

Notice of Public Hearing

The Colfax City Council will hold a public hearing at City Hall on Tuesday February 16, 2021 at 7:00 P.M. to discuss the proposed annexation and de-annexation of a portion of properties owned by Hill Ray Plaza and Farm Land Reserve, Inc. The subject properties are a portion of parcels #802200000000002 and #200004316234900. The full legal description and map of the subject properties is available at city hall, 400 N Mill St. Anyone needing assistance to participate in the hearing should contact City Hall by 5:00 on February 16th.

Affidavit of Posting Notices

STATE OF WASHINGTON)
)
City of Colfax)

I Steve Bretveld, a citizen of the United States and of the State of Washington, over the age of 21 years and competent to be a witness at the hearing mentioned in the attached notice, but not interested in the outcome thereof; that on the

3RD day of February, 2021, posted correct and true copies of the notice hereto attached by posting a copy of said notice, 1 at the property and 3 in public places.

POST OFFICE, CITY HALL
ROSAROSE



Steve Bretveld Building and
Community Development Associate

Project: File: BLA 19-01

Exhibit 1: Findings of Fact

1. On August 30, 2019, Hill Ray Plaza requested a boundary line adjustment for a property swap between them and the Church of Ladder Day Saints. The swap is 1,022sqft each and is overgrown grass area to the Southeast of the Hill Ray building.
2. In doing the BLA, this in turn gave Hill Ray property in the County and LDS church property in the City. The request is to annex property associated with Hill Ray and de-annex property to the LDS church.
3. The proposed legal description for Hill Ray is as follows:

A parcel of land situated within the NE ¼ of the NE ¼ of section 22 and the NW ¼ of the NW ¼ of section 23, T 16 N, R 43 E, W.M. City of Colfax, Whitman County, State of Washington and is further described as follows:

Commencing at the NW corner of said section 23, thence N 87°30'52" E 598.645 feet, along the Northerly boundary of said section 23, thence S 26°19'4" W 30.97 feet, leaving said Northerly boundary, to the point of beginning;

Thence S 26°19'14" W 493.58 feet;

Thence S 65°10'24" W 292.78 feet;

Thence N 55°38'24" W 279.15 feet;

Thence N 33°47'58" E 294.58 feet;

Thence N 64°24'58" E 351.23 feet;

Thence N 87°14'00" E 234.62 feet, to the point of beginning.

Area = 5.02 acres

4. Together with and portion to be **annexed**:

Legal description LDS to Hill Ray Plaza

A parcel of land situated with the NW ¼ of the NW ¼ of section 23, T 16 N, R 43 E, W.M., City of Colfax, Whitman County, state of Washington and is further described as follows:

Commencing at the NW corner of said section 23; Thence N 87°30'51": E 598.64 feet, along the Northerly boundary of said section 23, thence S 26°19'14" W 30.97 feet, leaving said Northerly boundary, to the point of beginning;

Thence S 26°19'14" W 384.38 feet, along the Easterly boundary of Hill Ray Plaza;

thence N 72°10'33" E 72.67 feet, leaving said Easterly boundary; thence N 17°26'24" E 337.81 feet, to the point of beginning.

Area of said described parcel of land is 10,022 sqft.

5. The portion of property is overgrown grassy area and contains a portion of Hill Ray retaining wall.
6. The portion of property to be **de-annexed** from the City is as follows:

Legal description Hill Ray Plaza to LDS

A parcel of land situated with the NW ¼ of the NW ¼ of section 23, T 16 N, R 43 E, W.M., City of Colfax, Whitman County, state of Washington and is further described as follows:

Commencing at the NW corner of said section 23; Thence N 87°30'51": E 598.64 feet, along the Northerly boundary of said section 23, thence S 26°19'14" W 30.97 feet, leaving said Northerly boundary, to the NE corner of Hill Ray Plaza, thence S 26°19'4" W 384.38 feet, along the Easterly boundary of said Hill Ray Plaza to the point of beginning;

Thence S 26°19'14" W 109.27 feet, continue along said Easterly boundary; thence S 65°10'34" W 292.76 feet, continue along said Easterly boundary, to the SE corner of said Hill Ray Plaza, thence N 54°53'14" E 384.11 feet, to the point of beginning
Area of said described parcel of land is 10,022 sqft.

7. The properties to the South, East and West contain open area/pasture then farmland.
8. Property to the North is Hill Ray Plaza containing residences.
9. Per RCW 35A.16.080:

Exclusion of agricultural land from the incorporated area of a code city.

Proceedings for excluding agricultural land from the boundaries of a charter code city or noncharter code city may be commenced by the filing of a petition which is sufficient as determined by RCW 35A.01.040 by property owners of the agricultural land proposed to be excluded, in the following manner which is alternative to other methods provided in this chapter:

(1) A petition for exclusion of agricultural land from the incorporated area of a code city shall be filed with the legislative body of the municipality. The petition for exclusion must be signed by the owners of not less than one hundred percent of the agricultural land for which exclusion is sought and, if residents exist within the area proposed for exclusion, a majority of the registered voters residing in the area for which exclusion is petitioned.

(2) The petition shall set forth a legal description of the territory proposed to be excluded and shall be accompanied by a drawing that outlines the boundaries of the territory sought to be excluded.

(3) When a petition for exclusion that meets the requirements of this section and RCW 35A.01.040 is filed with the legislative body of the code city, the legislative body shall set a date, not later than sixty days after the filing of the request, for a public hearing thereon and cause notice of the hearing to be published in one or more issues of a newspaper of general circulation in the city. The notice shall also be posted in three public places within the territory proposed for exclusion, and shall specify the time and place of hearing and invite interested persons to appear and voice approval or disapproval of the exclusion.

(4) Following the hearing, if the legislative body determines to effect the exclusion from city boundaries, they shall do so by ordinance. The ordinance may exclude all or any portion of the proposed territory but may not include in the exclusion any territory not described in the petition. The ordinance shall contain a legal description of the territory and declare it no longer a part of the code city.

Conclusions

1. The subject annexation appears to meet the provisions of the Colfax Municipal Code
2. The preliminary proposal for annexing the portion of property described in field survey should be approved in accordance with Colfax Municipal Code and as proposed by the City Attorney and would be deemed R1.
3. The preliminary proposal for de-annexing the portion of property described in field survey should be approved in accordance with Colfax Municipal Code, stated RCW and as proposed by the City Attorney.

Steve Bretveld
Building & Community Development Associate

