

ORDINANCE NO. 1267

An ordinance of the City of Cle Elum, Washington, clarifying the effect of annexation of that certain real property commonly known as the Bullfrog Urban Growth Area to the City by Ordinance No. 1196

WHEREAS, the City of Cle Elum, a second class municipal corporation organized under the laws of the state of Washington, did on June 10, 2003, annex certain real property commonly known as the Bullfrog Urban Growth Area by Ordinance No. 1196; and

WHEREAS, said annexation was undertaken pursuant to a Development Agreement dated October 30, 2002, by and between the City and Trendwest Resorts; and

WHEREAS, said Development Agreement contained an agreed-upon Master Site Plan that was to be approved concurrently with any annexation of the Bullfrog Urban Growth Area real property; and

WHEREAS, the annexation ordinance, No. 1196, omitted a recitation that the Development Agreement's Master Site Plan was approved contemporaneously with the annexation; and


WHEREAS, certain subsequent obligations of the parties to the Development Agreement are predicated upon the date of approval of the Master Site Plan, which was in fact June 10, 2003, but which reference to which and affirmation thereof was omitted by error in Ordinance No. 1196;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLE ELUM DO ORDAIN AS FOLLOWS:

Ordinance No. 1196 is amended by this Ordinance to provide as follows:

"The date of approval of the Master Site Plan as contained in the October 30, 2002, Development Agreement is hereby affirmed and established to be June 10, 2003, concurrent with the date of annexation of the real property subject hereto."

PASSED by the City Council of the City of Cle Elum, Washington, at a regular meeting thereof, held on this 13 day of March, 2007.



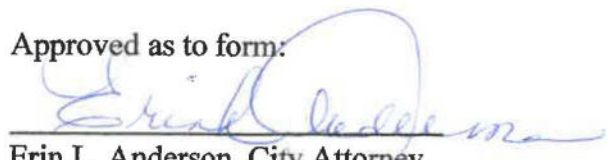
Charles Glondo, Mayor

ATTESTATION:



Toni Fields, City Clerk

Approved as to form:



Erin L. Anderson, City Attorney