

ORDINANCE NO. 1634

AN ORDINANCE OF THE CITY OF OAK HARBOR WASHINGTON ANNEXING CERTAIN REAL PROPERTY AND COUNTY RIGHT-OF-WAY TO THE CITY OF OAK HARBOR, ASSESSING ALL PROPERTY WITHIN THE ANNEXATION AREA AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN THE CITY, REQUIRING THE SUBJECT PROPERTIES TO ASSUME THEIR PROPORTIONATE SHARE OF CITY INDEBTEDNESS AND ASSIGNING ZONING FOR THE ANNEXED PROPERTY CONSISTENT WITH THE OAK HARBOR COMPREHENSIVE PLAN

WHEREAS, a property owner filed a petition on September 21, 2010 with the City of Oak Harbor requesting the annexation of a parcel of real property within the Oak Harbor Urban Growth Area and contiguous to the municipal boundary of the City of Oak Harbor, Island County, Washington, pursuant to RCW 35A.14.120 now in effect; and

WHEREAS, a public hearing was held before the City Council of Oak Harbor on October 2, 2012, notice of said hearing having been published as required by law; and

WHEREAS, the City Council of the City of Oak Harbor, following due deliberation and careful consideration of the public testimony and the issues germane to the annexation petition, finds that the proposal is consistent with state and local laws pertaining to the annexation of property to the City of Oak Harbor and with the Urban Growth Area goals and policies in the Oak Harbor Comprehensive Plan;

NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF OAK HARBOR do ordain as follows:

**Section One.** That the following described property, situated in the County of Island, State of Washington and contiguous to the City of Oak Harbor, is hereby annexed to and incorporated into the City of Oak Harbor, Washington:

See Exhibit A, attached

Situated in Island County, Washington

**Section Two.** All said real property in the annexed area described in Section 1 shall be assessed and taxed at the same rate and on the same basis as other property in the City of Oak Harbor is assessed and taxed, assume it's proportionate share of existing City indebtedness and shall be subject to the comprehensive plan as presently adopted or as hereafter amended.

**Section Three.** The annexed area described in Section 1 is hereby assigned zoning of R-1, Single-family Residential, consistent with the Oak Harbor Comprehensive Plan Future Land Use Map. The zoning provisions of the Oak Harbor Municipal Code shall be in full force and effect in the annexed area in accordance with this assignment.

**Section Four. Severability and Savings Clause**

- (1) If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.
- (2) Deletion or amendment of provisions from the Oak Harbor Municipal Code shall not terminate any obligation to the City already vested or incurred thereunder.

**Section Five. Effective Date.** This Ordinance shall be in full force and effect (5) five days after its publication as required by law.

PASSED by the City Council this 2<sup>nd</sup> day of OCTOBER 2012.

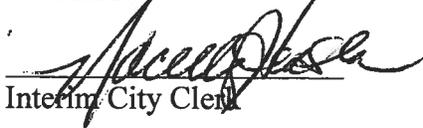
CITY OF OAK HARBOR

Approved   
Vetoed

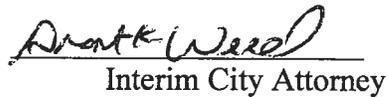
  
Scott Dudley, Mayor

Oct 2, 2012  
Date

ATTEST:

  
Interim City Clerk

Approved as to Form:

  
Interim City Attorney

Introduction: Oct 2, 2012

Passed: Oct 2, 2012

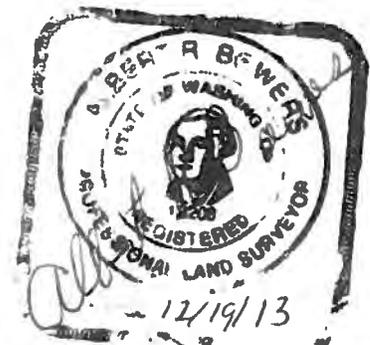
Published: Oct 6, 2012

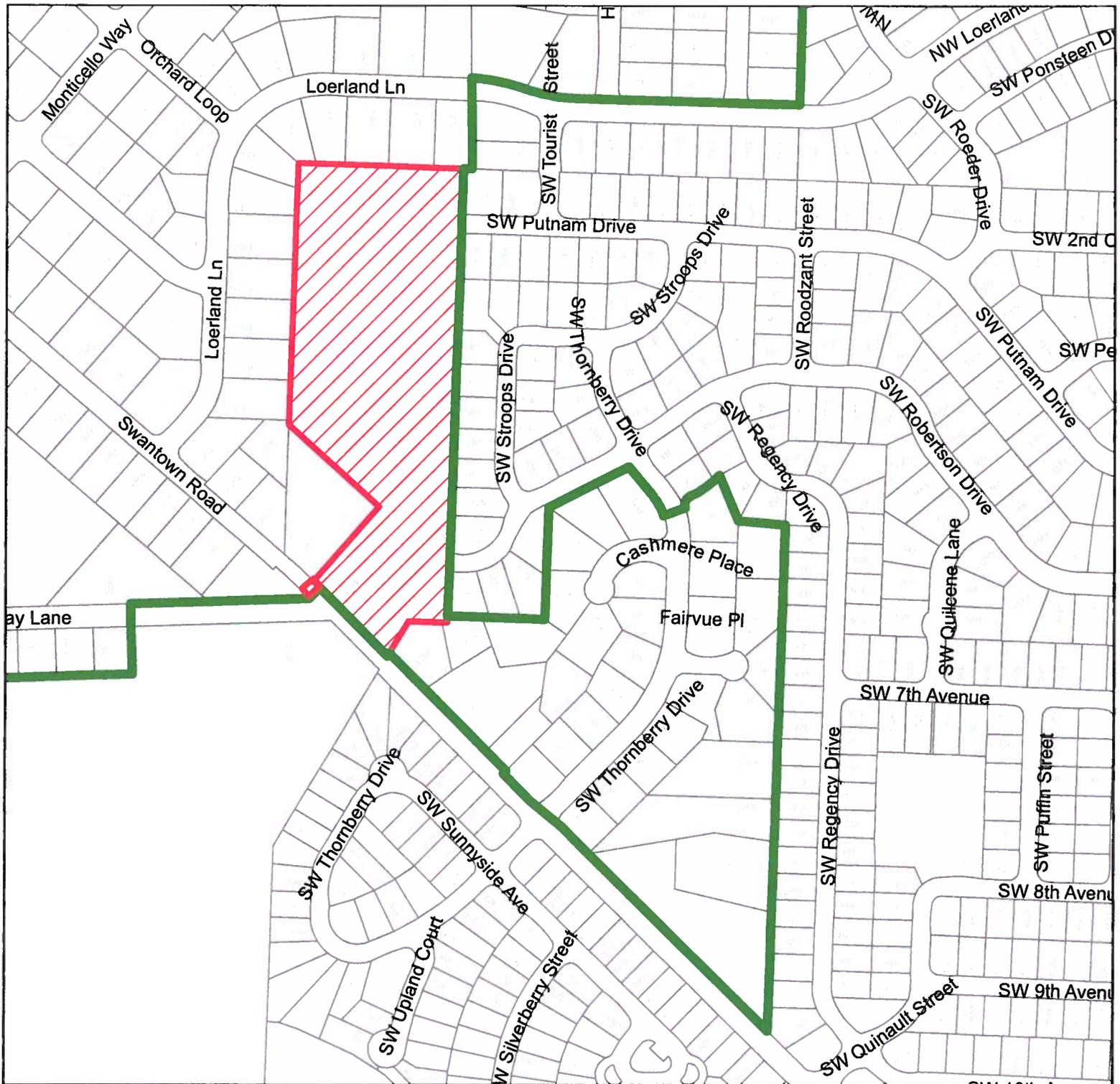
# EXHIBIT A

## LEGAL DESCRIPTION

THE WEST 440.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4. TOWNSHIP 32 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN NORTH OF THE COUNTY ROAD EXCEPT BEGINNING 700.5 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 4; THENCE SOUTH 340.6 FEET TO THE NORTH SIDE OF THE COUNTY ROAD; THENCE S. 50° 38' E., 105.8 FEET; THENCE N. 39° 22' E., 262.4 FEET; THENCE N. 50° 26' W. 322.2 FEET TO THE T.P.B. TOGETHER WITH A PORTION OF THE FOLLOWING DESCRIBED TRACT LYING NORTHEAST OF COUNTY ROAD IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 4, BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 600.00 FEET; THENCE NORTHEASTERLY TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER 336.00 EAST OF THE T.P.O.B.; THENCE WEST TO THE T.P.O.B.

TOGETHER WITH A PORTION OF THE COUNTY ROAD BEGINNING AT THE NORTH MARGIN OF THE COUNTY ROAD 105.8 FEET SOUTHEAST FROM THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4. TOWNSHIP 32 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN NORTH OF THE COUNTY ROAD; THENCE AT RIGHT ANGLES TO THE SOUTH MARGIN OF SWANTOWN ROAD; THENCE SOUTHEASTERLY ALONG THE SOUTH MARGIN OF THE COUNTY ROAD TO A POINT WHERE IT INTERSECTS THE NORTH MARGIN OF FAIRWAY LANE; THENCE AT RIGHT ANGLES ACROSS THE COUNTY ROAD TO THE NORTH MARGIN OF THE COUNTY ROAD; THENCE NORTHWESTERLY ALONG THE NORTH MARGIN OF THE COUNTY ROAD T.P.B.





## MARIN ANNEXATION

Parcel Number R13204-459-4200

 Annexation Area - 10.43 acres

 City Limits



0 180 360 Feet



1" = 400'