

ORDINANCE NO. _824

**AN ORDINANCE PROVIDING FOR THE
ANNEXATION OF CERTAIN PROPERTY;
ESTABLISHING ZONING CLASSIFICATIONS
THEREFORE; AND PROVIDING FOR AN
EFFECTIVE DATE.**

R E C I T A L S:

1. The City has received an application from CHM Homes, Inc., a Washington corporation, requesting annexation to the City of certain real property, which has been assigned Parcel #80513320010 by the County Assessor, the full legal description of which is as follows:

The portion of the East Half of the East Half of the Northwest Quarter of the Southwest Quarter of Section 13, Township 18 North, Range 5 West of the Willamette Meridian, lying North of Old State Highway No. 9, situate in the County of Grays Harbor.

2. The City has received and has on file the certification from the Assessor of the County of Grays

Harbor that the petition is sufficient, as required by the provisions of RCW 35A.01.040.

3. The City has given all necessary notices and held the required public hearing at its October ____, 2016, meeting upon the matter of the property's annexation.

4. It is the desire and intention of the City to utilize the authority granted pursuant to the provisions of Title 17 in relation to the establishment of zoning classifications in a manner consistent with existing authority for the establishment of such classifications.

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

SECTION I: Annexation Authorized: On and after the applicable effective date set forth in Section IV, that certain property more fully described in Recital #1 shall be and is to be deemed annexed to the City of McCleary.

SECTION II: Zoning Classification: Pursuant to authorization granted under the Zoning Code of the City and based upon the authority acknowledged within the recitals, it is the intention of the City to establish a zoning classification found by the Council to be the most

consistent with the general good. Therefore, upon annexation to the City, the property shall bear the zoning classification of "R-1", as now set forth in Title 17 of the Municipal Code. The Zoning Control Map of the City shall be so modified to reflect this addition and classification.

SECTION III: Assumption of Debt: The property, upon annexation, shall bear and assume its pro rata portion of any outstanding debt of the City.

SECTION IV: Effective Date: This Ordinance shall take effect upon the fifth day following date of publication: PROVIDED THAT, given the potential of review by the Boundary Review Board, the annexation authorized hereunder shall become effective upon the first date allowed by law.

SECTION V: Filing and Notification: The Clerk-Treasurer shall take such steps as may be necessary to provide notification of the adoption of this ordinance and the annexation implemented thereby to the Office of the County Boundary Review Board. Upon approval by the Board, notification shall be given to the County's Assessor and

Treasurer, as well as any other required offices of county or state government.

SECTION VI: Corrections by the Clerk-treasurer or Code Reviser. Upon approval of the Mayor and City Attorney, the Clerk-treasurer 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.

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.

PASSED THIS 26th DAY OF OCTOBER, 2016, by the City Council of the City of McCleary, and signed in approval therewith this _____ day of October, 2016.

CITY OF McCLEARY:

BRENT SCHILLER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

STATE OF WASHINGTON)
 : ss.
GRAYS HARBOR COUNTY)

I, Wendy Collins, being the duly appointed Clerk-Treasurer of the City of McCleary, do certify that I caused to have published in a newspaper of general circulation in the City of McCleary 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 McCleary.

Wendy Collins

SIGNED AND SWORN to before me this _____ day of
October, 2016, by Wendy Collins.

NOTARY PUBLIC IN AND FOR THE STATE

OF

WASHINGTON, Residing at:
My appointment expires: