

ORDINANCE NO. 1091

AN ORDINANCE GRANTING THE PETITION OF MARGARET NEVILLS 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 Margaret Nevills requesting annexation to the City of certain real property situate in the County of Grays Harbor, the full legal description of which is Lot 1, SSA 83-56, recorded in Volume 3 of Plats at Page 39, except the West 106' (also described as Lot B, SP 96-1300 MF 96-33669). It is currently assigned Parcel #180626320180 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 \$30,000.00.

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 October 20, 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, that certain property more fully described in Recital #1 shall be and is to be deemed annexed to the City of Elma upon the first day allowed by law.

SECTION II: Pursuant to authorization granted under the Zoning Code of the City, it being the intention of the City to establish zoning classification 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 of 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



published in a newspaper of general circulation in the City of Elma a true and correct summary of Ordinance Number 1091 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 1091, 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 20th day of October, 2008, by DIANA EASTON.



Carol J Borek  
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, Residing at: Montevideo  
My appointment expires: April 26, 2012