

**ORDINANCE NO. 2019-1140**

**AN ORDINANCE OF THE CITY OF MABTON, WASHINGTON, PROVIDING FOR THE ANNEXATION OF PROPERTY KNOWN AS THE GANNON ANNEXATION TO THE CITY OF MABTON PURSUANT TO THE PETITION METHOD, AND INCORPORATING THE SAME WITHIN THE CORPORATE LIMITS THEREOF, PROVIDING FOR THE ASSUMPTION OF EXISTING INDEBTEDNESS, REQUIRING SAID PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN SAID CITY, ADOPTING A COMPREHENSIVE LAND USE PLAN, AND CHANGING THE OFFICIAL ZONING MAP OF THE CITY. TAX PARCEL 220801-12002**

**WHEREAS**, the City of Mabton, Washington received a petition for annexation, known as the Gannon Annexation, of certain real property pursuant to RCW 35A.14.120; and

**WHEREAS**, in accordance with MMC Section 17.35.020, amendments to the comprehensive plan may be suggested by any person, firm, corporation, group of individuals, or municipal department petition for an amendment to the comprehensive plan; and,

**WHEREAS**, that said petition set forth the fact that the City Council of the City of Mabton required the assumption of City indebtedness by the area requesting to be annexed; and

**WHEREAS**, prior to filing of said petition, the City Council had indicated a tentative approval of said annexation; and,

**WHEREAS,** the application received also requested that the land use designation of the above described parcel be shown on the Mabton Comprehensive Plan Future Land Use Map as Mixed Commercial/Residential; and,

**WHEREAS,** petitioners further understood the proposed zoning of said area proposed for annexation would be MU-CR Mixed Use Commercial/Residential zoning for Parcel No. 220801-12002; and,

**WHEREAS,** notices of hearing before the City Council were published in the manner as provided by law; and,

**WHEREAS,** all property within the territory so annexed shall be subject to and is a part of the Comprehensive Plan of the City of Mabton as presently adopted or as is hereafter amended; and,

**WHEREAS,** the Council of the City of Mabton has determined that the best interests and general welfare of the city would be served by the annexation; and,

**WHEREAS,** prior to the City Council taking final action, the City submitted a "Notice of Intention" to the Yakima County Boundary Review Board pursuant to RCW 36.93.090; and

**WHEREAS,** on June 18, 2019, the Yakima Boundary Review Board notified the City that the 45-day review period lapsed on the "Notice of Intention" and the annexation was deemed approved by the Boundary Review Board;

**NOW, THEREFORE,** be it ordained by the City Council of the City of Mabton, Washington, as follows:

**Section 1.** There has been filed with the City Council of the City of Mabton, a petition in writing signed by property owners owning a majority of the assessed value of the property proposed for annexation hereinafter described on Exhibit "A"; that said petition set forth the fact that the City Council of the City of Mabton required the assumption of City indebtedness by the area requesting to be annexed; that prior to filing of said petition, the City Council had on February 26, 2019 agreed to consider the annexation as proposed in the Letter of Intent; and that petitioners further understood the proposed zoning of said area proposed for annexation would be MU-CR for Parcel No. 220801-12002.

**Section 2.** April 9, 2019 was set as the date for the open record public hearing before the Mabton City Council; notice of such hearings were published in the Daily Sun News, a newspaper of general circulation in the City of Mabton; notice of such

hearings was also posted in three public places within the territory proposed for annexation; notice of such hearings was also mailed to owners of property within three hundred feet of the territory proposed for annexation; and said notice specified the time and place of such hearings and invited interested persons to appear and voice approval or disapproval of the annexation.

**Section 3.** The territory proposed by said petition to be annexed to the City of Mabton is situated in the County of Yakima in the State of Washington, is contiguous, approximate and adjacent to the present corporate limits of said City, and is more particularly described in Exhibit "A," which is attached hereto and incorporated in full by this reference.

**Section 4.** The territory set forth in this ordinance and for which said petition for annexation as filed should be and is hereby made a part of the City of Mabton.

**Section 5.** Pursuant to the terms of the annexation petition, all property within this territory annexed hereby shall be assessed and taxed at the same rate and on the same basis as property within the City, including assessment or taxes in payment of any bonds issued or debts contracted prior to or existing at the date of annexation.

**Section 6.** All property within the territory so annexed shall be subject to and a part of the Comprehensive Plan of the City of Mabton as presently adopted or as is hereafter amended.

**Section 7.** All property within the territory so annexed shall be and hereby is zoned MU-CR Mixed Use Commercial/Residential for Parcel No. 220801-12002.

**Section 8. Effective Date.** This Ordinance shall take effect and be enforced five (5) business days from and after its passage, approval and publication as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF MABTON, WASHINGTON, AT A REGULAR MEETING THEREOF THIS \_\_\_\_\_ DAY OF JUNE 2019.**

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Mayor Laura Vazquez

**APPROVED AS TO FORM:**

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James C. Carmody, City Attorney

**ATTEST:**

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Sylvia Sanchez, City Clerk

**Exhibit A**  
**Legal Descriptions of Annexed Parcels**

**Parcel 220801-12002**

9.97 Acres

Legal Description: Government Lot 1, lying Northerly of the Southerly right of way of State Highway No. 3A (Now SR 22, Except Northern Pacific Railroad Right of way, except State Highway and County Right of Way.