

ORDINANCE 2023 - 22

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
SUNNYSIDE, WASHINGTON, ANNEXING CERTAIN PROPERTY TO  
THE CITY OF SUNNYSIDE**

**WHEREAS**, the City of Sunnyside Washington, Received a Petition application completed by owners of no less than ten (10%) percent of certain real property on February 27, 2023), meeting the requirements of RCW 35A.14.120; and

**WHEREAS**, a public meeting was held on the proposed annexation application on February 27, 2023, wherein City Council Passed Resolution 2023-05, accepting the intent to annex, determining the property will be required to assume all proportionate bonded indebtedness, determining that simultaneous zoning will be required, and determining the property to be annexed as set forth in Section 1 below (property); and,

**WHEREAS**, the City received a petition signed by not less than sixty (60) percent owners of the Property; and,

**WHEREAS**, the petition meets the requirements of RCW 35A.01 .040 and has been determined to be sufficient by the Yakima County Assessor; and,

**WHEREAS**, notices of the public hearing on the proposed annexation has been published and posted as required by law; and,

**WHEREAS**, the City Council has held a public hearing pursuant to Title 19 of the Sunnyside Municipal Code on July 10, 2023; and,

**WHEREAS**, The City Council determined that such property should be annexed to the City of Sunnyside with a zoning of B-2, General Commercial Zone; and,

**WHEREAS**, The City Council directed staff to submit to the Washington State Boundary Review Board for Yakima County a notice of Intention to Annex; and,

**WHEREAS**, The Washington State Boundary Review Board for Yakima County did notify the City of Sunnyside that no one invoked the Washington State Boundary Review Board for Yakima County jurisdiction, therefore the annexation was deemed approved by the Board on November 16, 2023; and,

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

**Section 1:** That the following described property, situated in Yakima County, Washington is hereby annexed into the City of Sunnyside: Consisting of Tax Parcel 230905-11402, described as: Section 05 Township 09 Range 23 Quarter NE: SHORT PLAT AF 7407870 Lot 2

**Section 2:** That all of the property within the territory hereby 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 on 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 B-2, General Commercial, and that all parcels included within such annexation are hereby deemed permitted for purposes of zoning designation.

**Section 4:** That this Ordinance shall be effective five (days) after passage, approval and publication as required by law and a copy of this Ordinance shall be filed with the office of the Yakima County Commissioners and certified copy of this Ordinance be recorded with the Yakima County Auditor.

**Section 5:** The City Manager or her designee is hereby authorized to clerically amend or supplement this Ordinance by attaching to this Ordinance, as exhibit, the legal description of the property subject to this annexation ordinance, is attached as to this Ordinance as Exhibit 'A'.

**Section 6: SEVERABILITY.** The provisions of this ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this ordinance shall not as a result of said section, sentence, clause, or phrase be held unconstitutional or invalid.

**PASSED** this 27th day of November, 2023.

  
DEAN BROERSMA, MAYOR

**ATTEST:**

  
JACQUELINE RENTERIA, CITY CLERK

**APPROVED AS TO FORM:**

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

Date of Publication: NOVEMBER 29, 2023

# Exhibit A

## Legal Description

Section 05 Township 09 Range 23 Quarter NE: SHORT PLAT AF 7407870 Lot 2

City of Sunnyside

