

City of Montesano
712 N. Main St.
Montesano, WA 98563

ORDINANCE NO. 1564

AN ORDINANCE ANNEXING CERTAIN LANDS HELD BY
THE CITY OF MONTESANO FOR MUNICIPAL
PURPOSES; PROVIDING FOR NOTIFICATION; AND
SETTING AN EFFECTIVE DATE.

R E C I T A L S:

1. The City is organized pursuant to the provisions of
RCW 35A.

2. RCW 35A.14.300 authorizes the City to annex lands
owned by it for municipal purposes, whether or not contiguous to
the existing corporate limits. The exercise of that authority
requires the adoption of an ordinance by a majority vote of the
City Council.

3. The City has previously exercised that authority in
relation to sites utilized as sites for use in the forestry,
water, sewer, park, and cemetery operations of the City.

4. In 2011, the City acquired certain real property
for utilization as an addition to the City forest. The Council
and Mayor have been informed by the Director of Community
Development that one corner of the property is contiguous with
the existing City boundary.

5. It is recognized the property consists of an area
greater than ten acres and thus may be subject to review by the

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CITY OF MONTESANO


County's Boundary Review Board prior to finalization of any action taken by the City.

6. The exercise of this authority as related to the property in question is found to be in the interests of the citizens of the City.

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

SECTION I: Being within the category of properties described in RCW 35A.14.300, specifically the site of the anticipated construction of a reservoir and associated facilities to provide additional property for inclusion in the City forest, that certain property described as follows shall be and is hereby annexed to the City of Montesano:

Those portions of Government Lots 1 and 2, the Southwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northwest Quarter, the North Half of the Northeast Quarter of the Southwest Quarter and the North Half of the North Half of the Northwest Quarter of the Southeast Quarter lying southerly, easterly and northerly of the thread of Sylvia Creek;

and

The North Half of the Southeast Quarter of the Northeast Quarter;

All situate in Section 1, Township 17 North, Range 8 West of the Willamette Meridian.

SECTION II:

A. The City Administrator shall give notice of this annexation to such governmental agencies as may be appropriate,

including the Assessor of the County of Grays Harbor and the Office of Financial Management of the State of Washington.

B. The Director of Community Development shall take such steps as to either confirm that the annexation is exempt from review by the Boundary Review Board, to obtain waiver of such review by the Board, through action of its Chairman, or take such steps as may be necessary to carry forth the review by and seek the approval of the annexation by the Board.

SECTION III: 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 IV: Effective Dates

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

B. The annexation of the subject property shall occur upon the first day following the earlier occurring of

confirmation of exemption from, waiver of review by, or the approval by the Boundary Review Board.

PASSED THIS 23rd DAY OF OCTOBER, 2012, by the City Council of the City of Montesano, and signed in approval therewith this 24th day of OCTOBER, 2012.

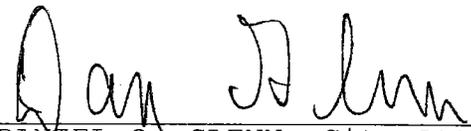
CITY OF MONTESANO:


KENNETH ESTES, Mayor

ATTEST:


KRISTY POWELL, City Administrator/Clerk-Controller

APPROVED AS TO FORM:


DANIEL O. GLENN, City Attorney

PUBLISHED: _____