

ORDINANCE NO. 1968

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY 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 THE CITY INDEBTEDNESS AND ASSIGNING ZONING FOR THE ANNEXED PROPERTY CONSISTENT WITH THE OAK HARBOR COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the initiating party, representing not less than ten percent in assessed value of the property for which annexation is sought, filed an intent to commence annexation proceedings with the City of Oak Harbor on September 26, 2022; and

WHEREAS, in conformance with RCW 35A.14.120, the City Council met with said initiating party on November 15, 2022 and authorized the annexation process to move forward as proposed; and

WHEREAS, a petition, in the form prescribed by RCW 35A.01.040, was received by the City of Oak Harbor and transmitted to the Island County Assessor for determination of sufficiency; and

WHEREAS, a determination of sufficiency was made by the Island County Assessor in February, 2023; and

WHEREAS, annexations are exempt from the State Environmental Policy Act (SEPA) pursuant to RCW 43.21C.222; and

WHEREAS, a public hearing for this annexation was held before the City Council on February 21, 2023, notice of said hearing having been published as required by law; and

WHEREAS, the City Council, 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; and

WHEREAS, the City Council deems the annexation adopted by this Ordinance to be in the best interest of the health, safety, and welfare of the City;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF OAK HARBOR do ordain as follows:

Section One. Annexation of Property. 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:

The Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 36, Township 33 North, Range 1 East of the Willamette Meridian;

EXCEPT County right of way known as Cemetery Road, running along the North line thereof;

AND EXCEPT that portion thereof, if any, lying within the Northeast Quarter of the Northwest Quarter of the Northwest Quarter of said Section 36;

AND ALSO EXCEPT that portion thereof described as follows:

Beginning at a point on the East line of said Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 36, said point being a distance of 390.0 feet South of the Northeast corner of said Northwest Quarter of the Northwest Quarter of the Northwest Quarter of said Section 36; thence North, along the East line of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of said Section 36, a distance of 390.0 feet, to the Northeast corner of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of said Section 36; thence South 89°03' West, along the North line of said Section 36, a distance of 380.0 feet; thence South, parallel with the West line of said Section 36, a distance of 155.0 feet; thence Southeasterly, in straight line, a distance of 247 feet, more or less, to a point lying South 89°03' West, a distance of 303.0 feet from the point of beginning; thence Easterly along said line 303.0 feet to the point of beginning.

Situate in the County of Island, State of Washington.

Section Two. Assumption of Debt/Taxation. All said real property in the annexed area described in Section One 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 indebtedness and be subject to the comprehensive plan as presently adopted or as hereafter amended.

Section Three. Zoning. The annexed area described in Section One is hereby assigned zoning of R-3, Low-Intensity Residential 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.

Section Four. Amendment of Maps. The City Council authorizes the City staff to amend all official maps of the City of Oak Harbor, including without limitation the official land use and zoning maps, to reflect the annexation effectuated by this Ordinance, and as set forth herein.

Section Five. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Sullivan Annexation

ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

Section Six. Corrections. The City Clerk and codifiers of the Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section Seven. Effective Date. This Ordinance shall become effective five (5) days following passage and publication as required by law.

Section Eight. Transmittal and Filing. Upon passage, the City Clerk is directed to file a certified copy of this Ordinance with the board of county commissioners in this County.

PASSED by the City Council this 21st day of February, 2023.

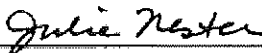
THE CITY OF OAK HARBOR

By: 


Robert Severns, Mayor

Dated: February 21, 2023

ATTEST/AUTHENTICATED:


Julie Nester, City Clerk

Approved as to Form:


Hillary J. Evans, City Attorney

Published February 15, 2023

Sullivan Annexation
Ordinance No. 1968 - 3

Published:

**Sullivan Annexation
Ordinance No. 1968 - 3**