

ORIGINAL

RESOLUTION 2010 - 06

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SUNNYSIDE, WASHINGTON, ACCEPTING  
NOTICE OF INTENTION TO COMMENCE ANNEXATION,  
SETTING CONDITIONS, AUTHORIZING SUBMISSION  
OF PETITION AND REFERRING TO HEARING BODY  
(MBM Development, LLC Annexation)**

**WHEREAS**, the City of Sunnyside has received from MBM Development, LLC, owners of record of the property 3.45 acres in size, located on the west side of Midvale Road approximately 1,000 feet north of Duffy Road, Sunnyside, Washington, (Yakima County Assessor's Parcel No. 220902-44005), a Notice of Intention to Commence Annexation Proceedings, as shown on the attached Notice of Intention; and

**WHEREAS**, the City Council, having conducted an Annexation Initiation Meeting with the applicant on January 25, 2010, finds as follows:

- (a) The Notice of Intention to Commence Annexation Proceedings is hereby received.
- (b) The applicant is hereby authorized to prepare and submit a Petition for Annexation, which shall be referred for consideration and public hearing before the Planning Commission or Hearing Examiner as deemed appropriate by the City Manager.
- (c) The hearing body shall conduct a public hearing and assign a recommended zoning of the property in substantial compliance with the Comprehensive Plan of the City of Sunnyside.
- (d) The City of Sunnyside will require assumption of all existing City indebtedness by the area to be annexed.

**WHEREAS**, the City Council finds and determines that this action is in the best interests of residents of the City of Sunnyside and will promote the general health, safety and welfare.

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

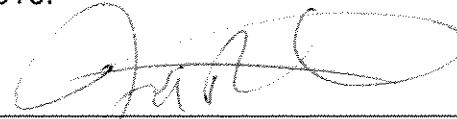
**SECTION 1.** That the Notice of Intention to Commence Annexation Proceedings, a copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference, submitted by MBM Development, LLC for property commonly known as Yakima County Assessor's Parcel No. 220902-44005 Sunnyside, Washington, and as further shown and described in Exhibit "A," is hereby received.

**SECTION 2.** That the findings and procedures stated in the recitals above are hereby adopted and incorporated within this action.

**SECTION 3.** The City Manager is hereby authorized to submit this Resolution and the Petition for Annexation to the Sunnyside Planning Commission or Hearing Examiner, and to seek early transfer of jurisdiction from Yakima County, as deemed necessary or appropriate.

**SECTION 4.** This Resolution shall be effective upon passage, approval and signatures hereon in accordance with law.

PASSED this 25<sup>th</sup> day of January, 2010.



JAMES A. RESTUCCI, MAYOR

ATTEST:



DEBORAH A. ESTRADA, CITY CLERK

APPROVED AS TO FORM:

MENKE JACKSON BEYER EHLIS & HARPER, LLP  
ATTORNEYS AT LAW



**NOTICE OF INTENTION TO COMMENCE ANNEXATION PROCEEDINGS**

To: The City of Sunnyside City Council  
818 E. Edison Avenue  
Sunnyside, WA 98944

City Council:

The undersigned, who are owners of not less than 10 percent (10%) of the acreage for which annexation is sought, hereby notify the City Council of the City of Sunnyside that it is the desire and intention of the undersigned to commence annexation proceedings pursuant to Chapter 35A.14 RCW.

The property subject to the proposed annexation is shown on Exhibit "A" attached hereto and incorporated herein by this reference.

It is requested that the City Council set a date not later than sixty (60) days after the filing of this Notice of Intention for a meeting with the undersigned initiating parties to determine:

- (1) Whether the City Council will accept, reject or geographically modify the proposed annexation; and
- (2) Whether the City Council will require the simultaneous adoption of a proposed zoning regulation for the subject property in substantial compliance with the Comprehensive Plan as adopted by the City of Sunnyside, or other zoning regulations adopted pursuant to RCW 35A.14.330 and 35A.14.430; and
- (3) Whether the City of Sunnyside shall require the assumption of all or any portion of existing City indebtedness by the area to be annexed.

This page is one of a group of pages containing identical text material, and is intended by the signers of this *Notice of Intention* to be presented and considered as one *Notice of Intention*, and may be filed with other pages containing additional signatures which cumulatively may be considered as a single *Notice of Intention*.

Principal contact person for this annexation is:

Name: M B M Development LLC Phone: 509 945 3558

Address: 2611 Birchfield Rd YAKIMA wa 98901

**WARNING**

Every person who signs this Notice of Intention with any other than his or her true name, or who knowingly signs more than one of these petitions, or who signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

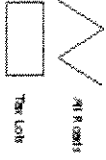
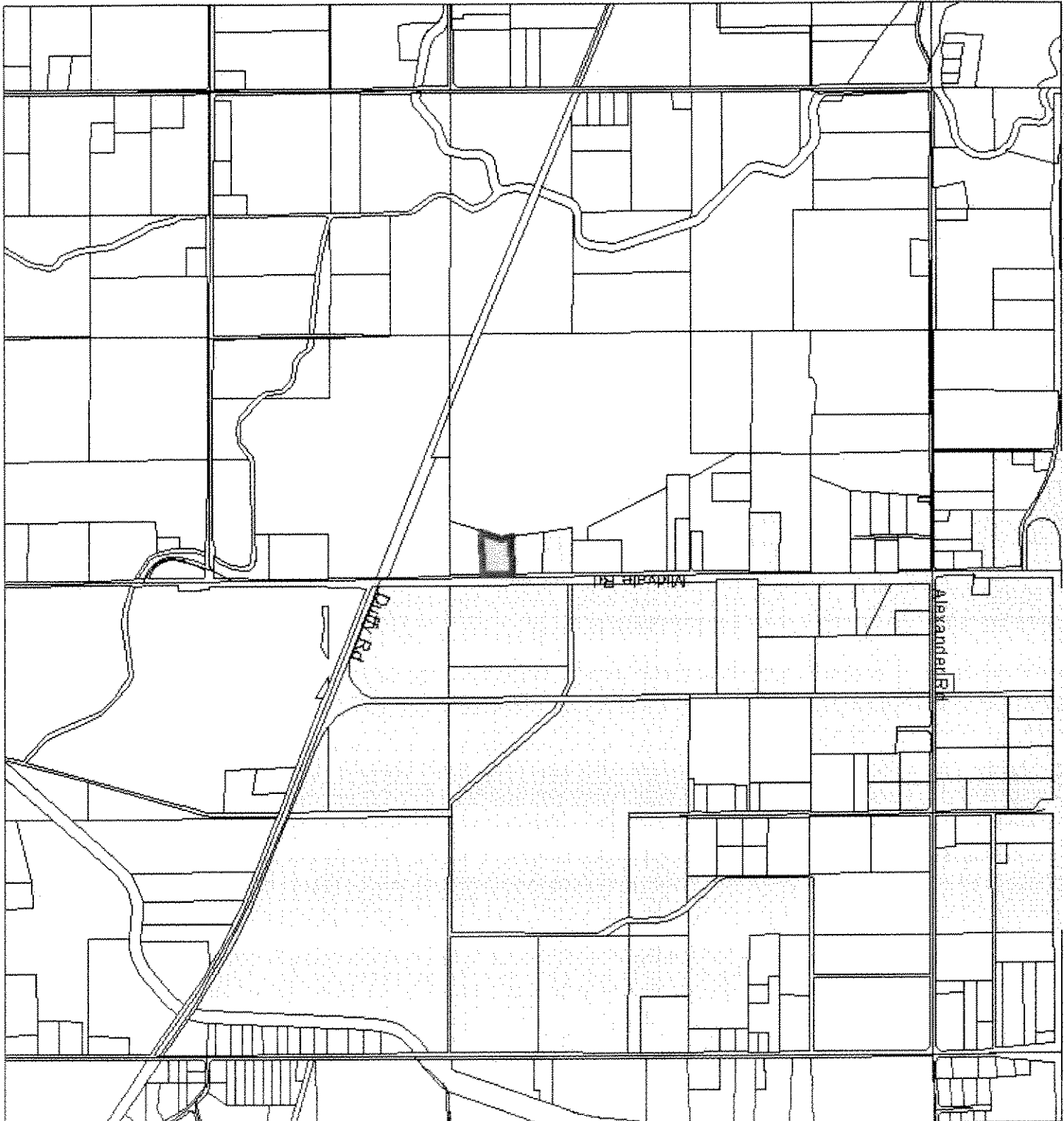
1. MBM Development LLC x Mika McShay  
 Print Name Signature  
1200 Midvale Rd. Sunnyside x 220902-44005  
 Address of Property to be annexed Parcel Number(s)  
 x 2611 Birchfield Rd Yak x 12/15/2009  
 Address of owner 98901 Date of Signature

2. \_\_\_\_\_  
 Print Name Signature  
 \_\_\_\_\_  
 Address of Property to be annexed Parcel Number(s)  
 \_\_\_\_\_  
 Address of owner Date of Signature

3. \_\_\_\_\_  
 Print Name Signature  
 \_\_\_\_\_  
 Address of Property to be annexed Parcel Number(s)  
 \_\_\_\_\_  
 Address of owner Date of Signature

4. \_\_\_\_\_  
 Print Name Signature  
 \_\_\_\_\_  
 Address of Property to be annexed Parcel Number(s)  
 \_\_\_\_\_  
 Address of owner Date of Signature

# MBM Development Annexation



Other

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



SCENESIDE

