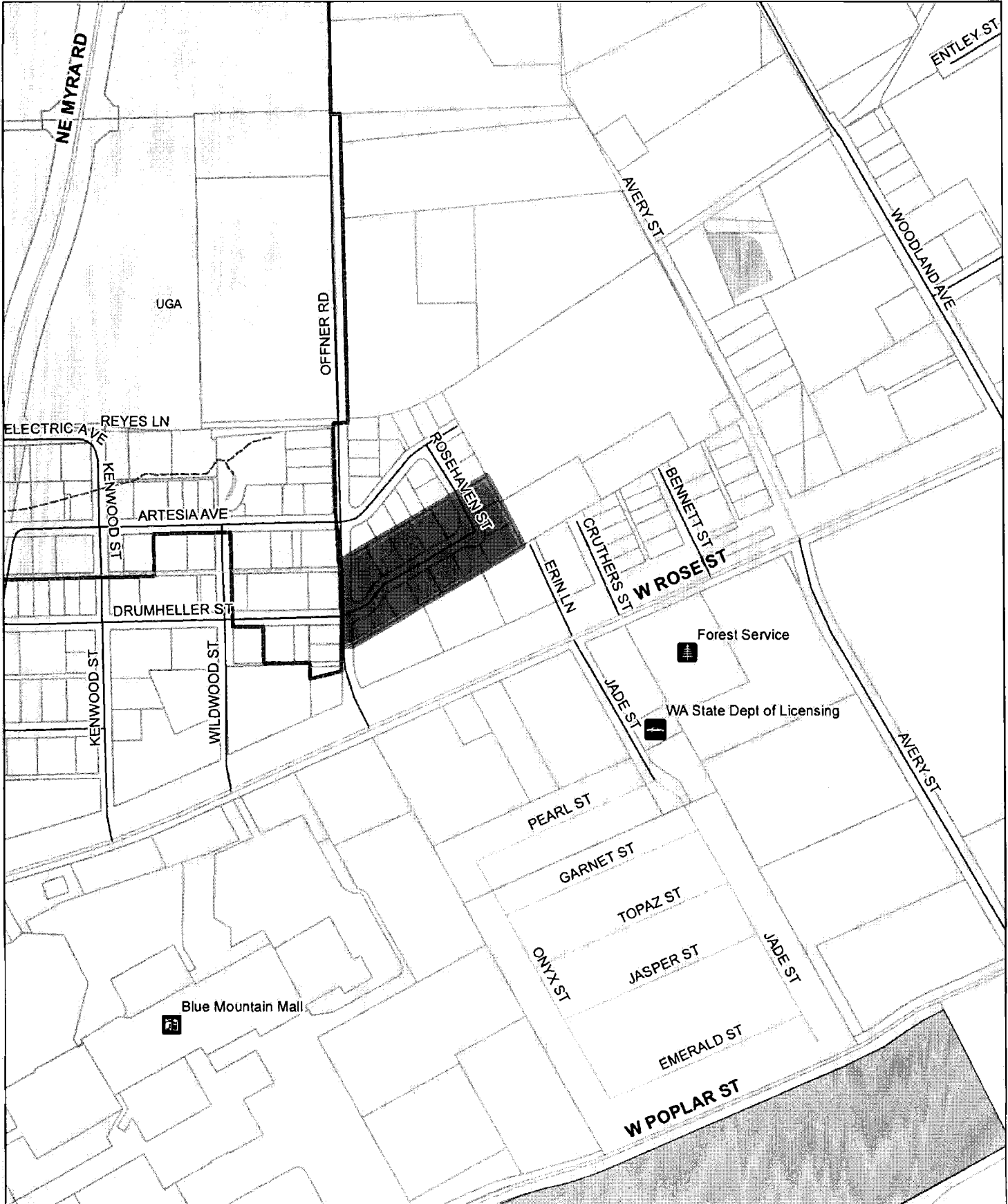
The full text of Municipal Ordinance 2004-19 will be mailed upon request made to the Walla Walla City Clerk at Walla Walla City Hall, 15 N. Third Ave., Walla Walla, WA 99362.

Summary approved as to form

A handwritten signature in black ink, appearing to be 'T. O. A.', written over a horizontal line.

City Attorney

# Offner Rd (Rosehaven)



Print Date: December, 2011

0 195 390 780 Feet

The City of Walla Walla does not warrant, guarantee or accept any liability for the accuracy, precision or completeness of any information shown or described herein or for any inferences made therefrom. Any use made of this information is solely at the risk of the user.





ORDINANCE NO. A-3125

AN ORDINANCE PROVIDING FOR THE ANNEXATION TO THE CITY OF WALLA WALLA OF CERTAIN LAND CONTIGUOUS TO THE CITY OF WALLA WALLA, CONSISTING OF APPROXIMATELY 14.5 ACRES LOCATED IN THE VICINITY OF SCHOOL AVENUE AND LOUBECK STREET.

WHEREAS, a petition having been filed with the City Council of the City of Walla Walla, signed by the owners of more than seventy-five percent (75%) in value of the said land described in the petition, and it having been determined that in accordance with the provisions of RCW 35A.14.220, it is not necessary that an Annexation Review Board proceeding be had, and after notice and hearing and the taking of proof as required by law, it appears that said territory is within the County of Walla Walla and contiguous to the City of Walla Walla, Washington, and it is for the best interests of the City that all the property described in said petition should be annexed to and become a part of the City of Walla Walla, effective immediately upon the effective date of this ordinance, and

WHEREAS, said petition stated that upon annexation the property be assessed at the same rate and on the same basis as that property within the City of Walla Walla designated on the official records of the Walla Walla County Assessor as "Walla Walla Old Limits",

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WALLA WALLA DOES ORDAIN:

Section 1. From and after the effective date of this ordinance, the following described real property situated in the County of Walla Walla, State of Washington, to-wit:

Beginning at a point on the Easterly line of the Southwest Quarter of the Northwest Quarter of Section 27, Township 7 North, of Range 36 East of the Willamette Meridian said point being measured Southerly 78.0 feet from the Northeast corner thereof; thence Westerly, parallel to the North line of said Southwest Quarter, 20.00 feet to the Westerly right-of-way line of School Avenue; thence Southerly, along the said Westerly right-of-way line of School Avenue, 300.63 feet to the Northeasterly corner of Lot 3, Block 1 of the Third Addition to East Walla Walla, according to the official plat thereof, on file and of record in the office of the County Auditor, Walla Walla County, State of Washington; thence Westerly, along the

North line of said Lot 3, 129.75 feet to the Northwesterly corner thereof; thence Southerly, along the Easterly line of the alley in aforesaid Block 1, to the Southwesterly corner of Lot 5 in said Block 1; thence Westerly, along the Northerly right-of-way line of Edmond Street, 20.25 feet to its intersection with the Westerly line of Lot 3, Block 1 of Dean's Addition, according to the official plat thereof, if said Westerly line of Lot 3 were extended Northerly; thence Southerly, along the said Westerly line and Westerly line extended of said Lot 3, 175.0 feet to the Northerly line of the alley in the aforesaid Block 1 of Dean's Addition; thence Easterly along the said Northerly alley line, 150.0 feet to the aforesaid Westerly right-of-way line of School Avenue; thence Southerly, along the said Westerly right-of-way line of School Avenue, to a point which is 569.25 feet Northerly of the Southerly line of the aforesaid Southwest Quarter of the Northwest Quarter of Section 27; thence Easterly parallel to the said Southerly line of the Southwest Quarter of the Northwest Quarter, 20.0 feet to the Easterly line of the said Southwest Quarter of the Northwest Quarter; thence North  $82^{\circ} 30'$  East a distance of 284.14 feet; thence Southerly, parallel to the Westerly line of the Southeast Quarter of the Northwest Quarter of the aforesaid Section 27, a distance of 330.00 feet; thence North  $82^{\circ} 30'$  East a distance of 161.36 feet; thence Northeasterly in a straight line to a point which is 549.95 feet South and 567.49 feet East of the Northwest corner of the aforesaid Southeast Quarter of the Northwest Quarter of Section 27; thence Westerly, parallel to the North line of the said Southeast Quarter of the Northwest Quarter of Section 27, a distance of 9.79 feet; thence Northeasterly in a straight line to a point which is 269.50 feet South and 650.10 feet East of the aforesaid Northwest corner of the Southeast Quarter of the Northwest Quarter of Section 27; thence Westerly, parallel to the Northerly line of the said Southeast Quarter of the Northwest Quarter of Section 27, to a point which is 269.5 feet South and 530.89 feet East of the Northwest corner of the said Southeast Quarter of the Northwest Quarter of Section 27; thence Northerly, parallel to the Westerly line of the said Southeast Quarter of the Northwest Quarter of Section 27, 269.5 feet to the Southerly right-of-way line of Loubeck Street; thence Westerly, along the Southerly line of Loubeck Street, 145.89 feet to the point of intersection of the East line if extended Southerly of Lot 27, Block 4 of East Walla Walla Addition according to the official plat thereof; thence Northerly along the said extended East line and the East line of Lot 27, 194.75 feet to the Southerly line of the alley in aforesaid Block 4; thence Westerly, along the said Southerly alley line, 240.00 feet to the Northeasterly corner of Lot 22 of the aforesaid Block 4; thence Northerly, along the East line if extended Southerly and the East line of Lot 21 of said Block 4, 87.375 feet to the Northeasterly corner of said Lot 21; thence Westerly, along

the North line and the North line extended of said Lot 21, 145.00 feet to the Westerly line of the Northeast Quarter of the Northwest Quarter of the aforesaid Section 27; thence Southerly, along the said Westerly line of the Northeast Quarter of the Northwest Quarter and the aforesaid Easterly line of the Southwest Quarter of the Northwest Quarter of Section 27, 360.125 feet to the point of beginning.

ALSO, beginning at a point in the North line of the Southeast Quarter of the Northwest Quarter of Section 27 in Township 7 North of Range 36 East of the Willamette Meridian, which point is 750.75 feet easterly, measured along said North line, from the Northwest corner of said Southeast Quarter of the Northwest Quarter, and running thence South 18° 20' West 89.52 feet; thence South 71° 50' East 209.22 feet, more or less, to the center line of Yellow Hawk Creek; thence along the center line of Yellow Hawk Creek, by the following courses and distances: North 29° 13½' East 34.53 feet; thence North 28° 19' East 15.03 feet; thence North 8° 13' East 35.0 feet; thence North 16° 25' East 75.2 feet, more or less, to a point in the North line of said Southeast Quarter of Northwest Quarter of Section 27; thence South 89° 54' West, along the North line of said Southeast Quarter of Northwest Quarter, a distance of 167.04 feet to the easterly line, if extended southerly, of Lot 34 of the aforesaid Block 4 of East Walla Walla Addition; thence northerly, along the said extended easterly line of Lot 34, 60.00 feet to the northerly right-of-way line of Loubeck Street; thence westerly, along the said northerly right-of-way line of Loubeck Street, a distance of 54.25 feet; thence southerly, in a straight line, 60.00 feet to the point of beginning,

shall be and is hereby annexed to and becomes a part of the incorporated limits of the City of Walla Walla.

Section 2. The property annexed by Section 1 of this ordinance shall be assessed and taxed at the same rate and on the same basis as that property within the City of Walla Walla designated on the official records of the Walla Walla County Assessor as "Walla Walla Old Limits".

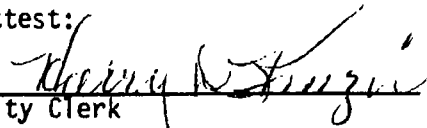
Section 3. Zoning regulations, classifications and restrictions applicable to the property annexed by Section 1 of this ordinance shall be as the said property is now zoned, subject to any change or request for change of said zoning regulations and classifications as may be made in accordance with existing law.

Section 4. This ordinance shall be in full force and effect upon its passage and publication in its entirety as provided by law.

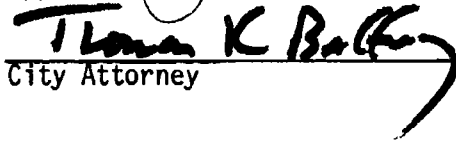
PASSED by the City Council of the City of Walla Walla, Washington, this 10th day of September, 1980.

  
\_\_\_\_\_  
Mayor

Attest:

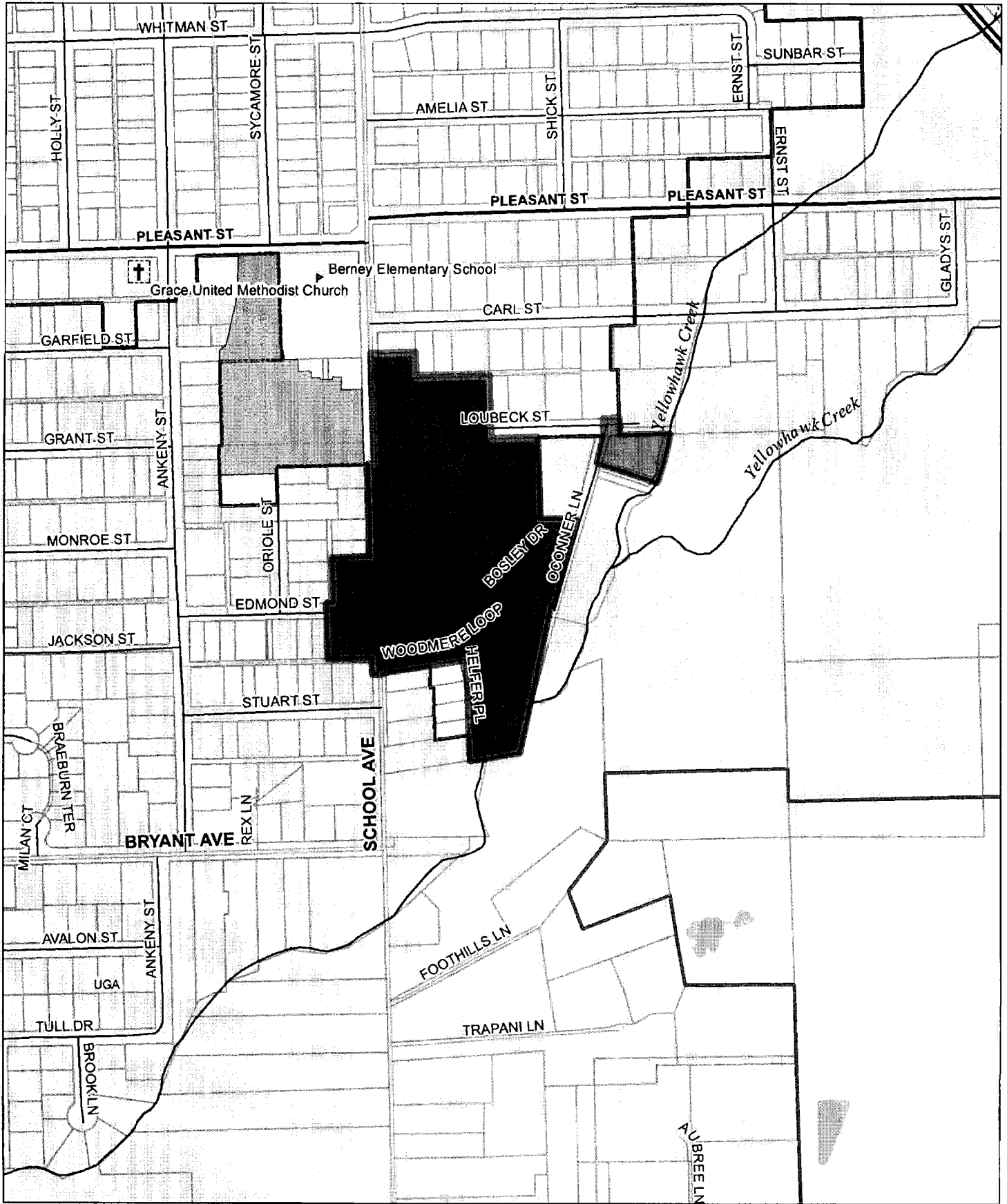
  
\_\_\_\_\_  
City Clerk

Approved as to Form:

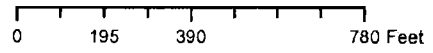
  
\_\_\_\_\_  
City Attorney

ORDINANCE NO. A-3125

# School Ave & Loubeck St (Braymer et al) 1 & 2



Print Date: December, 2011



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