



WASHINGTON STATE BOUNDARY REVIEW BOARD FOR YAKIMA COUNTY

128 North Second Street
Fourth Floor Courthouse
Yakima, Washington 98901

(509) 574-2300 • FAX (509) 574-2301

Date: September 24, 2021

TO: Boundary Review Board Members, Corporate Counsel, City of Sunnyside, Board of County Commissioners, Assessor, Treasurer, Elections Division, Sheriff's Office, Public Services (Director, Planning, Building & Fire Safety, Code Enforcement, Environmental Services, Water Resources, GIS), County Roads, Sunnyside School District, Fire District #5, Sunnyside Valley Irrigation District, Yakima Valley Libraries, Yakima Valley Conference of Governments, South Yakima Conservation District, Bureau of Indian Affairs, Yakama Nation, County Roads Maintenance, Public Services Accounting

FROM: Aman Walia
Chief Clerk - Boundary Review Board

SUBJ: **File No.: BRB2020-00003, City of Sunnyside – Hector Salgado Annexation**

Enclosed is the City of Sunnyside's Ordinance 2021-06, which annexes the subject area. The Ordinance was recorded under Auditors File # 8111689 on August 4, 2021 and states that the annexation shall be effective five days after passage, approval and publication.

If you have any questions or need further information, please contact me at aman.walia@co.yakima.wa.us or 509-574-2300.

Encl. City of Sunnyside Ordinance No. 2021-06
Map outlining area annexed

Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.

If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.



FILE# 8111689
YAKIMA COUNTY, WA
08/04/2021 03:23:46PM
ORDINANCE
PAGES: 6
VALUED CUSTOMER
CITY OF SUNNYSIDE
Recording Fee: 208.50

WHEN RECORDED RETURN TO:

City of Sunnyside
Office of City Clerk
818 E. Edison Avenue
Sunnyside, WA 98944

Document Title: Hector Salgado Annexation/City of Sunnyside
BRB 2020-00003

Grantor(s): CITY OF SUNNYSIDE

Grantee(s): THE PUBLIC

Legal Description (abbreviated): *Full Legal Page 6.*

Lot 3 of SP L-72;

Together with that portion of the vacated Road lying South of Lot 3 of Short Plat L-72;

Together with Parcel 1 of Book L-0072;

Together with that Portion of vacated County Road thru North 1/2 of the Southwest Quarter, lying southwesterly of a line 139 FT Northeasterly of the LE line of SR-12 Survey Sulphur Cr to Stover Road; 50 FT Northeasterly of LE Line; Westerly of a line 270 feet west of the East line the West 1/2 of the Northeast Quarter of the Southwest Quarter. Together with Right of Way.

Assessor's Tax Parcel Nos.: Parcel Nos. 231032-31409, 231032-31401, 231032-31007 and 231032-31006

ORDINANCE NO. 2021 - 06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, ANNEXING CERTAIN PROPERTY TO THE CITY OF SUNNYSIDE, ESTABLISHING ZONING AND AMENDING ZONING MAP – HECTOR SALGADO ANNEXATION

WHEREAS, the City of Sunnyside, Washington, has received a Petition for annexation of property into the City of Sunnyside identified as the "Hector Salgado 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 on May 5, 2021; and

WHEREAS, the Planning Commission has held a public hearing pursuant to published notice, and has recommended approval of the annexation, and recommended that the property be zoned B-2, General Commercial, and that the City of Sunnyside Comprehensive Plan and zoning map be amended accordingly; and

WHEREAS, the owners of Yakima County Assessor's Parcel NO. 231032-31409, 231032-31401, 231032-31007 and 231032-31006 have requested a zoning of B-2, General Commercial, with proposed development pursuant to B-2, General Commercial standards; and

WHEREAS, the City Council has held an open record public hearing pursuant to Title 19 of the Sunnyside Municipal Code on January 25, 2021, 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 of Sunnyside is in the best interest of residents of the City of Sunnyside, and the proposed B-2, General Commercial zoning is consistent with the Comprehensive Plan of the City of Sunnyside, and the Findings and Conclusion of the Sunnyside Planning Commission are hereby adopted and approved;
- (d) Approval of such annexation will promote the general health, safety and welfare and will preserve the existing neighborhood and promote quality of life and quiet enjoyment of the residents in the subject area;

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 B-2, General Commercial, and that the Comprehensive Plan and 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 "Hector Salgado Annexation", consisting of four parcels totaling approximately 7.82 acres in total size plus Yakima Valley Highway Right of Way and Railroad Right of Way, commonly known as Yakima County Assessor's Parcel Nos. 231032-31409, 231032-31401, 231032-31007 and 231032-31006 and as legally described in Exhibit "A", and shown on the map attached hereto

as Exhibit "B", incorporated herein by this reference, is hereby annexed to the City of Sunnyside.

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 the zoning maps 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; and that all parcels included within such annexation are hereby deemed permitted for purposes of zoning designation.

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: 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 with the Yakima County Auditor, and with all other appropriate entities or agencies with jurisdiction.

Section 6: This Ordinance replaces and supersedes any and all other ordinances affecting the subject matter of this Ordinance insofar as they may be inconsistent herewith. If any provisions of this Ordinance shall be held to be invalid, the remainder of this Ordinance shall not be affected.

Section 7: The City Manager or his designee is hereby authorized to clerically amend and/or supplement this Ordinance by attaching to this Ordinance, as exhibit, the legal description of the property subject to this annexation ordinance, upon receipt of such legal description from Yakima County Public Works Department, and that upon such attachment, such references in this Ordinance to exhibits shall be deemed incorporated herein by reference, and to supersede and replace such legal description of the property subject to this annexation.

PASSED this 24th day of May, 2021.


FRANCISCO GUERRERO, MAYOR

ATTEST:


JACQUELINE RENTERIA, CITY CLERK

APPROVED AS TO FORM:

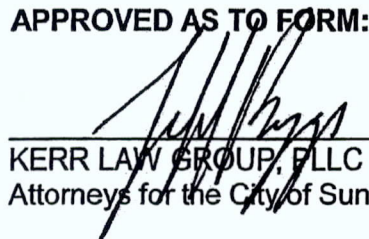

KERR LAW GROUP, PLLC
Attorneys for the City of Sunnyside

EXHIBIT "A"

Beginning at the point of intersection of the Northeast corner Lot 3 of Short Plat 96-013 in the Southwest Quarter of Section 32 Township 10 Range 23 and the Southerly right of way line of Burlington Northern Railroad, said point being on the City Limits of the City of Sunnyside, Washington as established by Ordinance 1972 recorded under Yakima County Auditor File Number 7105627;

Thence south and east along said Southerly right of way line of Burlington Northern Railroad to a point on the North line of the City of Sunnyside Annexation under Ordinance 2010-30, recorded under Auditor File Number 7726799, Washington State Boundary Review Board for Yakima County file number 10-010;

Thence Easterly along said north line of the City of Sunnyside Annexation under Ordinance 2010-30 to its intersection with the North right of way line for East Alexander Road;
Thence north and west along said north line of the right of way line for East Alexander Road to its intersection with the northerly right of way line of Yakima Valley Highway;
Thence north and west along said northerly right of way line of Yakima Valley Highway to the South line the City Limits of the City of Sunnyside, Washington as established by Ordinance 1972 recorded under Yakima County Auditor File Number 7105627;
Thence westerly along said south line to the point of beginning.

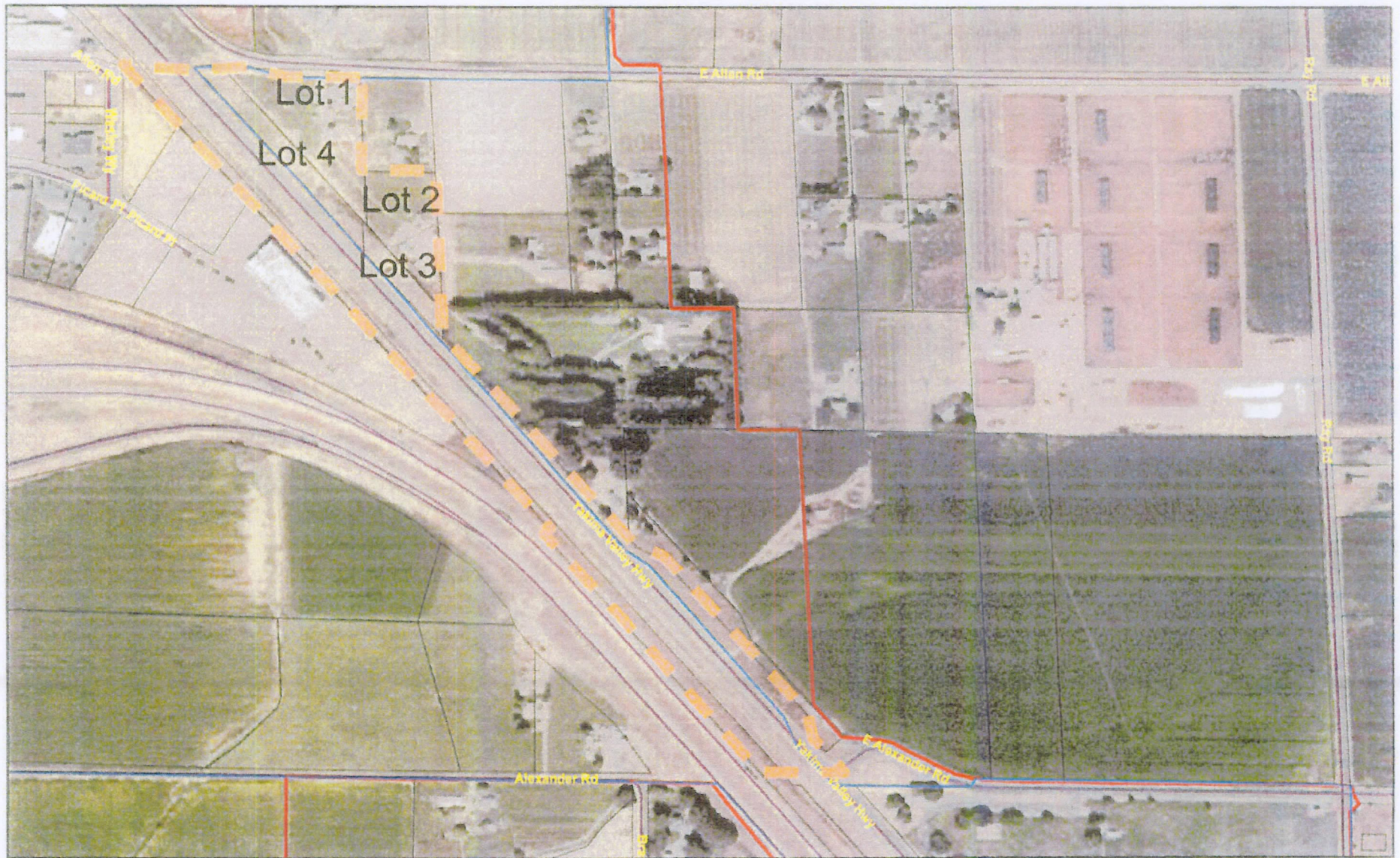
Together with Lot 3 of SP L-72;

Together with that portion of the vacated Road lying South of Lot 3 of Short Plat L-72;

Together with Parcel 1 of Book L-0072;

Together with that Potion of vacated County Road thru North 1/2 of the Southwest Quarter, lying southwesterly of a line 139 FT Northeasterly of the LE line of SR-12 Survey Sulphur Cr to Stover Road; 50 FT Northeasterly of LE Line; Westerly of a line 270 feet west of the East line the West 1/2 of the Northeast Quarter of the Southwest Quarter.

City of Sunnyside



3/8/2021, 7:59:46 AM

Lot 1- 3.05 Acres - Parcel 23103231401
Lot 2- 2.33 Acres - Parcel 23103231409
Lot 3- 0.8 Acres - Parcel 23103231007
Lot 4- 164 Acres - Parcel 23103231006

 Annexation Area

1:9,028

0 0.05 0.1 0.2 mi
0 0.07 0.15 0.3 km

Esri Community Maps Contributors, City of Yakima, WA State Parks GIS,

Yakima County GIS
EPA, NPS, US Census Bureau, USDA | Yakima county boundary is from the Washington

John Puccinelli
4102 Donald Dr.
Yakima, WA 98908

Jim Sewell
jim@portofgrandview.org

Juan Aguilar
303 N. 27th Ave
Yakima, WA 98902

Joseph Buchanan
jrbinev@gmail.com

BRB Attorney
Corporate Counsel
Don Anderson
don.anderson@co.yakima.wa.us

City of Sunnyside
Mike Shuttleworth
mshuttleworth@sunnyside-wa.gov

BOCC
julie.lawrence@co.yakima.wa.us
linda.ohara@co.yakima.wa.us

Yakima County
Assessor's Office

Yakima County
Treasurer's Office
treasacc@co.yakima.wa.us

Yakima County Auditor's Office
Elections Division
Kathy Fisher
kathy.fisher@co.yakima.wa.us

Yakima County Sheriff Office
Sheriff@co.yakima.wa.us

Yakima County
Public Services Director
Lisa Freund
lisa.freund@co.yakima.wa.us

Yakima County
Planning Services
Tommy Carroll
thomas.carroll@co.yakima.wa.us

Yakima County
Building & Fire Safety Services
Harold MacLean
harold.maclean@co.yakima.wa.us

Yakima County
Code Enforcement Services
John Walkenhauer
john.walkenhauer@co.yakima.wa.us

Yakima County
Environmental Services
David Haws
davidh@co.yakima.wa.us

Yakima County
Water Resources
Troy.Havens@co.yakima.wa.us

Yakima County
GIS
GIS@co.yakima.wa.us

Yakima County Roads
Matt Pietrusiewicz
matt.pietrusiewicz@co.yakima.wa.us

Superintendent
Sunnyside School District

Fire Chief
Fire District #5

Sunnyside Valley Irrigation District

Yakima Valley Libraries
referenceyvl@yvl.org

Yakima Valley
Conference of Governments
info@yvcog.org
Lynn.Deitrick@yvcog.org

Yakima County
Water Resources
Nathan.Paris@co.yakima.wa.us

South Yakima
Conservation District
rh@syacd.us
lc@syacd.us

WSDOT South Central Region
Paul Gonseth
gonsetp@wsdot.wa.gov

Superintendent
Bureau of Indian Affairs
PO Box 632
Toppenish, WA 98948

Yakama Nation
jessica@yakama.com
corrine_camuso@yakama.com
enviroreview@yakama.com

For final ordinance mailing only:
Ryan Calhoun
John Stanton
Carmen Hayter

FILE NO.: BRB2020-00003
Annexation Letter

AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
 : ss.
COUNTY OF YAKIMA)

I, Eva Rivera, being first duly sworn, and as an employee of the Yakima County Public Services, Planning Division, dispatched through the United States Mails, or otherwise by electronic mail, a Annexation Letter, a true and correct copy of which is enclosed here-with; that Annexation Letter was addressed to the interested parties, that said parties are individually listed on the Mailing List retained by the Planning Division and that said letter was mailed by me on the 24th day of September 2021.

That I mailed said letter in the manner herein set forth and that all of the statements are made herein are just and true. Dated this 24th day of September 2021.

[Signature]

Eva A. Rivera
Office Specialist