

**CITY OF FIFE, WASHINGTON**

**ORDINANCE NO. 1946**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY KNOWN AS WSDOT SR 167 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 REGIONAL COMMERCIAL (RC), AND FIXING THE EFFECTIVE DATE OF THE ANNEXATION**

WHEREAS, The City Council was notified in writing by the owners of not less than ten percent in value of the real property legally described in Exhibit "A" and shown in Exhibit "B" attached hereto, of the owners' intention to commence annexation proceedings; and

WHEREAS, a meeting was held on the 26<sup>th</sup> day of January, 2016, between the initiating parties of this annexation and the Council of the City of Fife, at which time the Council accepted the initiating petition to commence annexation proceedings and authorized the circulation of a full annexation petition for annexation of the real property legally described in Exhibit "A" and shown in Exhibit "B" attached hereto. At the meeting the Council determined that it would require the assumption of indebtedness of the City by the area to be annexed upon annexation; and

WHEREAS, the petition was circulated, filed with Pierce County, and certified by the County Assessor as containing the signature of owners as set forth in RCW 35A.01.040(9), of not less than 60% in value, according to the assessed valuation for general taxation, of the property to be annexed; and

WHEREAS, the City properly filed a Notice of Intent and related documents with the Pierce County Boundary Review Board on June 15<sup>th</sup>, 2016 and the proposed annexation was deemed approved by the BRB on August 1, 2016 pursuant to RCW 36.93.100; and

WHEREAS, pursuant to RCW 35A.14.330 and 35A.14.340, the preannexation zoning for the annexation area was adopted on July 28, 1998 by Ordinance 1317 as Regional Commercial (RC), effective upon annexation; and

WHEREAS, pursuant to FMC 14.02.030 and RCW 35A.14.130, a public hearing was held by the City of Fife Planning Commission on July 11, 2016, at which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation in the City and the proposed annexation area, and through posting of a hearing notice in three public places within the territory proposed for

annexation, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, pursuant to FMC 14.02.030, the Planning Commission, on July 11, 2016, recommended adoption of the annexation to the Fife City Council and,

WHEREAS, pursuant to FMC 14.02.030 and RCW 35A.14.130, a public hearing was held by the Fife City Council on September 13<sup>th</sup>, 2016, which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation in the City and the proposed annexation area, and through posting of a hearing notice in three public places within the territory proposed for annexation, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; 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.

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 Regional Commercial (RC), in accordance with Ordinance No. 1317.

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.

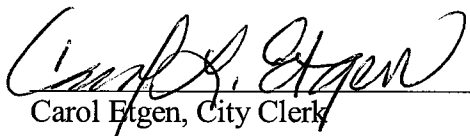
Section 6. Effective Date of Annexation. This Ordinance shall be in full force and effect five (5) days from and after its passage, approval and publication as provided by law. A summary of this Ordinance may be published in lieu of publishing it in its entirety.

Introduced the 13 day of September 2016.

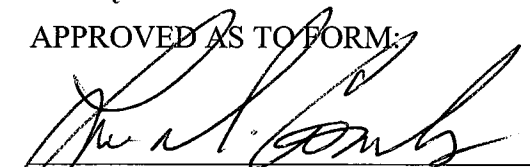
Passed by the City Council on the 27<sup>th</sup> day of Sept. 2016.

  
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Subir Mukerjee, City Manager

ATTEST:

  
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Carol Etgen, City Clerk

APPROVED AS TO FORM:

  
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Loren D. Combs, City Attorney

Published: 9/29/16  
Effective Date: October 6, 2016

**EXHIBIT A**

FIFE WSDOT SR 167 ANNEXATION AREA

THOSE PORTIONS OF THE SOUTHWEST QUARTER OF SECTION 5, THE SOUTHEAST QUARTER OF SECTION 6, AND THE NORTHEAST QUARTER OF SECTION 7, ALL IN TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN IN PIERCE COUNTY, WASHINGTON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 5; THENCE EASTERLY ALONG THE SOUTHERLY LINE THEREOF A DISTANCE OF 332 FEET, MORE OR LESS, TO THE WESTERLY LINE OF THE FIFE CITY LIMITS BY ORDINANCE 1522 DATED 2/18/2004; THENCE NORTHERLY AND WESTERLY ALONG SAID MARGIN A DISTANCE OF 314 FEET, MORE OR LESS, TO A POINT 65.00 FEET NORTHEASTERLY OF THE AL 27 LINE AS SHOWN ON THE RIGHT-OF-WAY PLANS FOR SR 5, TACOMA TO KING COUNTY LINE, BEARING APPROVAL DATE OF MAY 26, 1959; THENCE NORTHWESTERLY, ACROSS SAID HIGHWAY AND PARALLEL WITH SAID AL 27 LINE, A DISTANCE OF 613 FEET, MORE OR LESS, TO THE SOUTHWESTERLY CORPORATE LIMITS OF THE TOWN OF MILTON; THENCE NORTHWESTERLY ALONG SAID CORPORATE LIMITS A DISTANCE OF 159 FEET, MORE OR LESS, TO THE SOUTHEASTERLY MARGIN OF PACIFIC HIGHWAY EAST (SR 99); THENCE SOUTHWESTERLY ALONG SAID MARGIN A DISTANCE OF 1,130 FEET, MORE OR LESS, TO INTERSECT THE WEST LINE OF THE EAST 311.50 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6; THENCE NORTHERLY ALONG SAID LINE A DISTANCE OF 106 FEET, MORE OR LESS, TO THE NORTHERLY MARGIN OF PACIFIC HIGHWAY EAST; THENCE WESTERLY ALONG SAID MARGIN A DISTANCE OF 361 FEET, MORE OR LESS, TO THE EASTERLY LINE OF THE FIFE CITY LIMITS BY ORDINANCE 1558 DATED 4/1/2005; THENCE SOUTHERLY ALONG SAID LINE A DISTANCE OF 101 FEET, MORE OR LESS TO THE SOUTHERLY MARGIN OF PACIFIC HIGHWAY EAST; THENCE WESTERLY ALONG SAID MARGIN A DISTANCE OF 202 FEET, MORE OR LESS, TO THE EASTERLY MARGIN OF 65<sup>TH</sup> AVENUE EAST; THENCE SOUTHWESTERLY AND SOUTHERLY ALONG SAID MARGIN A DISTANCE OF 120 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SECTION 7; THENCE CONTINUING SOUTHERLY ALONG THE EASTERLY LINE OF THAT CERTAIN PROPERTY CONVEYED TO PIERCE COUNTY FOR 65<sup>TH</sup> AVENUE EAST BY QUIT CLAIM DEED RECORDED UNDER AUDITOR'S FEE NO. 8509300247, AND THE SOUTHERLY PROLONGATION THEREOF, A DISTANCE OF 725 FEET, MORE OR LESS, TO THE SOUTHERLY MARGIN OF STATE ROUTE 5; THENCE EASTERLY ALONG SAID SOUTHERLY MARGIN A DISTANCE OF 1,722 FEET, MORE OR LESS TO THE EASTERLY LINE OF SAID SECTION 7; THENCE NORTH ALONG SAID LINE A DISTANCE OF 49 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Exhibit B

