

ORDINANCE NO. 1148

AN ORDINANCE ANNEXING CERTAIN PROPERTIES;  
CONFIRMING THE ZONING CLASSIFICATIONS  
THEREOF; AND PROVIDING FOR AN EFFECTIVE  
DATE.

R E C I T A L S:

1. The City has received petitions from property owners requesting annexation to the City of certain real property situate in the County of Grays Harbor, the abbreviated legal descriptions of which are attached as Exhibit #1. The total acreage covered by the petitions is approximately two hundred twelve (212) acres with a total assessed value of approximately \$14,787,138.00.

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 executed joint petitions, the Applicants have acknowledged acceptance of those conditions.

3. The Council has been informed by City Staff as follows:

A. That the joint petitions were executed by the owners of property representing more than sixty percent of the assessed valuation of the property covered by the petition.

B. That a duly executed combined petition was filed with the City, of which all of the individual petitions contained within the combined declaration had been executed within six months of May 16, 2016.

C. That the City has given all necessary notices and held all necessary public hearings upon the annexation. That included a hearing held before the City Council on May 16, 2016, after the giving of the required public notice.

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: On and after the effective date set forth in Section IV, those certain properties more fully described upon Exhibit #1 shall be and are 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 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 the City's

zoning code, as required pursuant to the provisions of Ordinance 1141. Thus, upon annexation to the City, the classifications under the zoning code shall be the zoning class most similar to the classification applied to them prior to their annexation. 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 Clerk-treasurer 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 Clerk-treasurer shall have the authority to provide the full legal descriptions of the properties described in Exhibit #1 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 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.

PASSED THIS 16<sup>th</sup> DAY OF MAY, 2016, by the City Council of the City of Elma and signed in approval therewith this 16<sup>th</sup> day of May, 2016.

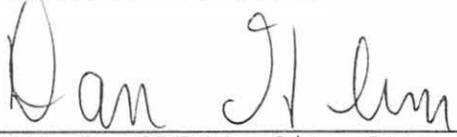
CITY OF ELMA:

  
\_\_\_\_\_  
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 1148 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 1148, 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 16<sup>th</sup> day of May, 2016, by DIANA EASTON.

STEPHANIE RICHARDSON  
NOTARY PUBLIC  
STATE OF WASHINGTON  
My Commission Expires Mar. 20, 2017

Stephanie Richardson  
NOTARY PUBLIC IN AND FOR THE STATE OF  
WASHINGTON, Residing at: Dakville  
My appointment expires: 3.20.17

EXHIBIT A

CITY OF ELMA  
Annex Area 1  
May 2016

A portion of the South half (S½) of Section 33 and a portion of the Northwest Quarter of the Southwest Quarter (NW¼, SW¼) of Section 34, in Township 18 North, Range 6 West, Willamette Meridian, together with that portion of Section 4, Township 17 North, Range 6 West, Willamette Meridian lying North of State Highway 12, located in Grays Harbor County, Washington, described as follows:

BEGINNING at the corner common to said Section 33, 34, and 4;  
thence South 20.00 feet to Northerly margin of said State Highway 12;  
thence North 87°04'43" East along said Northerly margin a distance of 1809.39 feet to a curve to the right;  
thence continuing along said curve, concave to the North, through a central angle of 16°28'00", with a radius of 5620.00 feet, an arc distance of 1615.18 feet;  
thence North 70°36'47" West along said Northerly margin a distance of 451.09 feet to the Easterly margin of Schouweiler Road;  
thence North 22°03'00" West along said Easterly margin a distance of 127.88 feet;  
thence North 02°20'47" East a distance of 385.17 feet to a curve to the left;  
thence along said curve, concave to the West, through a central angle of 05°07'59", with a radius of 1960.00 feet, an arc distance of 175.59 feet;  
thence North 02°47'10" West a distance of 273.47 feet to the Southerly margin of Monte-Elma Road (formally called State Route 9);  
thence along said Southerly margin along a non-tangent curve to the left, concave to the North, through a central angle of 35°36'23", having a chord bearing of North 86°52'45" East and a chord distance of 738.51 feet, with a radius of 1207.70 feet, an arc distance of 750.52 feet;  
thence North 69°04'33" East a distance of 342.75 feet to a curve to the left;  
thence along said curve, concave to the Northwest, through a central angle of 03°17'00", with a radius of 5760.00 feet, an arc distance of 330.08 feet;  
thence North 65°47'33" East a distance of 969.83 feet, to a curve to the right;  
thence along said curve, concave to the Southeast, through a central angle of 25°18'00", with a radius of 851.95 feet, an arc distance of 376.19 feet;  
thence South 88°54'27" East a distance of 690.65 feet to a curve to the left;  
thence along said curve, concave to the North, through a central angle of 01°56'46", with a radius of 4740.54 feet, an arc distance of 161.02 feet;  
thence North 89°08'47" East a distance of 318.37 feet more or less to the common line between said Section 33 and said Section 34;  
thence continuing Easterly along said Southerly margin a distance of 625.50 feet to the Northwest corner of that certain tract of land identified as Parcel B as recorded under Auditor's File No. (AFN) 2005-07220148, records of Grays Harbor County;  
thence North perpendicular to said Southerly margin, to the Northerly margin of said Monte-Elma Road (formally Called State Route 9);  
thence Easterly along said Northerly margin a distance of 434.50 feet to a point opposite the Northeast corner of that certain tract of land as recorded in Deed Volume 146, Page 110, records of Grays Harbor County;  
thence Southerly to said Northeast corner and said Southerly margin of said Monte-Elma Road;  
thence South 01°30'36" West along the Easterly line of said (AFN) 2005-07220148 and the Easterly line of that certain tract of land recorded under Auditor's File No. (AFN) 950424028, records of Grays Harbor County to the Southeast Corner of said (AFN) 950424028;

thence North 88°53'55" West along the Southerly line of said tract extended Westerly, a distance of 282.50 feet to the Northeast corner of that certain parcel of land as conveyed and recorded under Auditor's File No. (AFN) 2002-05290003;

thence South 01°29'49" West a distance of 150.00;

thence 89°44'58" East a distance of 100.00 feet;

thence South 01°29'49" West a distance of 209.00 feet to the Southeast corner of said (AFN) 2002-05290003;

thence North 89°44'58" West a distance of 209.00 feet to the Southwest corner of said (AFN) 2002-05290003;

thence North 01°29'49" East a distance of 209.00 feet;

thence South 89°44'58" East a distance of 79.00 feet;

thence North 01°29'49" East a distance of 150.00 feet to the Northwest corner of said (AFN) 2002-05290003 and the Southerly line of said Deed recorded under Volume 146, Page 110;

thence North 88°58'49" West along said Southerly line a distance of 122.35 feet to the Easterly of that certain parcel of land as conveyed and recorded under the AFN 7702676, records of Grays Harbor County;

thence South 01°01'11" West along said Easterly line a distance of 25.00 feet to the Southeast corner thereof;

thence North 88°58'49" West along the Southerly line of said AFN 7702676 and the Southerly line of the certain parcel of land as conveyed and recorded under AFN 2011-07120056 a distance of 629.17 feet more or less to the West line said Section 34 and the east line of said Section 33;

thence South 01°56'29" West along said East line of said Section 33 a distance of 2297.24 feet to the POINT OF BEGINNING.



EXHIBIT A

CITY OF ELMA  
Annex Area 2  
January 12, 2016

BEGINNING at the Northeast corner of Block 5, Ruddell's Addition to the Town of Elma, recorded in Volume 3 of Plats, Page 7, records of Grays Harbor County;  
thence South along the East line of said Block 5 to the Southeast corner of Lot 1 of said Block 5;  
thence West a distance of 125.00 feet to the Southwest corner of Lot 5 of said Block 5;  
thence South along the West line of said Lot 5 and the East line of Lot 6 of Block 5 extended Southerly a distance of 7.00 feet to the centerline of that portion of the vacated alley as recorded under Auditor's File No. (AFN) 2001-10100006, records of Grays Harbor County;  
thence West along the centerline of said vacated alley a distance of 125.00 feet to the West line of Lot 10, extended Southerly;  
thence Southerly along said extended West line of said Lot 10 and the Westerly line of Lot 15 of said Block 5 extended Southerly to the South line of vacated West Waltrip Street;  
thence Easterly along said South line to the Northwest corner of Lot 10, Block 20, Callow's Addition to Elma, recorded in Volume 4 of Plats, Page 13, records of Grays Harbor County;  
thence South along the West line of said Lot 10 and the West line of Block 11 of said Callow's Addition to Elma to the Southwest corner of said Block 11 and the North line of Block 12 of said Callow's Addition to Elma;  
thence West along said North line to the Northwest corner of said Block 12 also being the Southwest corner of that certain tract of land as recorded under AFN 2012-08310090, records of Grays Harbor County;  
thence North along the West line of said AFN 2012-08310090 to the Southwest corner of that certain tract of land as recorded under AFN 2007-11210072, records of Grays Harbor County;  
thence North along the West line of said AFN 2007-11210072 to the Southeast corner of that certain tract of land identified by Grays Harbor County Tax Parcel No. 180634310030 and recorded under AFN 2002-05290003, records of Grays Harbor County;  
thence West along the South line of said AFN 2002-05290003 to the East line of that certain tract of land recorded under AFN 2006-08030086;  
thence North along the East line of said AFN 2006-08030086 to the Southerly margin of Monte-Elma Road (formally called State Route 9);  
thence Easterly along said Southerly margin to the POINT OF BEGINNING.

EXHIBIT A

CITY OF ELMA  
Annex Area 3  
January 12, 2016

A portion of the Southeast Quarter (SE¼) of Section 34, Township 18 North, Range 6 West, Willamette Meridian, Grays Harbor County, Washington, described as follows:

BEGINNING at the intersection of the East line of said Section 34 with the Northerly margin of State Highway 12; thence North 00°03'23" East along said East line a distance of 277.65 feet to the Northeast corner of the South Half of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (S½, SE¼, NE¼, SE¼) of said Section 34;

thence North 89°53'07" West, a distance of 1,298.75 feet to the Southwest corner of Lot 1 of that certain Short Subdivision recorded in Volume 5 of Short Plats, pages 22 and 23, records of Grays Harbor County;

thence North along the West line of Lots 1 and 2 of said Short Plat a distance of 331.46 feet to the Northwest corner of said Lot 2;

thence Westerly 860 feet more or less to the Easterly line of Callow's Addition to Elma, recorded in Volume 4 of Plats, Page 13, records of Grays Harbor County;

thence South along said Callow's Addition to Elma a distance of 495.00 feet to the Southwest corner of that certain tract of land as recorded under Auditor's File No. (AFN) 960304032;

thence Easterly along the Southerly line of said AFN 960304032 to the Westerly line of that certain tract of land recorded under AFN 2012-09120037;

thence Southerly along the Westerly line of said AFN 2012-09120037 a distance of 70 feet more or less to the Southwest corner of said AFN 2012-09120037;

thence Easterly along the Southerly line of said AFN 2012-09120037 a distance of 226 feet more or less to the Westerly margin of South 12<sup>th</sup> Street;

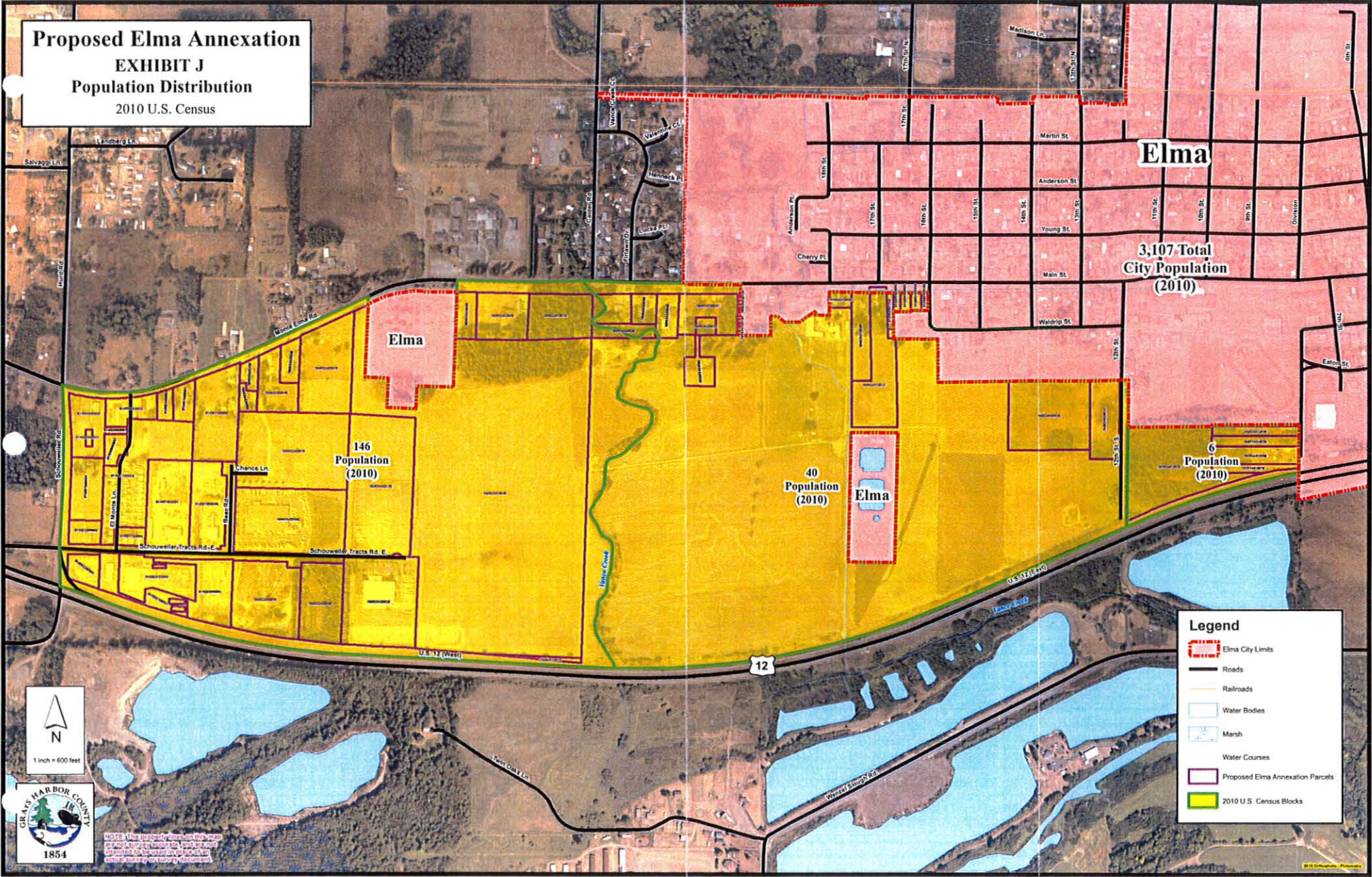
thence South 00°34'47" West along said westerly margin a distance of 461.80 feet to the Northerly margin of said State Highway 12;

thence North 66°47'47" East along said Northerly margin a distance of 115.09 feet to a curve to the right;

thence along said curve to the right, concave to the Southeast, through a central angle of 12°20'01" with a radius of 5,840.00 feet, an arc distance of 1,257.14 feet to the POINT OF BEGINNING.



**Proposed Elma Annexation**  
**EXHIBIT J**  
**Population Distribution**  
 2010 U.S. Census



**Elma**  
 3,107 Total  
 City Population  
 (2010)

146  
 Population  
 (2010)

40  
 Population  
 (2010)

6  
 Population  
 (2010)

- Legend**
- Elma City Limits
  - Roads
  - Railroads
  - Water Bodies
  - Marsh
  - Water Courses
  - Proposed Elma Annexation Parcels
  - 2010 U.S. Census Blocks



1 inch = 600 feet



NOTE: This graphic depicts the proposed boundary for the proposed annexation. It is not intended to be a legal boundary. It is for informational purposes only. The actual boundary will be determined by the local government.