

RESOLUTION 2023 - 26

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

WHEREAS, Yolanda Phillips, owner of record of Yakima County Assessor's Parcel No. 231032-31402, consisting of 2.30 acres, submits 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 on September 25, 2023, 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.
- (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:

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 Yolanda Phillips for property described above and as further shown and described in Exhibit "B," is hereby received.

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

3. The City Manager is, or her designee, hereby authorized to submit this Resolution and the Petition for Annexation to the Sunnyside Planning Commission.

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

PASSED this 25th day of September, 2023.

ATTEST:

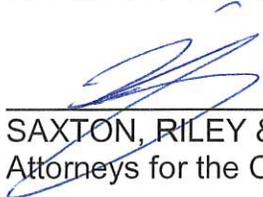


JACQUELINE RENTERIA, CITY CLERK



DEAN BROERSMA, MAYOR

APPROVED AS TO FORM:



SAXTON, RILEY & RILEY, LLPC
Attorneys for the City of Sunnyside

**PETITION FOR ANNEXATION
TO THE CITY OF SUNNYSIDE,
WASHINGTON**

**To: City Council of the City of Sunnyside
818 East Edison Avenue
Sunnyside, Washington 98944**

City Council:

We, the undersigned, being a majority of the registered voters residing in the area for which annexation is sought, and/or owners of a majority of the acreage for which annexation is petitioned, hereby petition that the real property described below, being contiguous to the City of Sunnyside, be annexed to and made a part of the City of Sunnyside pursuant to the provisions of Chapter 35A.14 of the Revised Code of Washington.

Pursuant to such statute, the Petition for Annexation must be signed by the owners of a majority of the acreage for which annexation is petitioned, and a majority of the registered voters residing in the area for which annexation is petitioned. If no residents reside within the area proposed for annexation, the Petition must be signed by the owners of a majority of the acreage for which annexation is petitioned. The undersigned state and aver that:

_____ (a) This Petition for Annexation includes both owners of a majority of the subject property AND a majority of the registered voters residing on such property; OR

X (b) No residents exist within the area proposed for annexation, and this Petition is signed only by owners of a majority of the acreage for which annexation is petitioned.

Legal Description and Map: Attached to this Petition for Annexation, and incorporated herein as Exhibit "A" by this reference, is a legal description of the property for which annexation is petitioned. Attached hereto as Exhibit "B" and incorporated herein by this reference is a map that outlines the boundaries of the property sought to be annexed.

Conditions of Annexation: The City Council of the City of Sunnyside on

_____ found and ordered: (1) That the Petition for Annexation is approved for circulation and signature for the property described herein; (2) That the subject property will be subject to simultaneous adoption of a zoning regulation in substantial compliance with the Comprehensive Plan of the City of Sunnyside or other zoning regulation adopted pursuant to RCW 35A.14.; and (3) That the property subject to this Petition for Annexation shall be subject to all prior existing city indebtedness.

WHEREFORE, the undersigned respectfully petition the City Council of the City of Sunnyside as follows:

- (1) That the appropriate action be taken to receive this Petition, refer for consideration and action to the Sunnyside Planning Commission in accordance with Title 19 of the Sunnyside Municipal Code, and causing a notice of public hearing to be published and posted in accordance with law specifying the time, date and place of such hearing, and inviting all persons interested to appear and present testimony and evidence in approval or disapproval of such annexation; and
- (2) That following such hearing, and subsequent to approval of the Yakima County Boundary Review Board if such is convened, the City Council determine by Ordinance that such annexation shall be adopted and effective; and that the property so annexed shall become a part of the City of Sunnyside, Washington, subject to its laws and ordinances then and thereafter in force.

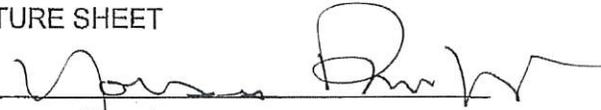
The Petitioners subscribing hereto agree that "all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and on the same basis as property within the City of Sunnyside for any now outstanding indebtedness of said city, including assessments or taxes in payment of any bonds issued or debts contracted prior to or existing at the date of annexation, and that simultaneous adoption of proposed zoning regulation be required" in accordance with the requirements of the City Council of the City of Sunnyside, and as quoted herein from the minute entry of the records of said Council meeting. It is further understood that the proposed zoning of said area proposed for annexation shall be in substantial conformity with the Comprehensive Plan of the City of Sunnyside.

These pages are a group of pages containing identical text and prayer intended by the signers of the Petition to be presented and considered as one Petition, and may be filed with other pages containing additional signatures which cumulatively may be considered as a single Petition.

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.

PETITION FOR ANNEXATION
SIGNATURE SHEET

1. Yolanda Phillips 
Print Name Signature
440 E. Allen Rd 231032-31402
Address of property to be annexed Parcel Number(s)

Check all that apply:

Property Owner Reside on property & registered voter
440 E Allen Rd 5/26/23
Residential address of signer Date of signature

2. _____
Print Name Signature

Address of property to be annexed Parcel Number(s)

Check all that apply:

____ Property Owner _____ Reside on property & registered voter

Residential address of signer Date of signature

3. _____
Print Name Signature

Address of property to be annexed Parcel Number(s)

Check all that apply:

____ Property Owner _____ Reside on property & registered voter

Residential address of signer Date of signature

WARNING

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4.

Print Name

Signature

Address of property to be annexed

Parcel Number(s)

Check all that apply:

____ Property Owner _____ Reside on this property and registered voter

Residential address of signer

Date of signature

5.

Print Name

Signature

Address of property to be annexed

Parcel Number(s)

Check all that apply:

____ Property Owner _____ Reside on this property and registered voter

Residential address of signer

Date of signature

6.

Print Name

Signature

Address of property to be annexed

Parcel Number(s)

Check all that apply:

____ Property Owner _____ Reside on this property and registered voter

Residential address of signer

Date of signature

**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: Yolanda Phillips Phone 509 840 3015

Address: 4410 E. Allen Road.

Why is annexation being requested? To add a residential structure in order to care for family and present property.

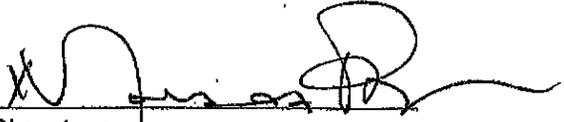
What is intended use?
Present: residential
Future: Residential, sub divided into 2 plots.

WARNING

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Name/Address/Parcel No(s)

1. Yolanda Phillips
Print Name
440 E. Allen Road
Address of Property to be annexed
440 E. Allen Road.
Address of owner


Signature
231032-31402
Parcel Number(s)
5/26/23
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)

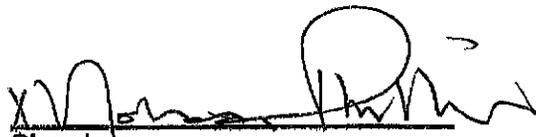
Address of owner

Date of Signature

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.

5. Yolanda Phillips
Print Name
440 E. Allen Road
Address of Property to be annexed
440 E. Allen Road
Address of owner


Signature
231032-31402
Parcel Number(s)
5/26/23
Date of Signature

6. _____
Print Name

Signature

Address of Property to be annexed

Parcel Number(s)

Address of owner

Date of Signature

7. _____
Print Name

Signature

Address of Property to be annexed

Parcel Number(s)

Address of owner

Date of Signature

8. _____
Print Name

Signature

Address of Property to be annexed

Parcel Number(s)

Address of owner

Date of Signature

2904520

FILED FOR RECORD AT REQUEST OF:

Hart and Winfree

NAME:

HART and WINFREE

ADDRESS:

P.O. Box 210

CITY AND STATE: Sunnyside, WA 98944

YAKIMA COUNTY
WASH
FILED BY
OCT 10 12 32 PM '98
BETTIE INGRAM
AUDITOR

THIS SPACE RESERVED FOR
RECORDER'S USE

2904520

QUIT CLAIM DEED

THE GRANTOR, DENA M. PHILLIPS, as her separate property, for and in consideration of Love and Affection and as a Gift, conveys and quit claims to KRYSTOPHER A. PHILLIPS, as his separate property, the following described real estate, situated in the County of Yakima, State of Washington, including any after acquired title:

Lot 2 of Short Plat as recorded in Volume "L" of Plats, page 72, records of Yakima County, Washington.

Assessor's Parcel No. 231032-31402

COUNTY EXCISE TAX

DATE

10-10-98

PAID \$

REC. NO.

2198903

Dated October 9, 1990.

BY *[Signature]*
WILE A. GRAY, Yakima County Treasurer

Receipt: 238197 05/31/2023
Acct #: 5995
CITY OF SUNNYSIDE
818 E. EDISON AVE
SUNNYSIDE, WA 98944
509-837-3782

PHILLIPS YOLANDA
440 E ALLEN RD
SUNNYSIDE, WA 98944

BUILDING PERMITS - BIAS
Inv#: 13507 Amt Paid: 363.83

Non Taxed Amt: 363.83

Total: 363.83

CC: 145896699 363.83

Ttl Tendered: 363.83

Change: 0.00

Issued By: Debbie Espinoza
 06/01/2023 06:37:14

