

ORIGINAL

ORDINANCE 2009 - 15

**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  
“G & S Cattle Co. Annexation”**

**WHEREAS**, the City of Sunnyside has received a Petition for Annexation of property into the City of Sunnyside, identified as the “G & S Cattle Co. 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 May 28, 2009, and which approval included Yakima County Assessor’s Parcel Numbers 231030-11401;11402; 11004; and 11006; and

**WHEREAS**, the Planning Commission has held a public hearing pursuant to published notice on July 8, 2008 and has recommended approval of the annexation, and recommended that the property be zoned R-3, High Density Residential, 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 July 27, 2009 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 R-3, High Density Residential 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 R-3, High Density Residential, 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 "G & S Cattle Co. Annexation," consisting of four parcels totaling 19.02 acres, commonly known as Yakima County Assessor's Parcel Nos. 231030-11401;11402; 11004; and 11006, 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.

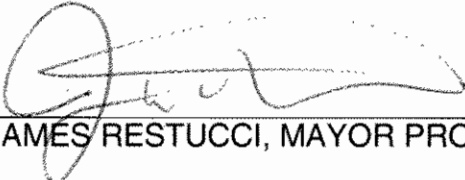
**Section 3.** That the property subject to this annexation shall be, and the same hereby is, zoned R-3, High Density Residential, and that the Zoning Map of the City of Sunnyside shall be amended to reflect the same, together with appropriate designation and amendment of the City of Sunnyside Comprehensive 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 August 3, 2009 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 27<sup>th</sup> day of July, 2009.

  
\_\_\_\_\_  
JAMES RESTUCCI, MAYOR PRO TEM

ATTEST:

  
\_\_\_\_\_  
DEBORAH ESTRADA, CITY CLERK

APPROVED AS TO FORM:

MENKE JACKSON BEYER EHLIS & HARPER LLP  
ATTORNEYS AT LAW

BY:

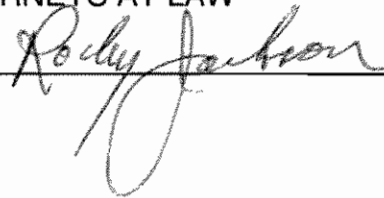
  
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Exhibit "A"

Property Description for parcels 231030-11006, 231030-11401, 231030-11402, 231030-11004

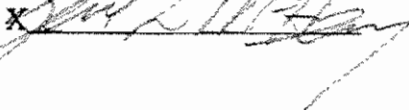
That part of the Northeast ¼ of Section 30 Township 10 North, Range 23 East, W.M., described as follows:

Commencing at the Northeast corner of said subdivision; thence south 89° 31' 40" West along the North line thereof 989.40 feet to the point of beginning; thence south 3 22' 40" West 153.70 feet; thence South 39° 53' 40" West 116.70 feet; thence south 89° 17' 20" West 87.25 feet; thence south 27° 52' 30" West 74.60 feet; thence South 3° 03'30" West 509.45 feet; thence North 89° 47' East 1027.90 feet; thence south 14° 48' East 140.40 feet; thence south 6° 45' East 131.70 feet; thence South 2° 19' 40" West 1011.55 feet; thence south 88° 35' 30" East to the Westerly right of way line of the Sulphur Creek Wasteway; thence Northerly along the westerly right of way line of said wasteway to the North line of said subdivision; thence south 89° 31' 40 west to the point of beginning; Together with the right of way for Sulphur Creek along the said subdivision and including right of way for road along the north and east of said subdivision Together with ; That portion of the northeast quarter lying northeasterly of Sulphur Creek Wasteway.

Together with;

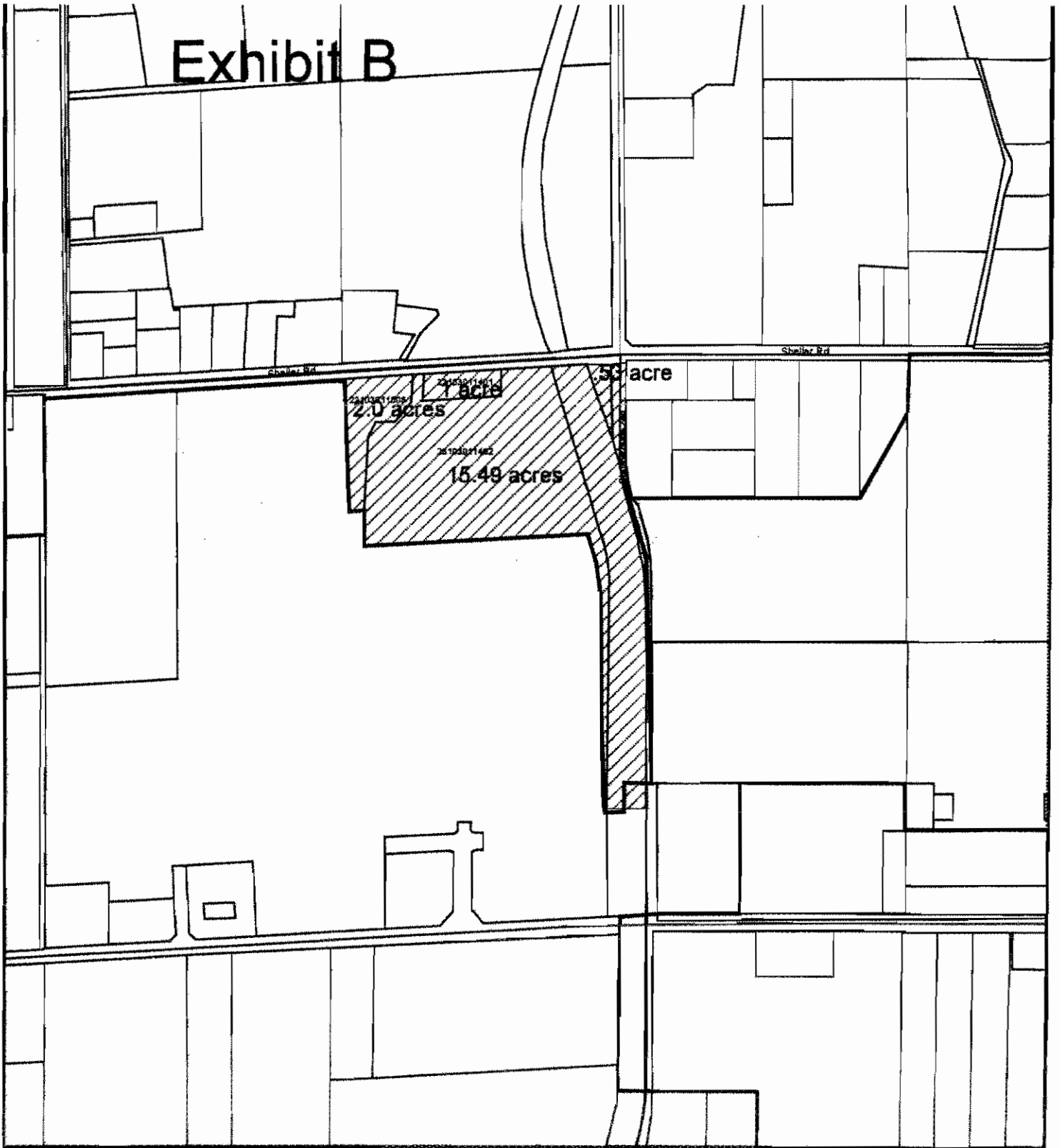
Beginning south 89°31'40 West 989.4 feet, Thence South 03°22' 40 West 153.7 Feet, Thence South 39°53'40 West 116.7 Feet thence South 89°17'20 West 87.25 Feet, Thence South 27°52' 30 West 74.6 Feet, Thence South 03°03'30 West 344.15 Feet, Thence North 89°54' West 65.85 Feet, Thence North 01°27'50 East 611.48 Feet, Thence North 89°31'40 East 273.6 Feet to the point of beginning together with all adjacent right-of-way on the east and north.

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

X 

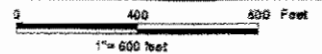
Date 4-1-2009

# Exhibit B



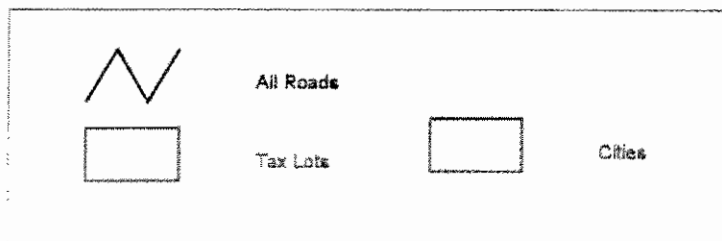
GEOGRAPHIC INFORMATION SERVICES

Parcel Lot lines are for visual display only. Do not use for legal purposes.



YAKIMA COUNTY

Parcel #  
231030-11006  
231030-11401  
231030-11402  
231030-11004



Plot Date: Mar 9, 2009