

0008.020.002

WDT/srh

01/02/92

ORDINANCE NO. 621

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PIERCE COUNTY FOR THE ANNEXATION OF A SEGMENT OF 38TH AVENUE NORTHWEST, ALSO KNOWN AS STINSON AVENUE.

WHEREAS, the City of Gig Harbor and Pierce County have agreed to an adjustment of the City's boundary to encompass a portion of 38th Avenue Northwest (also known as Stinson Avenue), and

WHEREAS, Pierce County has enacted Ordinance No. 91-112 which authorized the Pierce County Executive to sign an agreement with the City of Gig Harbor to adjust the boundary of the City, pursuant to RCW 35.21.790, and

WHEREAS, the City Council finds that the proposed boundary line adjustment will be in the best interest of the public health, safety and general welfare, now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The Mayor is hereby authorized to sign that certain agreement signed by the Pierce County Executive on November 26, 1991 and which is attached hereto as Exhibit A and incorporated herein by this reference as if set forth in full.

Section 2. This ordinance shall take effect and be in full force five (5) days after publication of the attached summary which is hereby approved.

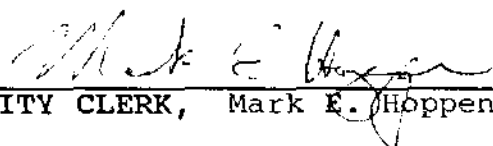
Section 3. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of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

APPROVED:



MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:



CITY CLERK, Mark E. Hoppen

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL: 2/10/92
PUBLISHED: 2/26/92
EFFECTIVE DATE: 3/2/92
ORDINANCE NO. _____

1
2
3
4 FILE NO. 66

PROPOSAL NO. 91-112

5 Sponsored by: Councilmember Paul Cyr

6 Requested by: Pierce County Executive/Public Works Department

7
8 ORDINANCE NO. 91-112

9 AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING AND AUTHORIZING
10 THE PIERCE COUNTY EXECUTIVE TO SIGN AN AGREEMENT WITH THE
11 CITY OF GIG HARBOR FOR THE ANNEXATION OF A SEGMENT OF
12 38TH AVENUE N.W., A COUNTY ROAD.

13 WHEREAS, the State of Washington re-constructed State Road No. 16
14 in a manner that has caused 38th Avenue N.W., a county road, to become
15 a dead-end on each side of State Road No. 16; and

16 WHEREAS, the segment of 38th Avenue N.W. on the easterly side of
17 State Road No. 16 (the easterly segment) no longer connects to the
18 Pierce County road system; and

19 WHEREAS, the City of Gig Harbor desires the easterly segment to
20 become part of its street system; and

21 WHEREAS, it would serve the public use and necessity and provide
22 for the public health, safety, and welfare if the easterly segment
23 would become a part of the street system of the City of Gig Harbor;
24 and

25 WHEREAS, RCW 35.21.790 expressly provides for the revision of
26 municipal corporate limits by agreement between the affected county
27 and city or town so as to include or exclude a segment of a public
28 street, road, or highway from the corporate limits of the city or
town;

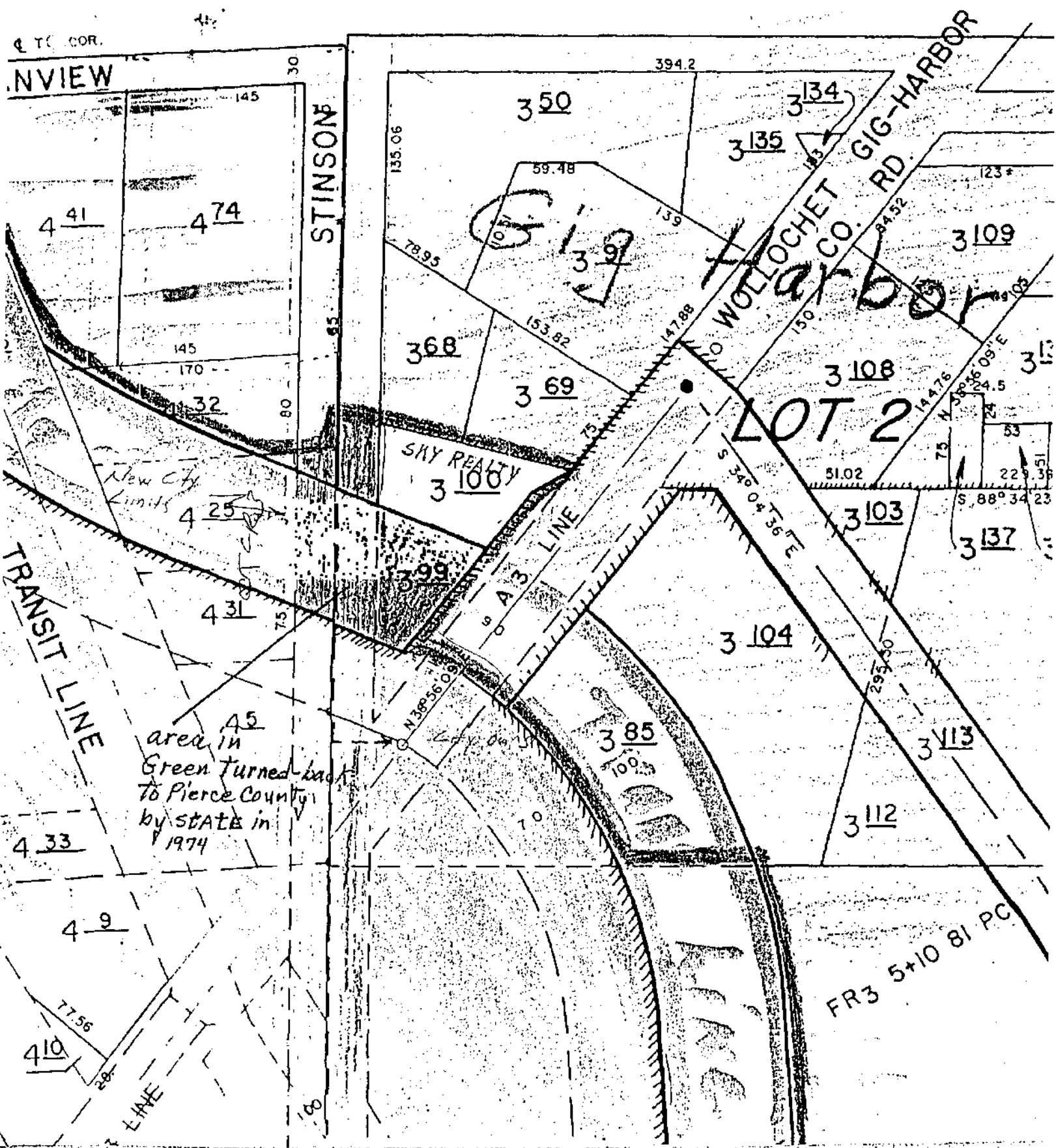
NOW, THEREFORE, BE IT ORDAINED by the Council of Pierce County:

23 Section 1. The Council of Pierce County hereby approves the
24 agreement with the City of Gig Harbor as set forth in Exhibit "A"
25 attached hereto and made a part hereof by this reference.

26 Section 2. The Pierce County Executive is hereby authorized to
27 sign said Agreement and to send it to the City of Gig Harbor Council
28

Q TC COR.

VIEW



02 21 08 3 099

9207170373

BK 0793PG 1538

original in file

QUIT CLAIM DEED

THE GRANTOR, PIERCE COUNTY, a State of Washington Municipal Corporation, for and in consideration of mutual benefits and in further consideration of the general public welfare and of the peculiar and special benefits that accrue to the parties, does by these presents grant and convey to the City of Gig Harbor, Washington, a Municipal Corporation, the following described real estate situated in Pierce County, Washington, to-wit:

That portion of property conveyed to Pierce County by Deed recorded under Auditor's Fee No. 2541145 lying East of the East right-of-way line of 38th Avenue N.W., Northerly of a line parallel with and 70 feet northeasterly of the CR3 line of State Route No. 16 and Northwesterly of the A3 line of Wollochet Drive NW as shown on that certain map of definite location now of record and on file in the Office of the Director of Highways at Olympia, Washington, bearing the date of March 19, 1970 and revised May 26, 1972. All being in the Southwest Quarter of Section 8, Township 21 North, Range 2 East of the Willamette Meridian.

IN WITNESS WHEREOF, Pierce County has caused this instrument to be executed by its proper officers this 11th day of May, 1992.

PIERCE COUNTY, a State of
Washington Municipal Corporation

By:

Joe Stortini
Joe Stortini
Pierce County Executive

92 JUL 17 AM 9:43

RECORDED
BRIAN SONTAG
AUDITOR PIERCE CO. WASH.

EXCISE TAX PAID \$ 0
Re. No. 814359 Date 7-16-92
Pierce County

Page 1 of 2

By [Signature] Auth. Sig

8-
EXC. AFF. FEE 0.000
pd. Pres.

9207170373

STATE OF WASHINGTON)
) ss.
 COUNTY OF PIERCE)

On this 11th day of May, 1992, before me the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Joe Stortini to me known to be the Executive of Pierce County, a Washington Municipal Corporation, that he executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said party, for the uses and purposes therein mentioned and on oath stated that he was authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year first above written.



Doris Louise Splane
 NOTARY PUBLIC in and for the State
 of Washington, residing at Tacoma.
 My Commission Expires: 8-15-93

APPROVED AS TO FORM ONLY:

[Signature] 5-6-92
 Pierce County Prosecuting Attorney

ACCEPTED THIS 16 day of July,
 1992, CITY OF GIG HARBOR

By: [Signature]
 Gretchen S. Wilbert, Mayor
 City of Gig Harbor

cgh44072.de

When recorded return to:
 CITY OF GIG HARBOR
 P.O. Box 145
 Gig Harbor, WA 98335

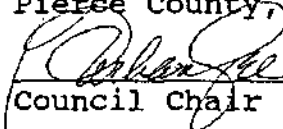
ATTN: Karin

1 ORDINANCE NO. 91-112 continued


2
3
4 for approval and signature.

5 PASSED this 5th day of November, 1991.

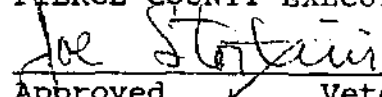
6 PIERCE COUNTY COUNCIL
Pierce County, Washington

7
8 
Council Chair

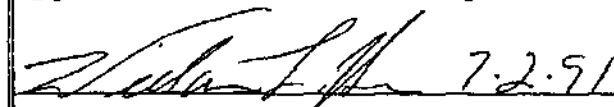
9 ATTEST:

10 
Clerk of the Council

11 PIERCE COUNTY EXECUTIVE

12 Approved  Vetoed
this 12th day of Nov,
1991.

13 Approved As To Form Only:

14  7.2.91
Deputy Prosecuting Attorney

AGREEMENT

THIS AGREEMENT is made and entered into this 10th day of February, 1992, by and between PIERCE COUNTY, a municipal subdivision of the State of Washington and CITY OF GIG HARBOR, a municipal corporation.

WHEREAS, the State of Washington re-constructed State Road No. 16 in such a manner so as to cause 38t Avenue N.W., a county road, to become a dead-end on each side of State Road No. 16; and

WHEREAS, the segment of 38th Avenue N.W. on the easterly side of State Road No. 16 (the easterly segment) no longer connects to the Pierce County road system; and

WHEREAS, the easterly segment is a continuation of Stinson Avenue, a City of Gig Harbor Street; and

WHEREAS, the City of Gig Harbor desires the easterly segment to become a part of its street system; and

WHEREAS, it would serve the public use and necessity and provide for the public health, safety and welfare if the easterly segment would become a part of the street system of the City of Gig Harbor; and

WHEREAS, RCW 35.21.790 expressly provides for the revision of a municipal corporate limits by agreement between the affected county and city or town so as to include or exclude a segment of a public street, road or highway from the corporate limits of the city or town;

NOW, THEREFORE, in consideration of the mutual promises, and benefits to be derived by each of the parties, it is HEREBY AGREED AS FOLLOWS:

1. The corporate limits of the City of Gig Harbor shall hereby be revised to include the following described segment of 38th Avenue N.W.:

That portion of 38th Avenue N.W. lying south of the City of Gig Harbor limits and northerly of a line parallel with and 70 feet northeasterly of the CR3 line of State Road No. 16 as shown on that certain map of definite location now of record and on file in the Office of the Director of Highways at Olympia, Washington, bearing the date of March 19, 1970 and revised May 26, 1972. All being in the southeast quarter of Section 7 and in the southwest quarter of Section 8, Township 21 North, Range 2 east of the Willamette Meridian.

2. This agreement shall be effective when approved by ordinance of the City of Gig Harbor and by ordinance of Pierce County.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be duly executed, such parties acting by their representatives being thereunto duly authorized.

CITY OF GIG HARBOR

By: Gretchen S. Wilbert
Gretchen S. Wilbert, Mayor

Signed this _____ day of _____, 1992.

Mark E. Hoge
City Administrator

Signed this 14th day of
April, 1992.

PIERCE COUNTY

By: Joe Stortini
JOE STORTINI
Pierce County Executive

Signed this 11th day of
May, 1992.

APPROVED AS TO FORM:

William L. Hess 5-6-92
WILLIAM L. HESS
Deputy Prosecuting Attorney

APPROVED BY:

[Signature] 5/6/92
Pierce County Department Head