

**CITY OF PROSSER, WASHINGTON
RESOLUTION NO. 12-1398**

A RESOLUTION DECLARING THE INTENT OF THE CITY OF PROSSER, WASHINGTON, TO ANNEX PROPERTY OWNED BY CATHOLIC CHARITIES HOUSING SERVICES, THE CHURCH OF PROSSER, AND THE ENTIRE BENTON COUNTY RIGHT-OF-WAY TO THE WESTERN EDGE OF THE PROPERTY OWNED BY CATHOLIC CHARITIES HOUSING SERVICES, GENERALLY LOCATED ON THE WESTERN EDGE OF THE CITY LIMITS ON NORTH RIVER ROAD, AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO FILE A NOTICE OF INTENT TO ANNEX WITH THE BENTON COUNTY BOUNDARY REVIEW BOARD

WHEREAS, Petitioner Catholic Charities Housing Services being the owner of property constituting not less than 10 percent in assessed value, according to the assessed valuation for general taxation of the property for which annexation is petitioned, met with the City Council of the City of Prosser, Washington, on February 23, 2010, which date was prior to circulating their petition for annexation; and

WHEREAS, at the initial meeting the City Council determined that the City would accept the proposed annexation provided that property owned by the Church of Prosser and the right-of-way for North River Road to the western edge of the property owned by Catholic Charities Housing Services be included in the petition for annexation and provided that existing City indebtedness was assumed by the area to be annexed; and

WHEREAS, on April 13, 2012, a sufficient petition for annexation was submitted to the Benton County Assessor and filed with the City Council pursuant to RCW 35A.14.120, signed by owners of not less than 60 percent of assessed valuation for general taxation of the property for which annexation is petitioned, seeking annexation to the City of

Prosser of contiguous property commonly known as the Catholic Charities Housing Services, the Church of Prosser, and the right-of-way for North River Road to the western edge of property owned by Catholic Charities Housing Services properties; and

WHEREAS, the Benton County Assessor issued a determination of sufficiency for the Petition for Annexation on April 19, 2012; and

WHEREAS, the City Council fixed the date of June 12, 2012, at the hour of 7:00 p.m. or soon thereafter as may be held, as the date of the Public Hearing on the proposed annexation and caused notice of such hearing to be published and posted in accordance with RCW 35A.14.130, and the Public Hearing having been held on that date and all interested parties appearing at the hearing and desiring to be heard in regard to the proposed annexation; and

WHEREAS, the City Council having determined that it is in the best interest of the City to annex the Catholic Charities Housing Services, the Church of Prosser, and the North River Road right-of-way to the western edge of the Catholic Charities Housing Services properties and the annexation of the properties benefits the general welfare of the City's citizens by increasing the tax base of the City and incorporating property which already receives City services; and

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 THEREFOR BE IT RESOLVED AS FOLLOWS:

That the City of Prosser hereby declares its intent to annex the following described property without a further Public Hearing:

See Exhibit "A" attached hereto and incorporated herein as if fully set forth.

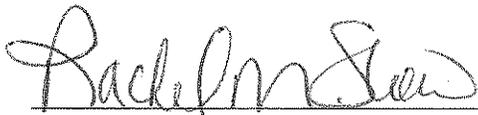
BE IT FURTHER RESOLVED, that the Mayor or his designee or designees shall have the authority to sign all documents necessary to submit a notice of intent to annex with the Benton County Boundary Review Board and he or his designee or designees shall have the further authority to take all actions necessary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

PASSED by the City Council and **APPROVED** by the Mayor, this 10th day of July, 2012.



PAUL WARDEN, MAYOR

ATTEST:



Rachel Shaw, CITY CLERK



APPROVED AS TO FORM:



Howard Saxton, CITY ATTORNEY

Exhibit "A"

That portion of Government Lot 5, Section 2, Township 8 N, Range 24 EWM described as follows:

Beginning at the Southwest corner of said subdivision; thence North along the West line thereof 364.5 feet; thence East 907.6 feet to the West line of the County Road; Thence North 19 degrees 19 minutes East along said County Road 151.9 feet to the True Point of Beginning; Thence West 958.3 feet more or less to the West line of said Government Lot; Thence North along said West line to a point 305.3 feet South of the Northwest corner thereof; Thence East to the West line of said County Road; Thence South along said West line to the True Point of Beginning; EXCEPT that portion conveyed to the City of Prosser by deed recorded October 29, 2002 under Recording No. 2002-042146; AND ALSO EXCEPT that portion conveyed to Benton County by deed recorded March 28, 2003 under Recording No. 2003-014204, records of Benton County, Washington.

And

Parcel No:
102842000035000

That portion of Government Lot 5, Section 2, Township 8 North, Range 24 East, W.M., Benton County, Washington, lying Northeasterly of a line 300 feet Southwesterly of and parallel to the Southwesterly margin of state highway, known as Sixth Street and Southwesterly of the Easterly margin of county road, known as North River Road. Except that portion thereof deeded to Benton County for road right-of-way by deed recorded on February 26, 2003 under recording Benton County Auditor's recording number 2003-008805. Situated in Benton County, Washington

And

That portion of North River Road, as described below, abutting Parcel No 102842000020000 located at 480 North River Road in Prosser, Washington.

A strip of land forty feet in width, being twenty feet on either side of a center line, commencing at a point 764.75 feet S 89° 35' E of the south west corner of Lot five (5) Section Two (2), 8 North Range 24, E.W.M., thence running North 26° 43' E 605.8 feet and ending at a point where the center line of Hemlock Avenue intersects the center line of Riverside Avenue. Also all of the south forty feet of Riverside Ave, commencing at its intersection with Hemlock Avenue on the above described Lot Five, and ending at its intersection with Sixth Street as the same is now laid out and constructed over said Lot Five.