ORDINANCE 2010 - 13 ORIGINAL

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, ANNEXING CERTAIN PROPERTY TO THE CITY OF SUNNYSIDE, AMENDING COMPREHENSIVE PLAN AND ZONING SAID PROPERTY "George Johnson Annexation"

WHEREAS, the City of Sunnyside has received a Petition for Annexation of property into the City of Sunnyside, identified as the "George Johnson Annexation;" and

WHEREAS, the documentation filed is in proper form and a Notice of Intention has been submitted to and approved by the State Boundary Review Board for Yakima County, which approval was granted by Order of the Board on December 7, 2009, and which approval included Yakima County Assessor's Parcel Numbers 231029-32403; -32405; -32406; -32407; and -32408.

WHEREAS, the Planning Commission has held a public hearing pursuant to published notice on December 9, 2008 and has recommended approval of the annexation, and recommended that the property be zoned M-1, Light-Industrial, and that the City of Sunnyside Comprehensive Plan and Zoning Map be amended accordingly; and

WHEREAS, the City Council has held a closed record hearing pursuant to Title 19 of the Sunnyside Municipal Code on March 22, 2010 considering the record herein and the recommendations of the Sunnyside Planning Commission concerning the proposed annexation; and

WHEREAS, the City Council finds and determines as follows:

A. The City Council has jurisdiction to determine all matters and issues herein.

B. All procedures and requirements of law and the Sunnyside Municipal Code have been performed and satisfied regarding such proposed annexation.

C. The annexation of the proposed property into the City of Sunnyside is in the best interests of residents of the City of Sunnyside, and the proposed M-1, Light Industrial And URA, Urban Residential Agriculture zoning is consistent with the Comprehensive Plan of the City of Sunnyside.

D. Approval of such annexation will promote the general health, safety and welfare; and

WHEREAS, the City Council, having made the above findings, determines that such property should be annexed to the City of Sunnyside with a zoning of M-1, Light Industrial, And URA, urban Residential Agriculture and that the Comprehensive Plan and the Zoning Map of the City of Sunnyside should be amended accordingly and as necessary.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

Section 1. That the property of the "George Johnson Annexation," consisting of five (5) parcels totaling 28.09 acres, commonly known as Yakima County Assessor's Parcel Nos. 231029-32403; -32405; -32406; -32407; and -32408, and legally described in Exhibit "A" and shown on the map attached hereto as Exhibit "B," both incorporated herein by this reference, is hereby annexed to the City of Sunnyside.

Section 2. That all of the property within the territory herein annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Sunnyside for any outstanding indebtedness of the City of Sunnyside, including assessments and taxes in payment of any bonds issued or debts contracted prior to or existing on the date hereof.

Section 3. That the property subject to this annexation shall be, and the same hereby is, zoned M-1, Light Industrial, and URA, Urban Residential Agriculture and that the Zoning Map of the City of Sunnyside shall be amended to reflect the same, together with appropriate designation and amendment of the City of Sunnyside Comprehensive Plan as necessary.

Section 4. That the City Manager or his designee is hereby authorized and directed to notify the Washington Utilities and Transportation Commission, together with utility providers, of this annexation, and to approve, on behalf of the City of Sunnyside, an appropriate transition franchise agreement with any existing utility provider for the property subject to this annexation.

Section 5. This Ordinance shall be effective May 24, 2010 or five days after passage, approval and publication as required by law, whichever later occurs, and a copy of this Ordinance shall be filed with the Yakima County Commissioners and with the Yakima County Auditor, and with other appropriate entities with jurisdiction.

PASSED this 24th day of May, 2010.

JAMES A. RESTUCCI, MAYOR

ATTEST:

DEBORAH A. ESTRADA, CITY CLERK

APPROVED AS TO FORM:

MENKE JACKSON BEYER EHLIS & HARPER, LLP
Attorneys at Law

Exhibit "A"

Property Description for the George Johnson Annexation.

Parcel Numbers 231029-32403, -32405, -32406, -32407, -32408

The northwest quarter of the southwest quarter of Section 29, Township 10 North, Range 23 East W.M. ;
Except: Lots B and C of short plat L-30 records of Yakima County
Together with all adjacent rights-of-way

Description certified and approved by Yakima County Traffic Engineering Department for annexation purposes.

X _____ Date 10-1-2009

State Route 241
E Edison Rd
E Edison Rd
URA
M-1 Light Industrial
TAKIMA COUNTY
Exhibit B
All Roads
Tax Lots
Cities
Parcel Lot lines are for visual display only. Do not use for legal purposes.
0
400
800 Feet
1" = 800 feet
SUNNYSIDE
N