WHEN RECORDED RETURN TO:

CITY OF SUNNYSIDE
818 E. Edison Avenue
Sunnyside, WA. 98930

DOCUMENT TITLE: Sunnyview Park Annexation/City of Sunnyside Ordinance No. 2010-30– BRB 2010-010

Reference # of related documents:

Grantor(s):
1. **CITY OF SUNNYSIDE**
2.

Additional on page _____

Grantee(s):
1. **THE PUBLIC**
2.

Additional on page _____

Legal Description: (abbreviated)

All that property in the Northeast ¼ of Section 5 Township 9 North Range 23 East W.M. lying Northeasterly of the Southwesterly right-of-way line for Interstate 82; Except Lot 2 of Short Plat recorded under Auditor's File No. 7407870, records of Yakima County, Washington.

Assessor's Parcel Nos.: 230905-11005; -11007; -11401

ORDINANCE 2010 - 30

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 "Sunnyview Park Annexation"

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

WHEREAS, the documentation filed is in proper form and a Notice of Intention has been submitted to and approved by the Washington State Boundary Review Board for Yakima County, which approval was granted by Order of the Board on October 22, 2010, and which approval included Yakima County Assessor's Parcel Numbers 230905-11007; -11401 and -11005.

WHEREAS, the Planning Commission has held a public hearing pursuant to published notice on July 13, 2010 and has recommended approval of the annexation, and recommended that the Parcel Number 230905-11005 be zoned PF-Public Facilities and Parcel Numbers 230905-11007 and 230905-11401 be zoned B-2, General Commercial, and that the City of Sunnyside Comprehensive Plan and Zoning Map be amended accordingly; and

WHEREAS, the City Council has held an open record hearing pursuant to Title 19 of the Sunnyside Municipal Code on November 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 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 for Parcel Number 230905-11005 the zoning should be PF-Public Facilities and for Parcel Numbers 230905-11007 and 230905-11401 the zoning should be B-2, General Commercial, 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 "Sunnyview Park Annexation," consisting of four (4) parcels totaling 36.13 acres, commonly known as Yakima County Assessor's Parcel Nos. 230905-11005; -11007 and -11401 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 PF-Public Facilities for Parcel No. 230905-11005, and zoned B-2, General Commercial for Parcel Nos. 230905-11007 and -11401, 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 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 13th day of December, 2010.

JAMES A. RESTUCCI, MAYOR

ATTEST:

DEBORAH A. ESTRADA, CITY CLERK

APPROVED AS TO FORM:

Menke Jackson Beyer Ehlis & Harper LLP
Attorneys for the City of Sunnyside

EXHIBIT 'A'
Sunnyview Park

Property Description for the Sunnyview Park Annexation.

Parcel Numbers 230905-11005, 230905-11401, 230905-11007

All that property in the Northeast ¼ of Section 5 Township 9 North Range 23 East W.M. lying northeasterly of the southwesterly right-of-way line for Interstate 82 Except Lot 2 of Short Plat Recorded under Auditors File Number 7407870 records Yakima County.

Together with all adjacent rights-of-way

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

X _____ Date 8-27-2010