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City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

ORDINANCE NO. 1574

**AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF
OAK HARBOR AND ASSIGNING ZONING FOR THE ANNEXED PROPERTY
CONSISTENT WITH THE OAK HARBOR COMPREHENSIVE PLAN**

WHEREAS, a property owner filed a petition on January 25, 2010 with the City of Oak Harbor requesting the annexation 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, the Island County Assessor determined on January 29, 2010 that the petition is sufficient as required by RCW 35A.01.040; and

WHEREAS, the City Council did set April 20, 2010 as the date for public hearing and that notice of the hearing was published twice in the City's official newspaper and notices were also posted in three public places within the territory proposed for annexation, that specify the time and place of hearing and invited interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, said public hearing was published on April 10 and 17, 2010 in the Whidbey News Times; and

WHEREAS, notice was also posted in three public places within the territory proposed for annexation on April 5, 2010; and

WHEREAS, a public hearing was held before the City Council of Oak Harbor on April 20, 2010; and

WHEREAS, the annexation is consistent with adopted goals and policies of the Urban Growth Area Element of the Comprehensive Plan; and

WHEREAS, the City Council of the City of Oak Harbor, following due deliberation and careful consideration of 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 1. 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:

That portion of the Northeast Quarter of Section 35, Township 33 North, Range 1 East, WM, described as follows:

Beginning at the Northeast corner of the Plat of Goldie Road Acres, as per plat recorded in Volume 4 of Plats at Page 31 under Auditors File No. 3997832, records of Island County Washington; Thence Westerly along the North line of Goldie Road Acres and the North line of Easy Street in the City of Oak harbor, 684.77 feet to the Southeast corner of that certain parcel as described in document recorded under Auditors File No. 95003094; Thence North along the West line thereof and the West line of that certain parcel as described in document recorded under Auditors File No. 4159678 a distance of 574.2 feet, more or less to the Northwest corner thereof; Thence West 233 feet, more or less, to the Southerly extension of the West line of Government Lot 8, in said Section 35; Thence North, along said line, 525 feet to the Northwest corner of said Government Lot 8; Thence East, along the North line of said Government Lot 8, a distance of 762 feet, more or less, to the West margin of Goldie Road; Thence Southerly, along said West margin, 541 feet, more or less, to the existing city limit of the City of Oak Harbor; Thence the following courses along the city limits of the City of Oak Harbor, West 198 feet more or less; Thence South 366 feet, more or less; Thence East 115 feet, more or less; Thence South 103 feet, more or less; Thence East 126 feet, more or less, to the West margin of Goldie Road; Thence Southerly along the West margin of Goldie Road 105 feet, more or less, to the point of Beginning.

Containing 16.6 Ares, more or less

Situate in the County of Island, State of Washington

Section 2. An annexation agreement has been entered into by the City and Goldie Road LLC., Sean Byrne, Managing Member and Theresa Byrne, Managing Member (owners of parcel R13335-454-3220, R13335-487-3100, R13335-519-3090). This agreement shall be recorded with the Island County Auditor and shall run with the land.

Section 3. 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 existing City indebtedness and be subject to the comprehensive plan as presently adopted or as hereafter amended.

Section 4. The annexed area described in Section 1 is hereby assigned zoning of PIP, Planned Industrial Park for parcels R13335-429-3050, R13335-427-3300, R13335-427-2400 and R13335-422-3530 and C-3, Community Commercial for parcels R13335-454-3220, R13335-487-3100, R13335-519-3090 in accordance with the Oak Harbor Comprehensive Plan 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, including the restriction that residential dwelling units shall not be allowed on those properties zoned C-3, Community Commercial.

Section 5. This ordinance and the annexation provided herein shall be in full force and effect five days after publication..

PASSED by the City Council this 20th day of April 2010.

CITY OF OAK HARBOR

Approved	()	_____
Vetoed	()	Jim Slowik, Mayor

Date

ATTEST:

Approved as to Form:

City Clerk

City Attorney

Published:_____