

**CITY OF FIFE, WASHINGTON**

**RESOLUTION NO. 1921**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH CITY OF MILTON TO ADJUST THEIR COMMON BOUNDARY WITHIN THE 20<sup>th</sup> STREET EAST RIGHT OF WAY**

WHEREAS, the widening of 20<sup>th</sup> Street East at the Freeman Road intersection resulted in the common boundary between Fife and Milton located within the 20<sup>th</sup> Street right of way rather than at the edge of the right of way; and

WHEREAS, RCW 35.13.310 provides that the councils of two cities with a common boundary within the right of way of a public street may enter into an agreement to alter those portions of their boundaries that are necessary to eliminate this situation and create a partial common boundary on either edge of the right of way. Boundary line adjustments under RCW 35.13.310 are not subject to potential review by the boundary review board; and

WHEREAS, it is burdensome and inefficient for both Fife and Milton to have to provide law enforcement, street maintenance and other services to only a portion of the right of way when the remainder of the right of way is owned and serviced by the other city; and

WHEREAS, the attached agreement adjusts the boundary to the 20<sup>th</sup> Street ROW edge; now therefore

BE IT RESOLVED that the Fife City Council hereby authorizes the City Manager to execute the Agreement between the City of Milton and the City of Fife to Adjust Common Boundaries within the 20<sup>th</sup> Street Right of Way in the form attached hereto as Exhibit A.

ADOPTED by the City Council at an open public meeting held on the 14<sup>th</sup> day of January, 2020.

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Kim Roscoe, Mayor

Attest:

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Brodie Rota, City Clerk

**AGREEMENT BETWEEN  
THE CITY OF MILTON AND THE CITY OF FIFE  
TO ADJUST THE COMMON BOUNDARY WITHIN  
THE 20<sup>th</sup> STREET EAST RIGHT OF WAY**

1. Date and Parties. This Agreement (“Agreement”) is dated for reference purposes only, the \_\_\_\_\_ day of January, 2020, and is entered into by and between the City of Fife, an optional municipal code city organized under Chapter 35A.13 RCW (“Fife”), and the City of Milton, an optional municipal code city organized under Chapter 35A.12 RCW (“Milton”) (collectively, “the Parties”).

2. General Recitals.

2.1 The widening of 20<sup>th</sup> Street East at the Freeman Road intersection resulted in the common boundary between Fife and Milton located within the 20<sup>th</sup> Street East right of way rather than at the edge of the right of way. A boundary adjustment between Fife and Milton is necessary to eliminate this situation.

2.2 RCW 35.13.310 provides that the councils of two cities with a common boundary within the right of way of a public street may enter into an agreement to alter those portions of their boundaries that are necessary to eliminate this situation and create a partial common boundary on either edge of the right of way.

2.3 Boundary line adjustments under RCW 35.13.310 are not subject to potential review by the boundary review board.

2.4 It is burdensome and inefficient for both Fife and Milton to have to provide law enforcement, street maintenance and other services to only a portion of the right of way when the remainder of the right of way is owned and serviced by the other city.

2.5 Fife and Milton agree that it is in the best interests of both cities for the common boundary to be adjusted to the edge of the right of way.

2.6 The Parties enter this Agreement in consideration of the mutual covenants and promises set forth in this Agreement, the mutual benefits derived from each, and the exercise of authority granted by RCW 35.13.310.

3. Adjustment of Boundary of Fife and Milton along 20<sup>th</sup> Street East. The common boundary between Fife and Milton shall be adjusted as of the Effective Date so that the portion of the 20<sup>th</sup> Street East right of way legally described in Exhibit A and graphically depicted in Exhibit B attached hereto is entirely within Milton.

4. Effective Date. This Agreement shall become effective at 12:01 AM on February 1, 2020.

5. Filing. The City Clerk of Fife shall file a certified copy of this Agreement with the Pierce County Auditor.

6. Signature Authority.

6.1 The Fife City Manager was authorized to execute this Agreement by Resolution No. \_\_\_\_ adopted by a majority of the entire City Council on the \_\_\_\_ day of January, 2020 at a regularly scheduled Council meeting.

6.2 The Mayor of Milton was authorized to execute this Agreement by Resolution No. \_\_\_\_ adopted by a majority of the entire City Council on the \_\_\_\_ day of January, 2020 at a regularly scheduled Council meeting.

CITY OF MILTON

CITY OF FIFE

By: \_\_\_\_\_  
Shanna Styron-Sherrell  
Mayor

By: \_\_\_\_\_  
Hyun Kim  
City Manager

APPROVED AS TO FORM:

APPROVED AS TO FORM:

\_\_\_\_\_  
Ogden Murphy Wallace, P.L.L.C.  
City Attorney

\_\_\_\_\_  
Gregory F. Amann  
City Attorney

**EXHIBIT A**

**LEGAL DESCRIPTION**

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF 20<sup>TH</sup> STREET EAST, FORMERLY MILTON AVENUE AS IT EXISTED PRIOR TO JULY 12, 1962, AND THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 20 NORTH, RANGE 4 EAST W.M.;

THENCE EAST ALONG THE SOUTH LINE OF SAID ROAD 150.13 FEET TO A LINE PARALLEL WITH AND 20.00 FEET SOUTHWESTERLY FROM THE CENTERLINE OF FREEMAN ROAD EAST, ACCORDING TO CITY OF FIFE LOT LINE ADJUSTMENT NO. LLA15-004, RECORDED UNDER RECORDING NO. 201606225007, RECORDS OF PIERCE COUNTY, WASHINGTON;

THENCE SOUTHEASTERLY ALONG SAID PARALLEL LINE, 10.89 FEET TO A LINE PARALLEL WITH AND 10.00 FEET SOUTH OF SAID SOUTH LINE OF 20<sup>TH</sup> STREET EAST;

THENCE WEST 154.65 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8;

THENCE NORTH 10.00 FEET TO THE POINT OF BEGINNING.

EXCEPT THE WEST 16.50 FEET THEREOF FOR COUNTY ROAD.

SITUATE IN PIERCE COUNTY, WASHINGTON.

CONTAINING 1,359 SQUARE FEET, MORE OR LESS.