

ORDINANCE NO. 1629

**AN ORDINANCE ANNEXING TO THE CITY
MONTESANO REAL PROPERTIES, OWNED BY THE
CITY OF MONTESANO AND CONTIGUOUS TO THE
CITY OF MONTESANO, FOR MUNICIPAL PURPOSES;
CONFIRMING THE ZONING CLASSIFICATIONS
THEREOF; AND PROVIDING FOR AN EFFECTIVE
DATE.**

R E C I T A L S:

1. The following described real property, as also shown on Exhibit A attached to this Ordinance, owned in fee simple by the City of Montesano and contiguous to the City's existing boundaries, is hereby annexed to the City of Montesano for municipal purposes pursuant to RCW 35.13.180. The property shown in Exhibit A shall become part of the City of Montesano Forest. The total acreage is approximately three hundred seventeen (317) acres with a total assessed value of approximately \$0.00.

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

SECTION I: On and after the effective date set forth in Section IV, those certain properties more fully

described upon Exhibit A shall be and are to be deemed annexed to the City of Montesano upon the first day allowed by law.

SECTION II: Pursuant to authorization granted under the Zoning Code of the City, it is the intention of the City to establish a zoning classification for each parcel within the area annexed which is consistent with the provisions of Title 17 of the Municipal Code. Thus, upon annexation to the City, the classifications under the zoning code shall be City Forest (F). 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: Effectiveness: Completion of Boundary Review Process: In recognition of applicable law, the annexation authorized hereunder shall become effective upon the first date allowed by law whether that date be [a] upon 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 or any appeal taken from a decision issued by the Board, [b] upon the waiver of any such review by the Chair of the Board, or [c] upon the passage of

such time as is established by the provisions of RCW 36.93 without action by the Board.

SECTION V: The Office of the City Clerk shall:

A. File such documents with the Boundary Review Board and any other agency or entity as may be required by law; and

B. Upon its becoming effective, 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.

To the extent required by law or any agency having jurisdiction over these matters, the City Clerk shall have the authority to provide the full legal descriptions of the properties described in Exhibit A which are subject to annexation pursuant to this ordinance.

SECTION VI: 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 VII: This Ordinance shall take effect upon the fifth day following date of publication: PROVIDED THAT, it is recognized that the date of actual annexation of the properties shall be as set forth in Section IV.

SECTION VIII: Corrections by the City Clerk or Code Reviser. Upon approval of the Mayor and City Attorney, the City Clerk and the Code Reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors, references to other local, state, or federal laws, codes, rules, or regulations, or ordinance number and section/subsection numbering.

PASSED THIS _____, 20____, by the City Council of the City of Montesano and signed in approval therewith this _____ day of _____, 2020.

CITY OF MONTESANO:

VINI SAMUEL, Mayor

ATTEST:

ARNEL BLANCAS, CFO/City Clerk

APPROVED AS TO FORM:

CHRISTOPHER JOHN COKER, City Attorney

