

TG-130537-CT



CITY OF RICHLAND
PUBLIC WORKS DEPARTMENT
840 Northgate Drive, Richland, WA 99352
Telephone (509) 942-7500
Fax (509) 942-7468

P.O. Box 190 Richland, WA 99352
www.ci.richland.wa.us

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

April 9, 2013

Penny Ingram
Washington Utilities and Transportation Commission
PO Box 47250
Olympia, WA 98504-7250

RE: City of Richland Annexation
Ordinance No. 24-12

Dear Ms. Ingram:

The City of Richland annexed the Queensgate Drive Annexation area by Ordinance No. 24-12 (August 12, 2012). A copy of the ordinance is attached. The City understands that there are overlapping WUTC certificates for solid waste collection within that area: G-110, 118 and 237.

Consistent with RCW 35.13.280, the City gives notice to the WUTC of its decision that the City hereafter shall contract for solid waste collection or provide solid waste collection itself pursuant to RCW 81.77.020. Solid waste collection services will continue to be provided in the annexation area by contract with authorized rates corresponding to WUTC-approved tariff rates for services subject to the G-certificate.

If you have any questions about the City's handling of this issue, please contact me at 509-942-7558 or progalsky@ci.richland.wa.us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pete Rogalsky', is written over a circular stamp.

Pete Rogalsky, P.E.
Public Works Director
Administration & Engineering

Cc: Kip Eagles, Solid Waste Manager, City of Richland
Ed's Disposal, Inc.
Basin Disposal, Inc.
Waste Management of Washington, Inc.

Enclosure: Ordinance 24-12

2013 APR 15 AM 9:49
RECEIVED
CITY OF RICHLAND
PUBLIC WORKS DEPARTMENT

WHEN RECORDED RETURN TO:

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

PID# 1-2298-202-0001-009, PID# 1-2298-202-0002-002, PID# 1-2298-202-0002-003,
PID# 1-2298-202-0002-005, PID# 1-2298-202-0002-006, PID# 1-2298-202-0002-007,
PID# 1-2298-202-0002-010, PID# 1-2298-202-0002-011, PID# 1-2298-202-0002-012,
PID# 1-2298-202-0002-013, PID# 1-2298-202-0002-014, PID# 1-2298-202-0002-015,
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PID# 1-2298-202-0003-007, PID# 1-2298-202-0003-008, PID# 1-2298-202-0003-011,
PID# 1-2298-202-0003-013, PID# 1-2298-202-0003-015, PID# 1-2298-202-0004-001,
PID# 1-2298-201-2809-001, PID# 1-2298-201-2809-002, PID# 1-2298-201-2683-001,
PID# 1-2298-201-2683-002, PID# 1-2298-201-2683-003

ORDINANCE NO. 24-12

AN ORDINANCE of the City of Richland, Benton County Washington, annexing approximately 51 acres of land located within a county island along Queensgate Drive, providing for assumption of existing City indebtedness and amending the Official Zoning Map.

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

WHEREAS, a meeting was held on the fifth day of October, 2010 between the initiating parties of this annexation and the Council of the City of Richland, at which time

the Council passed Resolution No. 60-10, accepting the notice of intention to commence annexation proceedings for the real property legally described in Exhibit A attached hereto, subject to simultaneous adoption of the Comprehensive Plan for the proposed annexation area, and the assumption of the appropriate share of all existing City indebtedness; and

WHEREAS, Resolution 60-10 further authorized and directed the Richland Planning Commission to propose and forward a recommendation to the City Council as to the most appropriate zoning designations for the areas proposed to be annexed; and

WHEREAS, a notice of intention to annex was duly filed with the Benton County Boundary Review Board on September 2, 2011; Jurisdiction of the boundary Review Board was not invoked within 45 days of filing, and thus the proposed annexation was deemed approved by the Boundary Review Board on October 21, 2011 and

WHEREAS, on November 1, 2011, Council passed Resolution No. 72-11, authorizing the circulation of an annexation petition for annexation of the real property legally described in Exhibit A attached hereto; and

WHEREAS, the Richland Planning Commission held a public hearing on December 21, 2011 to consider appropriate zoning designations for the proposed annexation area; and

WHEREAS, a petition was circulated and signed by owners of not less than 60% in value, according to the assessed valuation for general taxation, of the property to be annexed; and

WHEREAS, the City Council held a public hearing to consider the annexation on July 17, 2012, which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation and through the mailing of notice to all property owners within the annexation area, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

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

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

Section 1.01. The real property legally described in Exhibit A attached hereto is hereby annexed to the City of Richland and is hereby declared to be within the corporate limits of the City of Richland, Benton County Washington (the "Annexed Area")

Section 1.02 The Richland Comprehensive Plan, adopted October 6, 1997 by Ordinance 26-97, shall serve as the comprehensive plan for the Annexed Area. All

properties within the annexation shall be designated as "commercial" under the land use map that is part of the comprehensive plan.

Section 1.03 The property within the Annexed Area shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments or taxes in payment for all or of any portion of the outstanding indebtedness of the City, approved by the voters, contracted, or incurred prior to, or existing at the date of annexation.

Section 1.04 Title 23 of the City of Richland Municipal Code and the Official Zoning Map of the City as adopted by Section 23.08.040 of said title, hereby amends Sectional Map No. 47 which is one of a series of maps constituting said Official Zoning Map, bearing the number and date of passage of this ordinance and by this reference made a part of this ordinance and of the Official Zoning Map of the City.

Section 1.05 It is hereby found, as an exercise of the City's police power, that the best zoning for the properties included in the Annexed Area shall be a combination of CW – Commercial Winery, C-2 – Retail Business, C-3 General Business and AG – Agricultural, as depicted on Exhibit B, when consideration is given to the interest of the general public.

Section 1.06 The City Clerk is directed to file a copy of this annexation with the Board of Commissioners of Benton County and the State of Washington in the manner required by law. The City Clerk is also directed to file with the Auditor of Benton County, Washington a copy of this ordinance and shall attach amended sectional maps and additional sectional maps as necessary and an amended Annexation map, duly certified by the Clerk as a true copy.

Section 1.07 As authorized and required by RCW 35.13.280, the City shall negotiate a new franchise with the solid waste collection service provider currently serving the Annexed Area on terms that are acceptable to the City and that complies with the City's Solid Waste Management Plan.

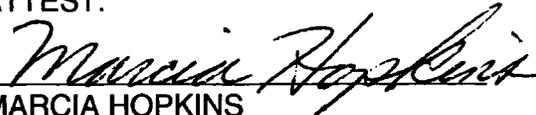
Section 1.08 This ordinance shall be effective immediately following the day after its publication in the official newspaper of the City.

PASSED by the City Council of the City of Richland on this 21 day of August, 2012.

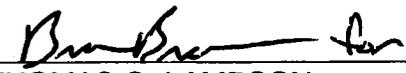


JOHN FOX
Mayor

ATTEST:


MARCIA HOPKINS
City Clerk

APPROVED AS TO FORM:


THOMAS O. LAMPSON
City Attorney

Date Published:  August 26, 2012

Exhibit A
Legal Description of the Annexed Area

A portion of the Northwest ¼ of Section 22, Township 9 North, Range 28 East, W.M., Benton County Washington, described as follows:

A portion of the Plat of Badger Heights Subdivision as recorded in Volume 5 of Plats on Page 11, as recorded under Auditors File No. 317551, records of said County and State, more particularly described as follows:

Lot 9 Block 1 of said Plat.
PID# 1-2298-202-0001-009

Together with: Lots 2, 3, 5, 6, 7, and Lots 10, through 15 of Block 2 of said Plat.

PID# 1-2298-202-0002-002
PID# 1-2298-202-0002-003
PID# 1-2298-202-0002-005
PID# 1-2298-202-0002-006
PID# 1-2298-202-0002-007
PID# 1-2298-202-0002-010
PID# 1-2298-202-0002-011
PID# 1-2298-202-0002-012
PID# 1-2298-202-0002-013
PID# 1-2298-202-0002-014
PID# 1-2298-202-0002-015

Together with: Lots 1, through 8 of Block 3 of said Plat.

PID# 1-2298-202-0003-001
PID# 1-2298-202-0003-002
PID# 1-2298-202-0003-003
PID# 1-2298-202-0003-004
PID# 1-2298-202-0003-005
PID# 1-2298-202-0003-006
PID# 1-2298-202-0003-007
PID# 1-2298-202-0003-008

Together with: Lots, 11 and Lots 13 through 15 of Block 3 of said Plat.

PID# 1-2298-202-0003-011
PID# 1-2298-202-0003-013
PID# 1-2298-202-0003-015

Together with: Lot 1 of Block 4 of said Plat.
PID# 1-2298-202-0004-001

Together with: Lots 1 and 2 of Short Plat No. 2809 as recorded in Volume 1 of Short Plats on Page No. 2809, records of said County and State.
PID# 1-2298-201-2809-001
PID# 1-2298-201-2809-002

Together with: Lots 1 through 3 of Short Plat No. 2683 as recorded in Volume 1 of Short Plats on Page No. 2683, records of said County and State.
PID# 1-2298-201-2683-001
PID# 1-2298-201-2683-002
PID# 1-2298-201-2683-003

Together with: with the portions of vacated right-of-way established County Resolutions No. 05-106 and No. 08-865 and as described by County Resolution recorded under Auditors File No. 91-16685, lying within the proposed annexation boundary, records of said County and State.

Together with: the following portions of public right-of-way that have not been previously annexed by The City of Richland:

That portion of Queensgate Drive, lying within the Northwest $\frac{1}{4}$ of said Section 22, Township 9 North, Range 28 East, lying Southerly of City of Richland Annexation Ordinance No. 49-95.

That portion of Jericho Road and Jericho Court lying within the Northwest $\frac{1}{4}$ of said Section 22, Township 9 North, Range 28 East, Lying Westerly of Queensgate Drive right-of-way.

That portion of Columbia Park Trail, lying within the Northwest $\frac{1}{4}$ of said Section 22, Township 9 North, Range 28 East, Lying Easterly of Queensgate Drive right-of-way, and Westerly Lot 2 of Block 4 of said Plat of Badger Heights Subdivision.

That portion of Windmill Road and Tulip Lane lying within the Northwest $\frac{1}{4}$ of said Section 22, Township 9 North, Range 28 East, Lying Northerly of Columbia Park Trail right-of-way.



EXHIBIT B – ZONING DESIGNATIONS FOR ANNEXATION AREA

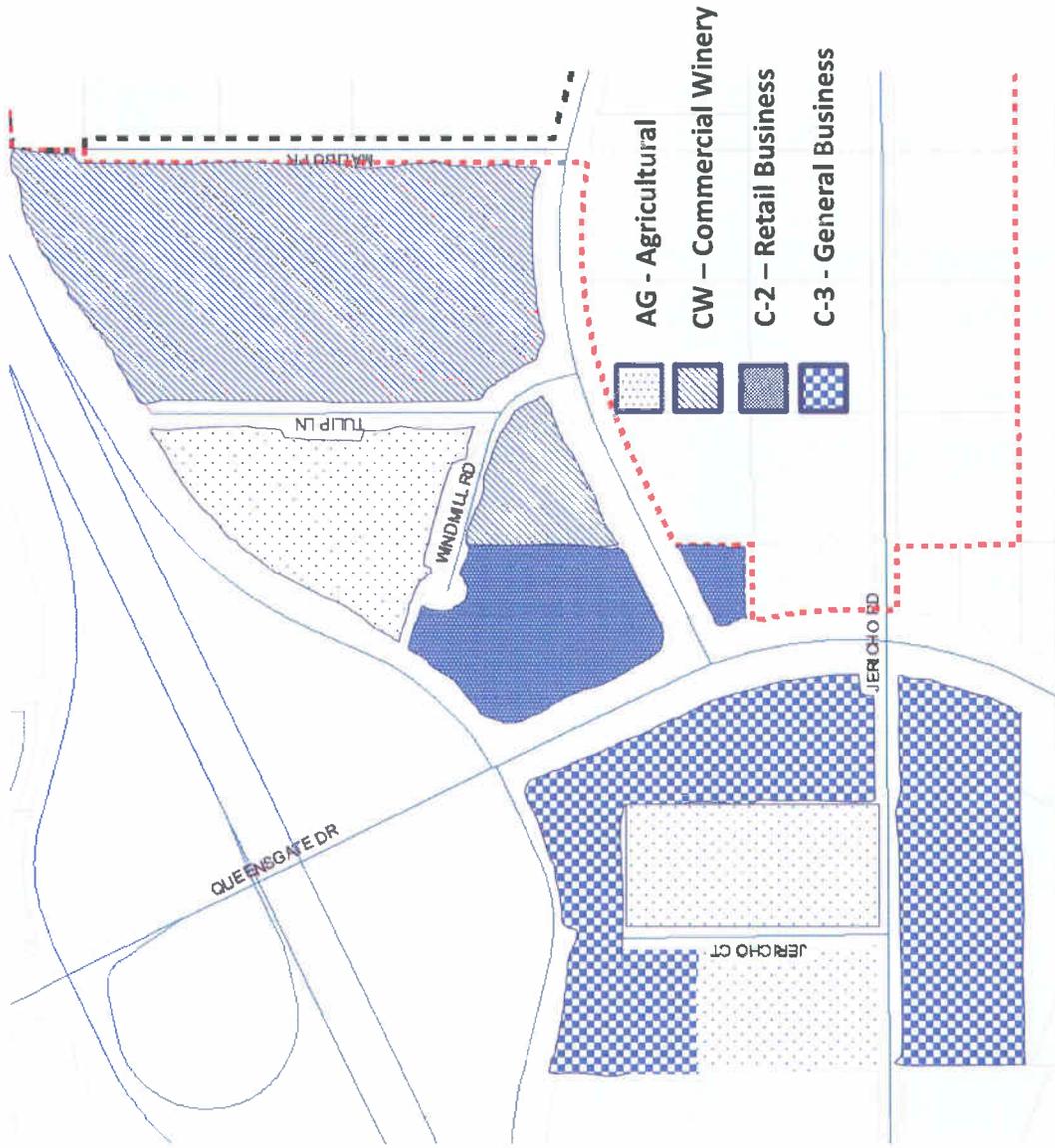


Exhibit B – Zoning Designations for Annexation Area