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Franklin County Auditor

RESOLUTION NO. 3492

A RESOLUTION of the City of Pasco, Washington, requesting the Franklin County Auditor to review the adequacy of legal descriptions and maps as filed on June 21, 2013 and, if satisfied as to the sufficiency and accuracy of such descriptions and maps, to place a question for "Reduction of City Limits" on the November 5, 2013, ballot, as sought by citizen petition; and providing ballot title.

WHEREAS, On June 21, 2013, a petition was filed with the Franklin County Auditor requesting removal from the City of Pasco of certain territory recently annexed to the City of Pasco, and more particularly described within the petition which is attached hereto as Exhibit No. 1; and

WHEREAS, on June 28, 2013, the Franklin County Auditor determined the sufficiency of the signatures of registered voters sufficient per RCW 35A16.010 of not less than ten percent (10%) of the number of votes cast at the last general municipal election; and

WHEREAS, subsequent to receipt of the petition from the Auditor, City staff has reviewed the descriptions and maps attached to the petition and found several inaccuracies and errors in the same; and

WHEREAS, the Franklin County Auditor is the chief election official and charged with the responsibility to determine the sufficiency of the petition; and

WHEREAS, pursuant to RCW 35A.16.010, if sufficient, the City Council of the City of Pasco shall cause such question to be presented to the voters of the City of Pasco; and

WHEREAS, in compliance with State law, the City Council of the City of Pasco, does by this Resolution submit to the Franklin County Auditor for determination of sufficiency of the descriptions and maps attached to the petition and to determine if the question of Reduction of City Limits shall be rightfully placed before the people. NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF PASCO, WASHINGTON, DO RESOLVE AS FOLLOWS:

Section 1. The Franklin County Auditor is hereby requested to conduct an examination of the descriptions and maps attached to the petition filed on June 21, 2013, for his determination of whether to provide for an election within the City of Pasco, Washington, on Tuesday, November 5, 2013, for the purpose of submitting to the qualified voters of the City of Pasco, Washington, for their approval or rejection, a proposition for the removal of certain territory from the City limits of the City of Pasco, as described with the petition.

Section 2. If the Auditor determines the sufficiency of the petition, the proposition to be submitted to the voters of the City of Pasco, Washington, shall read substantially as follows:

PROPOSITION NO. 1 CITY OF PASCO REDUCTION OF CITY LIMITS

A CITIZENS' PETITION WAS FILED WITH THE FRANKLIN COUNTY AUDITOR FOR PLACEMENT ON THE BALLOT, CONCERNING THE REDUCTION OF THE SIZE OF THE CITY OF PASCO.
THE PETITION DESCRIBES TWO AREAS WHICH ARE SOUGHT FOR REMOVAL FROM THE CITY LIMITS. FIRST IS AN AREA OF ABOUT 41 ACRES AND 41 IN POPULATION, IN THE VICINITY OF ROAD 76 AND COURT STREET, ANNEXED TO PASCO IN 2009. SECOND IS AN AREA OF ABOUT 608 ACRES AND 1450 POPULATION, GENERALLY LYING BETWEEN ROAD 52 AND ROAD 68, SOUTH OF THE FCID CANAL AND NORTH OF SYLVESTER STREET, ANNEXED TO PASCO IN 2012.

SHALL THIS PROPOSITION BE:

APPROVED _____

REJECTED _____

Section 3. The City Council of the City of Pasco hereby directs the City Attorney to file with the Franklin County Auditor, attached to a copy of this Resolution and within 24 hours of its passage, a complete description and explanation of the inaccuracies in the descriptions and maps attached to the petition referenced earlier herein above.

Section 4. The City Council of the City of Pasco hereby directs the City Clerk to provide a certified copy of this Resolution to the Franklin County Auditor for the Auditor to make his determination and, in the event of a determination of sufficiency, to provide for the calling of a special local election pursuant to RCW 29A.04.321 to be held on November 5, 2013.

Section 5. In the event the Franklin County Auditor , consistent with this Resolution and the statutory requirements, determines the petition to be sufficient, he is hereby requested to cause the proposition identified above to be on the November 5, 2013, ballot; conduct the election; canvas the votes; and certify the results.

PASSED by the City Council of the City of Pasco, Washington, as its regular meeting dated this 29 day of July, 2013.

Matt Watkins, Mayor

ATTEST:

Debra L. Clark, City Clerk

APPROVED AS TO FORM:

Leland B. Kerr, City Attorney

2013-3

WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor. Each signature shall be executed in ink or indelible pencil and shall be followed by the name and address of the signer and the date of signing.

PETITION

TO: THE PASCO CITY COUNCIL.
AND TO: THE COUNTY AUDITOR OF FRANKLIN COUNTY.

We, the undersigned citizens of City of Pasco, Washington and legal voters residing within the boundaries of the City of Pasco, Washington, respectfully request that this petition be acted upon in the manner provided for by law under RCW 35A.16 et. seq:

I. That the territory hereby requested to be excluded from the City of Pasco is described on pages 2 through 5 of this petition, and are contained entirely within the corporate limits of the City of Pasco, Washington.
II. That the remaining boundaries of the of the City of Pasco are provided on page 6.
III. That each of the undersigned is a qualified (registered) voter of the City of Pasco, Washington and that the total of all petitions is equal to not less than ten percent of the number of votes cast at the last general municipal election.
IV. That this petition is one of many petitions herewith presented for the exclusion from the City of Pasco. That all said petitions are to be considered as one petition for the exclusion from the City of Pasco and that petitioners have not signed any one of the other petitions for the exclusion from the boundaries of the City of Pasco.

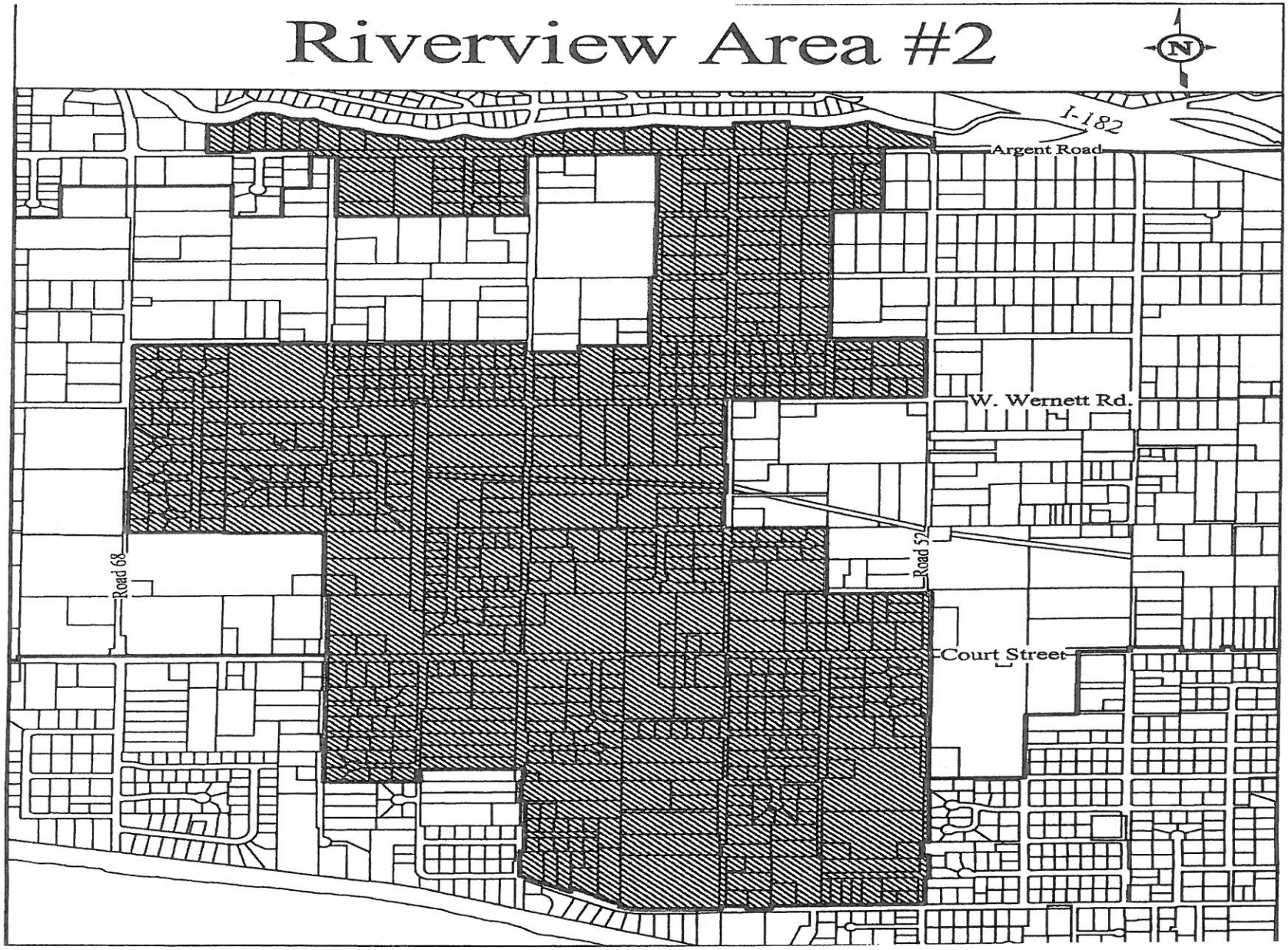
WHEREFORE, Petitioners pray that proceedings be had hereon in the manner prescribed by RCW Title 35A.16 and that said described territories be excluded from the boundaries of the City of Pasco.

RCW 35A.16.010 AREA AND BOUNDARIES OF THE TERRITORY PROPOSED FOR EXCLUSION FROM THE CITY OF PASCO ARE HEREBY DESCRIBED:

RIVERVIEW AREA #2

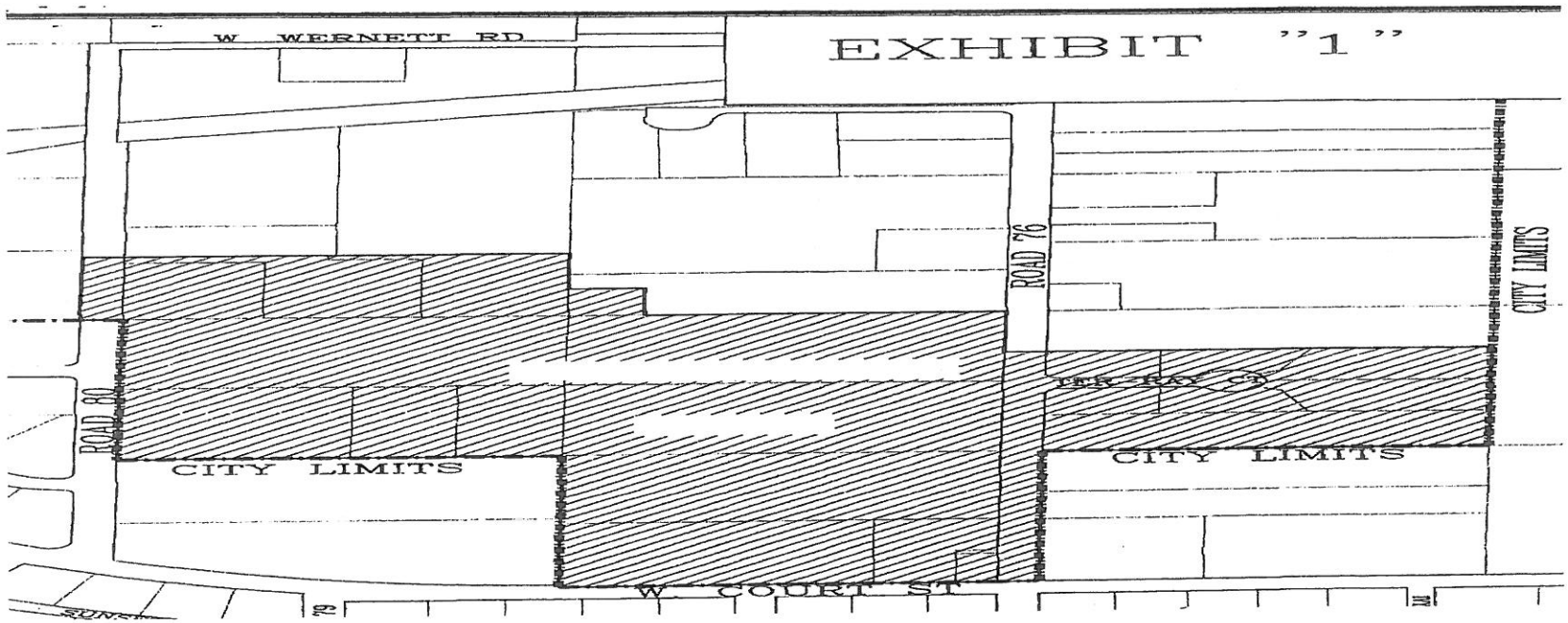
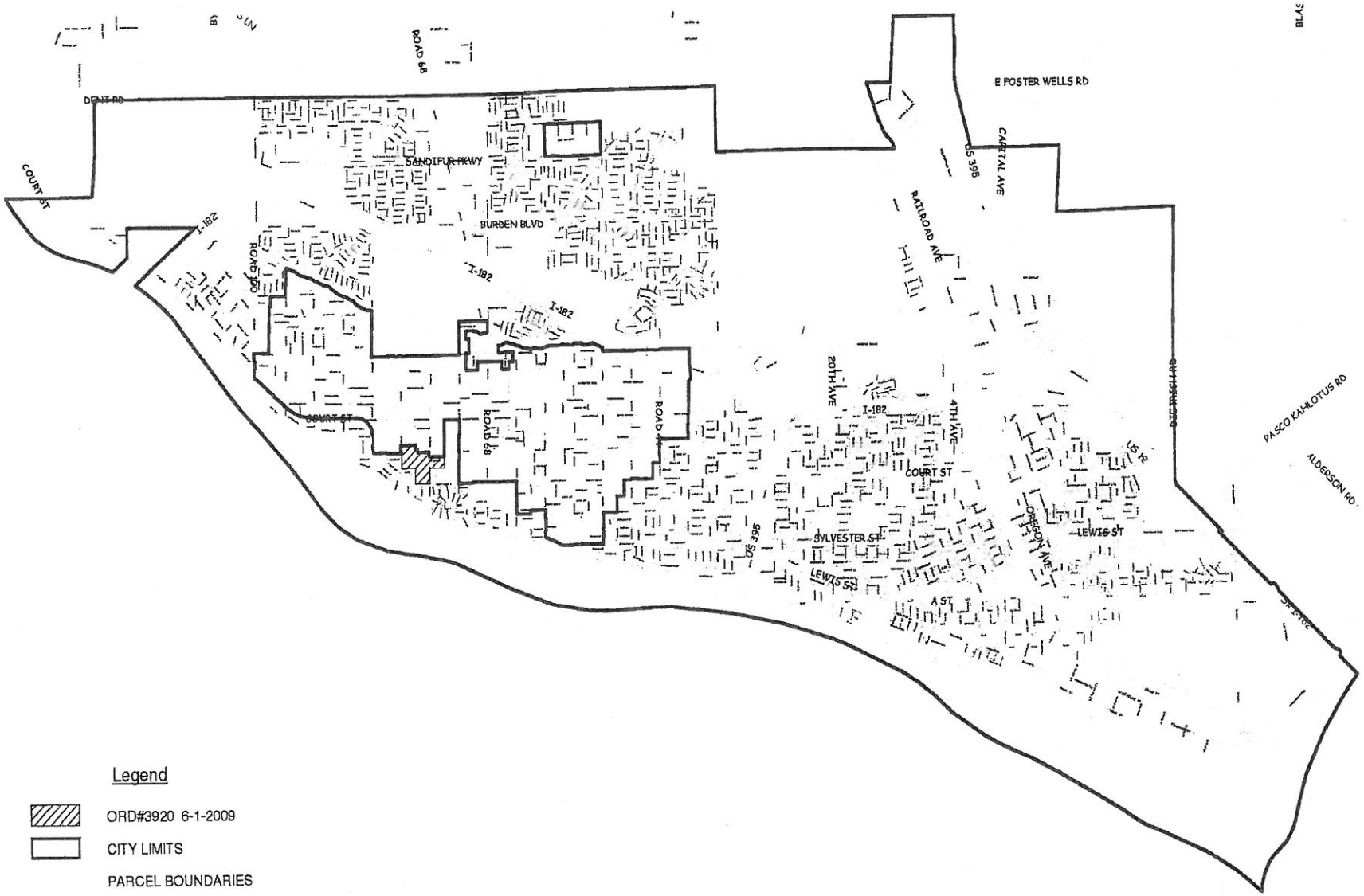
Beginning at the southwest corner of Lot 4, Lamb Estates, said corner being the TRUE POINT OF BEGINNING; Thence easterly along the south line of Lots 4, 3, 2 and 1 of Lamb Estates to the intersection with the west right-of-way line of Road 62; Thence easterly along the easterly projection of the south line of Lot 1, Lamb Estates to the east right-of-way line of Road 62; Thence northerly along said east right-of-way line to the north line of Lot 8, Sunflower Estates; Thence easterly along the north line of said Lot 8 to the intersection with the west right-of-way line of Road 60; Thence easterly along the easterly projection of the north line of said Lot 8 to the intersection with the east right-of-way line of Road 60; Thence southerly along the east right-of-way line of Road 60 to the intersection with the north right-of-way line of Sylvester Street; Thence easterly along the north right-of-way line of Sylvester Street to the intersection with the east right-of-way line of Road 52; Thence northerly along the east right-of-way line of Road 52 to the intersection with the easterly projection of the south right-of-way line of West Agate Street; Thence westerly along the easterly projection of the south right-of-way line of West Agate Street to west right-of-way line of Road 52; Thence westerly along the south right-of-way line of West Agate Street to the northwest corner of Lot 7, Farrell Addition said northwest corner being on the east line of the west half of the southeast quarter of the southeast quarter of Section 22, Township 9, North, Range 29 East W .M.; Thence northerly along the east line of west half of the southeast quarter of the southeast quarter of Section 22, Township 9, North, Range 29 East W.M to the intersection with the northeast corner of Lot 4, Bales Place; Thence westerly along the north line of Lots, 4, 3, 2, and 1 of Bales Place to the intersection with the east right-of-way line of Road 56; Thence northerly along the east right-of-way line of Road 56 to the intersection with the easterly projection of the north line of Lot 1, Block 2, Jensen Estates; Thence westerly along the easterly projection of the north line of said Lot 1 to the intersection with the west right-of-way line of Road 56; Thence northerly along the west right-of-way line of Road 56 to the intersection with the easterly projection of the south line of Lot 13, Park Knoll Subdivision; Thence easterly along the easterly projection of said Lot 13, to the point on the north right-of-way line of West Wernett Road said point being 89.71 feet west of the southeast corner of Lot 40, Park Knoll Subdivision; Thence easterly along the north right-of-way line of West Wernett Road to the intersection with a point on the north right-of-way line of West Wernett Road said point being 101.28 feet east of the southwest corner of Lot 1, Diamond Ridge; Thence along a 25 foot radius to the left having an arc distance of 38.81 feet and a central angle of 88 degrees, 57 minutes, and 2 seconds to a point on the west right-of-way line of Road 52 said point being 174.49 feet south of the northeast corner of said Lot 1; Thence northerly along the west right-of-way line of Road 52 to a point on said right-of way being 245.23 feet north of the southeast corner of Lot 2, Short Plat 2008-13; Thence along a 25 foot radius to the left having an arc distance of 39.75 feet and a central angle of 91 degrees, 05 minutes and 31 seconds to a point on the south right-of-way line of Richardson Road, said point being 155.12 feet east of the northwest corner of Lot 2, Short Plat 2008-13; Thence westerly along the south right-of-way line of Richardson Road to a point 223.49 feet west of the northeast corner of Lot 9, Diamond Ridge; Thence north to the north right-of-way line of Richardson Road; Thence westerly along the north right-of-way line of Richardson Road to the intersection with the southerly projection of Lot 7, Riverhills Addition; Thence northerly along the southerly projection of said Lot 7, to the southeast corner of said Lot 7; Thence northerly along the east line of said Lot 7, and northerly along the east line of Lot 5, Riverhills Addition to the south right-of-way line of West Livingston Road; Thence northerly along the northerly projection of the east line of said Lot 5, to a point on the north right-of-way line of West Livingston Road, said point being the southeast corner of Lot 3, Riverhills Addition; Thence northerly along the east line of said Lot 3, and northerly along the east line of Lot 1, Riverhills Addition to the south right-of-way line of West Dradie Street; Thence northerly along the northerly projection of said Lot 1, to the intersection with the northwest corner of Lot 1, Short Plat 76-23, said northwest corner being on the south right-of-way line of West Dradie Street; Thence easterly along the south right-of-way line of West Dradie Street to the intersection with the southerly projection of Lot 1, Bosch Estates II; Thence northerly along the southerly projection of said Lot 1 to the southeast corner of said Lot 1: Thence northerly along the east line of said Lot 1 and the east line of Lots 2, 3, and 4 Bosch Estates II to the south right-of-way line of West Argent Road; Thence northerly along the northerly projection of the east line of Lot 4, Bosch Estates to the north line of West Argent Road; Thence easterly along the north right-of-way line of Argent Road to the intersection with the east line of Section 15, Township 9 North, Range 29 East W.M.; Thence northerly along the east line of said Section 15 to the south right-of-way line of the Franklin County Irrigation District No 1 canal; Thence westerly along the south line of said irrigation canal right-of-way to the intersection with northeast corner of Lot 2, Binding Site Plan 2006-06. Thence southerly along the east line of said Lot 2 to the north right-of-way line of West Argent Road; Thence easterly along the north right-of-way line of West Argent Road to the intersection with the northerly projection of the North 2 10' of East 150' of the east half of the northeast quarter of the northwest quarter of the northwest quarter of Section 27, Township 9 North, Range 29 East, W.M.; Thence southerly along the northerly projection of said line to the south right-of-way line of West Argent Road; Thence easterly along the south line of West Argent Road to the intersection with the northerly projection of the west line of Lot 1, Quail Run; Thence southerly along said northerly projection to a point on the east right-of way line of Road 64 said point being 221.81 feet from the southwest corner of said Lot 1; Thence southerly along the east right-of-way line of Road 64 to the intersection with the southwest corner of Lot 4, Quail Run; Thence easterly along the south line of said Lot 4 and easterly along the south line of Lot 5, Quail Run to the southwest corner of Lot 5, Shaundee Estates; Thence easterly along the south

line of said Lot 5, to the intersection with the west right-of-way line of Road 61; Thence easterly along the easterly projection of the south line of said Lot 5 to the southwest corner of Lot 6, Shaundee Estates; Thence easterly along the south line of said Lot 6 and easterly along the south line of Lot 7, Shaundee Estates to the west right-of-way line of Road 60; Thence northerly along the west right-of-way line of Road 60 to the intersection with a point on the west right-of-way line of Road 60 aid point being 115.73 feet north of the southeast corner of Lot 10, Shaundee Estates; Thence easterly to the east right-of-way line of Road 60; thence northerly along the east right-of-way line of Road 60 to the south right-of-way line of West Argent Road; Thence easterly along the south right-of-way line of West Argent Road to the intersection with a line 825 east of the west line of the northwest quarter of the northeast quarter of Section 22, Township 9 North, Range 29 East W.M.; Thence southerly along said line to the intersection with the westerly projection of the south line of Lot 4, Bocsh Estates said intersection being on the west right-of-way line of Road 57; Thence southerly along the west right-of-way line of Road 57 to the intersection with the south line of the northwest quarter of the northeast quarter of Section 22, Township 9 North, Range 29 East W.M.; Thence westerly along said south line to the west right-of-way line of Road 57; Thence southerly along the west right-of-way line of Road 57 to the intersection with the north line of Lot 1, Short Plat 2000-09; Thence westerly along the north line of said Lot 1 to the intersection with the northeast corner of a parcel described as follows: The south 594.16 feet of the west 227.73 feet of the east 495 feet of the west 825 feet of southwest quarter of the northwest quarter of Section 22, Township 9 North, Range 29 East W.M., except 30 feet for Wernett Road; Thence westerly along the north line of said described parcel to the northwest corner thereof; Thence southerly along the west line of said described parcel to the intersection with the northeast corner of Lot 1, Short Plat 76-9; Thence westerly along the north line of said Lot 1 to the east right-of-way line of Road 60; Thence westerly along the westerly projection of the north line of said Lot 1 to the intersection with the west right-of-way line of Road 60; Thence northerly along the west right-of-way line of Road 60 to the intersection with the northeast corner of Lot 6, Block 2, Deschane's Subdivision the same being the intersection of Road 60 and West Richardson Road; Thence westerly along the south right-of-way line of West Richardson Road to a point on the north line of Lot 1, Block 1 Buttercreek Estates Phase 1 said point being 133.70 feet west of the northeast corner of said Lot 1; Thence along a 25 foot radius to the left having an arc distance of 38.68 feet and a central angle of 88 degrees, 39 minutes, and 10 seconds to a point on the east right-of-way line of Road 68 said point being 127.66 feet north of the southwest corner of said Lot 1; Thence southerly along the east right-of-way line of Road 68 to the intersection with the westerly projection of the south line of Buttercreek Estates Phase 2; Thence easterly along said westerly projection and along the south line of Buttercreek Estates Phase 2 to the east line of Buttercreek Estates Phase 2; Thence southerly bearing south 00 degrees, 47 minutes and 36 seconds west for a distance of 15 feet; Thence easterly bearing north 89 degrees, 36 minutes and 44 seconds to the intersection with the east right-of-way line of Road 64; Thence southerly along the east right-of-way line of Road 64 to the intersection with the westerly projection of the north line of Binding Site Plan 2001-05; Thence easterly along the north line of said Binding Site Plan to the east right-of-way line of Road 64; Thence southerly along the east right-of-way line of Road 64 to the TRUE POINT OF BEGINNING.


Riverview Area #2
N
I-182
Argent Road
W. Wernett Rd.
Road 68
Road 52
Court Street

ROAD 76 AND COURT STREET

Beginning at the intersection of the Southwest corner of Short Plat 2003-26 and the East right-of way line of Road 80, said intersection being the TRUE POINT OF BEGINNING; Thence Northerly along the East right-of-way line of Road 80 to the Southwest comer of Short Plat 92-10; Thence Westerly along the Westerly projection of the South line of Short Plat 92-10 to the West right-of-way line of Road 80; Thence Northerly along the West right-of-way line of Road 80 to the intersection with the Westerly projection of the North line of Short Plat 92-10; Thence Easterly along the Westerly projection of the North line of Short Plat 92-10 to the Northwest corner thereof; Thence Easterly along the North line of Short Plat 92-10 to the Northeast comer thereof; Thence Southerly along the East line of Short Plat 92-10 to the intersection with the North line of a parcel described as the South 130 feet of the West 110 feet of the Southeast quarter of the Northeast quarter of the Southwest quarter of Section 21, Township 9 North, Range 29 East Willamette Meridian; Thence Easterly along the North line of said parcel to the East line thereof; Thence Southerly along the East line of said parcel to the intersection with the North line of the North half of the Northeast quarter of the Southeast quarter of the Southwest quarter of Section 21, Township 9 North, Range 29 East, Willamette Meridian; Thence Easterly along the North line of the North half of the Northeast quarter of the Southeast quarter of the Southwest quarter of said Section 21 to the West right-of-way line of Road 76; Thence Southerly along the West right-of-way line of Road 76 to the intersection with the Westerly projection of the North line of Lot 1, Ter-Ray Estates; Thence Easterly along the Westerly projection of the North line of Lot 1, Ter-Ray Estates to the Northwest comer of Lot 1, Ter-Ray Estates; Thence Easterly along the North line of Lots 1, 2 and 3, Ter-Ray Estates to the Northeast comer of Lot 3, Ter-Ray Estates; Thence Southerly along the East line of Lots 3 and 4 Ter-Ray Estates and continuing Southerly along the East line of the South half of the South half of the Northwest quarter of the Southwest quarter of the Southeast quarter of Section 21, Township 9 North, Range 29 East, Willamette Meridian to the intersection with the Southeast comer thereof; Thence Westerly along the South line of the South half of the South half of the Northwest quarter of the Southwest quarter of the Southeast quarter of said Section 21, to the intersection with the East right-of-way line of Road 76; Thence Southerly along the East right-of-way line of Road 76 to the intersection with the North right-of-way line of Court Street; Thence Westerly along the Westerly projection of the North right-of-way line of Court Street to the intersection with the West right-of-way line of Road 76; Thence continuing Westerly along the North right-of-way line of Court Street to the intersection with the Southeast comer of Short Plat 76-10; Thence Northerly along the East line of Short Plat 76-10 to the intersection with the Northeast corner of lot 2 Short Plat 76-10; Thence Westerly along the North line of Lot 2 Short Plat 76-10 to the TRUE POINT OF BEGINNING.



IN ACCORDANCE WITH RCW 35A.16.010, THE FOLLOWING ARE THE BOUNDARIES OF THE CITY OF PASCO AS IT WILL EXIST AFTER SUCH CHANGE IS MADE: