

ORDINANCE NO. 1165

**AN ORDINANCE GRANTING THE PETITION OF GINA
GEORGE 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 Gina George requesting annexation to the City of certain real property having the common street address of 913 Harding Road #1, Elma, Washington. The property has been assigned Treasurer's Parcel #180626320180 by the County Assessor. The full legal description of subject property is set forth on Exhibit A, attached hereto and incorporated by this reference. The total acreage covered by the petition is approximately _____.75_____acre with a total current assessed value of \$35,000.00.

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 the _6th__day of _November_, 2017.

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: Subject to compliance with the condition set forth in Section IV, on and after the effective date set forth in Section V, that certain property more fully described upon Exhibit A 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 _GR-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: The annexation is conditioned upon the Applicant's providing written confirmation, satisfactory to the City, within thirty days of the Mayor's approval of this ordinance of the following condition:

To the extent City development standards governing construction of improvements within the property are different than those of the County, the improvements, including but not limited to roads, sidewalks, fire hydrants, and sidewalks, shall be constructed and installed in compliance with City standards.

SECTION V: Effectiveness:

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

5.2 Completion of Boundary Review Process: 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.

5.3. Acceptance of condition set forth in Section IV:

In the event the Applicant has not provided written evidence satisfactory to the City of the condition set forth in Section IV within the period set forth in that Section, the ordinance shall be null and void.

SECTION VI: 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 VII: 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 VIII: This Ordinance shall take effect upon the fifth day following date of publication.

PASSED THIS 6th DAY OF November, 2017, by the City Council of the City of Elma and signed in approval therewith this 6th day of November, 2017.

CITY OF ELMA:

JAMES SORENSEN, Mayor

ATTEST:

DIANA EASTON, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

STATE OF WASHINGTON)
 : ss.
GRAYS HARBOR COUNTY)

I, DIANA EASTON, being the duly appointed Clerk-Treasurer of the City of Elma, do certify that I caused to have published in a newspaper of general circulation in the City of Elma a true and correct summary of Ordinance Number _____ 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 _____, as it was published, is on file in the appropriate records of the City of Elma.

DIANA EASTON

SIGNED AND SWORN to before me this _____ day of _____, 2017, by DIANA EASTON.

NOTARY PUBLIC IN AND FOR THE STATE OF
WASHINGTON, Residing at:
My appointment expires: