



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: April 14, 2022

TO: Boundary Review Board Members, Corporate Counsel, City of Toppenish, 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 #5, Yakima-Wapato Irrigation District, Yakima Valley Libraries, Yakima Valley Conference of Governments, South Yakima Conservation District, Bureau of Indian Affairs, Yakama Nation, Toppenish School District.

FROM: Aman Walia
Chief Clerk - Boundary Review Board

SUBJ: **File No.: BRB2022-00002, City of Toppenish – Elmwood Cemetery Annexation**

Enclosed is the Notice of Intention packet that proposes the annexation into the City of Toppenish of approximately **24.04** acres having an assessed valuation of \$209,600. The annexation is known as the “**Elmwood Cemetery Annexation**”.

The 45-day review period for this proposed annexation expires **May 29, 2022**.

Any governmental unit affected by this proposed annexation may compel the Board's review of this proposal by filing a request for review with the Chief Clerk by the expiration date in accordance with RCW 36.93.100(2). Certain registered voters and property owners may compel review in accordance with RCW 36.93.100(3) and (4).

Enclosure: Notice of Intention

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.

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR YAKIMA COUNTY

BRB2022-00002

NOTICE OF INTENTION FILING INSTRUCTIONS

Please submit this Notice of Intention form and the Exhibits listed below to the Boundary Review Board Office: 128 N. 2nd Street, 4th Floor, Yakima, WA 98901, for determination of sufficiency by the Chief Clerk of the Board. Please submit the original and the required \$50.00 filing fee. When deemed sufficient, the original and 25 copies of the Notice and exhibits shall be submitted.

The Notice of Intention is to be completed by an elected official or employee of the governmental jurisdiction that is seeking the proposed annexation or boundary change or the proponent in the case of incorporation or formation.

The following items must be submitted and labeled as follows:

- **EXHIBIT A** A copy of the legal description of the boundaries of the area involved in the proposed action certified by the Yakima County Public Services Division.
- **EXHIBIT B** A Yakima County Assessor's map on which the boundary of the area involved in the proposal and the size in acres must be clearly indicated. Include a list of all parcel numbers for lots in proposed area.
- **EXHIBIT C** A vicinity map or series of maps no larger than 11 x 17 and reproducible on a non-color photocopier displaying: ****NOTE: Original should be in color.****
 1. The boundary of the area involved in the proposal and the size in acres.
 2. The current corporate boundaries of the proposing entity.
 3. Existing water & sewer service area boundaries of the proposing entity.
 4. Major physical features such as streets and highways, railways public facilities, etc.
 5. The boundaries of cities or special purpose districts having jurisdiction in or near the proposed area.
 6. The location of the nearest service point(s) for the required utility services to the area. Show existing and proposed water/sewer lines and diameter.
 7. The Yakima County zoning, Comprehensive Plan designation, Urban Growth Area Boundary, and proposed city plan and zoning designations.
 8. Floodways or floodplains.
- **EXHIBIT D** Documentation of the process: certified copy of the petition; proof of assessed valuation; affidavit of publication of public hearing notice; copy of the minutes of public hearing; a signed and certified copy of the resolution accepting the proposal as officially passed.
- **EXHIBIT E** A copy of the Threshold Determination and completed SEPA checklist pertaining to the proposed BRB action with full explanations. Include the list of persons who were sent the checklist and all written comments from governmental agencies and the general public.

NOTE: *This is NOT to be completed by municipalities for annexation purposes.*
- **EXHIBIT F** A copy of any Interlocal agreements entered into under RCW 39.34 (Interlocal Cooperation Act) and under RCW 36.115 (Service Agreements) establishing which jurisdictions should provide various local government services and facilities and how those services and facilities will be financed.

MUNICIPAL INCORPORATIONS: Exhibits A, B, C, a certified copy of assessed valuation and a certified copy of the petition calling for the incorporation as required.

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR YAKIMA COUNTY

NOTICE OF INTENTION

for office use only:

BRB FILE # BRB 2022-002

1. Name of City, Town or special purpose district: Toppenish
2. Action Sought:

<input checked="" type="checkbox"/>	Annexation
<input type="checkbox"/>	Formation of a Special Purpose District
<input type="checkbox"/>	Incorporation
<input type="checkbox"/>	Other Boundary Change
<input type="checkbox"/>	Merger/Consolidation of Special Purpose District
<input type="checkbox"/>	Dissolution of Special Purpose District
<input type="checkbox"/>	Water or Sewer Extension _____ Size of Water Line _____ Sewer Line _____
3. This proposal shall be known as: Elmwood Cemetery Annexation
4. Driving directions to location of proposed action: The termination of Elmwood Road south of Fort Road approximately ¾ of a mile west of the Toppenish city limits.
5. Briefly describe proposal: Annexation of 24.04 acres of City-owned property for the continued use as a community cemetery.
6. Method used to initiate the proposed action: ☐ Petition ☐ Election ☒ Resolution
7. State statute under which action is sought: RCW35A.14.300 annexation of non-contiguous City owned property for municipal purposes.

FACTORS THE BOARD MUST CONSIDER

POPULATION AND LAND USE:

1. Provide the following information:

POPULATION OF PROPOSED AREA			POPULATION OF EXISTING ENTITY	
	EXISTING	10-YEAR PROJECTION	EXISTING	10-YEAR PROJECTION
People	0	0	8,870	9,300
Residences	0	0	2,448	2,460
Businesses	0	0	350	375

2. What source is the basis for this projection information? Washington OFM and historical trend of stability.
3. Acres within the proposed area 24.04 Acres within existing entity 1354
4. Assessed valuation of proposed area \$ \$209,600 of existing entity \$ \$399,638,602
5. Existing land use of the proposed area Public Use
6. Existing land use of the area surrounding the proposal: Residential to the north and east agriculture on the south and west.

7. Are all surrounding & interior roads included in the annexation? ☐ Yes ☒ No
If no, why not? Elmwood Road terminates at the northern edge of the property to be annexed. No other roads exist around or through the property.
8. Is there new residential, commercial, or industrial development that is associated with this proposal? No
If yes, describe any projects being considered or proposed: _____

9. If the proposal is approved, will there be land use changes within the next 18 months?
o Land Use No.
o Zoning No.
o Comprehensive Plan No.
10. Has the proposed area been the subject of land use action by Yakima County? No.
If so, please explain _____

11. a. Yakima County Comprehensive Plan designation for the proposed area: Agriculture.
b. For surrounding areas: Agriculture, Federal/Other and Residential
c. Yakima County Zoning for the proposed area: R1
d. For surrounding areas: North – R1, South – Ag, East – R1, West - Ag
12. Is this proposal consistent with the coordinated water system plan, if any? ☒ Yes ☐ No
13. Does your jurisdiction have an adopted comprehensive plan? Yes Date Adopted: November 26, 2018
14. Describe how this proposal is consistent with the adopted comprehensive plan: The proposed site is within the City of Toppenish Urban Growth Area, the current and future proposed land use is consistent with the City's Comprehensive Plan. The Comprehensive plan calls for the extension of city utilities to this site. Lastly the Comprehensive Plan is consistent in the need for the future use and expansion of the community cemetery.
- a. Proposed city zoning upon annexation: Public Semipublic District (SP)
15. Has any portion of this area been previously reviewed by the Boundary Review Board? No
Explain _____
16. Describe the following as required by RCW 36.93.170 and the effects on land use, accessibility and potential development:
a. Topography: The natural topography will not be changed and being flat is conducive to public use as a cemetery.
b. Natural Boundaries: An irrigation ditch is a natural boundary on the north side of the proposed area. Elmwood Road already provides access to these parcels over this ditch. No other natural boundaries exist.
c. Drainage Basins: No buildings or other development is predicted in this area and the continued use will not affect the site's natural drainage characteristics.
17. Is the proposed area within the Urban Growth Area for your municipality? Yes

MUNICIPAL SERVICES

1. What services will be provided in the proposed area?

	EXISTING PROVIDER	PROPOSED PROVIDER	TIME FRAME for SERVICES	HOW FINANCED
Water	None	City of Toppenish	2025 - 2035	Drinking-Water State Revolving Fund
Sewer	None	City of Toppenish	May occur with future development of adjacent parcels	By developer and/or city obtained funding.
Fire	Yakima County Fire District No. 5	City of Toppenish	Immediate	City General Fund
Stormwater	None	None	N/A	N/A
Roads	Yakima County	Yakima County	N/A	N/A
Parks	None	City of Toppenish	Immediate	Cemetery perpetual care fund fees & City General Fund
Police	Yakima County Sheriff	City of Toppenish	Immediate	City General Fund
School	None	None	None	N/A
Library	None	None	None	N/A

2. Does your jurisdiction have a current Capital Facilities Plan? Yes.

Does it consider the proposed area? The cemetery is in the Capital Facilities Element of the City's Comprehensive Plan.

3. Describe the effect your jurisdiction's ordinances, governmental codes, regulations, and resolutions will have on existing uses in the proposed area: The future use of the area as a cemetery will not change. The area upon annexation would be subject to all applicable regulations in the Toppenish Municipal Code. Annexation would allow City police jurisdiction over this area.

4. Describe the probable future needs for services and additional regulatory controls in the area? Except for police coverage of the area, there is no anticipated need for services or additional regulatory controls on these parcels. Water and sewer utilities may be extended to the residential parcels to the north as outlined in the future land use component of the City's Comprehensive Plan but are not needed specifically for the parcels subject to the proposed annexation.

5. Describe the probable effects of the proposal on the cost and adequacy of services and regulatory controls:

a. In the proposed area? No effect.

b. In the adjacent area? No effect

c.

6. Estimate the following to be incurred under the proposal:

a. Proponent Expenditures to be incurred:

\$ 0.00

b. Proponent Revenues to be gained:

\$ 0.00

c. County Revenue Lost:

\$ 0.00

d. County Expenditure Reduction:

\$ 0.00

- e. Fire District Revenue Lost: \$ 0.00
- f. Fire District Expenditure Reduction: \$ 0.00
- g. Financial Impact to Special Districts (library, parks, hospital): \$ 0.00

7. What is the future impact of your proposal on the school district? Future zoning is proposed to be Public Semipublic District (SP) and continued use as a cemetery is planned. There will be no impact on the school district.

ENVIRONMENTAL INFORMATION

1. Is there an existing environmental review pertinent or related to this proposal? ☐ Yes ☒ No
If No, answer questions 2 through 5.
2. Expected impact of any proposed development to adjacent roads and highways: There is no proposed or future development on the site. Annexation would not add any traffic to Elmwood Road.
3. Expected impact of any proposed development on air quality: None. There is no proposed development.
4. Does the area under consideration contain "critical areas"? (floodplain, wetland, steep slope wildlife habitat area, etc.) No.
5. Please describe any potential adverse impacts that could occur upon development: None. No development is planned.

OBJECTIVES OF THE BOUNDARY REVIEW BOARD

Describe fully which objectives of RCW 36.93.180 this proposal meets and which objectives this proposal does not meet. Please give your reasons for each of the objectives chosen:

1. Preservation of natural neighborhoods and communities: The site is within the urban growth area. The proposed future use will preserve the existing natural neighborhoods and community of the residential areas to the north.
2. Use of physical boundaries, including but not limited to bodies of water, highways, and land contours: The irrigation ditch to the north is the only physical boundary and will not change or alter the use of the area proposed to be annexed.
3. Creation and preservation of logical service areas: The logical service area created would be the area of the parcels under consideration for proposed annexation.
4. Prevention of abnormally irregular boundaries: The proposal does not create irregular boundaries.
5. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand (10,000) population in heavily populated urban areas: This is not an incorporation of a new city.
6. Dissolution of inactive special purpose districts: Not applicable.
7. Adjustment of impractical boundaries: Not applicable.

8. Incorporation as cities or towns or annexation to cities and towns of unincorporated areas which are urban in character: The proposed annexation complies with and implements the Urban Growth Area of the City of Toppenish.
9. Protection of agricultural and rural lands which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority: This area is designated as an 'Urban Growth Area' by Yakima County Plan Horizon 2040.

EXHIBITS

See attached **Notice of Intention Filing Instructions** for an explanation of Exhibits A, B, C, D, E, and F. Applicable Exhibits must accompany the Notice of Intention document.

I certify that the above is true and accurate and that I am an official or employee of the governmental jurisdiction seeking boundary change action or the proponent for the incorporation or formation.

Dated this 1ST day of April, 20 22.

Victor L. Shawl
Signature

Victor L. Shawl

Name of person completing this form

Code Enforcement Officer
Title

509. 865. 7318

Phone Number

VICTOR. Shawl @ CITYofTOPPENISH.US

509. 865. 1950

Fax Number

21 West 1st Avenue, Toppenish, WA 98948

Mailing Address

Names and Addresses of other persons who should receive correspondence from the BRB in regard to this Notice:

Fire District No 5, 717 1st Ave, Zillah, WA 98953

Toppenish School District 202, 306 Bolin Drive, Toppenish, WA 98948

Yakima Valley Regional Library, 102 North 3rd Street, Yakima, WA 98901

Yakima Housing Authority, 810 North 6th Avenue, Yakima, WA 98902

CITY OF TOPPENISH

21 West First Avenue
Toppenish, WA 98948

"Where the West Still Lives"

February 23, 2022

Yakima County Public Services
Attn: Ivan Klingele, Transportation Engineering Manager
128 North 2nd Street, Fourth Floor
Yakima, WA 98901

Re: Legal Descriptions: Attached
Petitioner: City of Toppenish Elmwood Cemetery Annexation
General Property Location: 530 Elmwood Road, Toppenish, WA
Parcel No(s): 201009-32002 and 201009-32003
Proposed Zoning: Public and Semipublic District (SP)

Dear Mr. Klingele:

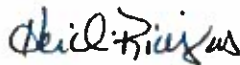
The City of Toppenish is in the process of preparing a Notice of Intention to Annex the above-referenced parcels consisting of the City of Toppenish Elmwood Cemetery to the Yakima County Boundary Review Board (BRB). The BRB requires that the legal description of the boundaries of the area involved in the proposed action be certified by Yakima County.

Enclosed please find a copy of the legal description of each of the two parcels, along with a map of the two parcels proposed to be annexed for review and certification by your department. Once your office has completed the process, please email and mail the certification to the attention of Victor Shaul, Code Enforcement Officer.

If you have any questions or require additional information, please contact Mr. Shaul by calling (509) 865-7318 or by sending email to Victor.Shaul@cityoftoppenish.us.

Thank you for your assistance.

Cordially,



Heidi Riojas, CMC
City Clerk

Enclosures

**City of Toppenish
Elmwood Cemetery Annexation
Legal Descriptions**

The Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 9, Township 10 North, Range 20 E.W.M.

(Approximately 9.17 acres at 530 Elmwood, Road, Toppenish, Washington which is Assessor's Parcel No. 201009-32002)

AND

The Southwest Quarter of the Northwest Quarter of the Southwest Quarter and the West Half of the Southeast Quarter of the Northwest Quarter of the Southwest Quarter EXCEPT the South 15 feet; all in Section 9, Township 10 North, Range 20, E.W.M., EXCEPTING ALSO, right of way for a roadway 15 feet wide along the North end of said tract

(Approximately 14.87 acres at 530 Elmwood Road, Toppenish, Washington which is Assessor's Parcel No. 201009-32003)

Situated in Yakima County, Washington.

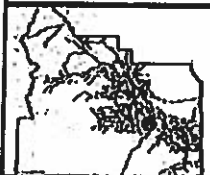
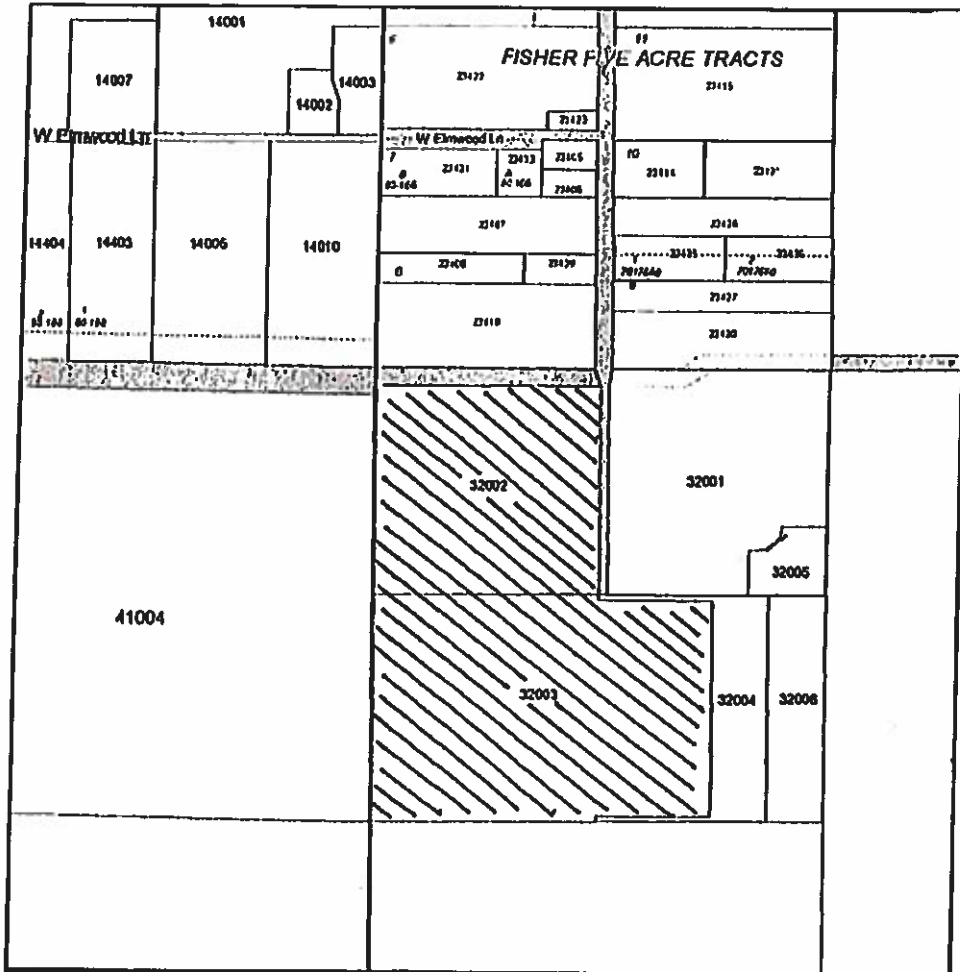
Exhibit A

**City of Toppenish
Elmwood Cemetery Annexation
Parcel Map, page 1**

Yakima County GIS - Washington
Land Information Portal

[Print Map](#)
[Close Map](#)

Yakimap.com



Map Center: Range:20 Township:10 Section:9

City Limits Sections

WWW.YAKIMAP.COM
Yakima County GIS
126 N 2nd Street
Yakima, WA 98901
(509) 574-2892



One Inch = 400 Feet

Feet 200 400 600

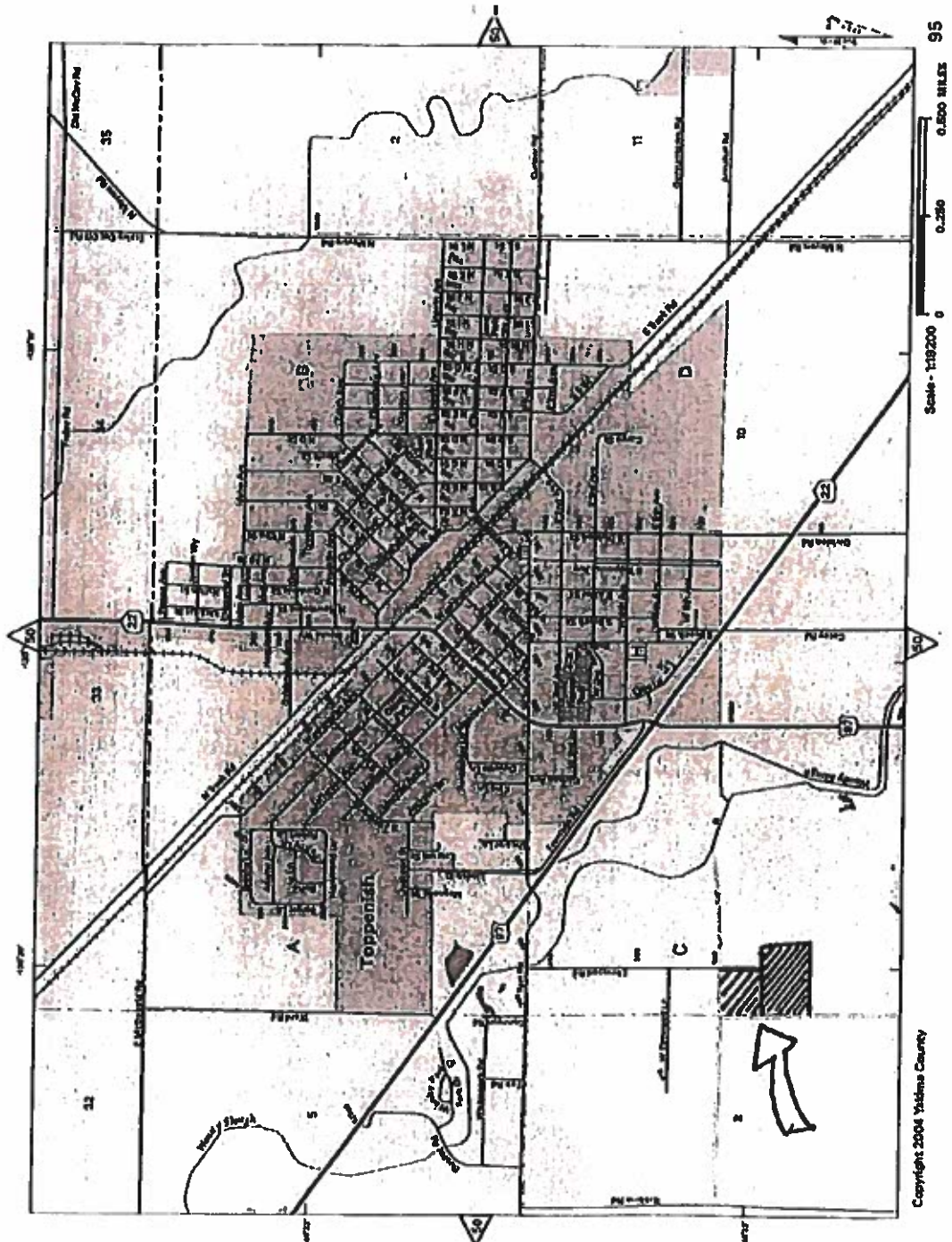
NOTES: 1. ALL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED. THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION.

Copyright (C) Yama County, GIS
 Printed On 12/3/2019 11:59:20 AM

**Parcel #20100932002=9.17 acres; Parcel #20100932003=14.87
acres; Total acres=24.04**

City of Toppenish
Elmwood Cemetery Annexation
Parcel Map, page2

Exhibit A





Yakima County Roads

Matt Pietrusiewicz P.E. - County Engineer

128 North Second Street • Fourth Floor Courthouse • Yakima, Washington 98901
(509) 574-2300 • 1-800-572-7354 • FAX (509) 574-2301 • www.co.yakima.wa.us

February 25, 2022

City of Toppenish
Attn: Heidi Riojas, City Clerk
21 West First Avenue
Toppenish WA 98948

RE: Legal Description Certification – Tax Parcel(s) 201009-32002 & 201009-32003

Ms. Riojas,

As requested in your letter dated February 23, 2022 the legal descriptions given for parcels 201009-32002 & 32003 have been reviewed and are certified to be true and accurate for the purposes of the annexation known as the "City of Toppenish Elmwood Cemetery Annexation". The exhibits are re-attached herein for ease and clarity.

If any further assistance is needed, please feel free contact us at 509-574-2300.

Sincerely,

Matt Pietrusiewicz, P.E.
Yakima County Engineer
Yakima County Roads

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.

CITY OF TOPPENISH

21 West First Avenue
Toppenish, WA 98948

"Where the West Still Lives"

February 23, 2022

Yakima County Public Services
Attn: Ivan Klingele, Transportation Engineering Manager
128 North 2nd Street, Fourth Floor
Yakima, WA 98901

Re: Legal Descriptions: Attached
Petitioner: City of Toppenish Elmwood Cemetery Annexation
General Property Location: 530 Elmwood Road, Toppenish, WA
Parcel No(s): 201009-32002 and 201009-32003
Proposed Zoning: Public and Semipublic District (SP)

Dear Mr. Klingele:

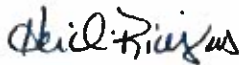
The City of Toppenish is in the process of preparing a Notice of Intention to Annex the above-referenced parcels consisting of the City of Toppenish Elmwood Cemetery to the Yakima County Boundary Review Board (BRB). The BRB requires that the legal description of the boundaries of the area involved in the proposed action be certified by Yakima County.

Enclosed please find a copy of the legal description of each of the two parcels, along with a map of the two parcels proposed to be annexed for review and certification by your department. Once your office has completed the process, please email and mail the certification to the attention of Victor Shaul, Code Enforcement Officer.

If you have any questions or require additional information, please contact Mr. Shaul by calling (509) 865-7318 or by sending email to Victor.Shaul@cityoftoppenish.us.

Thank you for your assistance.

Cordially,



Heidi Riojas, CMC
City Clerk

Enclosures

**City of Toppenish
Elmwood Cemetery Annexation
Legal Descriptions**

The Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 9, Township 10 North, Range 20 E.W.M.

(Approximately 9.17 acres at 530 Elmwood, Road, Toppenish, Washington which is Assessor's Parcel No. 201009-32002)

AND

The Southwest Quarter of the Northwest Quarter of the Southwest Quarter and the West Half of the Southeast Quarter of the Northwest Quarter of the Southwest Quarter EXCEPT the South 15 feet; all in Section 9, Township 10 North, Range 20, E.W.M., EXCEPTING ALSO, right of way for a roadway 15 feet wide along the North end of said tract

(Approximately 14.87 acres at 530 Elmwood Road, Toppenish, Washington which is Assessor's Parcel No. 201009-32003)

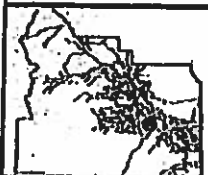
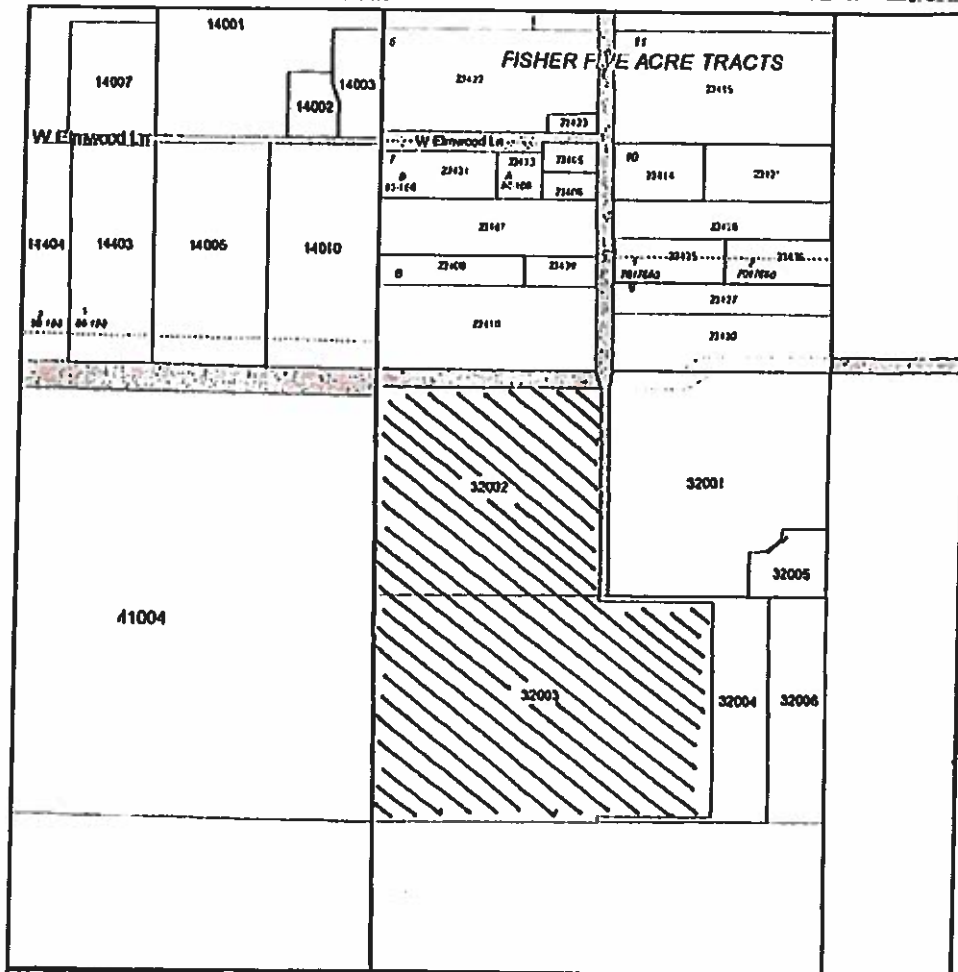
Situated in Yakima County, Washington.

**City of Toppenish
Elmwood Cemetery Annexation
Parcel Map, page 1**

Yakima County GIS - Washington
Land Information Portal

[Print Menu]
[Close Menu]

Yakimnap.com



Map Center: Range:20 Township:10 Section:9

City Limits
Editions

WWW.YAKINAP.COM
Yakima County GIS
126 N 2nd Street
Yakima, WA 98901
(509) 574-2892



One inch = 400 Feet

Feet 200 400 600

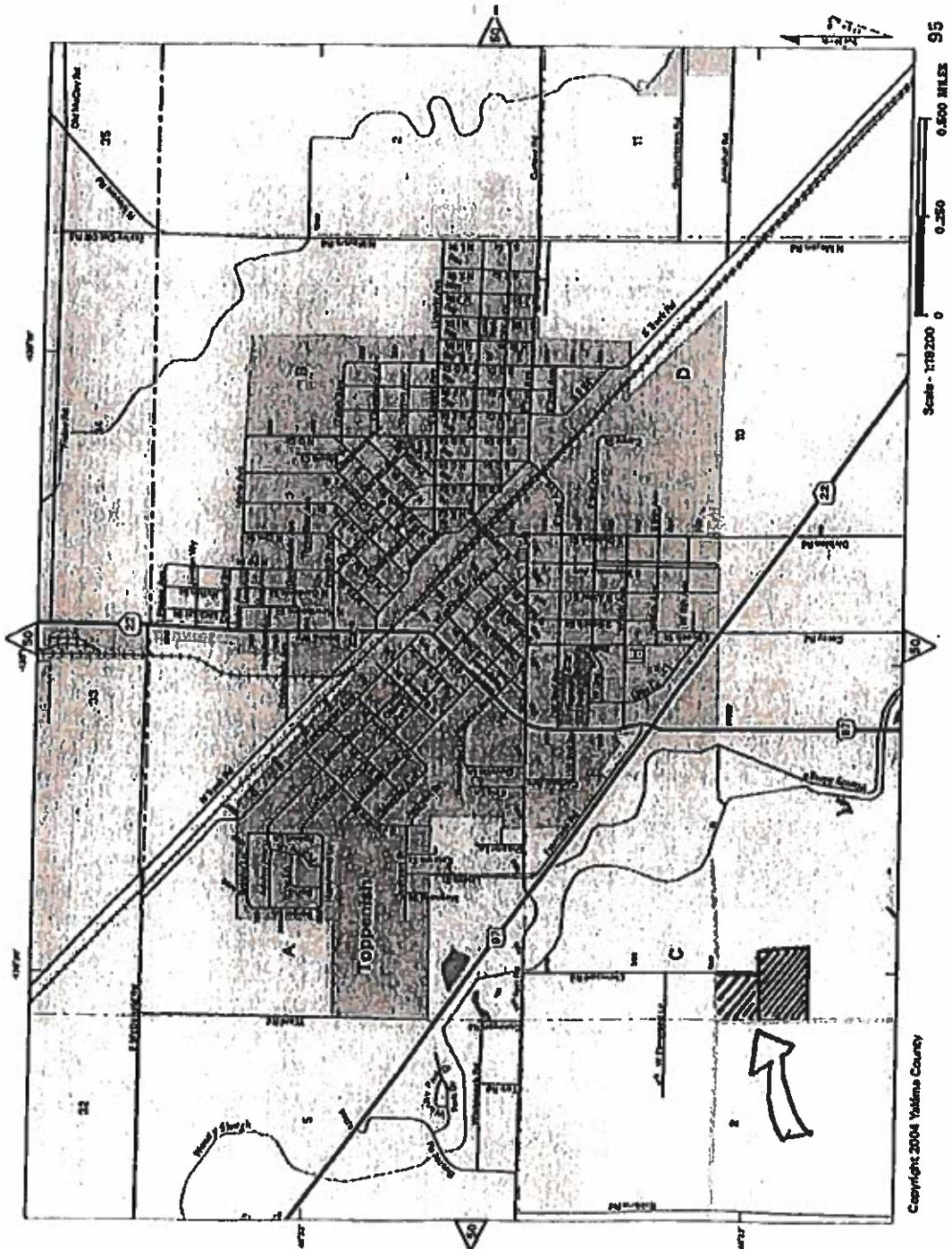
MAP AND PAIR 11 DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED. THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION.

Copyright (C) Yalova County, C.S.
Printed On: 12/3/2014 11:59:20 AM

**Parcel #20100932002=9.17 acres; Parcel #20100932003=14.87
acres; Total acres=24.04**

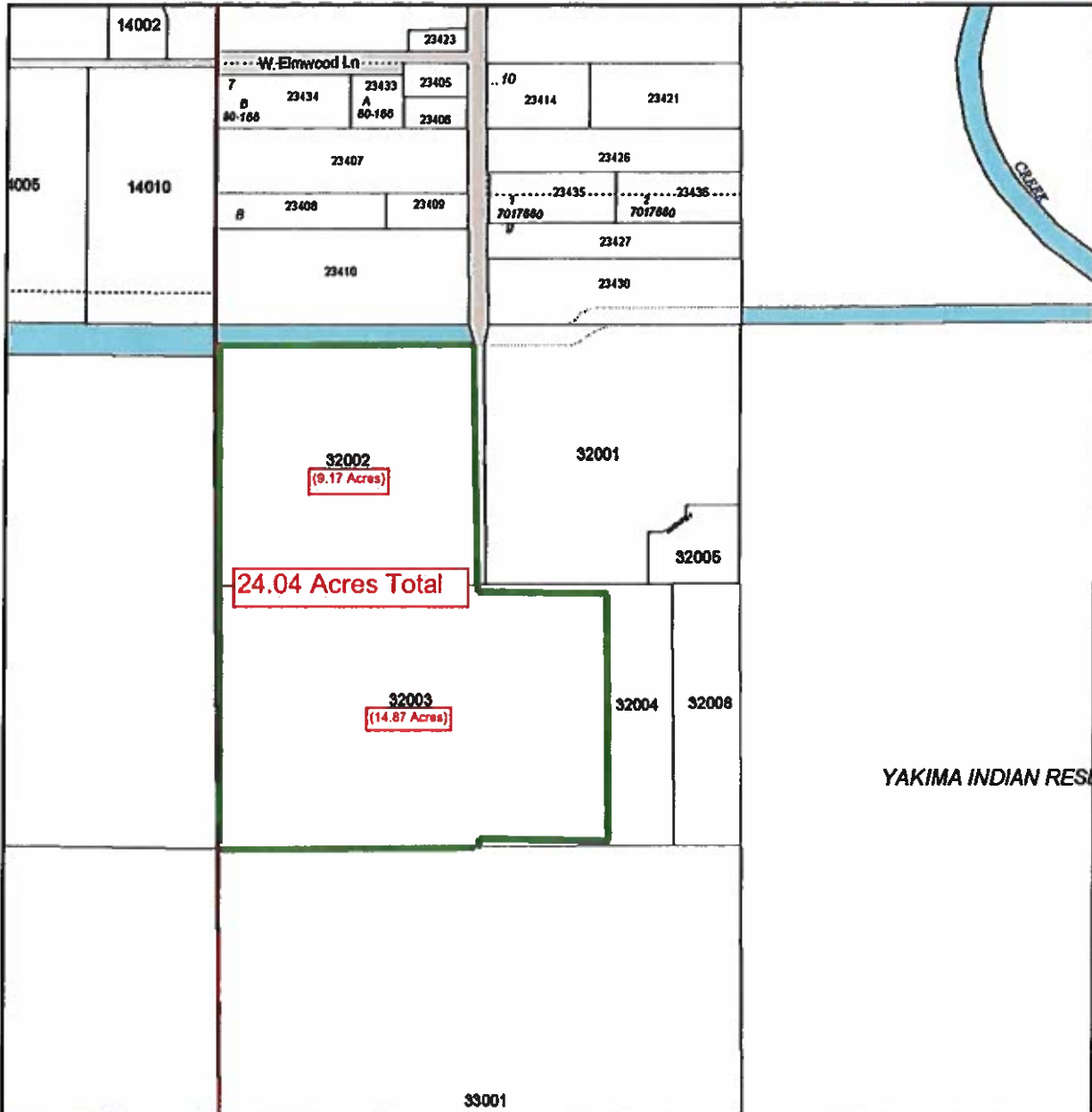
City of Toppenish
Elmwood Cemetery Annexation
Parcel Map, page2

Exhibit A



Yakima County GIS - Washington
Land Information Portal

Yakimap.com



Map Center: Range:20 Township:10 Section:9

City Limits
Sections

WWW.YAKIMAP.COM

Yakima County GIS
128 N 2nd Street
Yakima, WA 98901
(509)574-2892



One Inch = 400 Feet

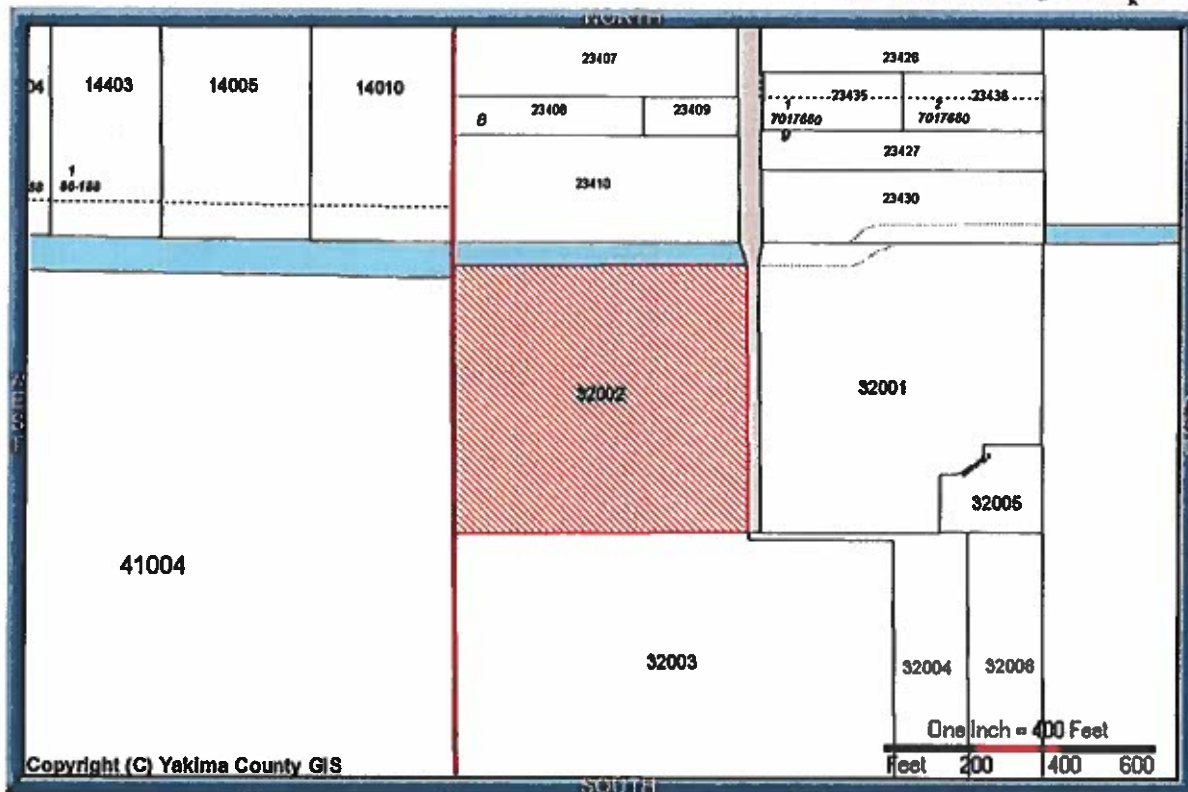
Feet 200 400 600

MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION

Copyright (C) Yakima County GIS
Printed On: 2/2/2020 3:24:10 PM

Exhibit B

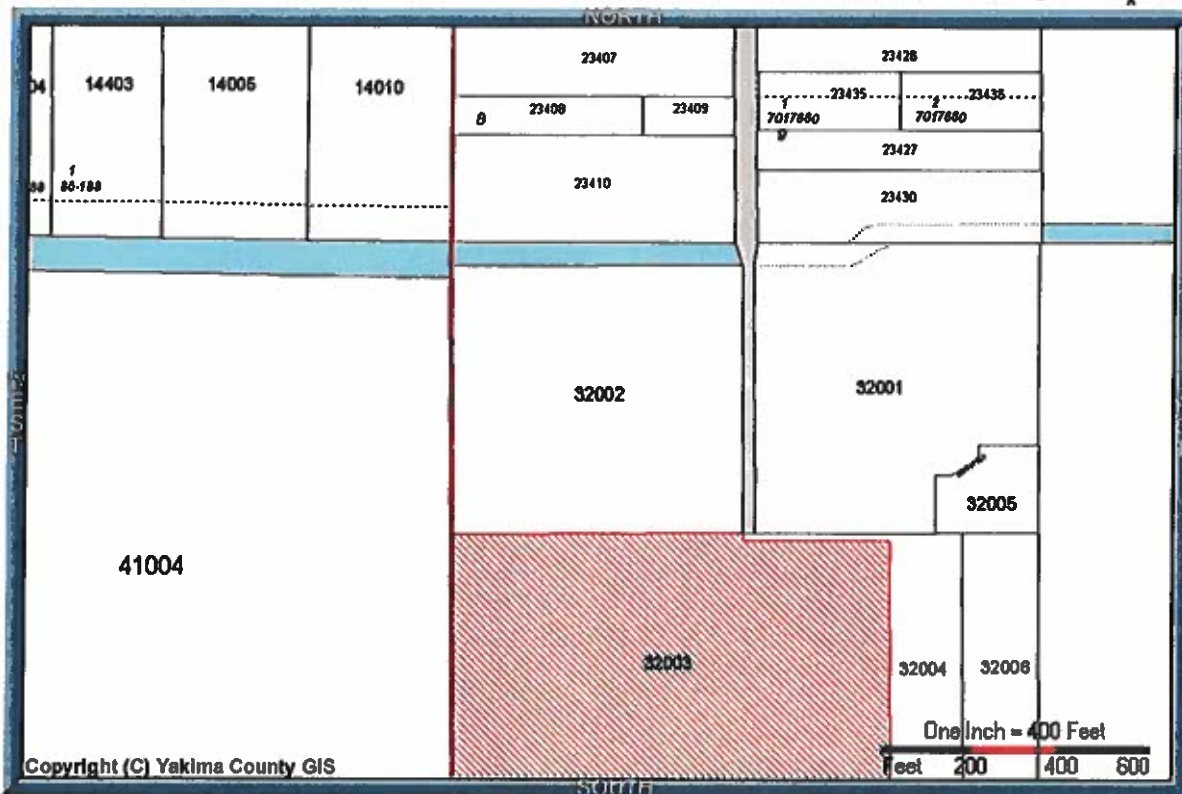
Yakimap.com



PROPERTY PHOTO		PROPERTY INFORMATION	
		Parcel Address: 530 ELMWOOD RD, TOPPENISH ,WA 98948	
		Parcel Owner(s): TOPPENISH CITY	
		Parcel Number: 20100932002	Parcel Size: 9.17 Acre(s)
		Property Use: 62 Service - Personal	
		TAX AND ASSESSMENT INFORMATION	
		Tax Code Area (TCA): 482	Tax Year: 2022
Improvement Value: \$22300		Land Value: \$112900	
Current Use Value: \$0		Current Use Improvement: \$0	
New Construction: \$0		Total Assessed Value: \$135200	
OVERLAY INFORMATION			
Zoning: R-1		Jurisdiction: County	
Urban Growth Area: Toppenish		Future Landuse Designation: (Yakima County Plan 2015)	
FEMA:		FIRM Panel Number: 53077C1850D	
FEMA Map			
LOCATION INFORMATION			
+ Latitude: 46° 22' 00.376"		+ Longitude: -120° 20' 04.707"	
		Range: 20 Township: 10 Section: 09	
Narrative Description: NW1/4 NW1/4 SW1/4			
DISCLAIMER			
MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION			

Exhibit B

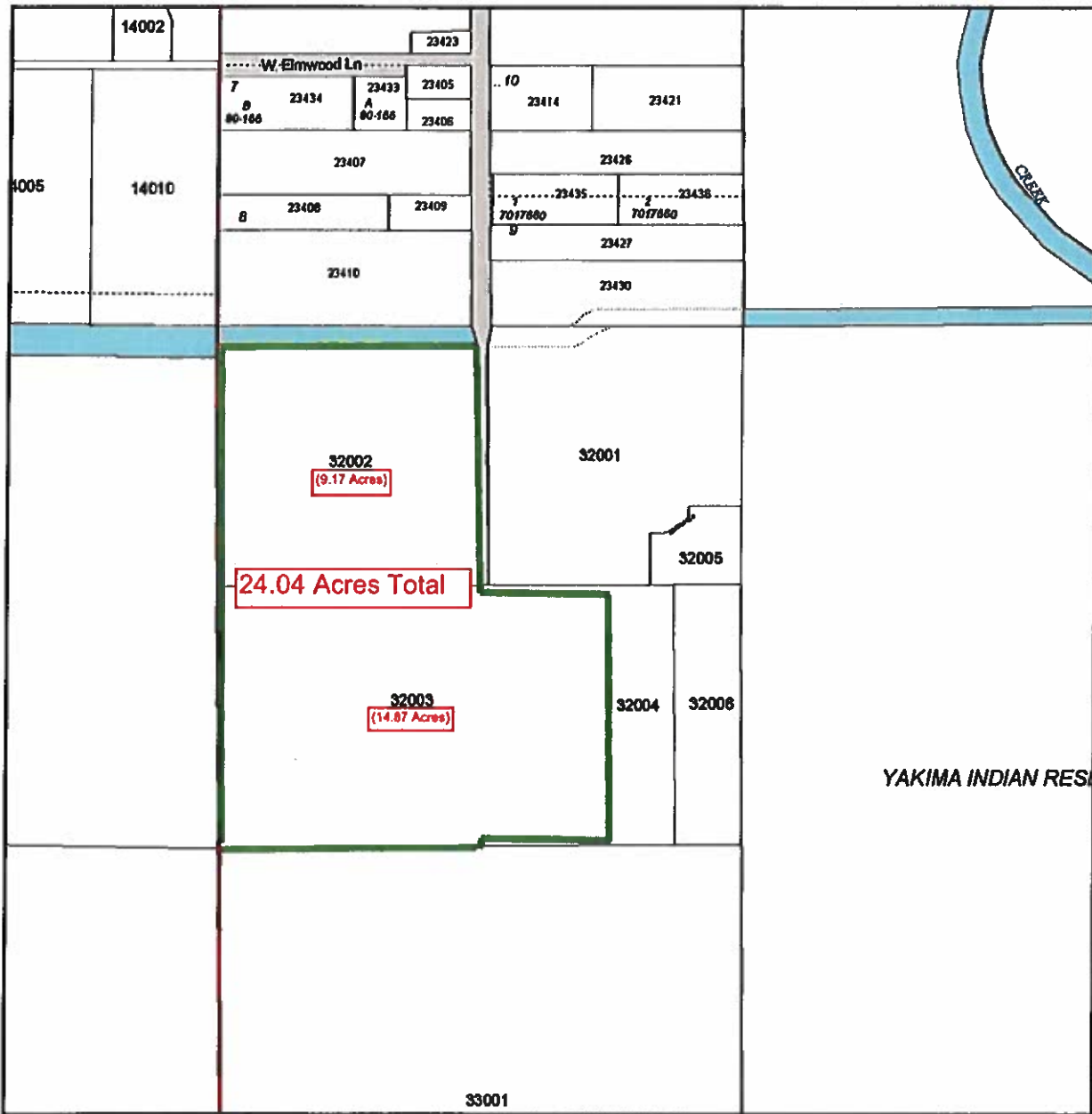
Yakimap.com



PROPERTY PHOTO		PROPERTY INFORMATION	
	Parcel Address: 530 ELMWOOD RD, TOPPENISH ,WA 98948		
	Parcel Owner(s): TOPPENISH CITY		
	Parcel Number: 20100932003		Parcel Size: 14.87 Acre(s)
	Property Use: 62 Service - Personal		
	TAX AND ASSESSMENT INFORMATION		
	Tax Code Area (TCA): 482		Tax Year: 2022
	Improvement Value: \$0		Land Value: \$74400
CurrentUse Value: \$0		CurrentUse Improvement: \$0	
New Construction:\$0		Total Assessed Value:\$74400	
OVERLAY INFORMATION			
Zoning: R-1		Jurisdiction: County	
Urban Growth Area: Toppenish		Future Landuse Designation: (Yakima County Plan 2015)	
FEMA: FEMA Map		FIRM Panel Number: 53077C1850D	
LOCATION INFORMATION			
+ Latitude:46° 21' 54.109"		+ Longitude:-120° 20' 02.358"	
		Range:20 Township:10 Section:09	
Narrative Description: SW1/4 NW1/4 SW1/4 & W1/2 SE1/4 NW1/4SW1/4 EX N & S 15 FT			
DISCLAIMER			
MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION			

Yakima County GIS - Washington
Land Information Portal

Yakimap.com



Map Center: Range:20 Township:10 Section:9

City Limits
Sections

WWW.YAKIMAP.COM
Yakima County GIS
128 N 2nd Street
Yakima, WA 98901
(509)574-2992

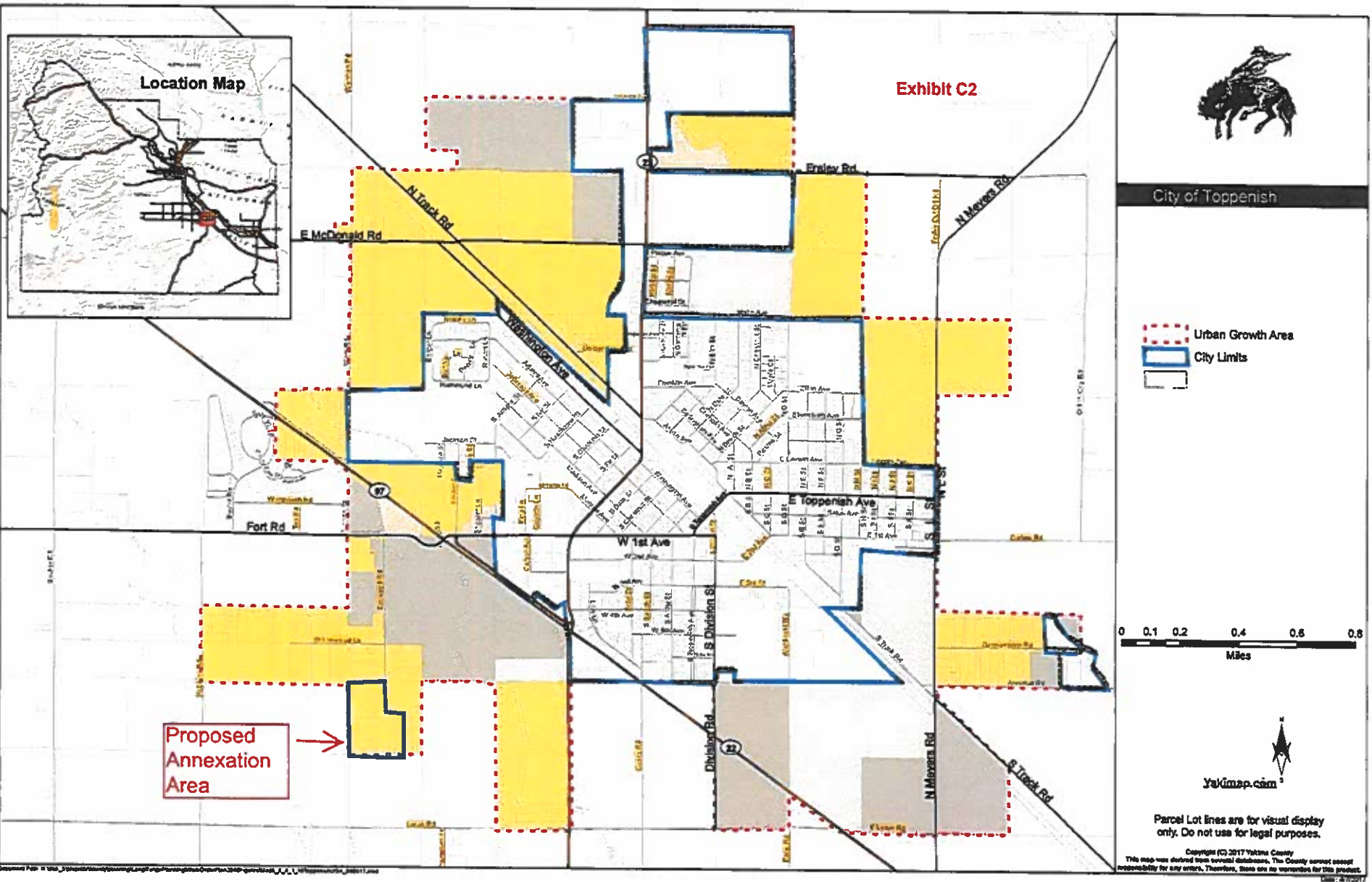


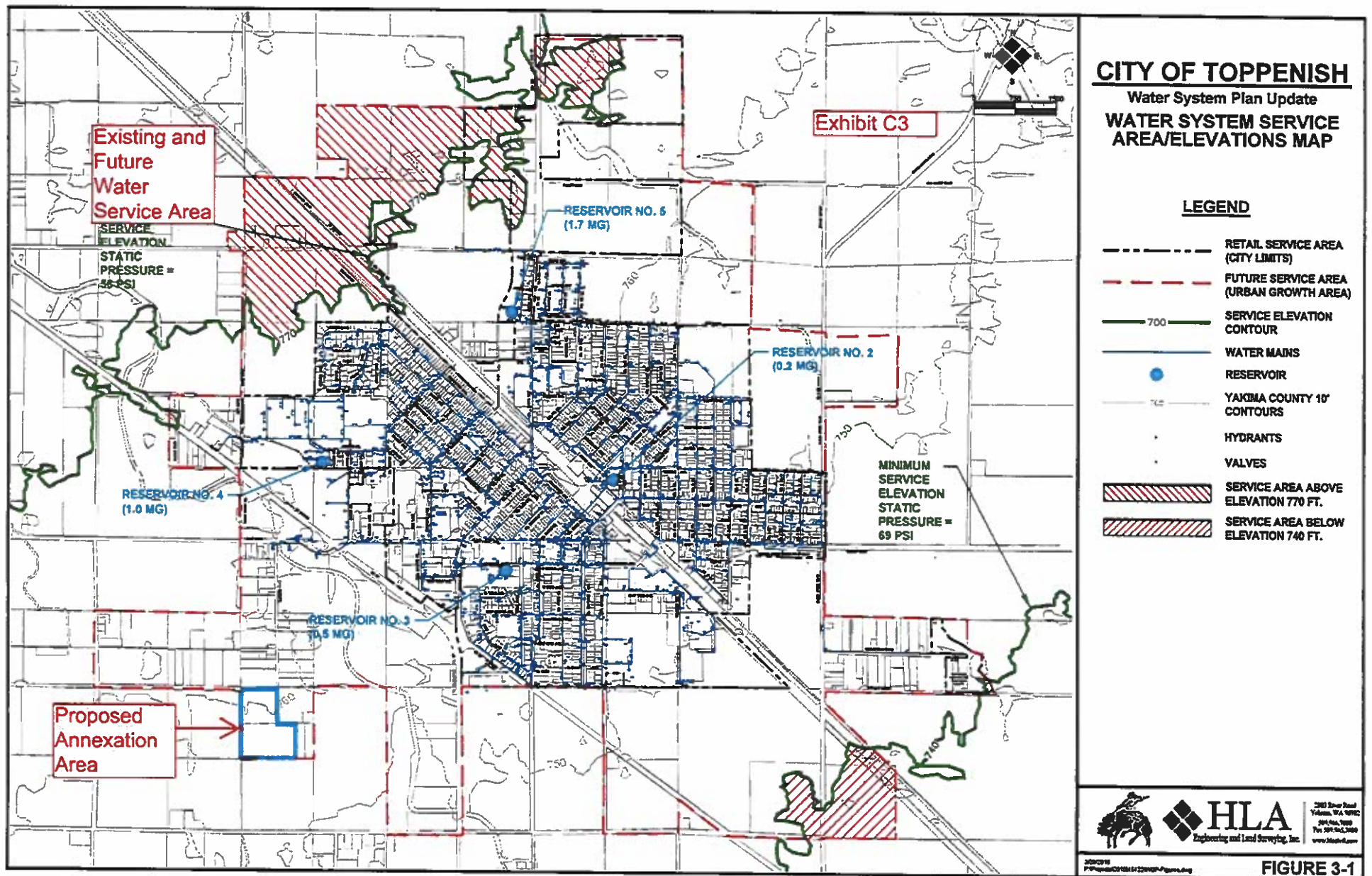
One Inch = 400 Feet

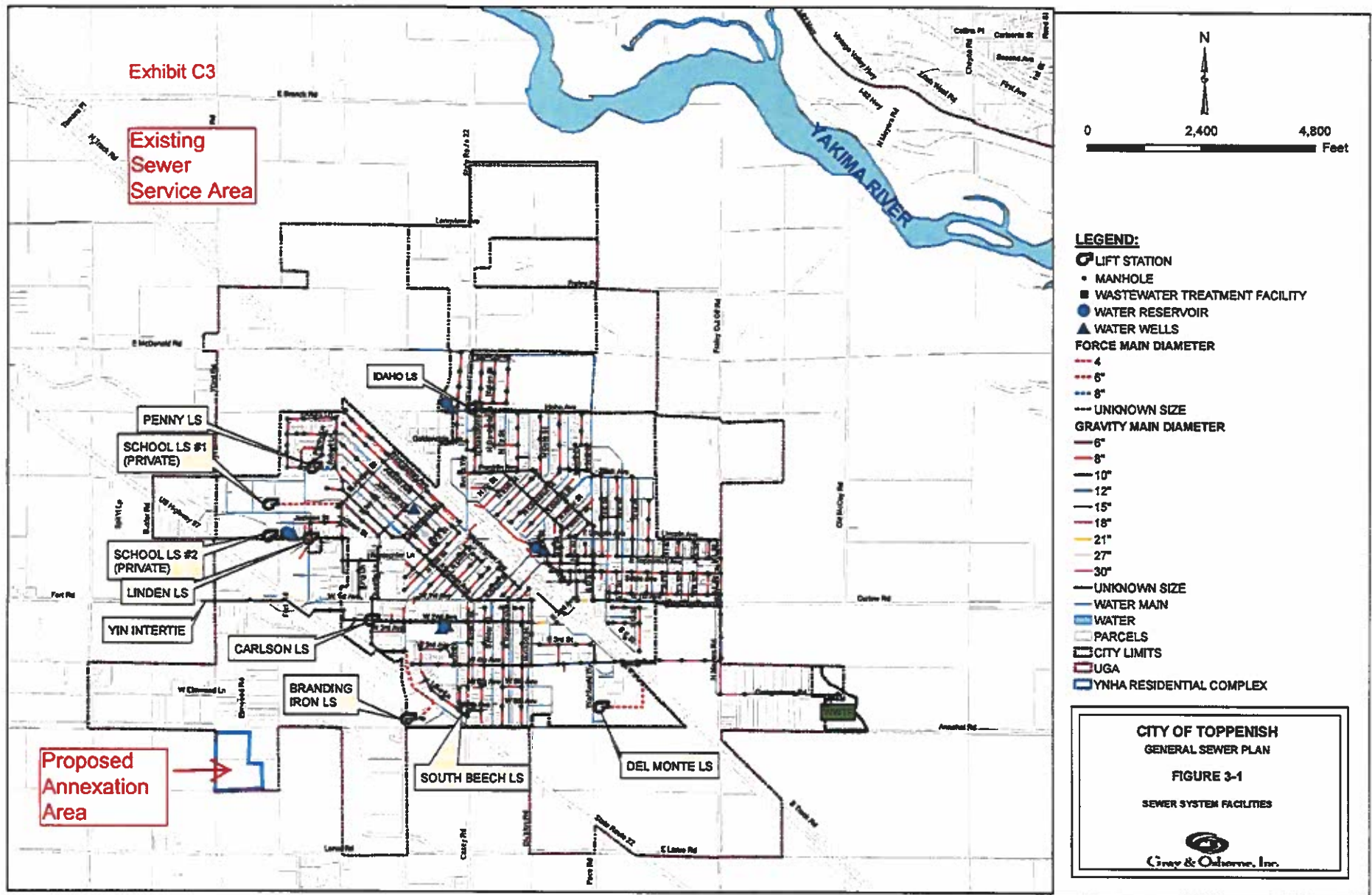
Feet 200 400 600

MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION

Copyright (C) Yakima County GIS
Printed On: 2/2/2020 3:24:10 PM









Citations

2.4m Resolution Metadata



Water Valves



Water Meters

Street Names



City Limits

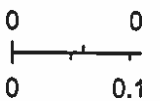




Exhibit C5



City of Toppenish

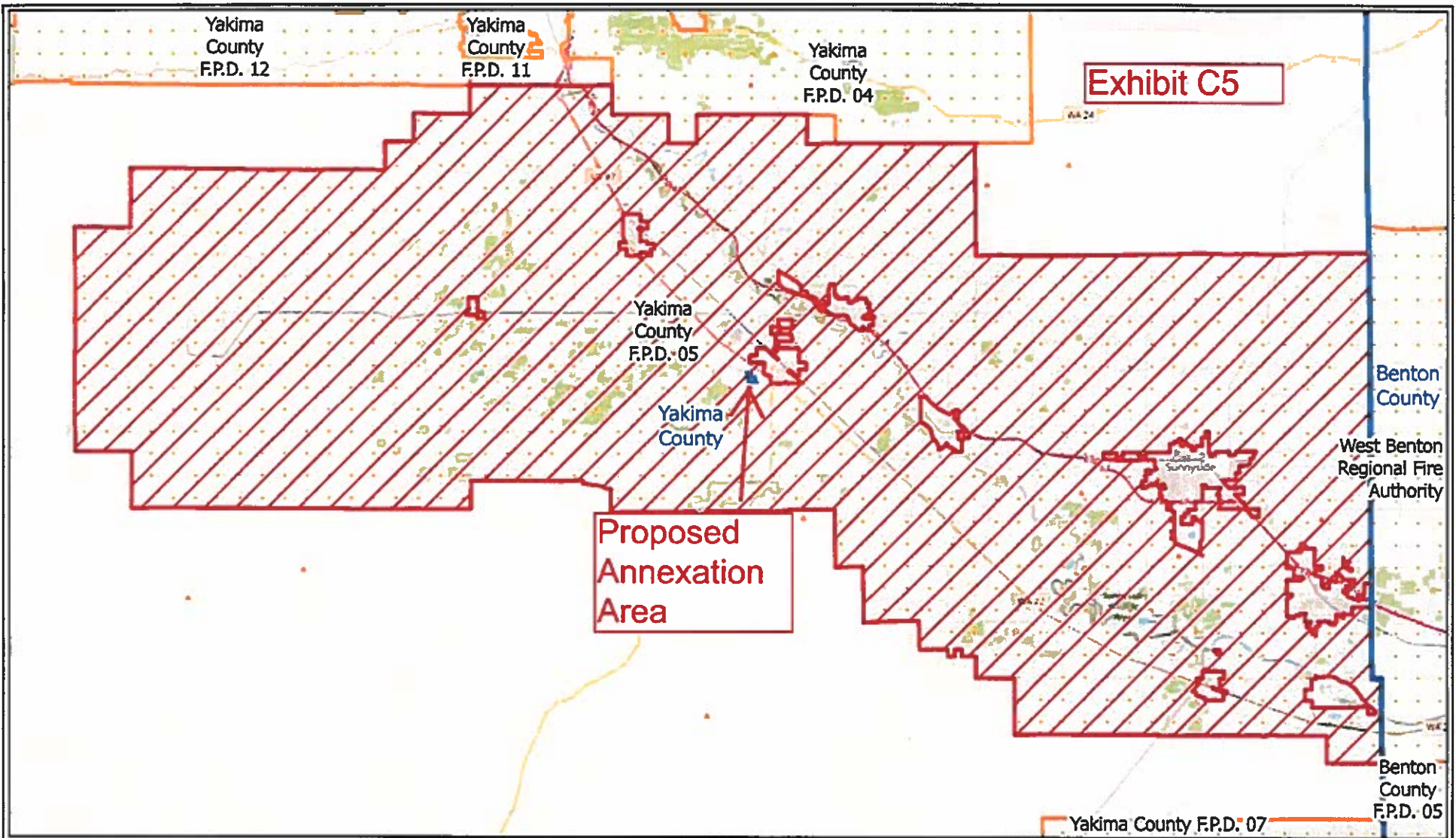
- Urban Growth Area
- City Limits
- Parcel Lot



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

Copyright © 2017 Yakima County
This map was derived from several databases. The County cannot accept responsibility for any errors. Therefore, there are no warranties for this product.
Date: 11/2/2017

**Proposed
Annexation
Area** →



**Yakima County F.P.D. 05
(Unincorporated Portion Only)**

-  County
-  Selected Fire Protection District
-  Fire Protection District

0 1.5 3 6 Miles



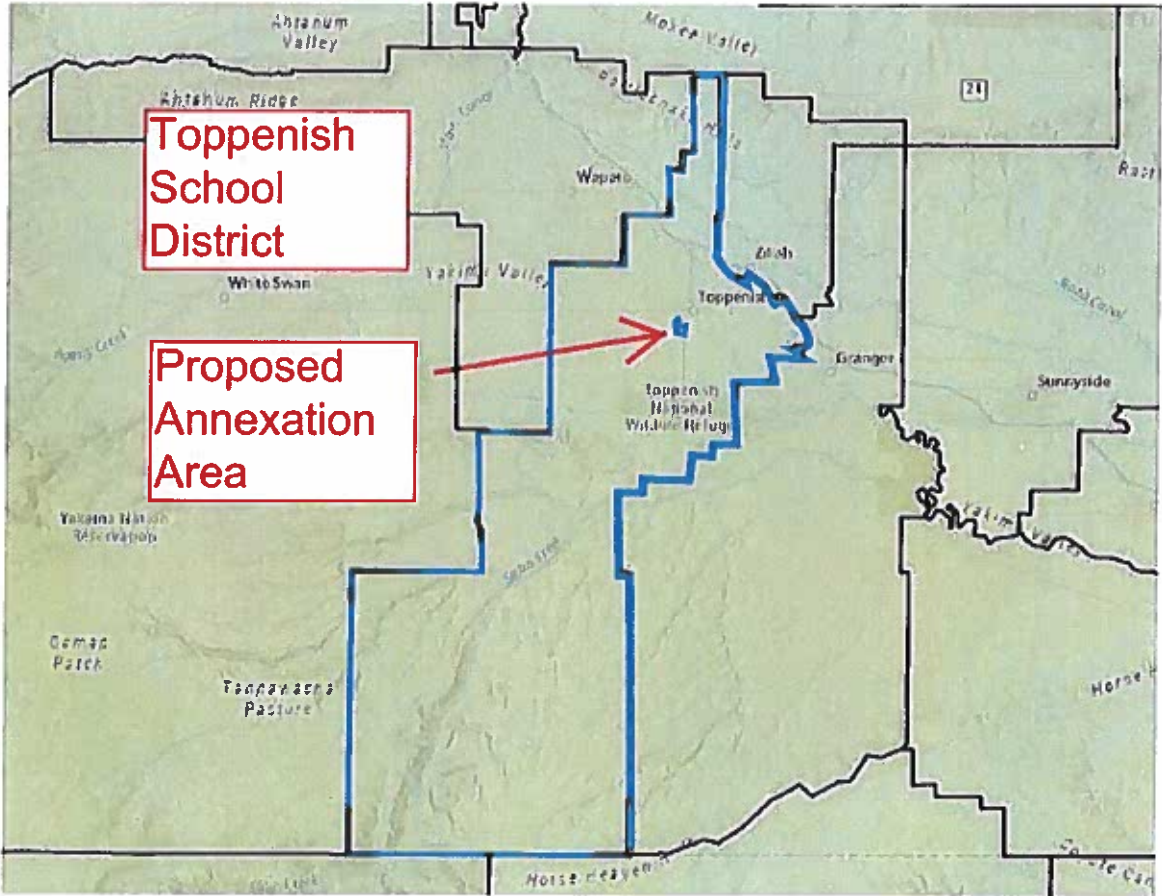
Washington State
Office of Financial Management
Forecasting & Research Division

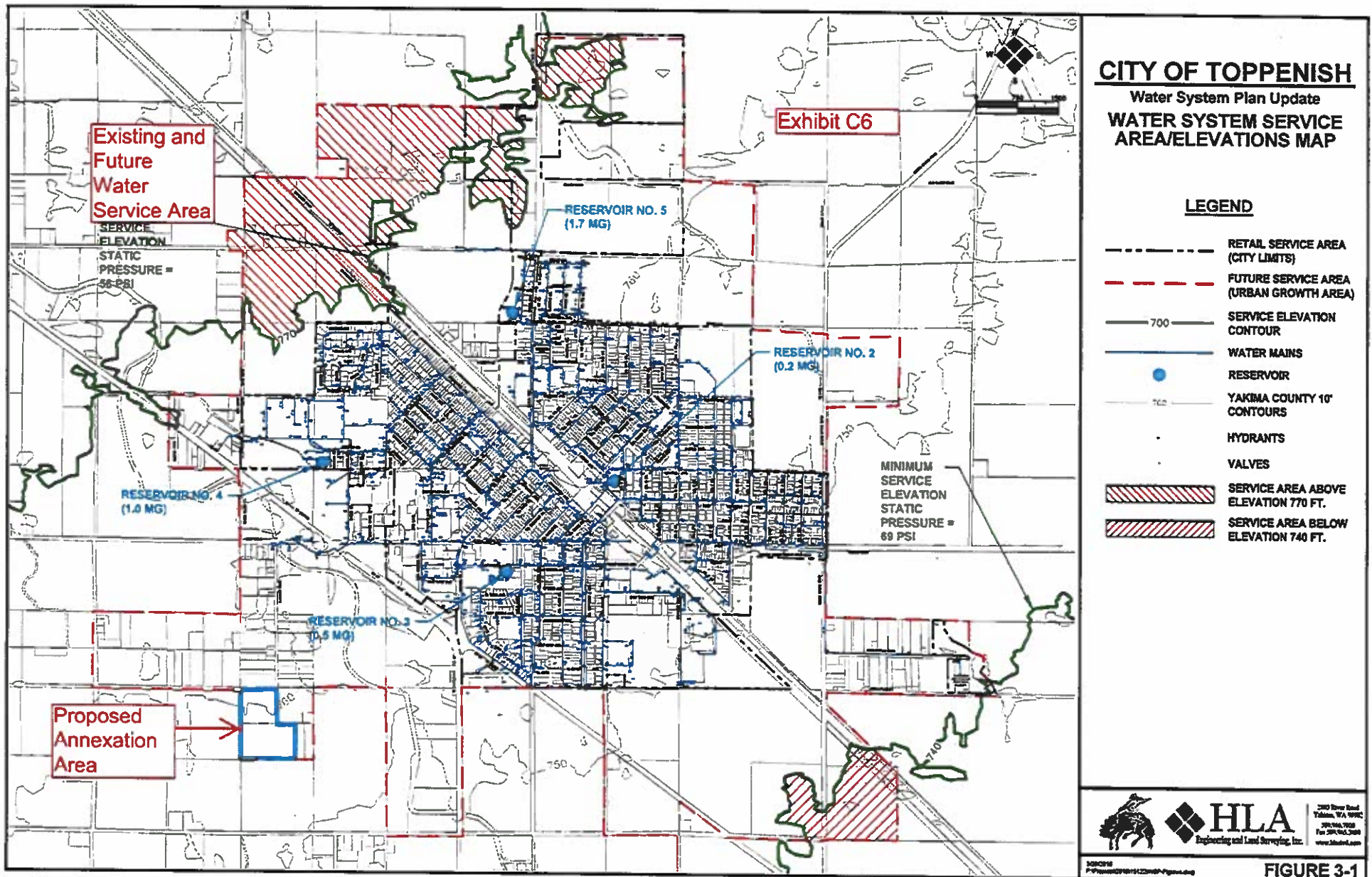
Disclaimer: By using these data, the user agrees that neither the Office of Financial Management nor the Washington Surveying and Rating Bureau shall be liable for any activity involving these data with regard to lost profits or savings or any other consequential damages; or the fitness for use of the data for a particular purpose; or the installation of the data, its use, or the results obtained.

Data source: Fire Protection Districts and City Limits (Shapefile), Washington Surveying and Rating Bureau, September 15, 2020.

Map prepared by Thomas Kimpel on September 21, 2020.

Exhibit C5











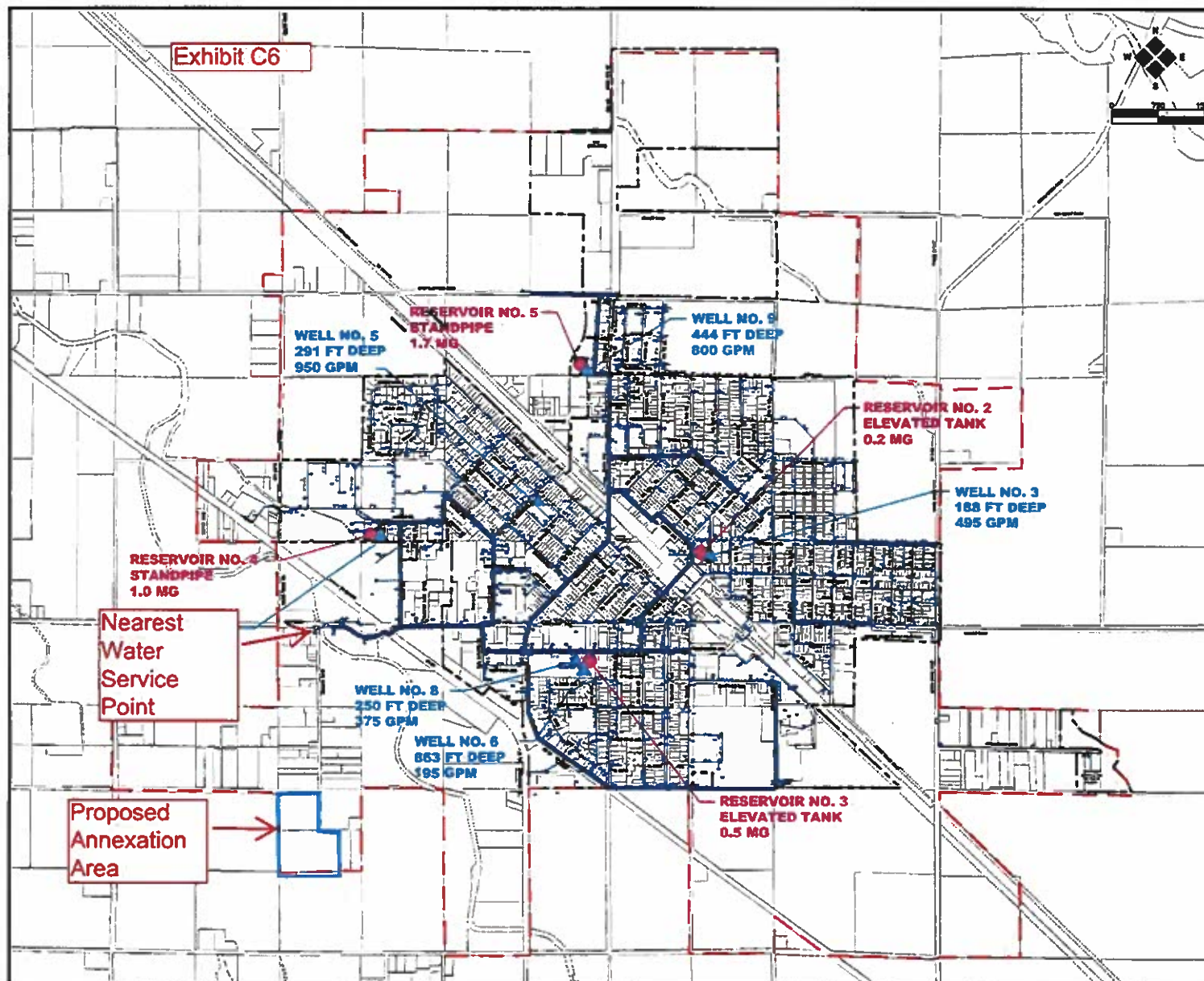


CITY OF TOPPENISH

Water System Plan Update WATER SYSTEM MAJOR COMPONENTS MAP

LEGEND

- | | |
|---|---|
|  | CITY LIMITS |
|  | FUTURE SERVICE AREA |
|  | STORAGE RESERVOIR |
|  | GROUNDWATER WELL |
|  | WATER MAINS |
|  | WATER MAINS
(10" AND LARGER) |
|  | HYDRANTS |
|  | VALVES |

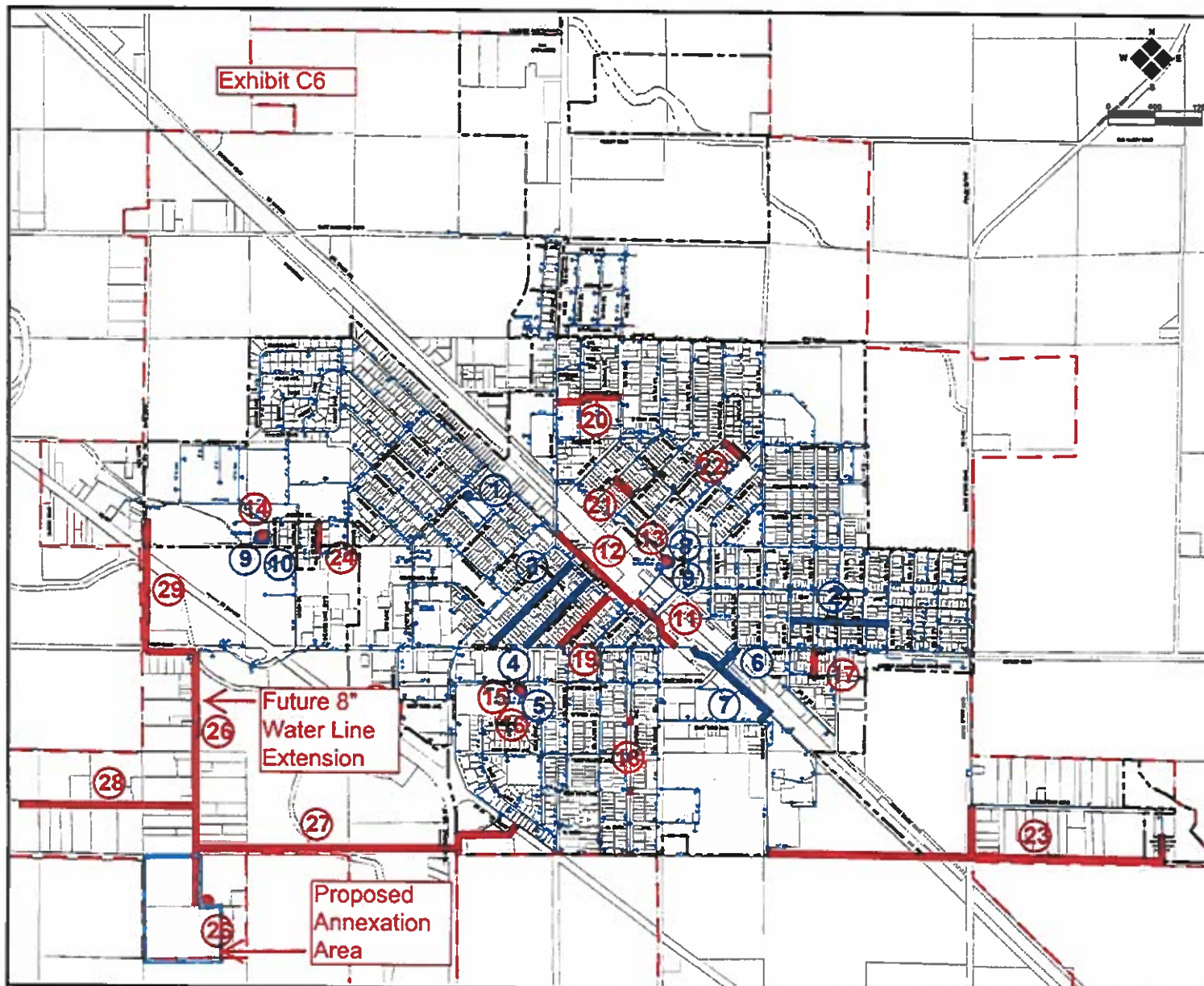


HLA
Engineering and Land Survey

201 River Road
Yakima, WA 98902
509.454.7100
Fax 509.454.3000
www.hatchell.com

ORCID
P.F. @ORCID.ORG/PID/0000-0001-7500-1000

FIGURE 3-2



CITY OF TOPPENISH

Water System Plan Update RECOMMENDED WATER SYSTEM CAPITAL IMPROVEMENTS

LEGEND

- CITY LIMITS
- FUTURE SERVICE AREA (URBAN GROWTH AREA)

YEARS 2017 - 2022 IMPROVEMENTS

1. WELL NO. 5 IMPROVEMENTS
2. SATUS AVE. 8-INCH WATER MAIN LOOP
3. S. OXTE ST. WATER MAIN UPSIZE
4. S. CHESTNUT ST. WATER MAIN UPSIZE
5. RESERVOIR NO. 3 REHABILITATION AND RECOATING
6. 2ND AVE. RAILROAD CROSSING WATER MAIN LOOP
7. 8th TWINE - SELGAN WATER MAIN LOOP
8. WELL NO. 3 GENERATOR
9. RESERVOIR NO. 2 AND 4 REHABILITATION AND RECOATING
10. WELL NO. 7 ELECTRICAL IMPROVEMENTS

YEARS 2023 - 2037 IMPROVEMENTS

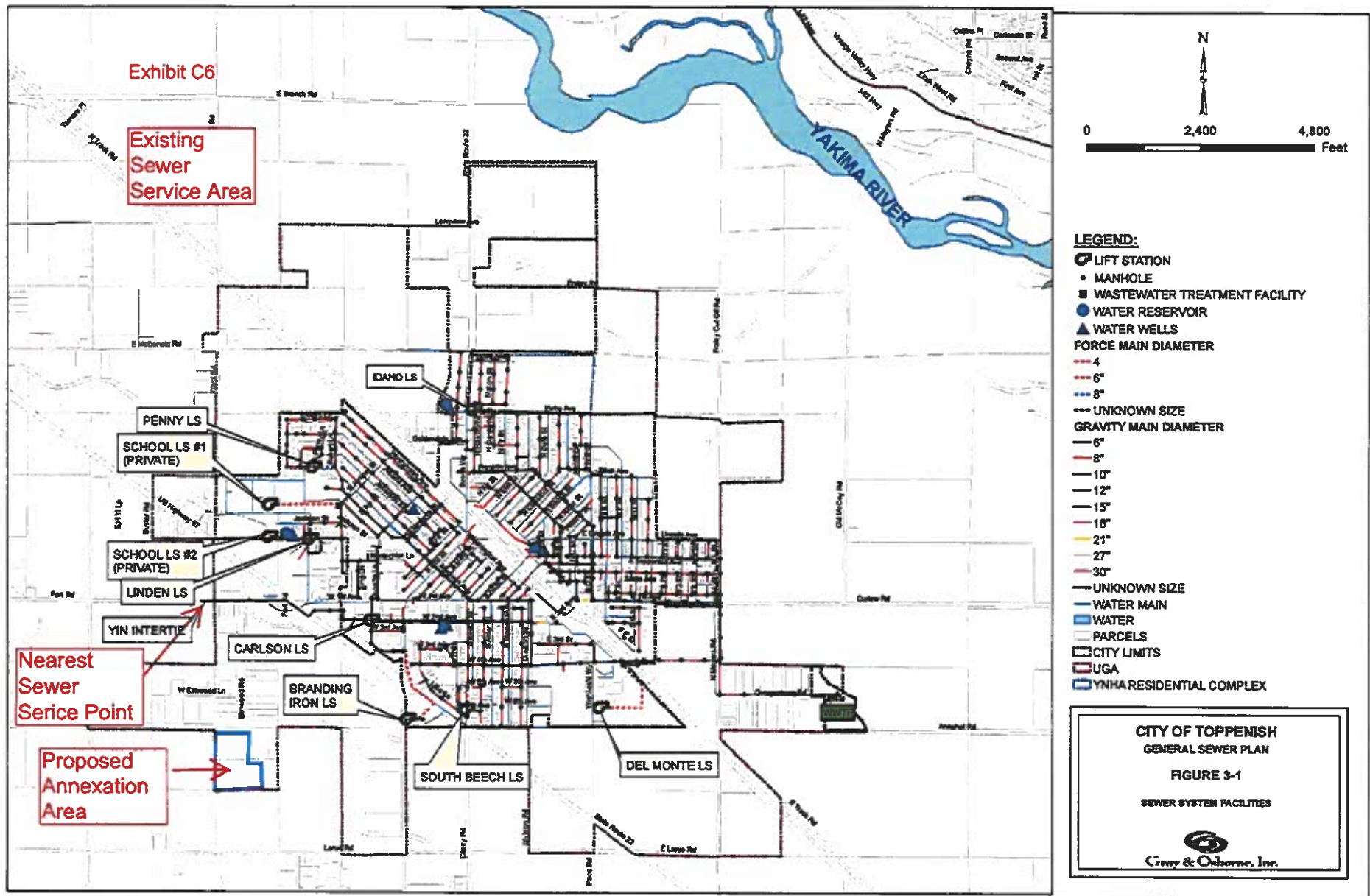
11. INDUSTRIAL WATER MAIN PH. 2
12. INDUSTRIAL WATER MAIN PH. 3
13. WELL NO. 3 IMPROVEMENTS
14. WELL NO. 7 MANGANESE TREATMENT / REMOVAL IMPROVEMENTS
15. WELL NO. 8 IMPROVEMENTS
16. WELL NO. 8 MANGANESE TREATMENT / REMOVAL IMPROVEMENTS
17. S. F ST. 8-INCH WATER MAIN LOOP
18. W. THIRD AND W. FIFTH AVE. WATER MAIN LOOPS
19. S. BEECH ST. WATER MAIN UPSIZE
20. GOLDBERDALE AVE. WATER MAIN UPSIZE & LOOP
21. BELLINGHAM AVE. 8-INCH WATER MAIN LOOP
22. ELLENBURD AVE. 8-INCH WATER MAIN LOOP
23. TOPPENISH WWTP 12-INCH WATER MAIN LOOP
24. KATSURA ST. 8-INCH WATER MAIN LOOP
25. SOUTH CARLSON ST. WATER MAIN UPSIZE
26. 1.01 MG RESERVOIR AND TRANSMISSION MAIN
27. TRANSMISSION MAIN LOOP TO EAST TOPPENISH
28. ELLENBURD LA 8-INCH WATER MAIN EXTENSION
29. TRANSMISSION MAIN TO LOOP WEST TOPPENISH

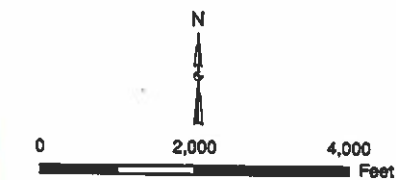
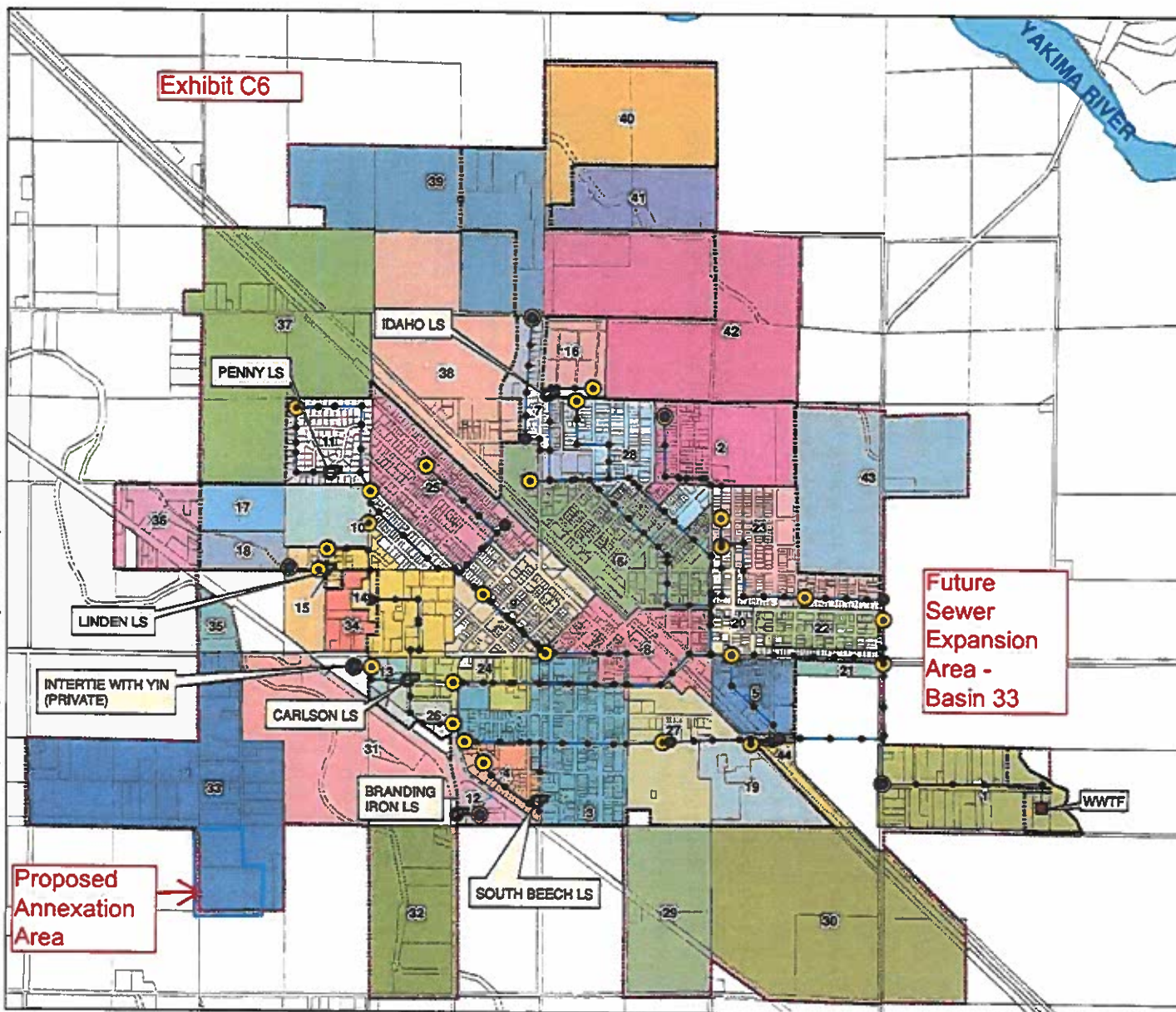


2000 River Road
Yakima, WA 98901
Ph: 509.455.1234
Fax: 509.455.1235
www.hla-engineering.com

10/20/2016
P:\Projects\0101020200\01020200.dwg

FIGURE 8-1





LEGEND:

- MANHOLE
- FUTURE FLOW INPUT NODE
- EXISTING FLOW INPUT NODE
- MODELED LIFT STATION
- UGA
- CITY LIMITS
- MODELED FORCE MAIN
- MODELED GRAVITY MAIN
- WATER
- PARCELS

EXISTING BASINS



FUTURE BASINS



**CITY OF TOPPENISH
GENERAL SEWER PLAN**

FIGURE 6-1

MODELED SEWER SYSTEM



Exhibit C6

FUTURE SERVICE AREAS

There are areas of the UGA that the City has further studied to determine the anticipated service requirements. These areas were chosen based on the development potential known to City officials. These basins are shown on Figure 6-4 and are further described below.

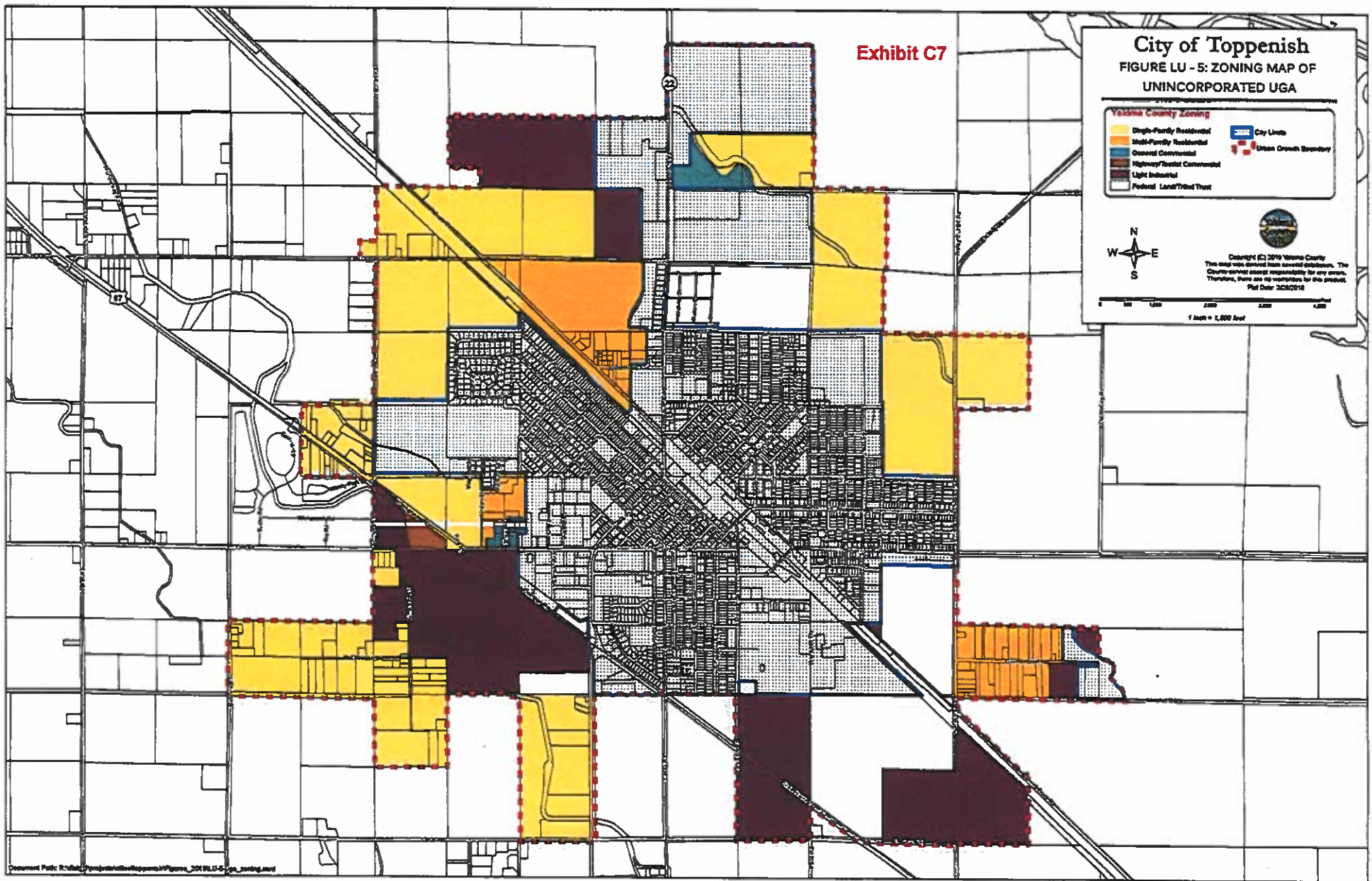
BASIN 33 (ELMWOOD ROAD/LANE)

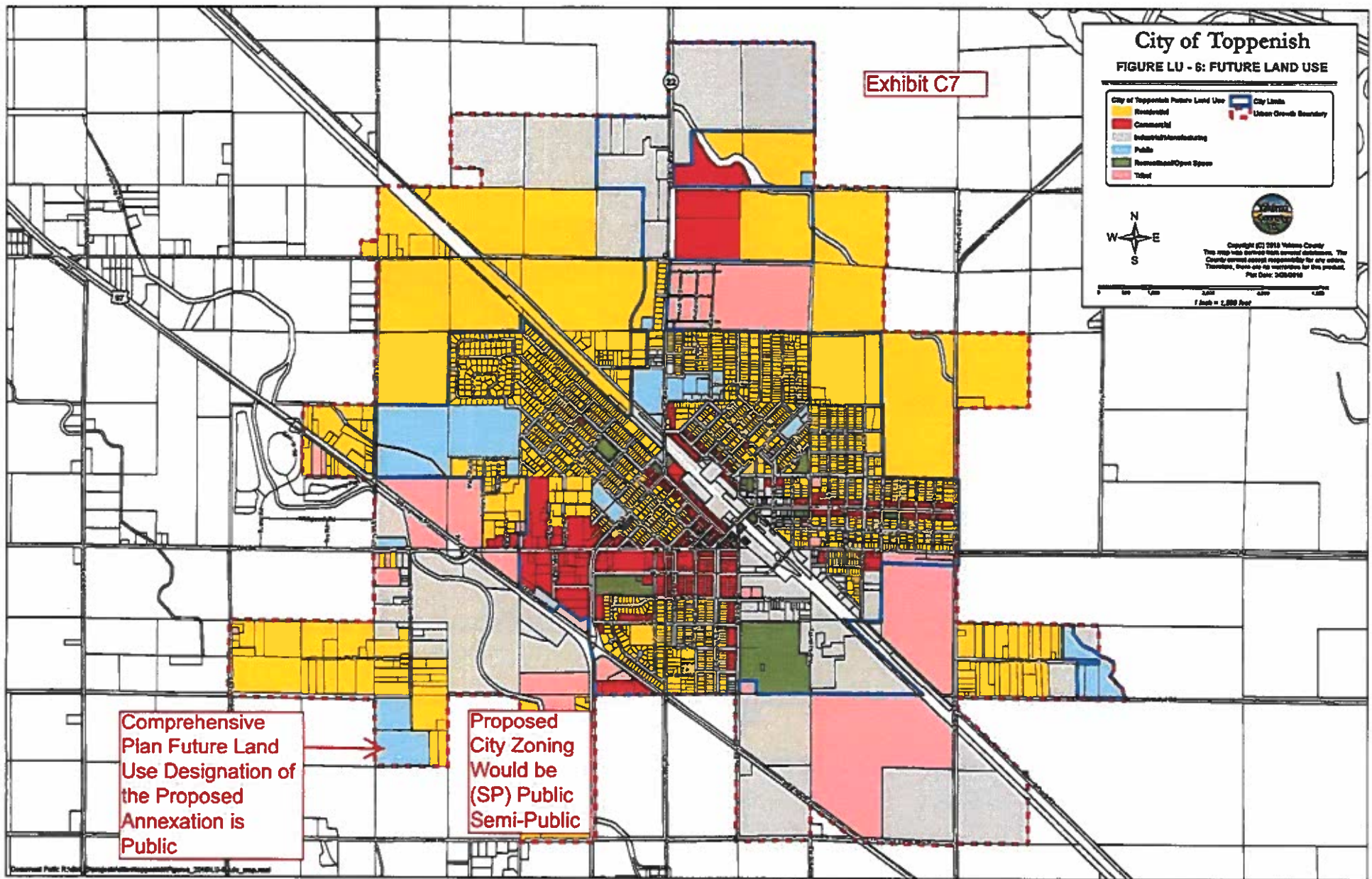
Basin 33 serves the West Elmwood Lane area south of the YIN Casino and west of the Branding Iron Lift Station. The area's future land use is residential. As explained in the modeling effort, assumptions for future flows were based on land use and future I/I. The assumed peak hour flow for Basin 33 is estimated to be 118 gpm. All collection system facilities in this area are assumed to be sized for 118 gpm.

There are two potential pathways for sewer to flow in this basin. The first pathway considered was to flow sewers to the east toward the Branding Iron Lift Station (Basin 12). The second pathway considered was to flow sewers to the north toward the Carlson Lift Station (Basin 13). After reviewing the topography in the area, it was determined that a lift station in the Elmwood Area would be required. It is not possible to reach Basin 12 or 13 using gravity sewers. A small lift station similar to the Linden or the Penny Lift Station would be constructed along Elmwood Road and all sewers in Basin 33 would be directed to this lift station.

The force main discharge would be directed north towards Basin 13, towards the Carlson Lift Station. There are two distinct advantages to this pathway. The first advantage is that there is an existing force main from the YIN complex that crosses Highway 97. The second is that an irrigation canal crossing would not be required. It would be advantageous to tie into this existing force main near the intersection of Elmwood Road and Fort Road. Additional capacity analysis would have to be performed based on the future capacity requirements of the YIN Complex to ensure that this force main is sufficient for the future. It is considerably longer distance to discharge to the Branding Iron Lift Station, and would require a canal crossing as well as a new crossing at Highway 97. This configuration also requires additional pumping at the Branding Iron Lift Station which would increase operational costs because it would not only be pumped at the Branding Iron Lift station, but also the Carlson Lift Station.

Narrative for Basin 33
Elmwood Sewer
Expansion





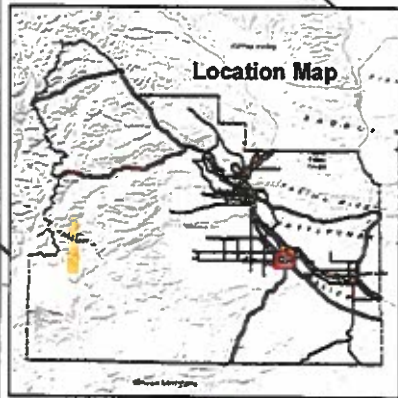


Exhibit C8



City of Toppenish

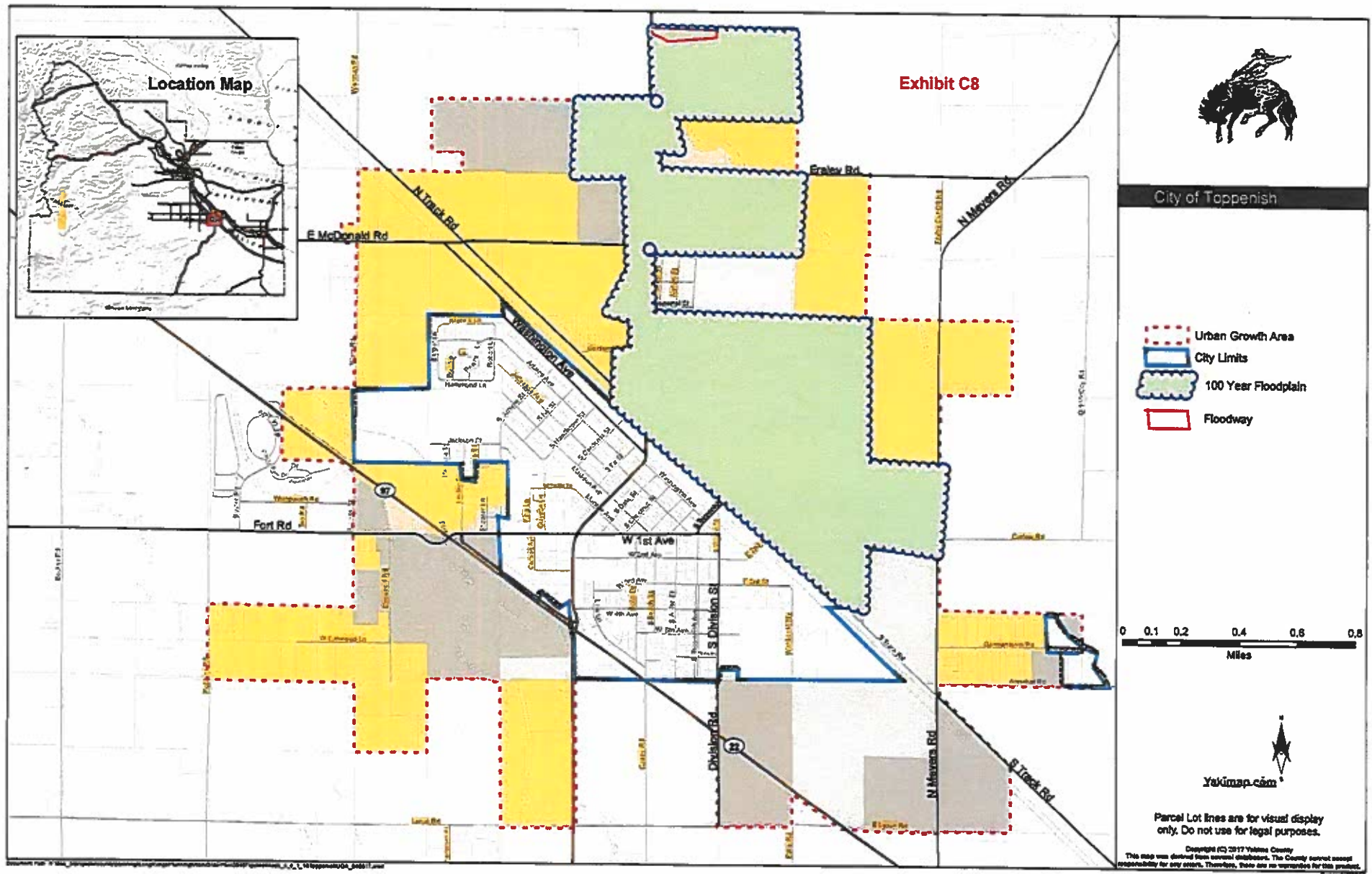
- Urban Growth Area
- City Limits
- 100 Year Floodplain
- Floodway

0 0.1 0.2 0.4 0.6 0.8
Miles



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

Copyright © 2017 Yakima County
This map was derived from several databases. The County cannot accept responsibility for any errors. Therefore, there are no warranties for this product.
Date: 4/15/2017



PETITION FOR ANNEXATION

The undersigned Toppenish City Manager on behalf of the City of Toppenish which is the owner of 100% of the assessed value of the City cemetery property described in Exhibit A and shown on the map attached as Exhibit B which is not contiguous to the City limits, does hereby petition the City Council of the City of Toppenish for annexation of said property to the City of Toppenish, Washington.

This petition for annexation is submitted pursuant to RCW 35A.14.300 which does not require that the City Council conduct a public hearing.

This petition for annexation requests the City Council to refer said petition to the City's Planning Commission for a public hearing and recommendation pursuant to TMC Chapter 17.20 as to whether said property should be annexed with the City's existing Public and Semipublic District (SP) zoning classification and to also refer this petition to the Yakima County Boundary Review Board for review or for passage of a 45-day period without a request for review being filed as is required for annexation of City-owned property for City purposes that is not contiguous to City limits.

This Petition further requests that the area being annexed be required to assume existing City indebtedness to the extent assumed by other City-owned property within the City limits.

DATE: 2/11/2022

CITY OF TOPPENISH, a Municipal
Corporation

By: Lance Hoyt

Lance Hoyt, City Manager

Mailing Address:

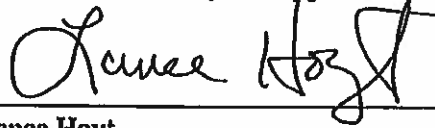
21 West First Avenue
Toppenish, WA 98948

WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or 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 misdemeanor.

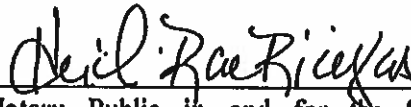
AFFIDAVIT

I, Lance Hoyt, under penalty of perjury under the laws of the State of Washington, hereby declare that I am the City Manager of the City of Toppenish, Washington, that the City of Toppenish is the owner of the two parcels described on the attached Petition for Annexation, and that I submit the Petition for Annexation on behalf of the City of Toppenish.

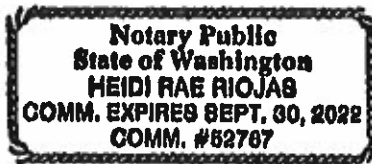


Lance Hoyt

SUBSCRIBED AND SWORN TO before me the this 1st day of February, 2022.



Notary Public in and for the State of Washington, residing at Toppenish. My appointment expires September, 30, 2022.



This is to certify that this is a true and correct copy of the Petition for Annexation, along with a copy of Exhibits A and B, dated February 11, 2022, and accepted by the Toppenish City Council during its Regular Meeting on March 14, 2022.

Dated this 1st day of April, 2022.



Notary Public in and for the State of Washington, residing at Toppenish. My commission expires September 30, 2022

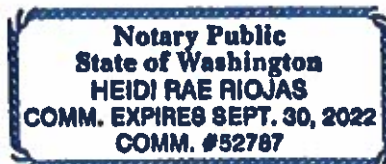


Exhibit A

The Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 9, Township 10 North, Range 20 E.W.M.

(Approximately 9.17 acres at 530 Elmwood, Road, Toppenish, Washington which is Assessor's Parcel No. 201009-32002)

AND

The Southwest Quarter of the Northwest Quarter of the Southwest Quarter and the West Half of the Southeast Quarter of the Northwest Quarter of the Southwest Quarter EXCEPT the South 15 feet; all in Section 9, Township 10 North, Range 20, E.W.M., EXCEPTING ALSO, right of way for a roadway 15 feet wide along the North end of said tract

(Approximately 14.87 acres at 530 Elmwood Road, Toppenish, Washington which is Assessor's Parcel No. 201009-32003)

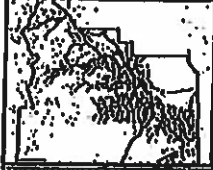
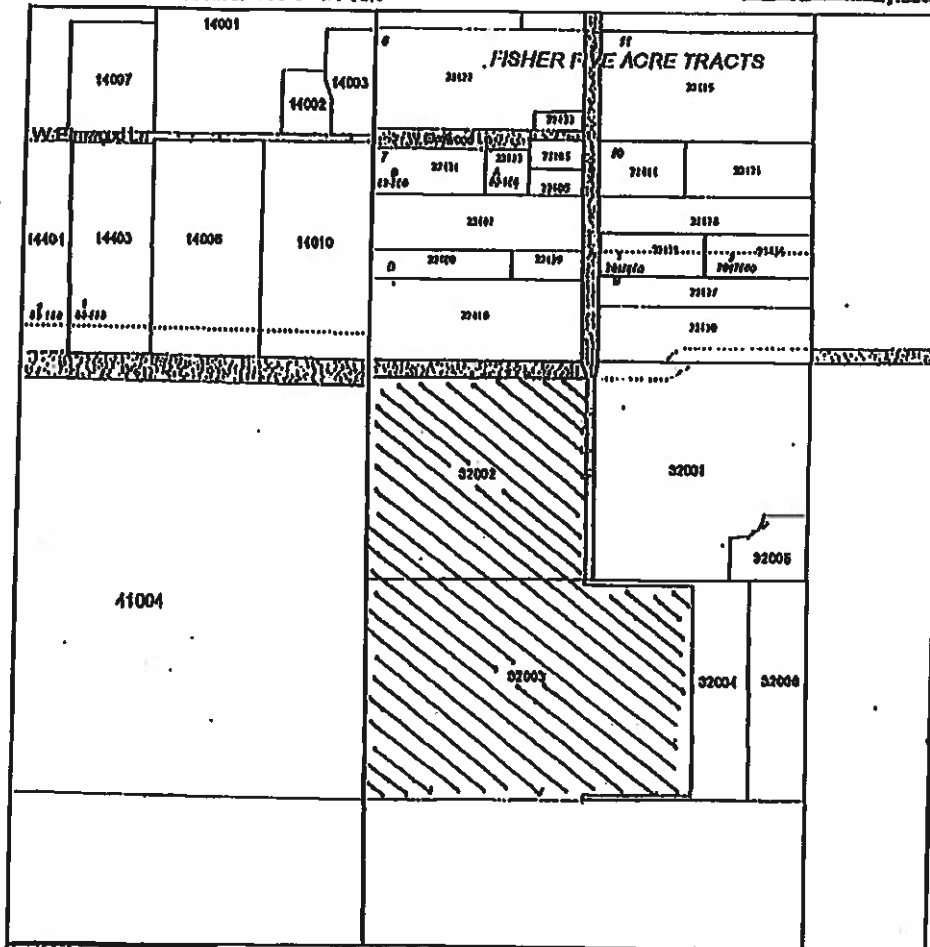
Situated in Yakima County, Washington.

Yakima County GIS - Washington
Land Information Portal

EXHIBIT B

(Yakima Map)
(Info Map)

Yakimap.com



Map Center Range: 20 Township: 10 Section: 9

City Limits
Sections

WWW.YAKIMACOM
Yakima County GIS
128 N 2nd Street
Yakima, WA 98901
(509) 574-2092



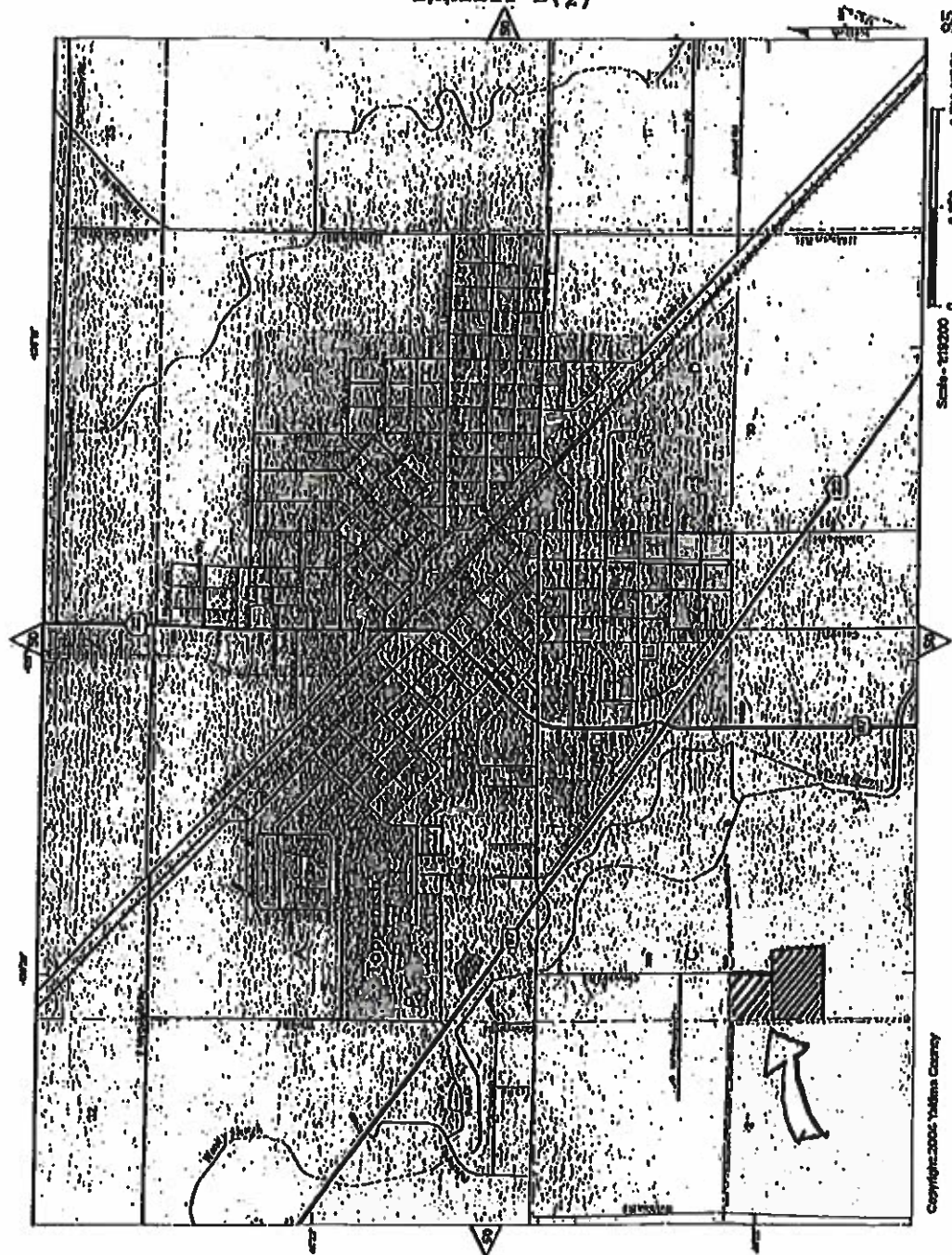
One Inch = 400 Feet

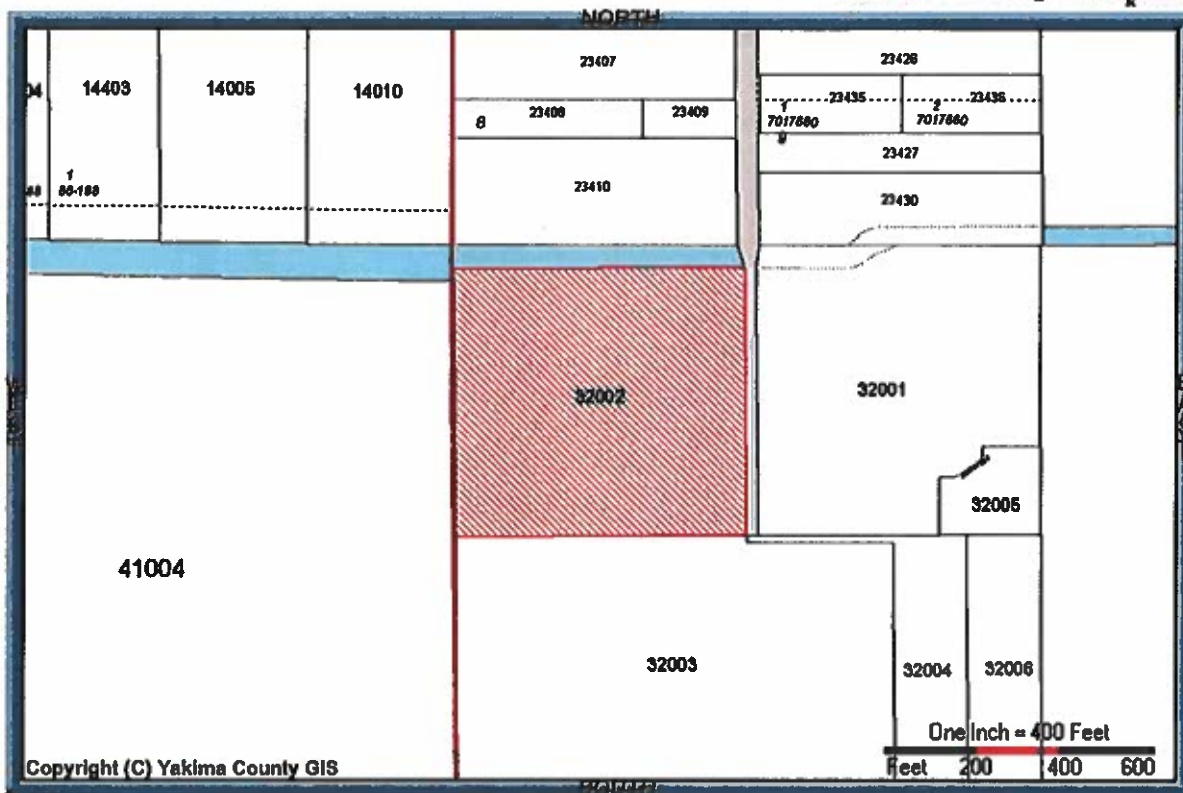
Foot 200 400 600

THIS MAP IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT A LEGAL DOCUMENT. IT SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPROVAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION.

Parcel #20100932002=9.17 acres; Parcel #20100932003=14.87
acres; Total acres=24.04

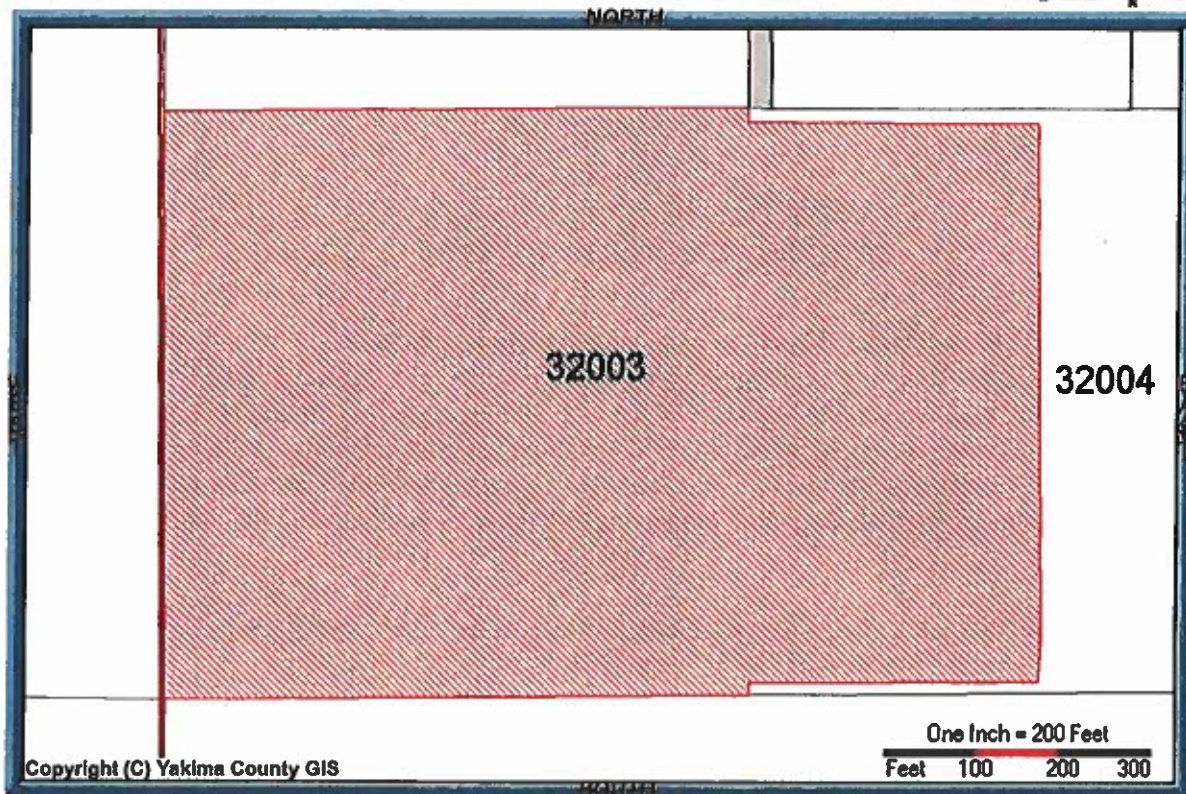
EXHIBIT B(2)





PROPERTY PHOTO	PROPERTY INFORMATION	
	Parcel Address: 530 ELMWOOD RD, TOPPENISH ,WA 98948	
	Parcel Owner(s): TOPPENISH CITY	
	Parcel Number: 20100932002	Parcel Size: 9.17 Acre(s)
	Property Use: 62 Service - Personal	
	TAX AND ASSESSMENT INFORMATION	
	Tax Code Area (TCA): 482	Tax Year: 2022
	Improvement Value: \$22300	Land Value: \$112900
	CurrentUse Value: \$0	CurrentUse Improvement: \$0
New Construction:\$0	Total Assessed Value:\$135200	
OVERLAY INFORMATION		
Zonlng: R-1	Jurisdiction: County	
Urban Growth Area: Toppenish	Future Landuse Designation: (Yaklma County Plan 2015)	
FEMA: FEMA Map	FIRM Panel Number: 53077C1850D	
LOCATION INFORMATION		
+ Latitude:46° 22' 00.376"	+ Longitude:-120° 20' 04.707"	Range:20 Township:10 Section:09
Narralve Description: NW1/4 NW1/4 SW1/4		
DISCLAIMER		
MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION		

Yakimap.com



PROPERTY PHOTO		PROPERTY INFORMATION	
		Parcel Address: 530 ELMWOOD RD, TOPPENISH ,WA 98948	
		Parcel Owner(s): TOPPENISH CITY	
		Parcel Number: 20100932003	Parcel Size: 14.87 Acre(s)
		Property Use: 62 Service - Personal	
		TAX AND ASSESSMENT INFORMATION	
		Tax Code Area (TCA): 482	Tax Year: 2022
		Improvement Value: \$0	Land Value: \$74400
		CurrentUse Value: \$0	CurrentUse Improvement: \$0
		New Construction:\$0	Total Assessed Value:\$74400
OVERLAY INFORMATION			
Zoning: R-1		Jurisdiction: County	
Urban Growth Area: Toppenish		Future Landuse Designation: (Yakima County Plan 2015)	
FEMA:		FIRM Panel Number: 53077C1850D	
FEMA Map			
LOCATION INFORMATION			
+ Latitude:46° 21' 54.109"		+ Longitude:-120° 20' 02.358"	
		Range:20 Township:10 Section:09	
Narrative Description: SW1/4 NW1/4 SW1/4 & W1/2 SE1/4 NW1/4SW1/4 EX N & S 15 FT			
DISCLAIMER			
MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION			

RESOLUTION 2022-10

**A RESOLUTION OF INTENT TO ANNEX
THE CITY CEMETERY PROPERTY**

WHEREAS a Notice of Intent to Commence Annexation Proceedings and a Petition for Annexation of the City's cemetery property were filed with the Toppenish City Clerk by the Toppenish City manager on behalf of the City of Toppenish on February 11, 2022 wherein he on behalf of the City as the owner of 100% of the assessed value of the property for which the annexation is sought gave notice of an intent to commence proceedings for the annexation of the following real property which is not contiguous to the City of Toppenish:

The Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 9, Township 10 North, Range 20 E.W.M.

(Approximately 9.17 acres at 530 Blinwood, Road, Toppenish, Washington which is Assessor's Parcel No. 201009-32002)

AND

The Southwest Quarter of the Northwest Quarter of the Southwest Quarter and the West Half of the Southeast Quarter of the Northwest Quarter of the Southwest Quarter EXCEPT the South 15 feet; all in Section 9, Township 10 North, Range 20, E.W.M., EXCEPTING ALSO, right of way for a roadway 15 feet wide along the North end of said tract

(Approximately 14.87 acres at 530 Elmwood Road, Toppenish, Washington which is Assessor's Parcel No. 201009-32003)

Situated in Yakima County, Washington.

AND WHEREAS, the legal description of the property to be annexed has been approved by the Yakima County Public Services;

AND WHEREAS, the Yakima County Assessor issued a Determination of Sufficiency of the Annexation Petition:

AND WHEREAS, the annexation of City-owned property for municipal purposes pursuant to RCW 35A.14.300 does not require a public hearing by the City Council;

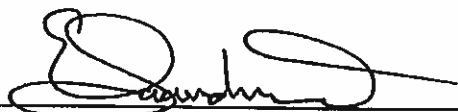
AND WHEREAS the annexation by a City of property with an existing City zoning classification is exempt from SEPA review pursuant to RCW 43.21C.222 and WAC 197-11-800(6)(c) where, as here, it is within an Urban Growth Area and does not require an amendment to the Comprehensive Plan;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF TOPPENISH, WASHINGTON AS FOLLOWS:

- (1) The City of Toppenish accepts the Notice of Intention to Commence Annexation Proceedings and the Petition for Annexation of the City's cemetery property.
- (2) A copy of the approval of the legal description, the determination of sufficiency of the Petition for Annexation and this Resolution shall be filed with the Yakima County Boundary Review Board with the information required by its Notice of Intention form.
- (3) The Petition for Annexation is hereby referred to the City's Planning Commission for a public hearing and recommendation relative to simultaneous adoption of the City's existing Public and Semipublic District (SP) zoning classification for the proposed area pursuant to TMC Chapter 17.20.
- (4) Following review or passage of a 45-day period without a request for review by the Boundary Review Board and a recommendation from the Planning Commission, the City Manager shall present an appropriate ordinance to the City Council for its consideration and adoption in order to annex the territory described above.

This resolution shall be effective immediately upon passage and signatures hereto.

PASSED by the City Council at its regular meeting held on March 14, 2022.

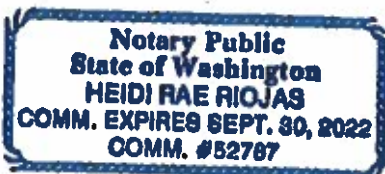

ELPIDIA SAAVEDRA, Mayor


ATTEST:


HEIDI RIOJAS, CMC, City Clerk

This is to certify that this is a true and correct copy of Resolution 2022-10 approved by the Toppenish City Council during its Regular Meeting on March 14, 2022.

Dated this 1st day of April, 2022.




Notary Public In and for the State of Washington, residing at Toppenish. My commission expires September 30, 2022.

Office of the Yakima County Assessor

**Determination of Sufficiency of Annexation Petition;
City of Toppenish
(RCW 35.21.005(4))**

To: Heidi Riojas, CMC, City Clerk, City of Toppenish

On February 23, 2022, a City of Toppenish Annexation Petition, was received by this office for determination of the sufficiency of the petitions according to RCW 35.13.130 and 35.21.005

The determination of the sufficiency was begun by this office on the terminal date of February 24, 2022, and has now been completed based on the records of this office, the above-mentioned petition, and the agreements and legal authorities cited therein.

The owners of and real properties comprising not less than 75% of the assessed value of real property in the area proposed for annexation are signers of or subject to annexation covenants which are equivalent to petition signatures, and the above petition is determined and declared sufficient.

Done this 24th day of February 2022

A handwritten signature in blue ink, appearing to read 'Dave Cook', is written over a horizontal line.

Dave Cook, Yakima County Assessor

Determination of Sufficiency of Annexation Petition