

ORDINANCE NO. 2606

AN ORDINANCE AMENDING CHAPTER 12.40 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "STREET CONSTRUCTION OR IMPROVEMENT REIMBURSEMENT CHARGES"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 12.40 of the Moses Lake Municipal Code entitled "Street Construction or Improvement Reimbursement Charges" is amended as follows:

12.40.112 Street Improvement Charges - Lakeshore and Peninsula Drive Reconstruction Project - 2009, Peninsula Drive Reconstruction Project - 2008, and street improvements to Lakeshore Drive between Pommer Street and Wanapum Drive: Street improvements consisting of improving portions of Lakeshore Drive and Peninsula Drive with city funds shall be reimbursed at a rate of ninety three dollars and nineteen cents ( \$93.19) per front foot and the listed cost of the additional right-of-way for the below referenced property owners upon platting of said property.

A. Parcels in the Northwest 1/4, Northeast 1/4, Section 33, T 19 North, Range 28 East W.M., City of Moses Lake, Grant County, Washington, described as follows:

1. Southwesterly 1/2, of Tract 20, Replat of Tract No. 31, Battery Orchard Tracts.

Additional right-of-way: \$440

GC Parcel Number: GC 90518000

2. That portion of Tract 32, Battery Orchard Tracts, Grant County, Washington, described as follows: beginning at the most northerly corner of Tract 32, Battery Orchard Tracts; thence South 57°51'16" East on the boundary line between said Tract 32 and 31, a distance of 200 feet; thence South 32°08'44" West, a distance of 140 feet; thence northwesterly on a line parallel with the boundary line between said Battery Orchard Tracts 32 and 31, a distance of 200 feet to the northwesterly boundary line of Tract 32; thence, 140 feet northeasterly along the northeasterly boundary line of said Tract 32 of Battery Orchard Tracts to the true point of beginning. Less road.

Additional right-of-way: \$2,800

GC Parcel Number: 90309000

3. A portion of Tract 32, Battery Orchard Tracts, according to the plat thereof filed January 7, 1914 records of Grant County, Washington, described as follows: beginning at the most northerly corner of said Tract 32; thence South 57°51'16" East along the boundary line between Tract 32 and 31, a distance of 300 feet to the true point of beginning; thence South 32°08'44" West parallel to the northwesterly boundary line of said Tract 32, a distance of 160 feet; thence North 57°51'16" West parallel to the northeasterly boundary line of said Tract 32, a distance of 100 feet; thence North 32°08'44" East parallel with then northwesterly boundary line of Tract 32, a distance of 20 feet; thence North 57°51'16" West parallel to the northeasterly boundary line of said Tract 32, a distance of 200 feet to the northwesterly boundary line of Tract 32; thence South 32°08'44" West along the northwesterly boundary line of said Tract 32, a distance of 60 feet; thence South 57°16' East parallel to the northeasterly boundary line of Tract 32, a distance of 400 feet, more or less to the northwesterly line of Block 4, Lakeview Village Plat as recorded in volume 3 of plats, page 58; thence North 32°08'44" East along the northwesterly boundary line of said Block 4, Lakeview Village, a distance of 200 feet; thence North 57°51'16" West parallel to the northeasterly boundary line of said Tract 32, a distance of 100 feet, more or less to the true point of beginning. Less tax number 9930.

Additional right-of-way: \$1,200

GC Parcel Number: 90311001



E. Hibbs

B. Parcels in the Southwest 1/4, Northeast 1/4, Section 33, T 19 North, Range 28 East W.M., City of Moses Lake, Grant County, Washington, described as follows:

1. Tract 34, Battery Orchard Tracts.

Additional right-of-way: \$10,000

GC Parcel Number: 90313000

C. Parcels in the Southeast 1/4, Northwest 1/4, Section 33, T 19 North, Range 28 East W.M., City of Moses Lake, Grant County, Washington, described as follows:

1. That portion of the southwesterly 341.37 feet of Tract 35, Battery Orchard Tracts, as recorded on page 31 of book 1 of Acreage Plats, Grant County, Washington, except the northwesterly 16 feet of the northwesterly 447.34 feet.

Additional right-of-way: \$6,508

GC Parcel Number: 90313001

2. Tract 35, Battery Orchard Tracts less: That portion of the southwesterly 341.37 feet of Tract 35, Battery Orchard Tracts, as recorded on page 31 of book 1 of Acreage Plats, Grant County, Washington, except the northwesterly 16 feet of the northwesterly 447.34 feet.

Additional right-of-way: \$3173.

GC Parcel Number: 90313003

D. Parcels in the Northeast 1/4, Southwest 1/4, Section 33, T 19 North, Range 28 East W.M., City of Moses Lake, Grant County, Washington, described as follows:

1. Tract 36 and 37, Battery Orchard Tracts Plat.

GC Parcel Number: 90314000

2. A portion of Tract 48, Battery Orchard Tracts described as follows: beginning at the intersection of the southwesterly and southeasterly boundary lines extended, of Tract 48; thence North 32°08'44" East along the southeasterly line, 474 feet; thence North 55°31'30" West, 145.33 feet; thence South 73°29'00" West, 513.74 feet to the southwesterly line of Tract 48; thence South 46°51'16" East, 493.60 feet to the point of beginning.

GC Parcel Number: 90342000

3. A portion of Tract 48, Battery Orchard Tracts, according to the plat thereof filed January 7, 1914, described as follows: beginning at the intersection of the southwesterly boundary line, extended and the southeasterly boundary line, extended and the southeasterly boundary line, extended, of Tract 48; thence 288 feet North 32°08'44" East along the southeasterly boundary line of said Tract 48; thence 120 feet North 55°31'30" West; thence 186 feet North 32°08'44" East, parallel to the southeast boundary line of said Tract 48; thence 25.33 feet North 55°31'30" West; thence 513.74 feet South 73°29'00" West to southwesterly boundary line of said Tract 48; thence 493.60 feet South 46°51'16" East to the point of beginning.

GC Parcel Number: 90344000

4. Tract 47, Battery Orchard Tracts, less plats.

GC Parcel Number 90339000

5. Tract 38, Battery Orchard Tracts, less plats.

Additional right-of-way: \$3,392

GC Parcel Number: 90315000

E. Parcels in the Southeast 1/4, Southwest 1/4, Section 33, T 19 North, Range 28 East W.M., City of Moses Lake, Grant County, Washington, described as follows:

- 1. North 100 feet of Tract 39, Battery Orchard Tracts.

Additional right-of-way: \$ 2,000

GC Parcel Number: 90317000

- 2. Beginning at the intersection of the southwesterly and the northwesterly boundary line of Battery Orchard Tract 39, according to the plat thereof, thence northeasterly along the northwesterly boundary line of said Tract 39 a distance of 200 feet to the point of beginning; thence continuing along said northwesterly boundary line a distance of 200 feet; thence southeasterly parallel with the southwesterly boundary line of said Tract 39 to the water line of Moses Lake; thence southwesterly along the water line a distance of 200 feet measured at a right angle from the southwesterly boundary line of said Tract 39; thence northwesterly parallel with the southwesterly boundary line to the point of beginning.

GC Parcel Number: 90319000

F. Parcels in the Southwest 1/4, Southwest 1/4, Section 33, T 19 North, Range 28 East W.M., City of Moses Lake, Grant County, Washington, described as follows:

- 1. A portion of Battery Orchard Tracts, Tract 41, Grant County, Washington, according to the plat thereof filed January 7, 1914 described as follows: beginning at the most northerly corner of said Tract 41; thence South 32°08'44" West along the northwesterly line thereof, a distance of 110 feet; thence South 57°51'16" East, parallel to the northeasterly line thereof, a distance of 120 feet; thence South 32°08'44" West, parallel to said northwesterly line thereof, a distance of 122.67 feet to the true point of beginning; thence North 57°51'16" West parallel to said northeasterly line thereof, a distance of 90.00 feet to the beginning of a curve to the right the radius point of which bears North 32°08'44" East, 20.00 feet; thence northerly along the arc of said curve through a central angle of 90°00'00", 31.42 feet; thence North 57°51'16" West, 10.00 feet to said northwesterly line of Tract 41; thence South 32°08'44" West, along said northwesterly line, 39.95 feet; thence continuing along said northwesterly line South 32°04'49" West, 61.78 feet to the most westerly corner of said Tract 41; thence South 14°30'16" East, along the westerly line of said Tract 41, a distance of 164.98 feet, more or less to a point distant 120.00 feet, measured at right angles to said northwesterly line thereof; thence North 32°08'44" East, parallel with said northwesterly line of said Tract, 194.97 feet, more or less to the true point of beginning.

GC Parcel Number: 90327002

- 2. A portion of Tract 41 Battery Orchard Tracts, Grant County, Washington according to the plat thereof filed January 7, 1914 as follow:

Beginning at the most northerly corner of said Tract 41; thence South 32 08'44" West along the northwesterly line thereof, a distance of 110 feet to the True Point of Beginning; thence South 57 51'16" East, parallel to the northeasterly line thereof, a distance of 120 feet; thence south 32 08'44" West parallel to the northwesterly line thereof, a distance of 122.67 feet; thence North 57 51'16" West parallel to said northeasterly line thereof, a distance of 90.00 feet to the beginning of a curve to the right the radius point of which bears North 32 08'44' East, 20.00 feet; thence northerly along the arc of said curve, through a central angle of 90 00'00", 31.42 feet; thence 57 51'16" West, 10.00 feet to said northwesterly line of Tract 41; thence 32 08'44" East along said northwesterly line, 102.67 feet to the True Point of beginning.

Additional right-of-way: \$2,054

GC Parcel Number: 90323000

- 3. That portion of Tract 41, Battery Orchard Tracts, Moses Lake per plat filed January 7, 1914 in acreage 31, records of Grant County, Washington, described as follows: beginning at the most northerly corner of said Tract; thence South 32°08'44" West along the northwesterly line of said Tract 110 feet; thence South 57°51'16" East, 120 feet; thence North 32°08'44" East, 110 feet to the northeasterly line of said Tract; thence North 57°51'16" West along said northeasterly line, 120 feet to the point of beginning.

Additional right-of-way: \$5,000

GC Parcel Number: 90320000

4. That portion of Tract 41, Battery Orchard Tracts, Moses Lake as per plat filed January 7, 1914 in Acreage 31, records of Grant County, Washington described as follows: Beginning at the most northerly corner of said Tract; thence South 32°08'44" West along the northwesterly line of said Tract 110 feet; thence South 57°51'16" East, 120 feet; thence North 32°08'44" East, 110 feet to the northeasterly line of said Tract; thence North 57°51'16" West along said northeasterly line, 120 feet to the point of beginning.

GC Parcel Number: 90326000

- G. Parcels in the Northwest 1/4, Northwest 1/4, Section 4, T 18 North, Range 28 East W.M., City of Moses Lake, Grant County, Washington, described as follows:

1. Beginning at the most southerly corner of Tract 44, Battery Orchard Tracts; thence 280 feet North 32°08'44" East to the true point of beginning; thence 210 feet North 57°51'16" West; thence 100 feet North 32°08'44" East; thence 210 feet South 57°51'16" East; thence 100 feet South 32°08'44" West to the true point of beginning.

GC Parcel Number: 90334000

2. Beginning at the southwest corner of Tract 44, Battery Orchard Tracts; thence 200 feet North 32°08'44" East along the southeast line of said Tract 44 to the true point of beginning; thence 210 feet North 57°51'16" West; thence 80 feet North 32°08'44" East; thence 210 feet South 57°51'16" East; thence 80 feet South 32°08'44" West to the true point of beginning.

GC Parcel Number: 90333000

3. That portion of Tract 44, Battery Orchard Tracts, Grant County, Washington, described as follows: beginning at the southwest corner of Tract 44, Battery Orchard Tracts; thence South 57°51'16" East along the southwest line of said Tract, 420 feet to the true point of beginning; thence North 32°08'44" East, 200 feet; thence South 57°51'16" East, 104.30 feet; thence South 32°08'44" West, 200 feet; thence North 57°51'16" West, 104.30 feet to the true point of beginning.

GC Parcel Number: 90331000

4. A tract of land located in Tract 42, Battery Orchard Tracts, described as follows: beginning at the northern most corner of Tract 42; thence South 32°08'44" West, a distance of 358 feet to the point of beginning; thence South 32°08'44" West, a distance of 186 feet; thence South 57°51'16" East, a distance of 234.20 feet; thence North 32°08'44" East, a distance of 160 feet; thence North 52°08' West, a distance of 235.20 feet to the point of beginning.

GC Parcel Number: 90329000

5. That portion of Tract 42, Battery Orchard Tracts, Grant County, Washington, described as follows: beginning at the most northerly corner of Tract 42, Battery Orchard Tracts; thence South 32°08'44" West along the northwesterly line of said Tract, 574.12 feet; thence South 57°51'08" East, 478.45 feet; thence South 14°30'16" East, 120 feet more or less to the high water line of Moses Lake; thence northeasterly along said high water line, 100 feet to an intersection with the east line of said tract 42; thence North 14°30'16" West along the east line, 821.80 feet more or less to the point of beginning. Less tax # 3121 & sp 13-42.

Additional right-of-way: \$7,076

GC Parcel Number: 90328000

- H. Parcel in the Northwest 1/4, Southwest 1/4, Section 33, T 19 North, Range 28 East W.M., City of Moses Lake, Grant County, Washington, described as follows:

1. Tax number 14268 in Tract 59, Less Road, Battery Orchard Tracts.

GC Parcel Number: 90376001

- I. Parcel in the Northwest 1/4, Northwest 1/4, Section 33, T 19 North, Range 28 East W.M., City of Moses Lake, Grant County, Washington, described as follows:

1. Tax number 7477 in Tract 63, Battery Orchard Tracts. GC Parcel Number 90383000
2. Tax number 4697 in Tract 63 Battery Orchard Tracts. GC Parcel Number 90381000

The above reimbursement rate shall be adjusted upward commencing on June 2, 2012 by the change in the January to January all West Coast Cities CPI-index issued in the 2010 and shall be so adjusted each June 1 thereafter using the same index.

Section 2. The City Council declares that an emergency exists and this ordinance is deemed a public emergency ordinance necessary for the protection of public health, public safety, public property, or public peace and shall take effect immediately as provided by law upon one reading if a majority plus one of the whole membership of the City Council vote in favor of passage.

Adopted by the City Council and signed by its Mayor on January 25, 2011,

  
\_\_\_\_\_  
Jon Lane, Mayor

ATTEST:

  
\_\_\_\_\_  
Ronald R. Cone, Finance Director

APPROVED AS TO FORM:

  
\_\_\_\_\_  
James A. Whitaker, City Attorney