

CITY OF PROSSER, WASHINGTON

RESOLUTION NO. 11-1352

A RESOLUTION DECLARING THE INTENT OF THE CITY OF PROSSER TO ANNEX PROPERTY OWNED BY THE CITY GENERALLY LOCATED BETWEEN ALBRO ROAD AND HOISINGTON ROAD ON WINE COUNTRY ROAD.

WHEREAS, the City of Prosser, Washington (City), acquired the following described real property (condemned property) pursuant to a Judgment of the Benton County Superior Court entered on April 20, 2011, after filing a petition in eminent domain:

The North 280 feet of the East 270 feet of the East Half of the Southeast Quarter of the Northwest Quarter of Section 34, Township 9 North, Range 24 East, W. M., EXCEPT right of way for highway and roads, records of Benton County, State of Washington.

AND WHEREAS, the City exercised its power of eminent domain to acquire the condemned property in order to construct a water reservoir and related water and sewer facilities; and

WHEREAS, pursuant to RCW 35A.14.220 and 35A.14.300 the City may, by majority vote, of the City Council, annex contiguous or non-contiguous territory outside of its limits for any municipal purpose, if the territory is owned by the City; and

WHEREAS, operation of a water reservoir, and related water and sewer facilities is a municipal purpose; and

WHEREAS, the condemned property is within the City's Urban Growth Area as designated by Benton County; and

WHEREAS, because the condemned property is not contiguous with the City,

the City must submit a notice of intent to annex to the Benton County Boundary Review Board, before the annexation ordinance may become effective;

WHEREAS, the annexation of property by a Code City is exempt from review under the State Environmental Policy Act pursuant to RCW 43.21C.222; and

WHEREAS all statutory requirements have been complied with and the City will file a notice of intent to annex with the Benton County Boundary Review Board;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

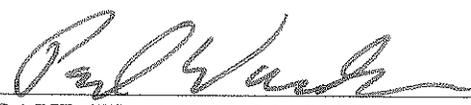
That the City of Prosser hereby declares its intent to annex the following described property:

The North 280 feet of the East 270 feet of the East Half of the Southeast Quarter of the Northwest Quarter of Section 34, Township 9 North, Range 24 East, W. M., EXCEPT right of way for highway and roads, records of Benton County, State of Washington.

BE IT FURTHER RESOLVED, that the City Attorney shall have the authority to sign all documents necessary to submit a notice of intent to annex with the Benton County Boundary Review Board and shall have the further authority to take all actions necessary before the Benton County Boundary Review Board regarding this annexation.

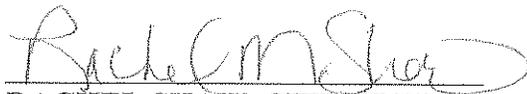
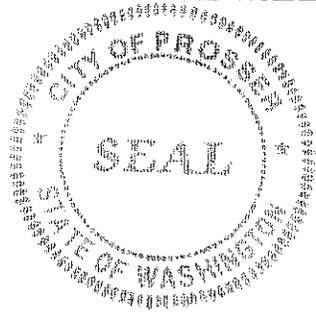
BE IT FURTHER RESOLVED, the City Clerk shall notify the Washington State Office of Financial Management, Benton County Fire Protection District Number 3, the Mid-Columbia Library District; all solid waste providers in the annexed area, the Benton Country Assessor, the Benton Country Treasurer, and all other parties entitled to notice of the City's intent to annex the condemned property.

PASSED by the City Council and APPROVED by the Mayor, this 26th day of April, 2011.



PAUL WARDEN, MAYOR

ATTEST:


RACHEL SHAW, CITY CLERK

APPROVED AS TO FORM:



HOWARD SAXTON, CITY ATTORNEY