

**CITY OF UNION GAP, WASHINGTON**  
**RESOLUTION NO. 857**

**A RESOLUTION** accepting and approving annexation conditioned upon Boundary Review Board approval and directing that the intent to annex and petition be sent to the Boundary Review Board for review.

**WHEREAS**, a Notice of Intent to Annex was initiated by United Builders and Kimco, LLC pursuant to RCW 35A.14.120 (petition method);

**WHEREAS**, the City Council held a public meeting concerning the Notice of Intent to Annex and determined that the City will accept the proposed annexation boundary; determined whether the petition will require the simultaneous adoption of a zoning classification; determined whether the City will require the assumption of all or any portion of the existing City indebtedness by the area to be annexed, and determined whether a "right of first refusal" for purchase of irrigation and/or domestic water rights will be required;

**WHEREAS**, following the public meeting and acceptance of the Notice of Intent to Annex, the Petitioner's fashioned and circulated for signature a Petition for Annexation which includes:

1. The legal description of the property to be annexed.
2. A map that outlines the boundaries of the property sought to be annexed.
3. A statement that the City has required the assumption of all or any portion of existing City indebtedness and/or the adoption of a zoning classification for the area to be annexed.

**WHEREAS**, the Petition for Annexation with not less than 60 percent of the assessed valuation, according to the assessed valuation for general taxation, of the property for which annexation has been petitioned, has been produced and the City has transmitted the same to the County Assessor for signature verification and a determination of sufficiency;

**WHEREAS**, the County Assessor has determined the Petition for Annexation to be sufficient;

**WHEREAS**, the City thereafter set a public hearing for March 22, 2010 and duly provided notice and posted and published the same;

**WHEREAS**, having conducted the public hearing and having considered testimony for or against the proposed annexation (if any);

**WHEREAS**, the Boundary Review Board has not yet provided comments concerning the proposed annexation area; and,

**WHEREAS**, it is necessary to obtain Boundary Review Board review and approval prior to final approval of the annexation;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNION GAP, WASHINGTON, HEREBY RESOLVES as follows:**

1. The annexation is approved conditioned upon Boundary Review Board review and approval.
2. City staff is directed to forward the annexation materials (Notice of Intent, the Petition, and associated materials) to the Boundary Review Board for Review.
3. Following Boundary Review Board review, City staff is directed to bring an appropriate ordinance back to City Council for review and passage.

**PASSED** this 22<sup>nd</sup> day of March 2010.

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Jim Lemon, Mayor

ATTEST:

APPROVED AS TO FORM:

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Kathryn Thompson, CMC, City Clerk

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Robert F. Noe, City Attorney