ORDINANCE NO. 1100

AN ORDINANCE CONFIRMING ANNEXATION BOUNDARIES AS MODIFIED BY ACTION OF THE GRAYS HARBOR COUNTY BOUNDARY REVIEW BOARD, PROVIDING FOR SEVERABILITY & AN EFFECTIVE DATE.

RECITALS:

1. After full consideration of the matter, the Council has previously adopted Ordinance 1148 annexing an area containing certain real properties, the legal description of which is attached as Exhibit #1, said exhibit being incorporated herein by this reference.

2. Thereafter, the County appealed to the Boundary Review Board, that action seeking either rejection of the annexation or its expansion by inclusion of certain public rights of way.

3. The Board assumed jurisdiction and considered the appeal in multiple hearings. Thereafter, it approved the annexation, but with the limited modifications of inclusion of the public rights of way abutting the annexed area on the west and the north and a parcel on the easterly boundary of the original area, said rights of way and property being described in Exhibit #2, said exhibit being incorporated herein by this

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CITY OF ELMA P. O. BOX 3005 ELMA, WA 98541 reference. No properties other than the referenced the public rights of way and single parcel were added to the boundaries established previously through the adoption of Ordinance 1148.

4. No appeal was taken from that decision. Thereafter the City received a recommendation from the Board's staff that an affirmatory ordinance be adopted. Therefore, for clarification purposes, the Council finds it appropriate to adopt this ordinance confirming the limited expansion of the boundaries resulting from the addition of the referenced area.

5. The City has received confirmation from the office of the County Assessor that the annexation into the City of the properties described are being recognized by that office for tax assessment purposes.

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

SECTION I: On and after the first date allowed by law, those certain properties more fully described upon Exhibits #1 and #2 respectively, shall be deemed to have been annexed to the City of Elma.

SECTION II: As stated in Ordinance 1148, pursuant to authorization granted under the Zoning Code of the City, it was 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 the referenced ordinance. Thus, upon finalization of the annexation to the City, the classifications under the zoning code became the zoning classification 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: As provided by Ordinance #1148, the annexed privately owned properties assumed and became subject to their pro rata portion of any outstanding indebtedness of the City.

SECTION IV: 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.

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CITY OF ELMA P. O. BOX 3005 ELMA, WA 98541 SECTION V: This Ordinance shall take effect upon the fifth day following date of publication: PROVIDED THAT, this confirmatory ordinance as to the expanded boundaries shall not affect the effective date of the annexation of the original boundaries set forth in Ordinance #1148.

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.

		PAS	SED TH	IIS 174	h	DAY	OF _	Jr	ly			_,
2017,	by	the	City	Council	of	the	City	/ of	Elma	and	signed	in
approv	al	ther	ewith	this _	17+	h	day	of .	J	Jy		′
2017.										/		

CITY OF ELMA:

RENSEN, Mayor

ATTEST:

-Treasurer EASTON. erk

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CITY OF ELMA P. O. BOX 3005 ELMA, WA 98541 APPROVED AS TO FORM:

DANIEL O. GLENN, *ttornev*

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 $\underline{\Pi (\rho O)}$ 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 $\underline{\Pi (\rho O)}$, as it was published, is on file in the appropriate records of the City of Elma.

SIGNED AND SWORN to before me this day of , 2017, by DIANA EASTON. STEPHANIE RICHARDSON nalson **NOTARY PUBLIC** IN AND FOR THE STATE OF NOTARY' PUBLIC STATE OF WASHINGTON WASHINGTON, Residing at: [)akVIIIe My Commission Expires Mar. 20, 2021 My appointment expires: 3.20.21

ORDINANCE – 5 7–13–17 DG/le EXHIBIT # 1 4 pqs.

CITY OF ELMA Annex Area 1 July 2017 Page 1 of 2

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" West 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;

thence North 22°03'00" West 127.88 feet to the Easterly margin of Schouwiler Road;

thence North 02°20'47" East along said Easterly margin a distance of 774.64 feet to a curve to the left;

thence along said Easterly margin and 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 273.61 feet to the Southerly margin of Monte-Elma Road (formally called State Route 9);

thence along said Southerly margin of said Monte-Elma Road 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 along said Southerly margin a distance of 342.75 feet to a curve to the left; thence along said Southerly margin and 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 along said Southerly margin a distance of 969.83 feet, to a curve to the right;

thence along said Southerly margin and 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 along said Southerly margin a distance of 690.65 feet to a curve to the left;

thence along said Southerly margin and 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 along said Southerly margin 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 of Grays Harbor County Parcel No. 180634320021 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 Northwest corner of County Parcel No. 618063432007 described as "Parcel A" and recorded under AFN 2005-0722148, records of Grays Harbor County;

thence Southerly to said Northwest corner and said Southerly margin of said Monte-Elma Road;

thence South 01°30'36" West along the Easterly line of said Parcel No. 618063432007 and the Easterly line of County Parcel No. 180634320120 as recorded under Auditor's File No. AFN 950424028, records of Grays Harbor County to the Southeast corner of said Parcel No. 180634320120;

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CITY OF ELMA Annex Area 1 June 2016 Page 2 of 2

thence North 88°53'55" West along the Southerly line of said Parcel No. 180634320120 extended Westerly, a distance of 282.50 feet to the Northeast corner of County Parcel No. 180634320050 as recorded under AFN 2002-05290003;

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

thence South 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 Parcel No. 180634320050; thence North 89°44'58" West a distance of 209.00 feet to the Southwest corner of said Parcel No. 180634320050;

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 Parcel No. 180634320050 and the Southerly line of said Parcel No. 180634320021;

thence North 88°58'49" West along said Southerly line of said Parcel No. 180634320021 a distance of 122.35 feet to the Easterly line of County Parcel No. 180634320040 as 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 Parcel No. 180634320040 and the Southerly line of County Parcel No. 180634320030 as 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.

Also including all of Schouweiler Road right of way lying northerly of State Route 12 and southerly of the Northerly right of way of Monte Elma Road, Located in Section 33, Township 18 North, Range 6 West, W.M.:

And also including all of Monte Elma Road right of way lying easterly of the westerly right of way of Schouweiler Road and the westerly city limits of Elma as it exists on December 31, 2016, located in Sections 33 and 34, Township 18 North, Range 6 West, W.M.

Areas previously annexed by the City of Elma are not described in this Description; they are however encompassed within the Description.

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EXHIBIT #1

CITY OF ELMA Annex Area 2 June 2016

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

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 and the Southeast corner of Lot 6 of said Block 5;

thence South along the East line of said Lot 6 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 being the Southerly line of County Parcel No. 810000500600;

thence West along the centerline of said vacated alley and said Southerly line of County Parcel No. 810000500600 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, County Parcel No. 810000500900 and the Westerly line of Lot 15, County Parcel No. 046000501500 of said Block 5 extended Southerly to the South line of vacated West Waltrip Street;

thence Easterly along said South line of vacated West Waltrip Street to the Northwest corner of County Parcel No. 810000501500, being 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 County Parcel No. 810000501500 and the West line of Block 11 County Parcel No. 180634310040 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 County Parcel No. 180634310010 as recorded under AFN 2012-08310090, records of Grays Harbor County;

thence North along the West line of said County Parcel No. 180634310010 to the Southwest corner of County Parcel No. 180634310020 as recorded under AFN 2007-11210072, records of Grays Harbor County;

thence North along the West line of said County Parcel No. 180634310020 to the Southeast corner of County Parcel No. 180634310030 as recorded under AFN 2002-05290003, records of Grays Harbor County;

thence West along the South line of said County Parcel No. 180634310030 to the East line of County Parcel No. 6180363431002 as recorded under AFN 2006-08030086;

thence North along the East line of said County Parcel No. 618063431002 to the Southerly margin of Monte-Elma Road (formally called State Route 9);

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thence Easterly along said Southerly margin to the POINT OF BEGINNING.

EXHIBIT #1

CITY OF ELMA Annex Area 3 June 2016

A portion of the Southeast Quarter (SE¹/₄) 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 the East line of said Callow's Addition to Elma a distance of 495.00 feet to the Southwest corner of County Parcel No. 180634420020 as recorded under Auditor's File No. (AFN) 960304032;

thence Easterly along the Southerly line of said County Parcel No. 180634420020 to the Westerly line of County Parcel No. 180634420010 as 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 County Parcel No. 180634420010 a distance of 226 feet more or less to the Westerly margin of South 12th 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 of State Highway 12 a distance of 115.09 feet to a curve to the right;

thence along said northerly margin and 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.

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ANNEX AREA 4 AS MODIFIED AND APPROVED BY THE BOUNDARY REVIEW BOARD

Those areas of Parcel "B" of that Boundary Line Adjustment recorded in Volume 37 of Record of Surveys, pages 125 through 129, under Auditor's File No. 2016-10110008, records of Grays Harbor County, which are not currently included in the City of Elma as of December 31, 2016, which are specifically cited as Parcels 2, 3, 4 and 5 in the above referenced record of survey.

Situate in the County of Grays Harbor, State of Washington

NEW DESCRIPTIONS

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EXCEPT THE EAST ID CO FEET OF LOT I IN BLOCK 2), CALLOWS ADDITION TO THE TOWN OF ELVIA, AS PER PLAT RECORDED IN YOLLINE 4 OF PLATS, PAGE 12, RECORDED OF GRAYS HARBOA COUNTY

ALSO EXCEPTING A PART OF TRACTS 12, 12, 14, 15 AND 15 IN CALLON'S ADDITION TO ELMA, AS FER PLAT RECORDED IN VOLUME & OF PLATS, PAGE 11, RECORDS OF GRATS HARBOR COUNTY, WORE PARTICILIARLY DESCRIBED AS FOLLOWS:

BEGINING AT A POINT SOLD FLET SOUTH OF THE SOUTHNEST CORNER OF TRACT II IN SAID CALLOW'S ADDITION; THENCE SOUTH, PARALLEL WITH THE WEST LINE OF SAID TRACTS 12, 13, 14, 15 AND 16, 924 03 FEET; THENCE HEST JUG 3 FEET; THENCE NORTH ALONG THE WEST LINE OF SAID TRACTS 16, 13, 14, 13 AND 12, 924 00 FEET. THENCE EAST JUG 0 FEET TO THE POINT OF BEGINNING

ALSO EXCEPT LOTS 4 3. & AND THE WEST 15.00 FEET OF LOT J. BLOCK 2:, CALLOW'S ADDITION TO THE TOWN OF ELMA, AS PER PLAT RECORDED IN VOLUME 4 OF PLATS. PAGE 13, RECORDS OF GRAYS HARBOR COLMITY.

ALSO EXCEPT THE WEST PAULO FEET OF THE EAST ISO.00 FEET OF THE NORTH SS.00 FEET OF TRACT I OF VACATED CALLOWS ADDITIONS

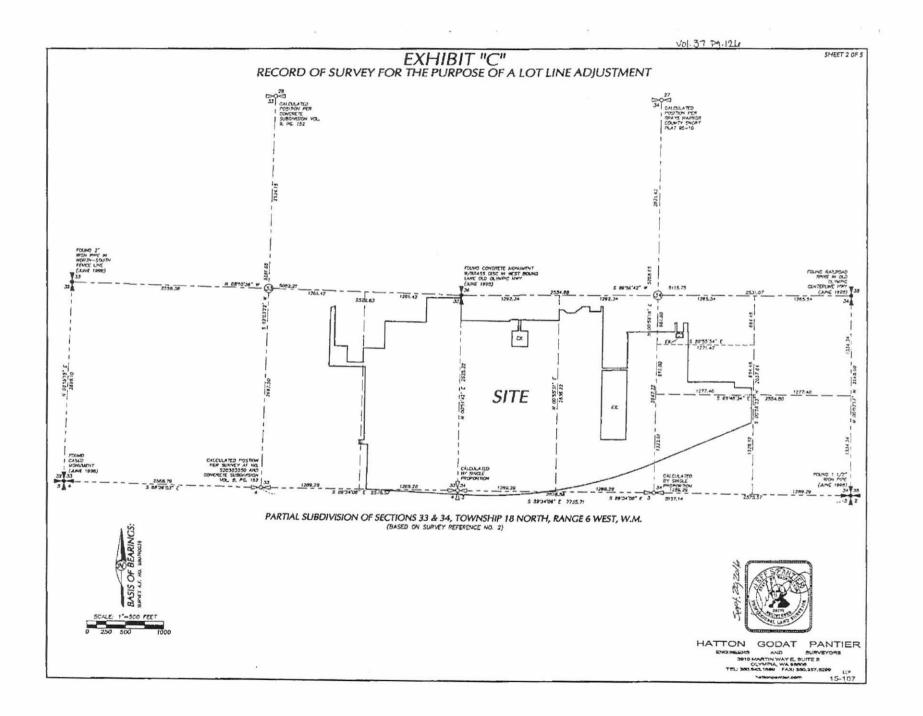
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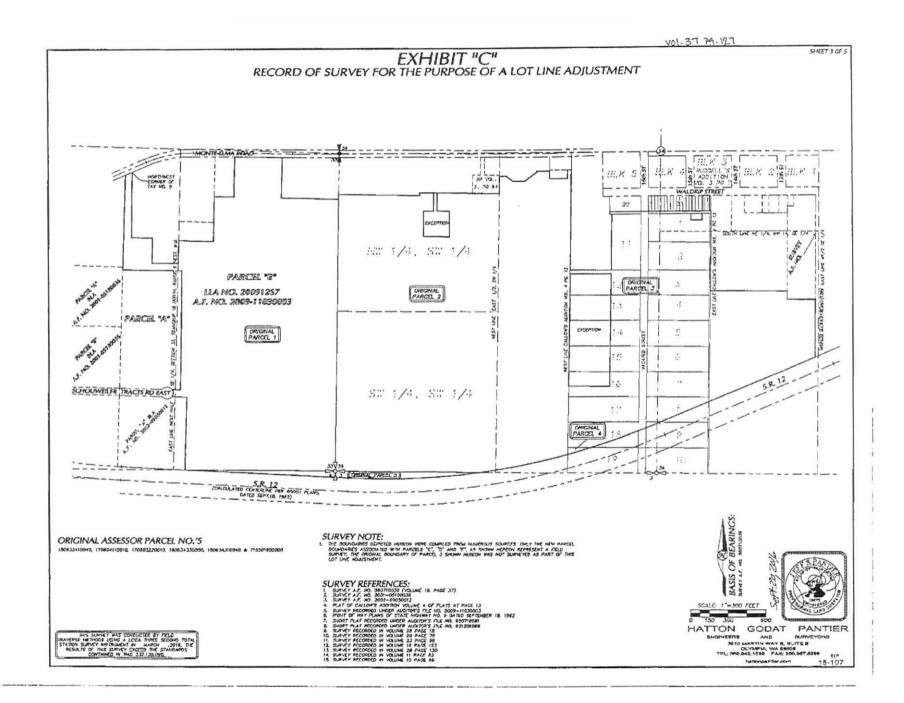
ALSO EXCEPT THAT PORTION THEFEOF CONFERE TO THE STATE OF INSHINGTON FOR MIGHWAY PURPOSES BY DEED DATED FEBRUARY 12, 1983 AND RECORDED WAY 8, 1983 IN YOLUNE 428 OF DEEDS, PACE 237, AS ALCITOR'S FLE NO, 109849, ALSO EXCEPT THAT PORTION OF THE NORTHWEST CUARTER OF THE SCUTHWEST CUARTER OF SECTION 34, TOWNSHIA 18 NORTH, RANGE & WEST OF THE WILLAWETTE WERDAM,

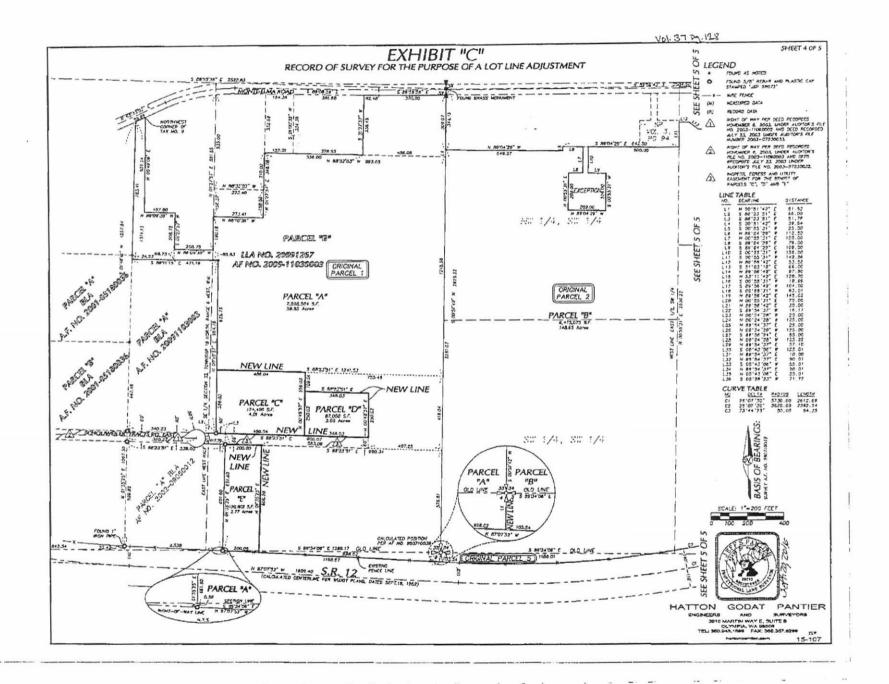
ALSO EXCEPT THAT PORTION OF THE NORTHWEST CULARTER OF THE SCUTHWEST CULARTER OF SECTION 34, TOWNSHIP 18 NORTH, RANCE & WEST OF THE WILLAWETTE WERDAW DESCRIBED AS FOLLOWS: COMMENCING ON THE SCUTH LINE OF THE OLYMPIC INGRIVALY WHERE IT INTERSECTS THE EAST UNE OF THE INCRIMISTS CULARTER OF THE SCUTHWEST CULARTER, THENCE SOUTH JOO FEET ALONG THE EAST LINE OF SAD NORTHWEST CULARTER OF THE SCUTHWEST QUARTER; THENCE MEST SCO.00 FEET, TO THE FOULT OF BEGINNING; THENCE SOUTH JOOG FEET, THENCE LAST LODG FEET, THENCE SCUTH JOINO FEET, THENCE MEST ZOUGO FEET, THENCE EAST 70.00 FEET, THENCE NORTH JOOG FEET, THENCE LAST LODG FEET, TO THE POINT OF BEGINNING; STUDIE IN THE CULITY OF CRAYS HABBOR, STATE OF WASHINGTON, TOCKTHER MITH AN EASEMENT FOR INTERSE AND EXPENSIONER THE EAST JOING FEET OF THE WILLAWETTE WERDIAN.

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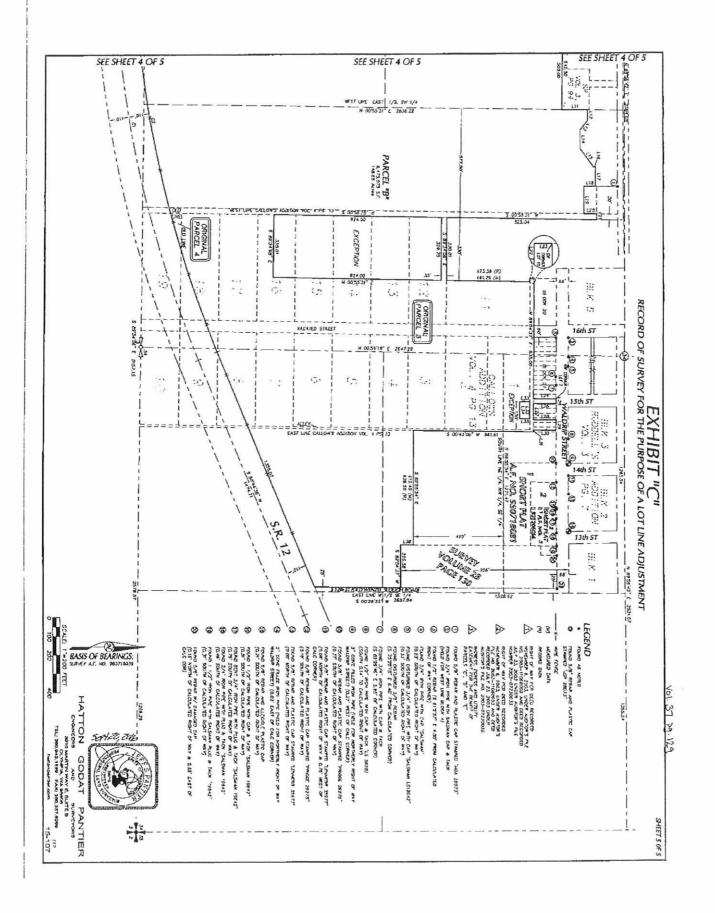
- 2 -











-6-

Return Address:

Tim Martin

50 Schouweiler Tracts Rd. E.

Elma, WA 98541

REAL ESTATE EXCISE TAX EXEMPT TRANSACTION RONALD A. STRABBING, TREASURER Grays Harbor County, Montesano, WA By 2000 Harbor County, Montesano, WA

BOUNDARY LINE ADJUSTMENT

Parcels:

180633410040, 170604110010, 170603220010, 180634330000, 180634310040_ 715501900000

Abbreviated legal description (per RCW 65.04): PTN Sec 33 & 34, T 18 N, R6W and PTN Sec 06, T 17N, R06W, Grays Harbor County, Washington. The complete legal descriptions appear as Record of Survey Vol. ____ P____. AFN_____

The complete legal descriptions for the properties whose boundaries are hereby adjusted are described in Exhibit A, which is attached hereto and incorporated by reference. The complete legal descriptions for the newly adjusted parcels are attached hereto as Exhibit B and incorporated by reference. The map(s) documenting the old and new boundaries of the adjusted parcels are attached hereto as Exhibit C and incorporated by reference.

NOTICE: This Boundary Line Adjustment does not transfer title or constitute a conveyance of real estate. No segregation of current parcels or transfer of record title will be made by Grays Harbor County until proper legal documents are recorded.

CERTIFICATION

We, the undersigned, are the owners of the property described herein and certify that this Boundary Line Adjustment is made by our free will and consent.

Tim Martin Managing Member

Sign & Print Name On behalf of Willis G. & Joan A. Martin Family LLC

ADMINISTRATOR REVIEW

day of Detober 20 Ho

Examined and reviewed this

Subdivision Administrator

See drawings recorded as Record of Survey Vol. 37 P_125. AFN_2016-10110008

10/11/2016 11:14 AM BLA R 157.00 Grays Harbor Co, WA 2016-10110009 Page 1 of MARTIN

