

**CITY OF FIFE, WASHINGTON**

**ORDINANCE NO. 2028**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY KNOWN AS THE 12<sup>TH</sup> STREET POTENTIAL ANNEXATION AREA TO THE CITY, REQUIRING THE ANNEXED PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN THE CITY, ESTABLISHING ITS ZONING AS SMALL LOT RESIDENTIAL (SLR) AND SINGLE FAMILY RESIDENTIAL (SFR), AND FIXING THE EFFECTIVE DATE OF THE ANNEXATION.**

WHEREAS, on January 14<sup>th</sup>, 2020, the City Council adopted Resolution 1917 directing the City Manager to negotiate an interlocal agreement with Pierce County for the annexation of a portion of the City's Urban Growth Area adjacent to 12th Street E, known as the 12<sup>th</sup> Street East Potential Annexation Areas, as authorized by RCW 35A.14.460; and

WHEREAS, on March 5<sup>th</sup>, 2020 the City, in collaboration with Pierce County held an open house to discuss impacts of the annexation with affected citizens; and

WHEREAS, the City properly filed a Notice of Intent and related documents with the Pierce County Boundary Review Board on [INSERT DATE] and the proposed annexation was deemed approved by the BRB on [INSERT DATE] pursuant to RCW 36.93.100; and

WHEREAS, pursuant to RCW 35A.14.330 and 35A.14.340, the pre-annexation zoning for the annexation area was adopted on July 28, 1998 by Ordinance 1317 as Small Lot Residential (SLR) and Single Family Residential (SFR); and

WHEREAS, pursuant to FMC 14.02.030, the Planning Commission, on [INSERT DATE], recommended adoption of the annexation to the Fife City Council; and,

WHEREAS, pursuant to FMC 14.02.030 and RCW 35A.14.470, a public hearing was held by the Fife City Council on [INSERT DATE]. This hearing and the interlocal annexation agreement were duly noticed by the City Clerk through publication in a newspaper of general circulation in the City and the proposed annexation area at least once a week for two weeks before the date of the hearing, and site posting in the proposed annexation area, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, on [INSERT DATE], the City Council adopted Resolution \_\_\_\_\_ authorizing the City Manager to execute the interlocal agreement with Pierce County for annexation of the 12<sup>th</sup> Street East Potential Annexation Area, and on [INSERT DATE] the interlocal agreement was executed by both the City and the County; and

WHEREAS, the City Council has been fully advised and finds that all statutory requirements have been satisfied in order to accomplish the proposed annexation; now therefore,

THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON DO  
ORDAIN AS FOLLOWS:

Section 1. The unincorporated real property located in Pierce County, Washington, contiguous to the City of Fife and legally described in Exhibit “A” and shown in Exhibit “B” attached hereto and incorporated herein by this reference, is hereby annexed to and made part of the City of Fife, Pierce County, Washington under the authority identified in RCW 34A.14.470.

Section 2. All property within the territory annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Fife, including assessments or taxes in payment of all or any portion of the outstanding indebtedness of the City contracted for, incurred prior to, or existing on, the date of annexation.

Section 3. All property within the territory annexed is hereby zoned Small Lot Residential (SLR) or Single Family Residential (SFR) in accordance with Ordinance No. 1317 as shown in Exhibit C.

Section 4. The City Clerk is hereby directed to file a certified copy of this Ordinance with the Pierce County Council. The Clerk is further directed to file a certificate of annexation with the State Office of Financial Management as directed by RCW 35A.14.700.

Section 5. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof, provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 6. Effective Date of Annexation. This Ordinance shall be in full force and effect on [INSERT DATE which must be at least 45 days after the ordinance is adopted], unless a timely and sufficient referendum petition is filed in accordance with RCW 35A.14.470(5) no later than 45 days after the date of adoption of this ordinance. . A summary of this Ordinance may be published in lieu of publishing it in its entirety.

Section 7. Publication. Notice of the effective date of the annexation, together with a description of the property to be annexed, assumption of indebtedness, and adoption of proposed zoning shall be published at least once a week for two weeks subsequent to adoption of this ordinance, in one or more newspapers of general circulation within the City and the property to be annexed.

Introduced the \_\_\_\_ day of \_\_\_\_\_ 2020.

Passed by the City Council on the \_\_\_\_ day of \_\_\_\_\_ 2020.

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Kim Roscoe, Mayor

ATTEST:

\_\_\_\_\_  
Brodie Rota, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Greg Amann, City Attorney

Published: \_\_\_\_\_  
Effective Date: \_\_\_\_\_, 2020

Exhibit A – Legal Description.

That portion of the west half of the Southeast quarter of Section 6, Township 20 North, Range 4 East W.M., Pierce County, State of Washington, described as follows:

Beginning on the east margin of 62nd Avenue East at a point 30 feet east of the Southwest corner of the north half of the Southwest quarter of the Northwest quarter of the Southeast quarter of said Section;

Thence east along the south line of the north half of the Southwest quarter of the Northwest quarter of the Southeast quarter of said Section to the west line of the Southeast quarter of the Northwest quarter of the Southeast quarter of said Section;

Thence south along said west line to the centerline of Hylebos Creek;

Thence southeasterly along said centerline of creek to intersect a line parallel with and 220 feet north of the south line of the southeast quarter of the northwest quarter of the southeast quarter of said Section;

Thence east parallel with said south line to intersect a line 200 feet west and parallel with the east line of said subdivision;

Thence south parallel with said east line 47.86 feet to the southwest corner of the north 500 feet of the east 200 feet of the Southeast quarter of the Northwest quarter of the Southeast quarter of said section;

Thence east parallel with the north line of said subdivision 200.00 feet to the east line of said subdivision;

Thence southerly along said east line to the southeast corner of said subdivision;

Thence continuing southerly on the east line of the Southwest quarter of the Southeast quarter of said Section 6 a distance of 20 feet to a point on the south margin of 12th Street East;

Thence west parallel with the north line of said subdivision and along the south margin of 12th Street East a distance of 50 feet to the northeast corner of Lot 4 of Short Plat 76-449, recorded September 01, 1976 records of Pierce County, Washington.

Thence southerly along the east boundary of Short Plat 76-449 a distance of 275.40 feet to the southeast corner of Lot 3 of said Short Plat;

Thence easterly a distance of 50 feet along the north boundary of Lot 4 of Pierce County Short Plat 76-454, recorded September 02, 1976 records of Pierce County, State of Washington, to the northeast corner of said Lot 4;

Thence southerly along the east boundary of Short Plat 76-454 to the southeast corner of Lot 3 of said Short Plat, being the northeast corner of the north 10 acres of the south 23 acres of the Southwest quarter of the Southeast quarter of said section 6;

Thence westerly along the north line of the north 10 acres of the south 23 acres of the Southwest quarter of the Southeast quarter of said Section 6 to the east margin of 62nd Avenue East;

Thence northerly along said east margin to the point of beginning.