

ORDINANCE NO. 1090

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN PROPERTIES: ESTABLISHING THE ZONING CLASSIFICATION THEREFORE; AND PROVIDING FOR AN EFFECTIVE DATE.

R E C I T A L S:

1. The City has received an application from Mildred S. Troyer requesting annexation to the City of certain real property situate in the County of Grays Harbor, the full legal description of which is attached as Exhibit A and describes two parcels. It is currently assigned Parcel #180634120060 by the Office of the County Assessor. The total acreage covered by the petition is less than one acre with a total assessed value of \$65,730.00.

2. The application was reviewed by the Council which has determined it satisfactory and conditioned any annexation upon assumption of the pro rata share of any outstanding indebtedness of the City and acceptance of the zoning classification set forth below. By submission of an executed petition, the Applicant has acknowledged acceptance of those conditions.

3. The Council has been informed by City Staff that the petition was executed by the owner of all property covered by

The petition and that a duly executed petition was filed. Further, the City has given all necessary notices conducted all necessary environmental evaluations, and held all necessary public hearings upon the annexation. That included a hearing held before the City Council on May 19, 2008.

4. It is the desire and intention of the City to grant the petition and to utilize the authority granted pursuant to the provisions of Title 17 of the Municipal Code in relation to the establishment of zoning classifications.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF ELMA:

SECTION I: On and after the effective date set forth in Section IV, those certain properties more fully described upon Exhibit A shall be and are to be deemed annexed to the City of Elma.

SECTION II: Pursuant to authorization granted under the Zoning Code of the City, it being the intention of the City to establish zoning classifications consistent with the provisions of the City's zoning code, upon annexation to the City, the land shall bear the zoning classification of G-R, General Residential. The Zoning Control Map of the City shall be so noted.

SECTION III: The annexed land shall specifically assume and be subject to its pro rata portion of any outstanding indebtedness of the City.

SECTION IV: Effectiveness:

4.1 This Ordinance shall take effect upon the fifth day following date of publication.

4.2 The annexation authorized hereunder shall become effective upon the first date allowed, to wit, the earlier occurring of [a] the completion of any review which may be required to be carried out by the Grays Harbor County Boundary Review Board granting approval of the request, [b] the waiver of any such review by the Chair or the Board, or [c] the passage of such time as is established by the provisions of RCW 36.93 without action by the Board: PROVIDED THAT, such time shall be extended to the completion of any appeal taken of any decision.

SECTION V: The Office of the Clerk-treasurer shall take such steps as may be necessary to notify the Offices of the County Assessor and Treasurer and any necessary state agency of the annexation of the property following its date of final approval.

SECTION VI: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared

Invalid or unconstitutional, and if for any reason this Ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

SECTION VI: This Ordinance shall take effect upon the fifth day following date of publication.

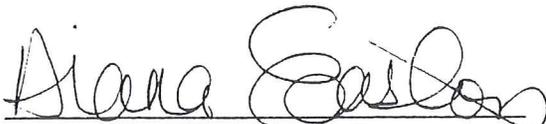
PASSED THIS 2nd DAY OF June, 2008, by the City Council of the City of Elma and signed in approval therewith this 2nd day of June, 2008.

CITY OF ELMA:



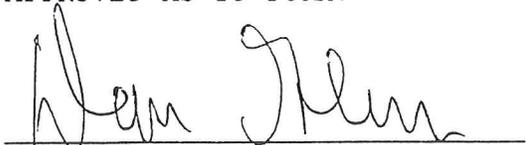
DAVID OSGOOD, Mayor

ATTEST:



DIANA EASTON, Clerk-Treasurer

APPROVED AS TO FORM:



DANIEL O. GLENN, City Attorney

STATE OF WASHINGTON)
 : ss.
GRAYS HARBOR COUNTY)

I, DIANA EASTON, being the duly appointed Clerk-Treasurer of the City of Elma, do certify that I caused to have published in a newspaper of general circulation in the City of Elma a true and correct summary of Ordinance Number 1090 and that said publication was done in the manner required by law. I further certify that a true and correct copy of the summary of

Ordinance Number 1090, as it was published, is on file in the appropriate records of the City of Elma.

Diana Easton

DIANA EASTON

SIGNED AND SWORN to before me this 2nd day of June, 2008, by DIANA EASTON.



Carol J Borek

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, Residing at: Montesano
My appointment expires: April 26, 2012