



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: Jan 24, 2022

TO: Boundary Review Board Members, Corporate Counsel, City of Yakima, 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, Parks and Trails, Fire District #12, Yakima-Tieton Irrigation District, Yakima Valley Libraries, Yakima Valley Conference of Governments, West Valley School District, North 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.: BRB2021-00005, City of Yakima - Anderson Park Annexation

Enclosed is the City of Yakima's Ordinance 2021-026, which annexes the subject area. The Ordinance was recorded under Auditors File # 8131672 on January 18, 2022 and states that the annexation shall be effective March 22, 2022.

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 Yakima Ordinance No. 2021-026
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.



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FILE# 8131672

YAKIMA COUNTY, WA

01/18/2022 03:01:12PM

ORDINANCE

PAGES: 9

CITY OF YAKIMA - PLANNING

Recording Fee: 211.50

Return To:

Yakima City Clerk
129 North Second Street
Yakima, WA 98901

Document Title: **ORDINANCE NO. 2021-026**
Anderson Park Annexation

Grantor: City of Yakima

Grantee: The Public

ABREVIATED LEGAL DESCRIPTION: Parcel 1p81204-22002: S 04 T 12 R 18 NW 1/4 The W 505.86 ft of Government Lot 4, S 4; Parcel 181205-14402: S 05 T 12 R 18 NE 1/4: SHORT PLAT J-006 Lot B; Parcel 181204-23005: S 04 T 12 R 18 NW 1/4 That portion of the W half, of the NW 1/4, of Section 4, described as follows: Beginning at the NW corner of Lot 1 of Short Plat 86-21, records of Yakima County; thence E, 473.39 Ft; thence N 0⁰ 57' 37" W to the S line of the NW 1/4, of the SW 1/4, of the NW 1/4, of said S; thence N 0⁰ 57' 37" W, 150 Ft; thence E, 200 Ft, to a point on the E line of said subdivision hereinafter referred to as Point "A"; thence N to the NE corner of said subdivision; thence N 89⁰ 44' 43" W, along the N line of said subdivision 678.86 Ft to the NW corner of said subdivision; thence S along the W line of said subdivision, 860.89 Ft to the Point of Beginning; ALSO the E 148.14 Ft, of the S 8.50 Ft, of the W 654 Ft of Government Lot 4, of said Section 4; EXCEPT that portion thereof described as follows: Beginning at Point "A"; thence N to the NE corner of said subdivision; thence N 89⁰ 44' 43" W, along the N line, of the SW 1/4, of the NW 1/4, S 4, 24.83 Ft to a point of the E line of the W 654 Ft, of the SW 1/4, of the NW 1/4, of said Section 4; thence Southerly along said E line 508.74 Ft to a point that bears W of the Point of beginning; thence E 21.56 Ft to the point of beginning. Parcel 181204-23401: S 04 T 12 R 18 Quarter NW: SHORT PLAT 86-021 Lot 1; Parcel 181205-14413: S 05 T 12 R 18 Quarter NE: SP 86-20 The N 103.75 Ft of Lot 1 (FINANCIAL SEGRAGATION WITH 181205-14412 NOT TO BE SOLD OR TRANSFERED SEPERATELY); Parcel 181205-14412: S 05 T 12 R 18 Quarter NE: SHORT PLAT 86-020 Lot 1 EXCEPT the N 103.75 Ft thereof (FINANCIAL SEGRAGATION WITH 181205-14413 NOT TO BE SOLD OR TRANSFERED SEPERATELY) Parcel 181204-23404: SP 86-21: LOT 4 EX S CO RD R/W; Parcel 181204-23403: SP 86-21: LOT 3 EX S CO RD R/W. Being further described in Exhibit 'B' of attached Ordinance for complete legal description.

Parcel Numbers: 181204-22002; 181205-14402; 181204-23005; 181205-14413;
181205-14412; 181204-23401; 181204-23403; 181204-23404

ORDINANCE NO. 2021-026

AN ORDINANCE annexing the Anderson Park Annexation area to the City of Yakima, contingent on Yakima County Boundary Review Board approval.

WHEREAS, on March 11, 2021, the owners of not less than ten percent (10%) of the acreage in property within the proposed Anderson Park Annexation submitted a Notice of Intent to Commence Annexation, pursuant to the alternative direct petition method form of annexation found in RCW 35.13.410 through RCW 35.13.460; and

WHEREAS, on April 20, 2021, the City Council, at an open public meeting, accepted the Notice of Intent to Commence Annexation as presented, including the information that the current zoning of the property is consistent with the City's comprehensive plan, that the properties will be taxed at the same rate and on the same basis as other parcels in the City, and that the properties would be subject to any outstanding indebtedness to the City, and directed staff to draft the petition and collect signatures from property owners; and

WHEREAS, following acceptance of the Notice of Intent, Petition number 21-01, was drafted and circulated for signature; and

WHEREAS, the proponents presented the City with a signed petition, consistent with RCW 35.13.420, reflecting the signatures of parties who own a majority of the acreage and a majority of the registered voters in the proposed Anderson Park Annexation area, and on June 14, 2021 the Yakima County Assessor issued a Determination of Sufficiency which identifies that the owners of a majority of the assessed value of the property signed the petition, consistent with RCW 35.13.420 and 35.21.005; and on July 22, 2021 the Yakima County Auditor issued a Certificate of Sufficiency which identifies that a majority of registered voters signed the petition, consistent with RCW 35.13.420; and

WHEREAS, the Anderson Park Annexation area is approximately 34.7 acres of unincorporated Yakima County, contiguous to and generally located South of Occidental Road and North of Ahtanum Road, in the vicinity of S 59th Ave; and

WHEREAS, the assessed value of the annexation area is approximately \$1.43 Million which is expected to generate approximately \$3,625 in property tax revenue to the City of Yakima. In addition, expected development in the area will be processed by the City of Yakima, which will generate permit connection fee revenue along with increased property tax revenues as development occurs; and

WHEREAS, garbage and refuse collection within the Anderson Park Annexation area is presently capable of being served by Yakima Waste Systems, Inc., under authority issued by the Washington Utilities and Transportation Commission (WUTC) to both residential and commercial accounts and the City desires to provide such services to residential accounts only in accordance with RCW 35.13.280; and

WHEREAS, RCW 35.13.280 requires the City to grant Yakima Waste Systems, Inc., as the current WUTC-authorized provider of garbage and refuse collection and disposal service within the Anderson Park Annexation area, a franchise to continue such service to residential properties within the Anderson Park Annexation area for a term of not less than seven years after annexation becomes effective, such franchise does not apply to garbage and refuse

generated by commercial establishments because the City does not provide or contract for such service.

WHEREAS, pursuant to due and legal notice, the City Council held a public hearing on said annexation on October 5, 2021 and;

WHEREAS, the City Council has been fully advised and finds that all statutory requirements have been satisfied in order and accomplish the proposed annexation, and that it is in the best interest of the City and its residents to annex said property; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. Findings

1. The annexation petition requirements of RCW 35.13.420 have been satisfied by annexation petitions signed by the owners of a majority of the acreage and by a majority of registered voters of the Anderson Park Annexation area.
2. The Anderson Park Annexation should be annexed to the City of Yakima.
3. The Anderson Park Annexation property shall be assessed and taxed at the same rate and basis as other property within the City of Yakima to pay for all or of any portion of the outstanding indebtedness of the City as incurred before, or existing at, the date of the annexation.
4. The Anderson Park Annexation area's Comprehensive Plan Designations of Mixed Residential and Low Density Residential shall be in effect.
5. The City of Yakima shall file a completed Notice of Intention to the Yakima County Boundary Review Board.

Section 2. The real property identified on the map attached hereto as Exhibit "A" and legally described in Exhibit "B" attached hereto and incorporated by reference herein, referred to as the "Anderson Park Annexation," is hereby annexed into the City of Yakima, Washington, pending approval of the Yakima County Boundary Review Board of the proposed annexation as presented to it.

Section 3. The Anderson Park Annexation area's Comprehensive Plan designation shall be Mixed Residential and Low Density Residential, and the zoning shall be Two-Family Residential (R-2) and Single-Family Residential as outlined in Exhibit "C."

Section 4. The next regularly amended Zoning District Map prepared by the City of Yakima shall show the Anderson Park Annexation area zoned and classified as set forth in Section 3 above.

Section 5. The City Clerk is hereby authorized and directed to file, pending approval of the Yakima County Boundary Review Board to the proposal as specifically outlined herein, a certified copy of this ordinance with the Yakima County Auditor and with the Board of County Commissioners of Yakima County, Washington, and to transmit a certified copy of this ordinance to the Washington Utilities and Transportation Commission to notify it of the City's intent to annex and to provide residential refuse collection and disposal service to the Anderson Park Annexation area.

Section 6. As required by RCW 35.13.270, the City Clerk is hereby authorized and directed to provide, pending approval of the Yakima County Boundary Review Board, notification by certified mail that includes a list of the Assessor's tax parcel numbers of all

properties within the Anderson Park Annexation area to the Yakima County Treasurer and Assessor at least sixty days before the effective date of the annexation.

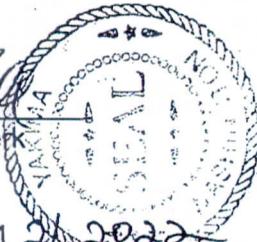
Section 7. There is hereby granted to Yakima Waste Systems, Inc., in accordance with and for the term provided by RCW 35.13.280, an exclusive franchise to provide garbage and refuse collection and disposal service to residential properties in the Anderson Park Annexation area for a record of seven years from the effective date of the annexation. Such franchise does not apply to garbage and refuse generated by commercial establishments.

Section 8. This ordinance shall be in full force and effect 60 days after consideration and approval of the Yakima County Boundary Review Board, and publication as provided by law and by the City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this 5th day of October, 2021.

ATTEST:


Sonya Olaar Tee, City Clerk



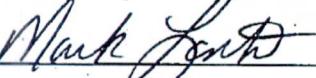

Patricia Byers, Mayor

Publication Date: January 21, 2022

Effective Date: March 22, 2022

Section 7 above is accepted by Franchisee this 2nd day of
November, 2021.

Yakima Waste Systems, Inc.

By: 

Signer's Name Printed: Mark Lauter

Signer's Title: District Manager

EXHIBIT "A"
Annexation Map

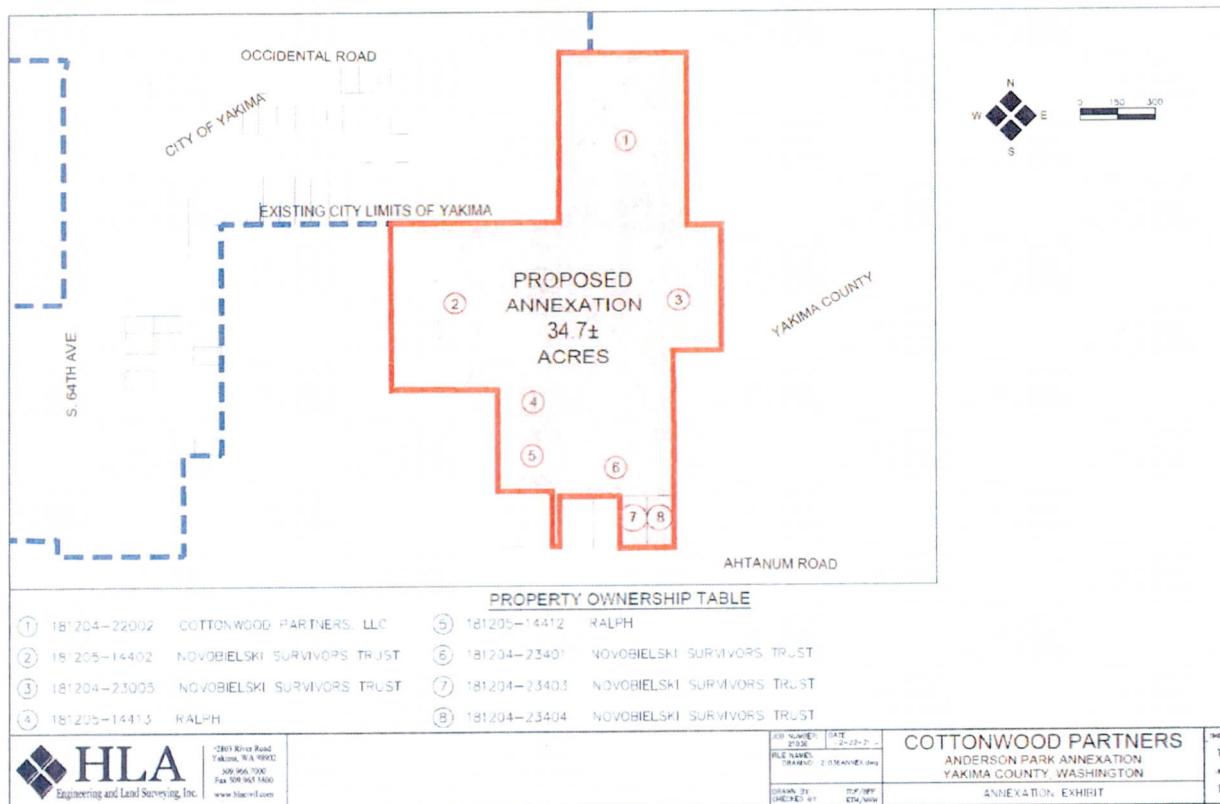


EXHIBIT "B"
Legal Description

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 4 AND THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 12 NORTH, RANGE 18 EAST, W.M. DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 4; THENCE EASTERLY ALONG THE NORTH LINE THEREOF TO THE NORTHEAST CORNER OF THE WEST 505.86 FEET OF GOVERNMENT LOT 4 OF SAID SECTION 4; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID WEST 505.86 FEET TO THE SOUTH LINE OF SAID GOVERNMENT LOT 4; THENCE SOUTH $89^{\circ}43'30''$ EAST 148.14 FEET TO THE NORTHEAST CORNER OF PARCEL "B" AS SHOWN ON THAT RECORD OF SURVEY FILED UNDER AUDITOR'S FILE NUMBER 8055964, RECORDS OF YAKIMA COUNTY, WASHINGTON; THENCE SOUTH $00^{\circ}57'29''$ EAST ALONG THE EAST LINE OF SAID PARCEL "B" 517.10 FEET; THENCE NORTH $89^{\circ}59'58''$ WEST 186.46 FEET; THENCE SOUTH $00^{\circ}57'29''$ EAST 349.41 FEET TO THE NORTHEAST CORNER OF LOT 1 OF THAT SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS, PAGE 21, RECORDS OF YAKIMA COUNTY, WASHINGTON. THENCE SOUTHERLY ALONG THE EAST LINE OF LOTS 1 AND 4 OF SAID SHORT PLAT TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE WESTERLY ALONG THE SOUTH LINE OF LOTS 3 AND 4 OF SAID SHORT PLAT TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORtherly ALONG THE WEST LINE OF SAID LOT 3 TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE WESTERLY TO THE NORTHEAST CORNER OF LOT 4 OF THAT SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS, PAGE 20, RECORDS OF YAKIMA COUNTY, WASHINGTON; THENCE WESTERLY TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE SOUTHERLY TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE WESTRLY TO THE SOUTHEAST CORNER OF LOT 3 OF SAID SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS, PAGE 20, RECORDS OF YAKIMA COUNTY, WASHINGTON; THENCE NORtherly ALONG THE EAST LINE OF SAID LOT 3 TO THE NORTHEAST CORNER THEREOF; THENCE WESTERLY ALONG THE NORTH LINE OF LOT 3 AND LOT 2 OF SAID SHORT PLAT TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE NORtherly ALONG THE WEST LINE OF LOT 1 OF SAID SHORT PLAT RECORDED IN BOOK 86 OF SHORT PLATS PAGE 20, RECORDS OF YAKIMA COUNTY, WASHINGTON, TO THE NORTHWEST CORNER OF LOT 1 OF SAID SHORT PLAT, SAID POINT BEING ON THE SOUTH LINE OF PARCEL "B" OF THAT

SHORT PLAT RECORDED IN BOOK "J" OF SHORT PLATS, PAGE 6, RECORDS OF
YAKIMA COUNTY, WASHINGTON;
THENCE WESTERLY ALONG THE SOUTH LINE OF SAID PARCEL "B" TO THE
SOUTHWEST CORNER THEREOF;
THENCE NORtherly ALONG THE WEST LINE OF SAID PARCEL "B" TO THE
NORTHWEST CORNER THEREOF;
THENCE EASTERLY TO THE NORTHEAST CORNER OF SAID PARCEL "B";
THENCE NORtherly TO THE POINT OF BEGINNING.

SITUATE IN YAKIMA COUNTY, WASHINGTON.

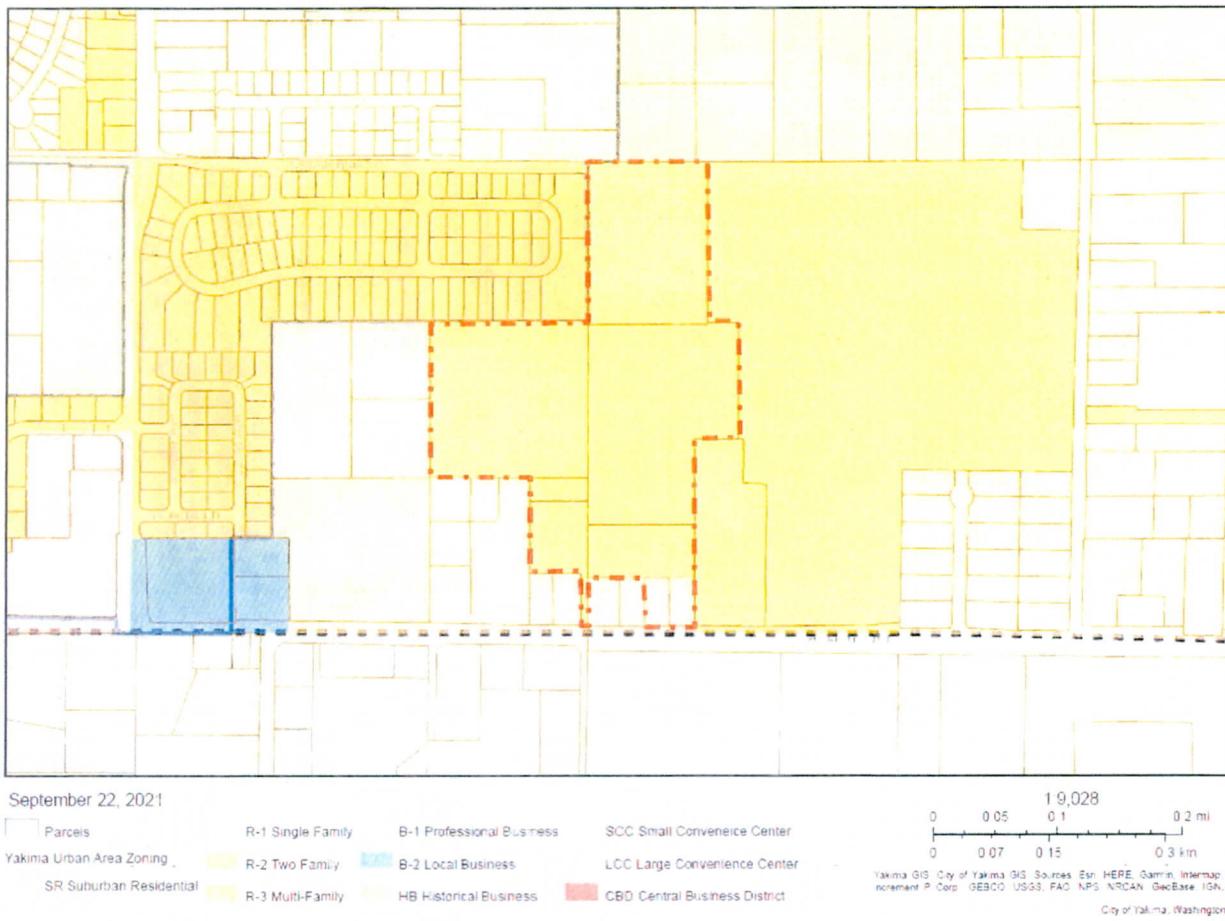
EXHIBIT "C"
Zoning and Future Land Use

Anderson Park Annexation - Future Land Use



EXHIBIT "C"
Zoning and Future Land Use

Anderson Park Annexation - City Zoning



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Yakima-Tieton Irrigation District
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Yakima, WA 98908

West Valley School District
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Yakima, WA 98908

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

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

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

FILE NO.: BRB2021-00005
Approval 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, an Approval Letter, a true and correct copy of which is enclosed here-with; that Approval Letter was addressed to the interested parties and agencies, 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 January 2022.

That I mailed said letter in the manner herein set forth and that all of the statements made herein are just and true. Dated this 24th day of January 2022.



Eva A. Rivera
Office Specialist