

**CITY OF FIFE, WASHINGTON**

**ORDINANCE NO. 2029**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY KNOWN AS THE 62<sup>ND</sup> AVE 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), SINGLE FAMILY RESIDENTIAL (SFR), MEDIUM DENSITY RESIDENTIAL (MDR), AND INDUSTRIAL (I), AND FIXING THE EFFECTIVE DATE OF THE ANNEXATION.**

WHEREAS, on January 14<sup>th</sup>, 2020, the City Council adopted Resolution 1918 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 62<sup>nd</sup> Ave E, known as the 62<sup>nd</sup> Avenue East Potential Annexation Area 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), Single Family Residential (SFR), Medium Density Residential (MDR), and Industrial (I) effective upon annexation; 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.14.460, 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 62<sup>nd</sup> Avenue 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.14.460.

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), Single Family Residential (SFR), Medium Density Residential (MDR), or Industrial (I), 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.

\_\_\_\_\_  
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 Northeast quarter of the Southwest quarter and the Southeast quarter of the Northwest quarter, Section 6, Township 20 North, Range 4 East, W.M., Pierce County Washington, described as follows:

Beginning on the south margin of 8<sup>th</sup> Street East 30 feet south of the northeast corner of the west half of the Northwest quarter of the Northeast quarter of the Southwest quarter of said Section, point being 15 feet south of the northwest corner of Lot 1 of Pierce County Short Plat recorded May 17, 1982 under AFN 8205170194 records of Pierce County, Washington;

Thence easterly 186.77 feet along the south margin of 8<sup>th</sup> Street E and the south line of land described in Quit Claim Deed to Pierce County recorded under AFN 8204190250, records of Pierce County, Washington, to a point 15 feet south of the northeast corner of Lot 1 of said Short Plat;

Thence north 15 feet to the northeast corner of said Lot 1;

Thence easterly along the south margin of 8<sup>th</sup> Street E, a distance of 474 feet more or less to the centerline of Hylebos Creek;

Thence northwesterly along centerline of said Creek to the southeast corner of Lot 2 of Boundary Line Adjustment recorded April 07, 1999, under AFN 9904075012, records of Pierce County, Washington, point being on the north margin of 8<sup>th</sup> Street East;

Thence easterly along said north margin to a point on the east line of the Southeast quarter of the Northwest quarter of said Section 6 said point being 15 feet north of the southeast corner of said subdivision;

Thence south along said east line a distance of 15 feet to the southeast corner of said subdivision;

Thence south along the east line of the Northeast quarter of the Southwest quarter of said Section to the northeast corner of the Southeast quarter of the Northeast quarter of the Southwest quarter of said Section;

Thence west at right angle to said east line a distance of 30 feet to a point on the west margin of 62<sup>nd</sup> Avenue E;

Thence south along said margin to a point 30 feet west of the northeast corner of the south 4 acres of the north half of the Southeast quarter of the Northeast quarter of the Southwest quarter of said Section;

Thence west along on a line parallel with the north line of said subdivision to the northwest corner of the south 4 acres of the north half of the Southeast quarter of the Northeast quarter of the Southwest quarter of said Section;

Thence southerly along the west line of the Southeast quarter of the Northeast quarter of the Southwest quarter of said Section being the west boundary of City of Fife Short Plat No. PLT10-

0002, recorded February 03, 2011, under AFN 201102035001, records of Pierce County, Washington a distance of 282.09 feet to a point 15.06 feet south of the southwest corner of Lot 2 of said Short Plat;

Thence westerly a distance of 23.04 feet more or less to the northeast corner of Revised Parcel A, Boundary Line Adjustment in the City of Fife, recorded January 30, 2003 under AFN 200301305004, records of Pierce County, Washington;

Thence westerly along the most northerly line of said Revised Parcel A a distance of 82.54 feet, more or less, to the southeast corner of Tract A of City of Fife Short Plat No. 99-00004, recorded November 02, 2000, under AFN 200011025003, records of Pierce County, Washington;

Thence northerly along the east line of said Tract A a distance of 157.21 feet to the northeast corner thereof;

Thence westerly along the north line of said Tract A a distance of 199.42 feet to the northwest corner thereof;

Thence northerly along the west line of the east half of the Southwest quarter of the Northeast quarter of the Southwest quarter to the southwest corner of Lot 4 of Pierce County Short Plat recorded May 17, 1982 under AFN 8205170194;

Thence northerly along the east line of the west half of the Northwest quarter of the Northeast quarter of the Southwest quarter and west boundary of said Short Plat a distance of 644.78 to the Point of Beginning.

Also, that portion of the Southeast quarter of the Northwest quarter, Section 6, Township 20 North, Range 4 East, W.M., Pierce County Washington, described as follows:

Beginning at a point on the centerline of Blue County Road (8<sup>th</sup> Street East) 970 feet east of the Southwest corner of the Southeast quarter of the Northwest quarter in Section 6, Township 20 North, Range 4 East of the W.M., in Pierce County, Washington;

Thence east along the centerline of said 8<sup>th</sup> Street East 145 feet;

Thence north at right angles to said road 195 feet;

Thence west parallel to said road 224 feet, more or less to the left bank of the Hylebos Crreek;

Thence southeasterly along the left bank of Hylebos Creek to the point of beginning.

Except the south 15 feet for Blue County Road (8<sup>th</sup> Street East).

Except that portion of said premises appropriated by Hylebos Creek Diking District No 1 in Pierce County Superior Court case number 35348.

Also, the west half of the Northwest quarter of the Northwest quarter of the Southeast quarter of Section 6, Township 20 North, Range 4 East, W.M., Pierce County Washington.

Except the following described tract:

Beginning on the west line of said subdivision, at a point 238.2 feet South 0° 31' East of the Northwest corner thereof;

Thence at right angle to said west line, North 89° 29' East 115 feet to the true point of beginning for pump house tract;

Thence continuing North 89° 29' East 17 feet;

Thence South 0° 31' East 15 feet;

Thence South 89° 29' West 17 feet;

Thence North 0° 31' West 15 feet to the true point of beginning.