

ORDINANCE NO. 1862

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.

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 March 13, 2018; and,

WHEREAS, in conformance with RCW 35A.14.120, the City Council met with said initiating party on May 1, 2018 and authorized the annexation process to move forward; and,

WHEREAS, said petition 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 on November 8, 2018; and,

WHEREAS, annexations are exempt from the State Environmental Policy Act (SEPA) pursuant to RCW43.21C.222. Environmental review and SEPA checklist submittal will be required, if necessary, with subsequent development applications; and,

WHEREAS, a public hearing for this annexation was held before the City Council on January 15, 2018, notice of said hearing having been published as required by law; and,

WHEREAS, the City Council of the City of Oak Harbor, 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;

NOW THEREFORE, the City Council of the City of Oak Harbor, do ordain as follows:

**Section 1.** 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:

**Legal Description** (Per Old Republic Title Guarantee SGWO8000279, dated August 23, 2018):

Parcel A – The East Half of the West Half of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 10, Township 32 North, Range 1 East W.M.; EXCEPT the North 30 feet for road, as conveyed to Island County under Auditor’s File No. 304426.

(Also known as Lot C of SP #76/55 recorded August 23,1976 as Auditor’s File No. 301894, records of Island County, Washington.)

Situate in the County of Island, State of Washington.

Parcel B – The West Half of the West Half of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 10, Township 32 North, Range 1 East W.M.; EXCEPT the North 30 feet for road, as conveyed to Island County under Auditor’s File No. 304426.

(Also known as Lot D of SP #76/55 recorded August 23,1976 as Auditor’s File No. 301894, records of Island County, Washington.)

ALL Situate in the County of Island, State of Washington.

**Section 2.** All said real property in the annexed area described in Section 1 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 3.** The annexed area described in Section 1 is hereby assigned zoning of R-2, Limited Medium Density 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 4. Severability.** If any section, subsection, paragraph, sentence, clause, or phrase of this 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.

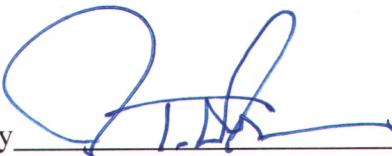
**Section 5. Effective Date.**

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

PASSED by the City Council this 15<sup>th</sup> day of January, 2019.


Veto ( )  
Approve (X)

THE CITY OF OAK HARBOR

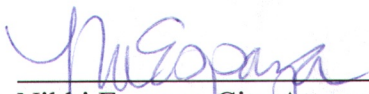
By   
Robert Severns, Mayor

Dated: January 16, 2019

Attest:

  
Carla Brown, City Clerk

Approved as to Form:

  
Nikki Esparza, City Attorney

Published: 01-16-19