

**CITY OF MILTON
RESOLUTION 20-1927**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILTON, WASHINGTON, ADOPTING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF MILTON AND THE CITY OF FIFE ADJUSTING THE COMMON BOUNDARY BETWEEN THE TWO CITIES.

WHEREAS, the City of Milton and the City of Fife executed an Interlocal Agreement in March of 2015 agreeing to adjust the common boundary between the two Cities along Freeman Road once the Freeman Road Project was complete; and

WHEREAS, the Freeman Road project is now complete; and

WHEREAS, a portion of the right of way that should have been included was not;

NOW, THEREFORE, the City Council of the City of Milton, Washington, does hereby resolve as follows:

Section 1. The City of Milton agrees to adjust the common boundary between the City of Milton and the City of Fife in accordance with the attached Interlocal Agreement and exhibit.

Section 2. The Mayor is hereby authorized to sign the Interlocal Agreement to execute the boundary line adjustment.

PASSED AND APPROVED by the City Council of the City of Milton, Washington, at a regularly scheduled meeting thereof this ____ day of _____ 2020.

Shanna Styron Sherrell, Mayor

Attest/Authenticated:

Trisha Summers, City Clerk

**AGREEMENT BETWEEN
THE CITY OF MILTON AND THE CITY OF FIFE
TO ADJUST THE COMMON BOUNDARY WITHIN
THE 20th 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 20th Street East at the Freeman Road intersection resulted in the common boundary between Fife and Milton located within the 20th 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 20th Street East. The common boundary between Fife and Milton shall be adjusted as of the Effective Date so that the portion of the 20th 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.

EXHIBIT A

LEGAL DESCRIPTION

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF 20TH 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 20TH 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.

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