

RESOLUTION NO. 1869

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 TACOMA TO ADJUST THEIR COMMON BOUNDARY WITHIN THE 12TH EAST AND 8TH STREET EAST RIGHTS OF WAY

WHEREAS, the widening of 12th Street East between 52nd Avenue East and 46th Avenue East, and the widening of 8th Street East at its terminus at the Port of Tacoma property known at Parcel 14 has resulted in the common boundary between Fife and Tacoma located within the right of way rather than at the edge of the right of way. A boundary adjustment between Fife and Tacoma is necessary to eliminate this situation; 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 Tacoma 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.

WHEREAS, the attached agreement adjusts the boundary to the widened 12th Street East between 52nd Avenue East and 46th Avenue East, and the widened 8th Street East at its terminus at the Port of Tacoma property known at Parcel 14; now therefore

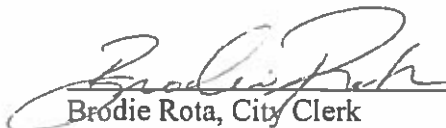
BE IT RESOLVED that the Fife City Council hereby authorizes the City Manager to execute the Agreement between the City of Tacoma and the City of Fife to Adjust Common Boundaries within 12th Street East between 52nd Avenue East and 46th Avenue East, and 8th Street East at its terminus at the Port of Tacoma property known at Parcel 14 substantially in the form attached hereto as Exhibit A.

ADOPTED by the City Council at an open public meeting held on the 23rd day of April, 2019.



Kim Roscoe, Mayor

Attest:



Brodie Rota, City Clerk

EXHIBIT “ A ”

AGREEMENT BETWEEN
THE CITY OF TACOMA AND THE CITY OF FIFE
TO ADJUST COMMON BOUNDARIES WITHIN
THE 12th STREET EAST AND 8TH STREET EAST RIGHTS OF WAY

1. Date and Parties. This Agreement (“Agreement”) is dated for reference purposes only, the _____ day of May, 2019, and is entered into by and between the City of Fife (“Fife”), and the City of Tacoma (“Tacoma”).

2. General Recitals.

2.1 The widening of 12th Street East between 52nd Avenue East and 46th Avenue East, and the widening of 8th Street East at its terminus at the Port of Tacoma property known at Parcel 14 has resulted in the common boundary between Fife and Tacoma located within the right of way rather than at the edge of the right of way. A boundary adjustment between Fife and Tacoma 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 Tacoma 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 Tacoma 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 Tacoma along Freeman.

3.1 The common boundary between Fife and Tacoma shall be adjusted as of the Effective Date so that the portion of 12th Street East right of way legally described and graphically depicted in Exhibit A attached hereto is entirely within Fife.

3.2 The common boundary between Fife and Tacoma shall be adjusted as of the Effective Date so that the portion of 8th Street East right of way legally described in Exhibit B attached hereto is entirely within Fife.

4. Effective Date. This Agreement shall become effective at 12:01 AM on June 1, 2019.

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 April, 2019 at a regularly scheduled Council meeting.

6.2 The City Manager of Tacoma was authorized to execute this Agreement by Resolution No. ____ adopted by a majority of the entire City Council on the ____ day of May, 2019 at a regularly scheduled Council meeting.

CITY OF Tacoma

CITY OF FIFE

By: _____
Elizabeth Pauli
City Manager

By: _____
Hyun Kim
City Manager

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Bill Fosbre
City Attorney

Gregory F. Amann
City Attorney

EXHIBIT A
Parcel A – ROW Abutting TPN 0320013145

DEDICATION LEGAL DESCRIPTION

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE NORTH 01°18'35" EAST, ALONG THE EAST LINE OF SAID SUBDIVISION, A DISTANCE OF 15.00 FEET TO THE NORTH MARGIN OF 12TH STREET EAST AND THE POINT OF BEGINNING;

THENCE, CONTINUING ALONG SAID EAST LINE, NORTH 01°18'35" EAST 51.76 FEET;

THENCE NORTH 81° 46'01" WEST 33.67 FEET;

THENCE SOUTH 79°15'28" WEST 254.42 FEET TO THE NORTH MARGIN OF 12TH STREET EAST;

THENCE SOUTH 88°08'32" EAST, ALONG SAID NORTH MARGIN, 282.25 FEET TO THE POINT OF BEGINNING.

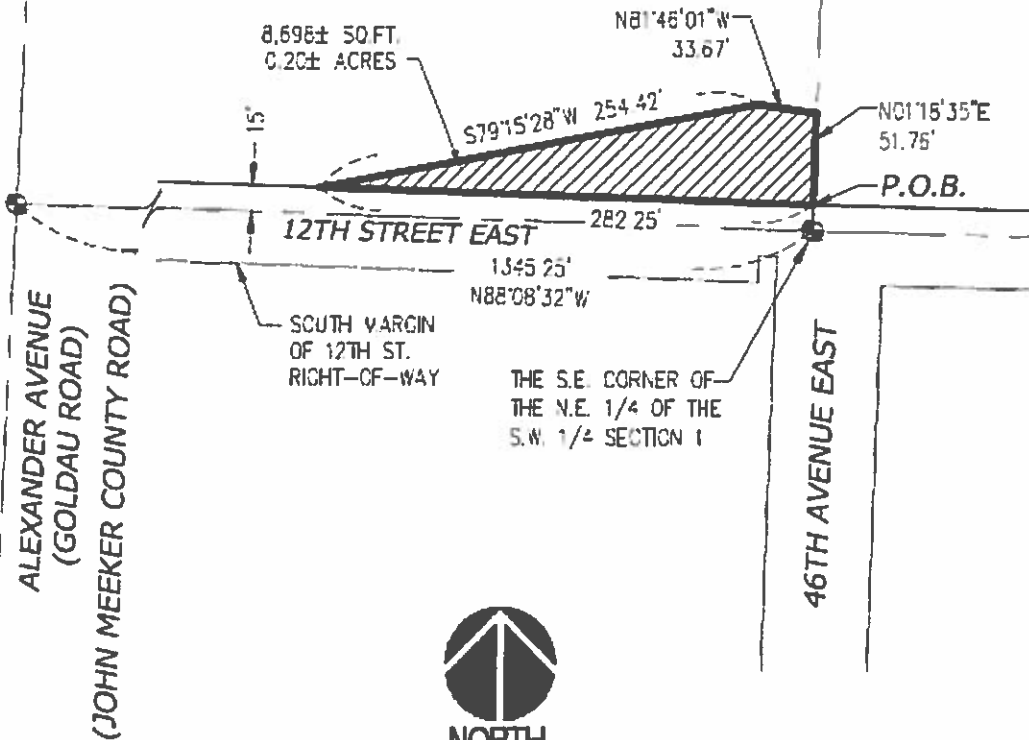


MICHAEL A. MCEVILLY, P.L.S.
WASHINGTON STATE REGISTRATION NO. 44639
SITTS & HILL ENGINEERS, INC
4815 CENTER STREET, TACOMA, WA 98409

12TH Street ROW Dedication Description TPN 0320013145.doc
09/23/2016
Project No. 15201

N.E. 1/4 OF
THE S.W. 1/4

TPN 0320013145
PORT OF TACOMA



NORTH
SCALE 1"=100'

12TH ST RIGHT-OF-WAY
DEDICATION AREA
EXHIBIT
TPN 0320013145

Port of Tacoma
PORT OF TACOMA
P.O. BOX 1817 TACOMA, WA 98401
(253) 863-5811

SHEET 1 OF 1

**SITTS & HILL
ENGINEERS, INC.**

CIVIL & SURVEYING ENGINEERS
4415 CENTER STREET | TACOMA, WA, 98409
PHONE (253) 476-2445 | FAX (253) 476-8133
WEB: www.sittshill.com JME 08/22/2016

EXHIBIT A
Parcel B – ROW Abutting TPN 0320014103

DEDICATION LEGAL DESCRIPTION

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE NORTH 01°18'35" EAST, ALONG THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 15.00 FEET TO THE NORTH MARGIN OF 12TH STREET EAST, AND THE POINT OF BEGINNING;

THENCE, CONTINUING ALONG SAID WEST LINE, NORTH 01°18'35" EAST, 51.76 FEET;

THENCE SOUTH 81°46'01" EAST 61.24 FEET;

THENCE SOUTH 88°34'00" EAST 428.89 FEET;

THENCE SOUTH 86°56'46" EAST 560.29 FEET;

THENCE SOUTH 88°33'56" EAST 263.93 FEET TO THE EAST LINE OF SAID SUBDIVISION;

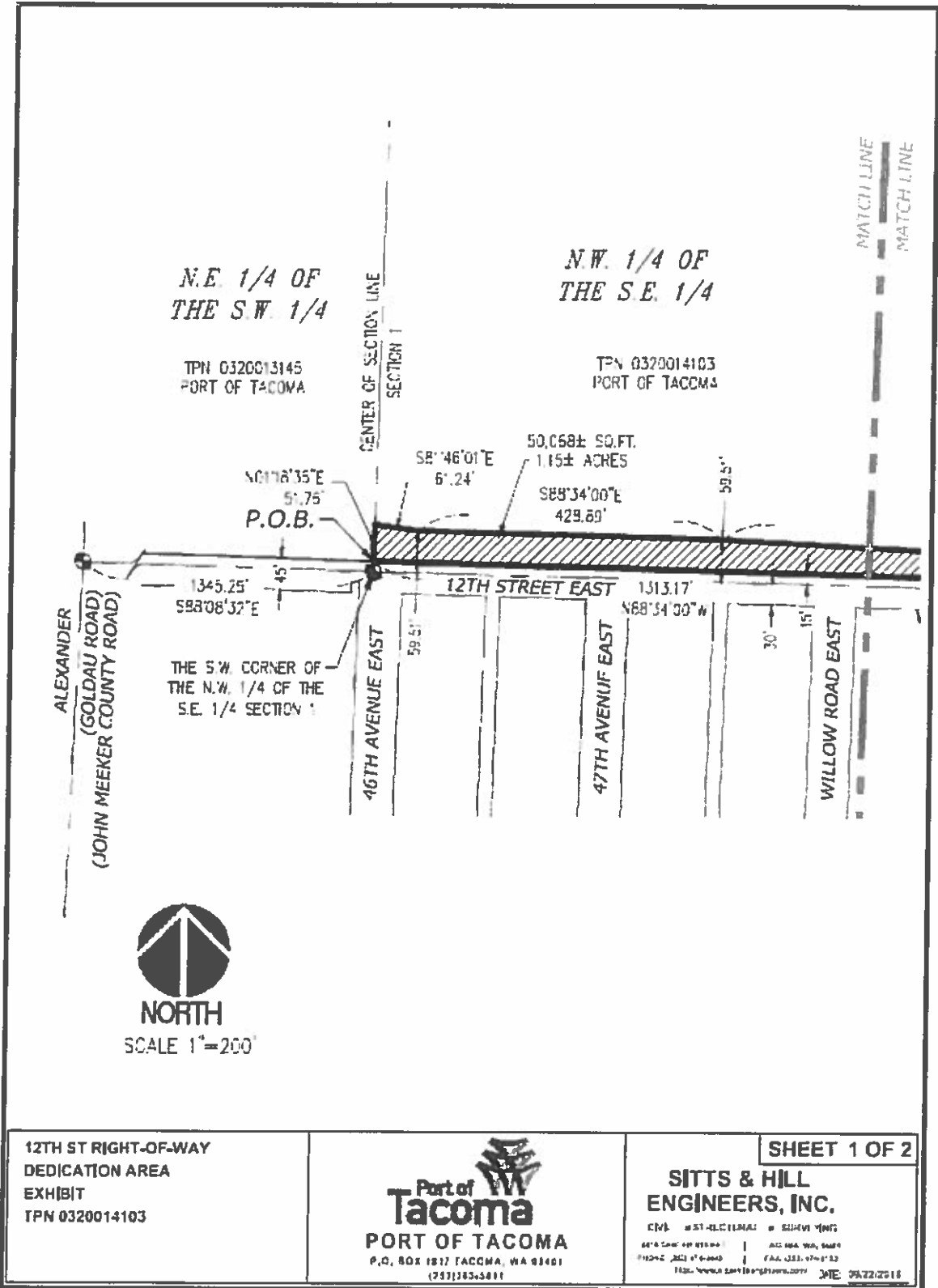
THENCE SOUTH 02°15'23" WEST, ALONG SAID EAST LINE, 28.67 FEET TO THE NORTH MARGIN OF 12TH STREET EAST;

THENCE NORTH 88°34'00" WEST, ALONG SAID NORTH MARGIN, 1313.17 FEET TO THE POINT OF BEGINNING.



MICHAEL A. MCEVILLY, P.L.S.
WASHINGTON STATE REGISTRATION NO 44639
SITTS & HILL ENGINEERS, INC
4815 CENTER STREET, TACOMA, WA 98409

12TH Street ROW Dedication Description TPN 0320014103 doc
09/23/2016
Project No. 15201

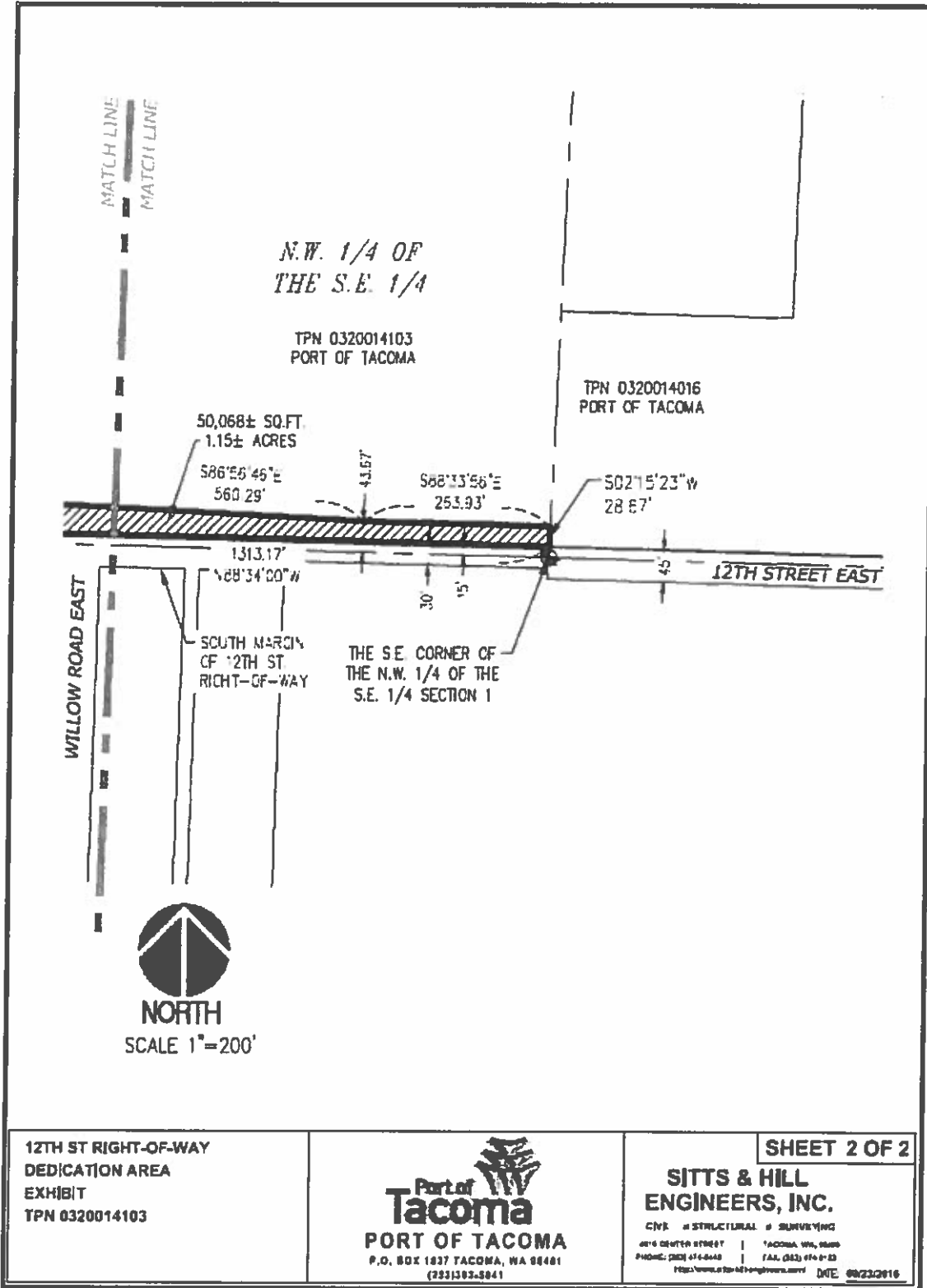


12TH ST RIGHT-OF-WAY
DEDICATION AREA
EXHIBIT
TPN 0320014103



SHEET 1 OF 2

SITTS & HILL ENGINEERS, INC.
CIVIL & SURVEYING ENGINEERS
600 1ST AVENUE, SUITE 1000
TACOMA, WA 98401
PHONE: (253) 473-6666 FAX: (253) 473-6132
WWW.SITTSANDHILL.COM



12TH ST RIGHT-OF-WAY
DEDICATION AREA
EXHIBIT
TPN 0320014103



SHEET 2 OF 2

SITTS & HILL ENGINEERS, INC.
CNS IN STRUCTURAL & SURVEYING
416 CENTER STREET | TACOMA, WA, 98401
PHONE: (253) 474-8448 | FAX: (253) 474-8783
FIDELITY: www.sitts-hill-engineers.com | DNE 08/23/2016

EXHIBIT A
Parcel C – ROW Abutting TPN 0320014016

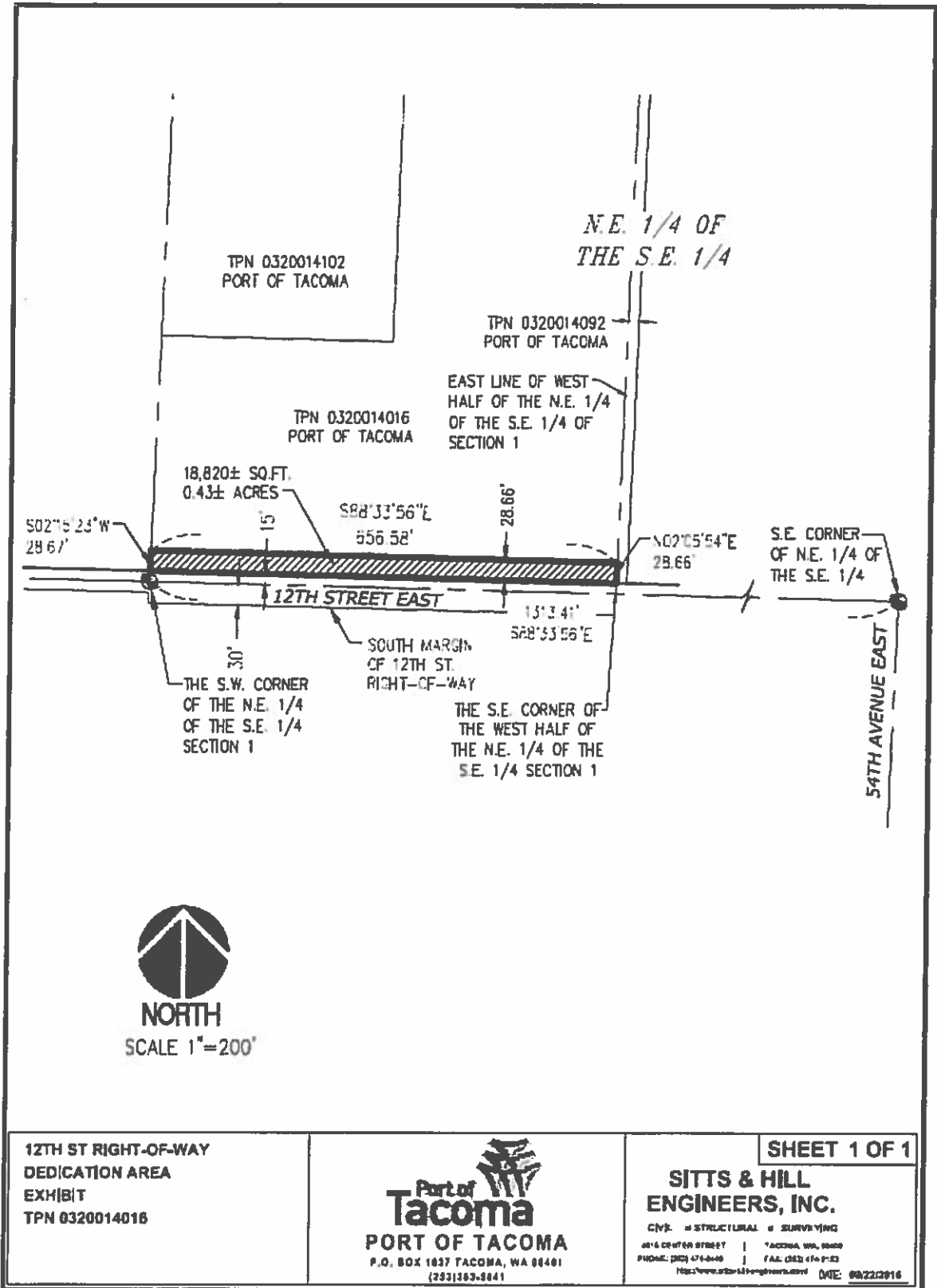
DEDICATION LEGAL DESCRIPTION

THE NORTH 28.66 FEET OF THE SOUTH 43.66 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON.



MICHAEL A. MCEVILLY, P.L.S.
WASHINGTON STATE REGISTRATION NO. 44639
SITTS & HILL ENGINEERS, INC
4815 CENTER STREET, TACOMA, WA 98409

12TH Street ROW Dedication Descriptor TPN 0320014016 coc
9/23/2016
Project No 15201




NORTH
 SCALE 1"=200'

12TH ST RIGHT-OF-WAY
 DEDICATION AREA
 EXHIBIT
 TPN 0320014016


Port of Tacoma
 PORT OF TACOMA
 P.O. BOX 1837 TACOMA, WA 98401
 (253)383-3841

SHEET 1 OF 1
SITTS & HILL
ENGINEERS, INC.
 CIVIL • STRUCTURAL • SURVEYING
 4014 CENTER STREET | TACOMA, WA 98409
 PHONE: (253) 474-0440 | FAX: (253) 474-0133
 Http://www.sitts-hill-engineers.com | DATE: 09/22/2016

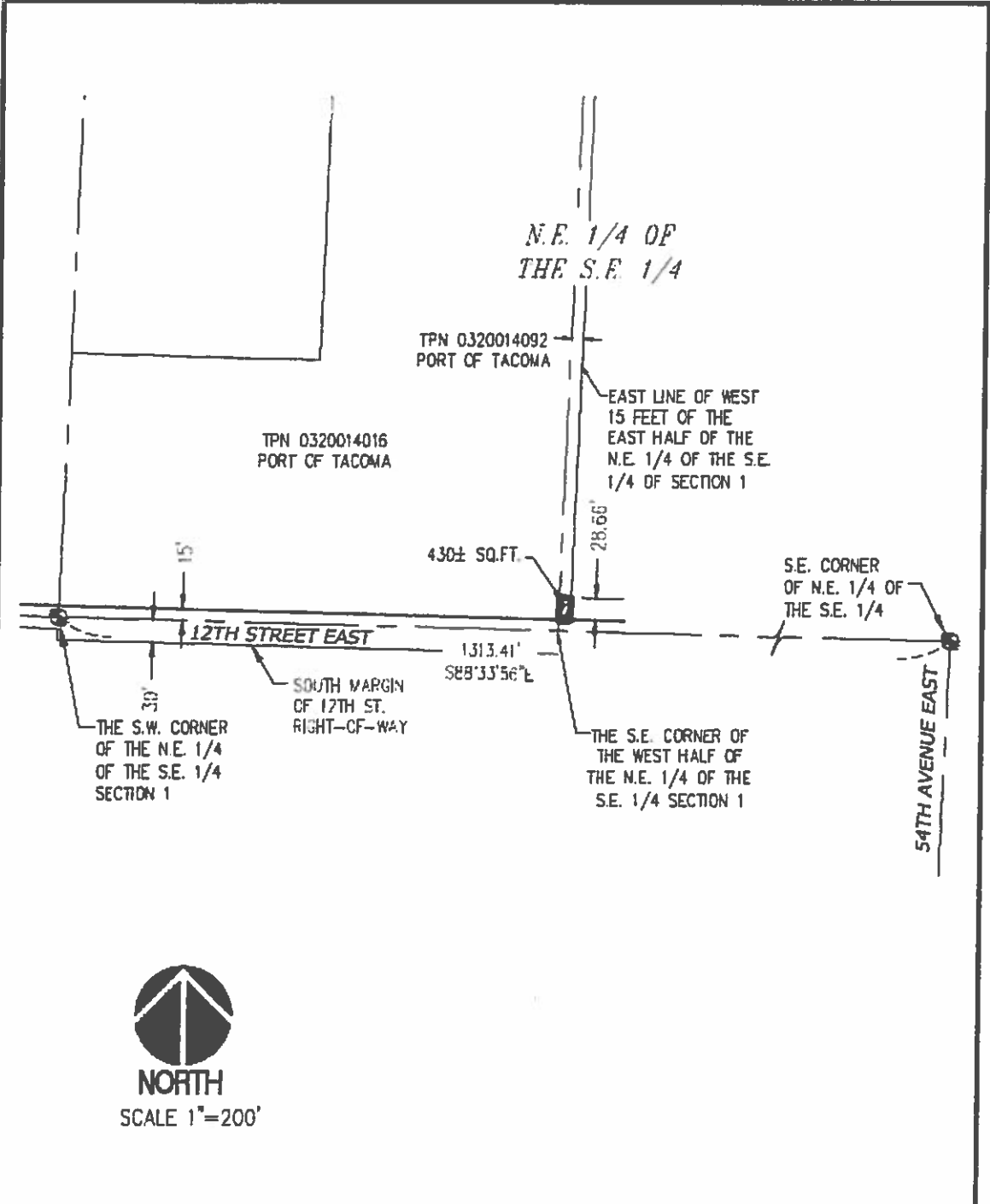
EXHIBIT A
Parcel D – Portion of TPN 0320014092
DEDICATION LEGAL DESCRIPTION

THE NORTH 28.66 FEET OF THE SOUTH 43.66 FEET OF THE WEST 15 FEET OF THE EAST HALF OF THE
NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3
EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON.



MICHAEL A. MCEVILLY, P.L.S.
WASHINGTON STATE REGISTRATION NO 44639
SITTS & HILL ENGINEERS, INC.
4815 CENTER STREET, TACOMA, WA 98409

12TH Street ROW Dedication Description TPN 0320014092.doc
09/23/2016
Project No. 15201




NORTH
 SCALE 1"=200'

<p>12TH ST RIGHT-OF-WAY DEDICATION AREA EXHIBIT TPN 0320014092</p>	<p>  Port of Tacoma PORT OF TACOMA P.O. BOX 1837 TACOMA, WA 98401 (253)383-3841 </p>	<p> SHEET 1 OF 1 SITTS & HILL ENGINEERS, INC. CIVIL & STRUCTURAL & SURVEYING 400 CENTER STREET TACOMA, WA, 98401 PHONE: (253) 474-6648 FAX: (253) 474-7733 http://www.sittshillengineers.com DATE: 08/23/2016 </p>
--------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Exhibit B
Portion of 8th Street East ROW from Transferred from Tacoma to Fife

Parcel A

ALL THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, COUNTY OF PIERCE, STATE OF WASHINGTON, LYING SOUTH OF THE SOUTH MARGIN OF 8TH STREET EAST MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH MARGIN OF 8TH STREET EAST AND THE EAST LINE OF THE WEST 15 FEET OF THE EAST HALF OF THE NORTH EAST QUARTER FO THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE NORTH 88°04'55" WEST, ALONG SAID SOUTH MARGIN, 37.19 FEET TO THE WEST TERMINUS OF SAID 8TH STREET EAST, SAID TERMINUS ALSO BEING THE EAST LINE OF VACATED BLUE ROAD AS DESCRIBED IN PIERCE COUNTY RESOLUTION 10433, AND RECORDED UNDER AUDITOR'S FEE NUMBER 2088183;

THENCE SOUTH 02°23'30" WEST, ALONG THE SOUTHERLY EXTENSION OF SAID WEST TERMINUS, 20.00 FEET;

THENCE SOUTH 88°04'55" EAST, PARALLEL WITH SAID SOUTH MARGIN, 37.29 FEET TO THE AFORESAID EAST LINE OF THE WEST 15 FEET OF SAID SUBDIVISION;

THENCE NORTH 02°05'54" EAST, ALONG SAID EAST LINE, 20 FEET TO THE POINT OF BEGINNING.

Parcel B

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHEAST OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, COUNTY OF PIERCE, STATE OF WASHINGTON, LYING BETWEEN THE NORTH AND SOUTH MARGIN LINES OF 8th STREET EAST MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1 AND THE EAST LINE OF THE WEST 15.00 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE SOUTH 02° 05' 54" WEST, ALONG SAID EAST LINE, 15.00 FEET;

THENCE NORTH 88° 04' 55" WEST, 37.19 FEET TO THE WEST TERMINUS OF SAID 8TH STREET, SAID TERMINUS ALSO BEING THE EAST LINE OF VACATED BLUE ROAD AS DESCRIBED IN PIERCE COUNTY RESOLUTION 10433, AND RECORDED UNDER AUDITOR'S FEE NUMBER 2088183;

THENCE NORTH 02° 23' 30" EAST, ALONG THE NORTHERLY EXTENSION OF SAID WEST TERMINUS, 30.00 FEET;

THENCE SOUTH 88° 04' 55" EAST 37.04;

THENCE SOUTH 02° 05' 54" WEST, 15.00 FEET TO THE POINT OF BEGINNING.