

ORDINANCE NO. 1392

AN ORDINANCE approving the Petition For Annexation, filed with the Town of Friday Harbor on August 19, 2008, concerning certain real property, portions of which are commonly referred to as "The Buck Property".

WHEREAS, on August 19, 2008, the Town received a Petition For Annexation of certain real property (hereinafter "the Property"), located adjacent to the Town's present corporate limits, said Property being legally described in Exhibit A hereto; and

WHEREAS, a very substantial portion of the Property is owned by members of the Buck family (hereinafter "the Bucks"), who wish to develop the same in a manner that, according to professional studies provided to the Town, would have unacceptable impacts on the Town's utilities and streets; and

WHEREAS, the Bucks, in order to mitigate the unacceptable impacts that would result from an unconditional annexation of the Property, voluntarily offered to enter into a binding legal agreement (hereinafter "the Development Agreement") that would impose limitations and conditions on their rights to develop their portion of the Property if it was annexed; and

WHEREAS, by adoption of Resolution No. 1712, the Town Council approved the Development Agreement proposed by the Bucks, and authorized the Mayor to sign the same if the Bucks were to execute and return to the Town two originals by a date not later than September 15, 2009; and

WHEREAS, the Bucks have executed two originals of the Development Agreement and returned both to the Town on June 3, 2009; and

WHEREAS, pursuant to the provisions of Resolution No. 1712, the Mayor has signed both originals of said Agreement on June 3, 2009; and

WHEREAS, pursuant to Section 2 of Resolution No. 1712, the Town Council is now obligated to adopt an ordinance annexing the Property, with said ordinance to have an effective date that is Forty-Five (45) days after its adoption.

NOW THEREFORE BE IT ORDAINED by the Council of the Town of Friday Harbor; as follows:

SECTION 1. Annexation - The Petition For Annexation filed with the Town of Friday Harbor on August 19, 2008 is hereby approved and the entirety of the real property that is described in Exhibit A hereto shall become annexed into and become a part of the Town of Friday Harbor on the effective date set forth in Section 2, below.

SECTION 2. Effective Date - This ordinance shall become effective on August 2, 2009, and the real property described in Exhibit A hereto shall, for all purposes, be included within the corporate boundaries of the Town of Friday Harbor on and after that date.

ADOPTED this 18th day of June, 2009.

TOWN OF FRIDAY HARBOR

David F. Jones, Mayor

SEAL of the
Town of Friday Harbor
ATTEST:

Amy E. Taylor, Town Clerk