

**Resolution #614**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YACOLT, WASHINGTON, AUTHORIZING CIRCULATION OF A 60% PETITION FOR ANNEXATION TO THE TOWN OF ROUGHLY 1.72 ACRES COMMONLY KNOWN AS THE KELLER PROPERTY; ASSIGNING A PROPOSED ZONING DESIGNATION FOR THE PROPERTY UPON ANNEXATION; AND REQUIRING THE ASSUMPTION OF A PROPORTIONATE SHARE OF THE TOWN'S INDEBTEDNESS**

**Whereas**, Shirley Ann Keller, ("*Keller*"), is the owner of a certain parcel of real property in Clark County, Washington, located at 25115 N.E. WH Garner Road, said parcel being legally described on Exhibit A, (hereafter the "*Property*");

**Whereas**, on or about April 23, 2023, Keller provided written notice of her intent to annex the Property to the Town using the 60% petition method described in RCW 35.13.125;

**Whereas**, Keller represents not less than 10% (by assessed value) of the ownership of the Property for which annexation is sought as required by RCW 35.13.125;

**Whereas**, the Property to be annexed is contiguous with the existing Town limits as required by RCW 35.13.010 and RCW 35.13.130, and is within the Town's Urban Growth Area, (Exhibit B), as required by RCW 35.13.005;

**Whereas**, pursuant to RCW 35.13.125, the Town is to hold a meeting with initiating parties not later than sixty days after the filing of a notice of intent to annex to determine whether the Town will accept, reject, or geographically modify the proposed annexation, whether it will require the simultaneous adoption of a comprehensive plan, and whether it will require the assumption of all or any portion of existing municipal indebtedness; and,

**Whereas**, the Town Council of the Town of Yacolt is in regular session this 12<sup>th</sup> day of June, 2023, and all members of the Town Council have had notice of the time, place, and purpose of said meeting:

**NOW THEREFORE, be it Resolved by the Town Council of the Town of Yacolt, Washington, as follows:**

**Section 1 - Adoption of Recitals:** The foregoing Recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Resolution upon adoption hereof.

**Section 2 - Authorization to Circulate 60% Petition:** The Town Council hereby accepts the proposed annexation of the Property legally described in Exhibit A pursuant to the terms described in this Resolution. The Town Council hereby authorizes circulation of a 60% petition among the Property owner(s) pursuant to RCW 35.13.125-160 and RCW 35.21.005.

**Section 3 - No Comprehensive Plan Amendment Required:** If the annexation is approved, the Town will not require the simultaneous adoption of a comprehensive plan amendment as a condition to the proposed annexation.

Section 4 - Designation of Expected Zoning: If the annexation is approved, the adoption of zoning for the annexed Property shall substantially comply with the Town's Comprehensive Growth Management Plan and YMC 18. The Council expects the Property's zoning to be "urban low density residential" pursuant to the Town's current Urban Growth Area map, (Exhibit B), with its specific zoning to be "R1-12.5 - Single-Family Residential" under Chapter 18.25 of the Yacolt Municipal Code.

Section 5 - Assumption of Indebtedness: If the annexation is approved, the Town will require the annexed Property to assume its proportionate share of any Town indebtedness. All territory and improvements within the Property sought to be annexed shall be assessed and taxed at the same rate and on the same basis as other property within the Town of Yacolt including assessments or taxes in payment of all or any portion of the then outstanding indebtedness of the Town contracted, or incurred prior to, or existing at the date of, the annexation.

Section 6 - Costs of Public Notice: If the Town receives a Petition for Annexation pursuant to this Resolution, the costs of publication and posting shall be borne by the Petitioners pursuant to RCW 35.13.140.

Section 7 - Reservation of Rights: The Town Council reserves all lawful authority to accept, reject or modify the proposed annexation.

Section 8 - Effective Date: This Resolution shall be effective upon passage, approval and signatures hereon in accordance with law. The Town Clerk may publish the following summary of this Resolution:

**Town of Yacolt - Summary of Resolution #614**

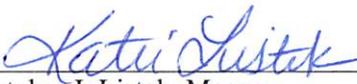
The Town Council of the Town of Yacolt adopted Resolution #614 at its regularly scheduled Town Council meeting held on June 12, 2023. The content of the Resolution is summarized in its title as follows: "A Resolution of the Town Council of the Town of Yacolt, Washington, Authorizing Circulation of a 60% Petition for Annexation to the Town of Roughly 1.72 Acres Commonly Known as the Keller Property; Assigning a Proposed Zoning Designation for the Property Upon Annexation; and Requiring the Assumption of a Proportionate Share of the Town's Indebtedness".

The effective date of the Resolution is June 12, 2023. A copy of the full text of the Resolution will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

Published this 21<sup>st</sup> day of June, 2023.  
Yacolt Town Clerk.

**Resolved by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 12<sup>th</sup> day of June, 2023.**

TOWN OF YACOLT

  
\_\_\_\_\_  
Katelyn J. Listek, Mayor

Attest:

Kandi Peto  
Stephanie Fields, Town Clerk  
Kandi Peto, pro tempore

Approved as to Form:

[Signature]  
David W. Ridenour, Town Attorney

Ayes: 3  
Nays: 0  
Absent: Shealy  
Abstain: \_\_\_\_\_

**TOWN CLERK'S CERTIFICATION**

I hereby certify that the foregoing Resolution is a true and correct copy of Resolution #614 of the Town of Yacolt, Washington, entitled "A Resolution of the Town Council of the Town of Yacolt, Washington, Authorizing Circulation of a 60% Petition for Annexation to the Town of Roughly 1.72 Acres Commonly Known as the Keller Property; Assigning a Proposed Zoning Designation for the Property Upon Annexation; and Requiring the Assumption of a Proportionate Share of the Town's Indebtedness" as approved according to law by the Yacolt Town Council on the date therein mentioned.

Attest:

[Signature]  
Stephanie Fields, Town Clerk

Published: \_\_\_\_\_  
Effective Date: June 12, 2023  
Resolution Number: 614

# EXHIBIT A

## Legal Description of the Keller Property to be Annexed

Legal Description: The following described real property, situated in the County of Clark, State of Washington:

That portion of the Northeast quarter of the Northeast quarter of Section 3, Township 4 North, Range 3 East of the Willamette Meridian described as follows:

Beginning at the Northeast corner of said Section 3; thence West 227 feet; thence South 330 feet; thence East 227 feet; thence North 330 feet to the point of beginning; containing 2 acres, more or less.

Clark County Tax Assessor's Parcel Number: 229863000

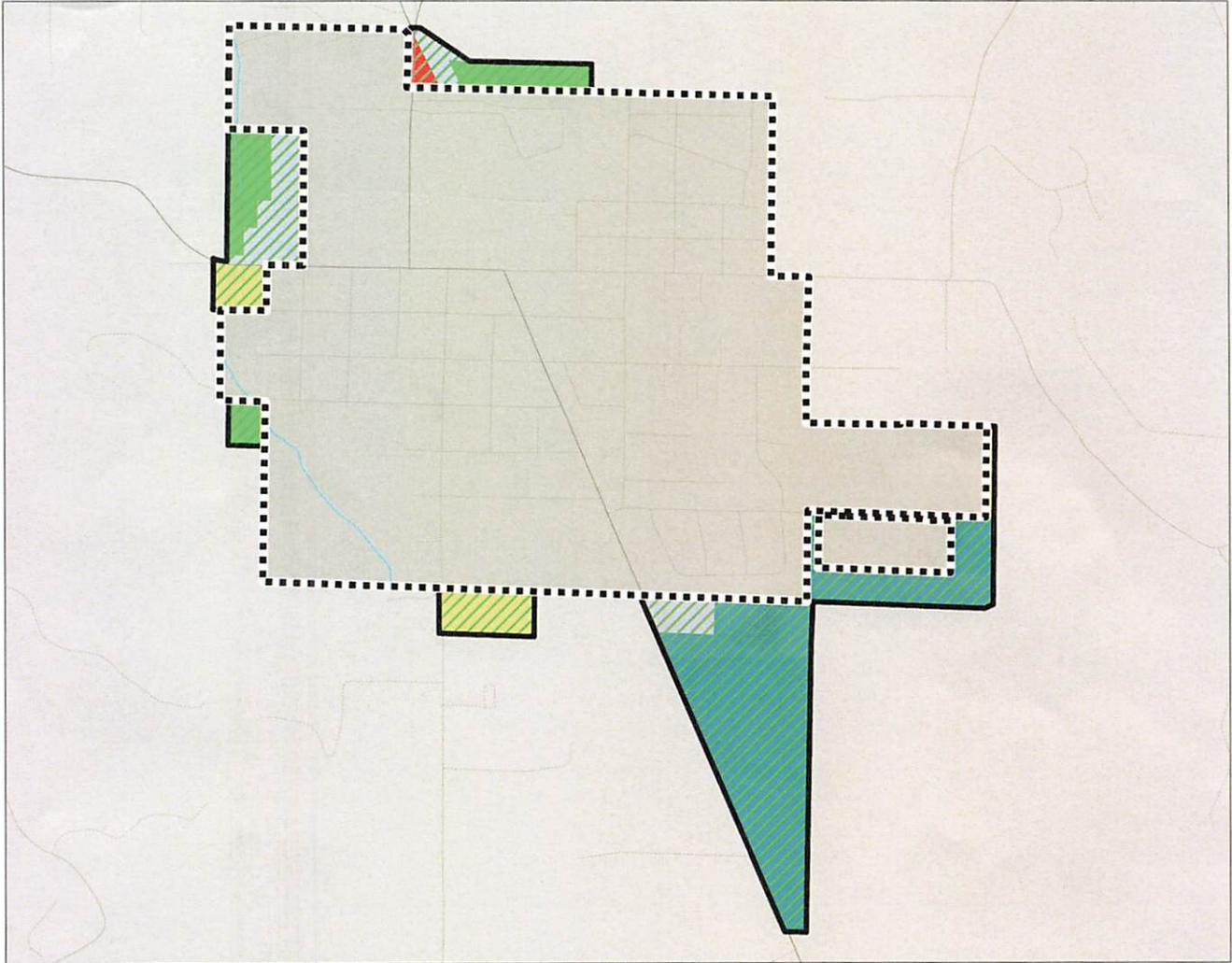
Abbreviated Legal Description: #22 SEC 3 T4N R3E WM 1.72A

Property Address:

25115 N.E. WH Garner Road  
Yacolt, WA 98675

# EXHIBIT B

## Urban Growth Area and Boundary of the Town of Yacolt - Comprehensive Plan



### KEY

 Incorporated Area

 Urban Growth Area

#### Comprehensive Plan Overlay

 Urban Holding

#### Comprehensive Plan

 Urban Low Density Residential

 Commercial

 Industrial

 Public Facility

 Parks/Open Space