

**ORDINANCE NO. 1105**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE CITY'S CORPORATE LIMITS, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PIERCE COUNTY FOR THE APPROVAL OF THE TRANSFER OF RIGHT-OF-WAY FROM PIERCE COUNTY FOR THE INTERSECTIONS OF PEACOCK HILL AVENUE AND BORGEN BOULEVARD AND THE INTERSECTIONS OF POINT FOSDICK DRIVE AND 36<sup>TH</sup> AVENUE, TO THE CITY OF GIG HARBOR, WASHINGTON.**

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WHEREAS, revisions of corporate boundaries are authorized by RCW 35A.21.210 and become effective when approved by an ordinance of the City, and by ordinance or resolution of the legislative authority of Pierce County; and

WHEREAS, Pierce County has agreed to share in the local match portion of the state-funded projects to improve the streets to City standards:

The intersections of Peacock Hill Avenue and Borgen Boulevard  
The intersections of Point Fosdick Drive and 36<sup>th</sup> Avenue

WHEREAS, Pierce County will transfer its portion of the right-of-way to the City so that the entire right-of-way for all two intersections will be within the City limits; and

WHEREAS, this transfer is consistent with the policy of the boundary review board that City limits not bisect rights-of-way, and will simplify the budget of the Public Works Department, and

WHEREAS, the City's SEPA Responsible Official determined that adoption of this Ordinance is categorically exempt under WAC 197-11-800(19) as an Ordinance related to procedures only; Now, Therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR:**

**Section 1. That the revision of the corporate boundaries to fully include right-of-way for the following streets is hereby approved:**

The intersections of Peacock Hill Avenue and Borgen Boulevard  
The intersections of Point Fosdick Drive and 36<sup>th</sup> Avenue

Section 2. That the proper officers of the City are hereby authorized to execute an agreement with Pierce County regarding the improvement and transfer of right-of-way for the streets above-named, for the purpose set forth above, which agreements shall be substantially in the form of the proposed agreements on file in the office of the City Clerk.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this Ordinance.

Section 4. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this 22nd day of October, 2007.

CITY OF GIG HARBOR

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CHARLES L. HUNTER, MAYOR

ATTEST/AUTHENTICATED:

By: \_\_\_\_\_  
MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

By: \_\_\_\_\_  
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 09/05/07  
PASSED BY THE CITY COUNCIL: 10/22/07  
PUBLISHED: 10/31/07  
EFFECTIVE DATE: 11/05/07  
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