



RESOLUTION NO. 40540

1 A RESOLUTION relating to Land Use; approving multiple minor municipal
2 boundary line adjustments between the cities of Tacoma and Fife,
3 associated with the parcel located at 5205 8th Street East and the
right-of-way boundaries of 12th Street East and 8th Street East.

4 WHEREAS the City, the City of Fife ("Fife"), and the Port of Tacoma
5 ("Port") have worked collaboratively on the review of minor municipal boundary
6 line adjustments between the cities of Tacoma and Fife for three areas; namely,
7 a parcel located at 5205 8th Street East ("Parcel"), the boundaries within the
8 right-of-way of 12th Street East, and the right-of-way of 8th Street East at its
9 western terminus at the Port property, and
10

11 WHEREAS the Parcel is mostly located within Fife, but includes a small
12 portion located within the City, and

13 WHEREAS pursuant to RCW 35.13.340 ("RCW"), the Parcel owner,
14 Portland at St. Paul, LLC ("Portland"), petitioned the City and Fife for a boundary
15 line adjustment so the entire Parcel is within the City of Fife, and
16

17 WHEREAS pursuant to the RCW, the proposed boundary line adjustment is
18 not subject to potential review by the Pierce County Boundary Review Board, and
19 in order for it to be effective, the petition must be approved by both the City and
20 Fife, and
21

22 WHEREAS the Fife City Council approved the petition on April 23, 2019, by
23 adopting Resolution No. 1868, and

24 WHEREAS, a recent collaborative review concerning the right-of-way
25 boundaries of 12th Street East and 8th Street East was conducted by the Port,
26



1 Fife, and the City regarding development of a warehouse/distribution center at an
2 industrial site in the City, and

3 WHEREAS this review resulted in an agreement that 12th Street East would
4 be widened and moved north away from a residential neighborhood in Fife, and
5 partially into the City, and that a major, landscaped buffer would be added to the
6 southern boundary of the industrial site, and
7

8 WHEREAS, the widening of 12th Street East between 52nd Avenue East
9 and 46th Avenue East has resulted in the common boundary between Fife and the
10 City being located within the right-of-way, rather than at the edge of the right-of-
11 way, and
12

13 WHEREAS, the location of the right-of-way within the boundary makes it
14 burdensome and inefficient for both Fife and the City to have to provide law
15 enforcement, street maintenance, and other services to only a portion of the
16 right-of-way, and
17

18 WHEREAS, a similar right-of-way concern has also been identified on
19 8th Street East at its western terminus at the intersection with a private road,
20 resulting from the widening of 8th Street East, and
21

22 WHEREAS, both Fife and the City agree that it is in the best interest of both
23 cities to eliminate these situations by entering into an agreement to adjust the
24 common boundaries within the referenced rights-of-way, and
25

26 WHEREAS the Fife City Council has adopted Resolution No. 1869 on
April 23, 2019, authorizing the City Manager to execute an agreement with the City



to adjust the common boundaries within the 12th Street East and 8th Street East rights-of-way; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the City Council approves the petition of Portland at St. Paul, LLC, to adjust the boundaries between the City and the City of Fife ("Fife") pursuant to RCW 35.13.340 so that the entire parcel of 5205 8th Street East is located within Fife.

Section 2. That the proper officers of the City are hereby authorized to execute an agreement with Fife, for the purpose of multiple minor municipal boundary line adjustments between the City and Fife, associated with the right-of-way boundaries of 12th Street East and 8th Street East.

Section 3. That the City Manager, or designee, is hereby authorized to take and execute any additional measures or documents that may be necessary to complete this transaction which are consistent with the approved form of documents referenced by this Resolution, and the intent of this Resolution.

Adopted JAN 28 2020

M Woodard
Mayor

Attest:

Dana Baum
City Clerk

Approved as to form:

[Signature]
Deputy City Attorney

EXHIBIT
" A "

COMMENCING AT A POINT 15 FEET NORTH AND 543 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, SAID POINT BEING THE POINT OF BEGINNING OF THAT CERTAIN PROPERTY DESCRIBED IN STATUTORY WARRANTY DEED FILED UNDER AUDITOR'S FEE NUMBER 1770027;
RUNNING THENCE WEST, ALONG THE SOUTH LINE OF SAID PROPERTY DESCRIBED IN SAID DEED, 264 FEET TO THE WEST LINE OF SAID PROPERTY DESCRIBED IN SAID DEED;
THENCE NORTH, ALONG THE WEST LINE OF SAID PROPERTY DESCRIBED IN SAID DEED, 312.64 FEET TO THE NORTH LINE OF SAID PROPERTY DESCRIBED IN SAID DEED;
THENCE EAST, ALONG SAID NORTH LINE, 105.80 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 02°23'30" WEST, PARALLEL WITH THE EAST LINE OF SAID PROPERTY DESCRIBED IN SAID DEED, 143.81 FEET;
THENCE SOUTH 07°46'40" EAST 148.32 FEET TO THE EAST LINE OF SAID PROPERTY DESCRIBED IN SAID DEED;
THENCE NORTH 02°23'30" EAST, ALONG SAID EAST LINE, 290.11 FEET TO THE AFORESAID NORTH LINE;
THENCE NORTH 88°17'09" WEST, ALONG SAID NORTH LINE, 26.19 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH A 10.00 FOOT WIDE-EASEMENT, THE EAST LINE OF WHICH IS DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT 15 FEET NORTH AND 543 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, SAID POINT BEING THE POINT OF BEGINNING OF THAT CERTAIN PROPERTY DESCRIBED IN STATUTORY WARRANTY DEED FILED UNDER AUDITOR'S FEE NUMBER 1770027;
RUNNING THENCE WEST, ALONG THE SOUTH LINE OF SAID PROPERTY DESCRIBED IN SAID DEED, 264 FEET TO THE WEST LINE OF SAID PROPERTY DESCRIBED IN SAID DEED;
THENCE NORTH, ALONG THE WEST LINE OF SAID PROPERTY DESCRIBED IN SAID DEED, 312.64 FEET TO THE NORTH LINE OF SAID PROPERTY DESCRIBED IN SAID DEED;
THENCE EAST, ALONG SAID NORTH LINE, 105.80 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 02°23'30" WEST, PARALLEL WITH THE EAST LINE OF SAID PROPERTY DESCRIBED IN SAID DEED, 143.81 FEET;
THENCE SOUTH 07°46'40" EAST 10.00 FEET TO THE TERMINUS;
THE SIDELINES OF SAID STRIP SHALL BE LENGTHENED OR FORESHORTED TO INTERSECT WITH THEMSELVES AND THE AFORESAID NORTH LINE OF SAID PROPERTY DESCRIBED IN SAID DEED 1770027.

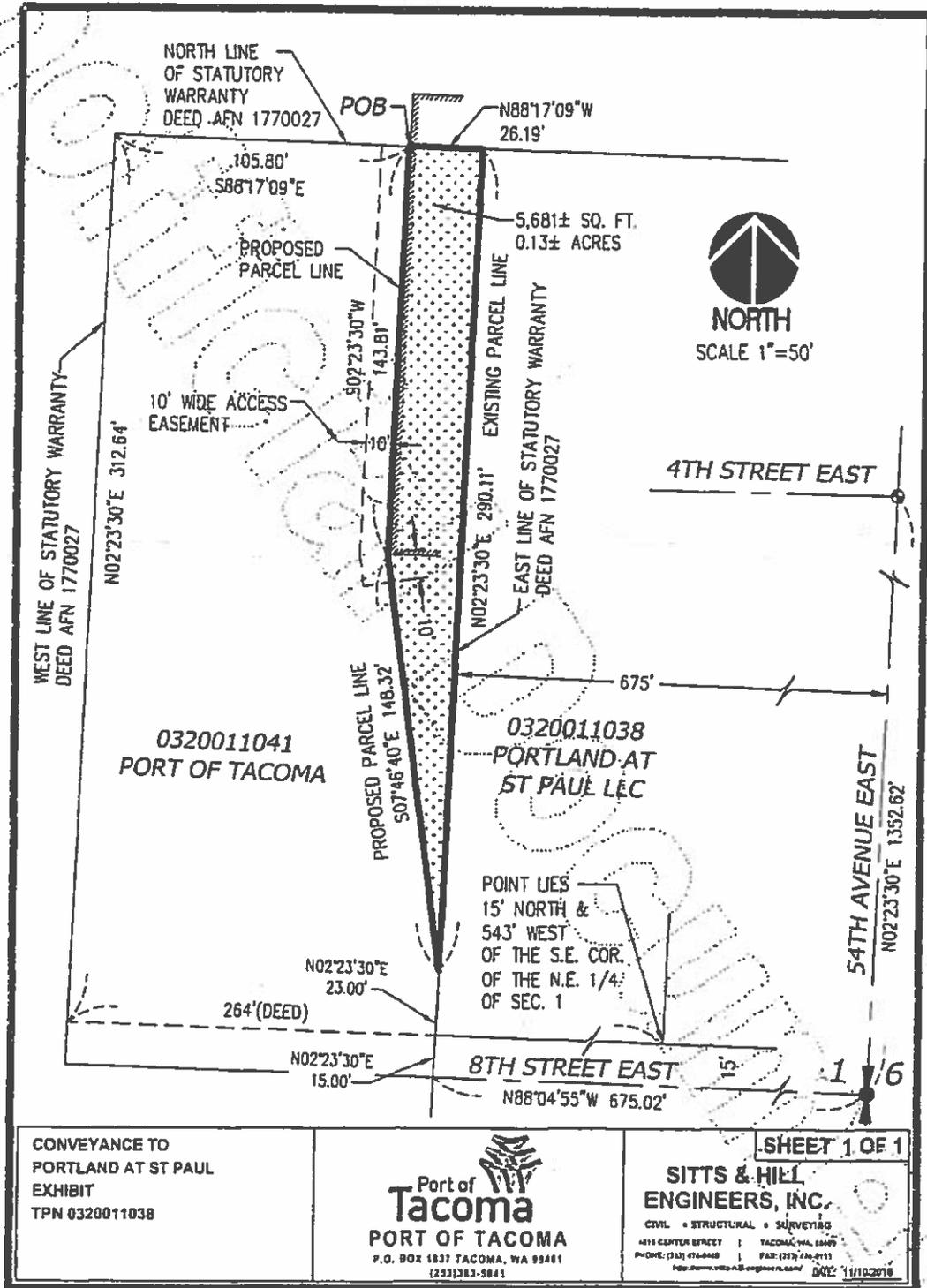


MICHAEL A. McEVILLY, P.L.S.
WASHINGTON STATE REGISTRATION NO 44639
SITTS & HILL ENGINEERS, INC.
4815 CENTER STREET, TACOMA, WA 98409

161118QCD(POT1041)

For reference only, not for re-sale.

For reference only, not for re-sale.



CONVEYANCE TO
PORTLAND AT ST PAUL
EXHIBIT
TPN 0320011038

Port of
Tacoma
PORT OF TACOMA
P.O. BOX 1837 TACOMA, WA 98411
(253)383-5841

SHEET 1 OF 1
SITTS & HILL
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CIVIL • STRUCTURAL • SURVEYING
4111 CENTER STREET | TACOMA, WA 98403
PHONE: (253) 676-8488 | FAX: (253) 436-9111
http://www.sitts-hill-engineers.com/ DATE: 11/10/2016

161118QCD(POT1041)

**AGREEMENT BETWEEN
THE CITY OF TACOMA AND THE CITY OF FIFE
TO ADJUST COMMON BOUNDARIES WITHIN
THE 12TH STREET EAST AND 8TH STREET EAST RIGHTS OF WAY**

1. Date and Parties. This Agreement ("Agreement") is dated for reference purposes only, the 28th day of February, 2020, and is entered into by and between the City of Fife ("Fife"), and the City of Tacoma ("Tacoma").

2. General Recitals.

2.1 The widening of 12th Street East between 52nd Avenue East and 46th Avenue East, and the widening of 8th Street East at its terminus at the Port of Tacoma property known at Parcel 14 has resulted in the common boundary between Fife and Tacoma located within the right of way rather than at the edge of the right of way. A boundary adjustment between Fife and Tacoma is necessary to eliminate this situation.

2.2 RCW 35.13.310 provides that the councils of two cities with a common boundary within the right of way of a public street may enter into an agreement to alter those portions of their boundaries that are necessary to eliminate this situation and create a partial common boundary on either edge of the right of way.

2.3 Boundary line adjustments under RCW 35.13.310 are not subject to potential review by the boundary review board.

2.4 It is burdensome and inefficient for both Fife and Tacoma to have to provide law enforcement, street maintenance and other services to only a portion of the right of way when the remainder of the right of way is owned and serviced by the other city.

2.5 Fife and Tacoma agree that it is in the best interests of both cities for the common boundary to be adjusted to the edge of the right of way.

2.6 The parties enter this Agreement in consideration of the mutual covenants and promises set forth in this Agreement, the mutual benefits derived from each, and the exercise of authority granted by RCW 35.13.310.

3. Adjustment of Boundary of Fife and Tacoma along Freeman.

3.1 The common boundary between Fife and Tacoma shall be adjusted as of the Effective Date so that the portion of 12th Street East right of way legally described and graphically depicted in Exhibit A attached hereto is entirely within Fife.

3.2 The common boundary between Fife and Tacoma shall be adjusted as of the Effective Date so that the portion of 8th Street East right of way legally described in Exhibit B attached hereto is entirely within Fife.

4. Effective Date. This Agreement shall become effective at 12:01 AM on March 1, 2020.

5. Filing. The City Clerk of Fife shall file a certified copy of this Agreement with the Pierce County Auditor.

6. Signature Authority.

6.1 The Fife City Manager was authorized to execute this Agreement by Resolution No. 1869 adopted by a majority of the entire City Council on the 23rd day of April, 2019 at a regularly scheduled Council meeting.

6.2 The City Manager of Tacoma was authorized to execute this Agreement by Resolution No. 40540 adopted by a majority of the entire City Council on the 28th day of January, 2020 at a regularly scheduled Council meeting.

CITY OF Tacoma

By:



Elizabeth Pauli
City Manager

CITY OF FIFE

By:



Hyun Kim
City Manager

APPROVED AS TO FORM:



Bill Fosbre
City Attorney

APPROVED AS TO FORM:



Gregory F. Amann
City Attorney

EXHIBIT A
Parcel A – ROW Abutting TPN 0320013145

DEDICATION LEGAL DESCRIPTION

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE NORTH 01°18'35" EAST, ALONG THE EAST LINE OF SAID SUBDIVISION, A DISTANCE OF 15.00 FEET TO THE NORTH MARGIN OF 12TH STREET EAST AND THE POINT OF BEGINNING;

THENCE, CONTINUING ALONG SAID EAST LINE, NORTH 01°18'35" EAST 51.76 FEET;

THENCE NORTH 81° 46'01" WEST 33.67 FEET;

THENCE SOUTH 79°15'28" WEST 254.42 FEET TO THE NORTH MARGIN OF 12TH STREET EAST;

THENCE SOUTH 88°08'32" EAST, ALONG SAID NORTH MARGIN, 282.25 FEET TO THE POINT OF BEGINNING.

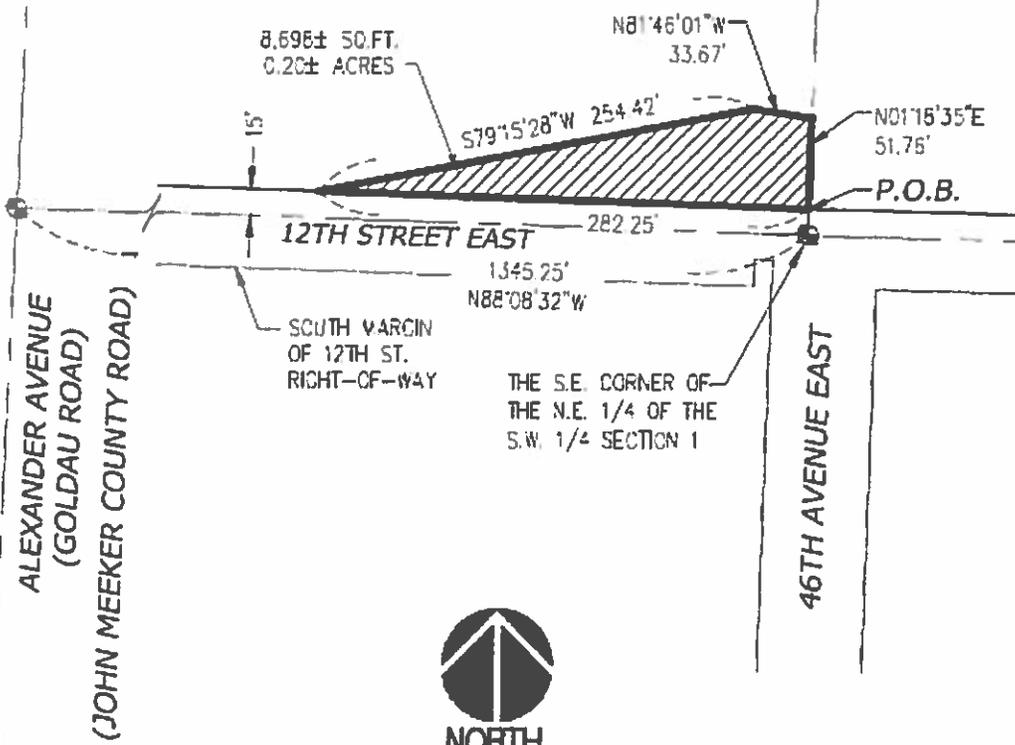


MICHAEL A. MCEVILLY, P.L.S.
WASHINGTON STATE REGISTRATION NO. 44639
SITTS & HILL ENGINEERS, INC
4815 CENTER STREET, TACOMA, WA 98409

12TH Street ROW Dedication Description TPN 0320013145.doc
09/23/2016
Project No. 15201

N.E. 1/4 OF
THE S.W. 1/4

TPN 0320013145
PORT OF TACOMA



NORTH
SCALE 1"=100'

12TH ST RIGHT-OF-WAY
DEDICATION AREA
EXHIBIT
TPN 0320013145



SHEET 1 OF 1

**SITTS & HILL
ENGINEERS, INC.**

CIVIL • STRUCTURAL • SURVEYING

4010 CENTER STREET | TACOMA, WA, 98400
PHONE (253) 476-2648 | FAX (253) 476-1133
TEL: www.sittshill.com/9840002077 DME 09/22/2010

EXHIBIT A
Parcel B – ROW Abutting TPN 0320014103

DEDICATION LEGAL DESCRIPTION

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE NORTH 01°18'35" EAST, ALONG THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 15.00 FEET TO THE NORTH MARGIN OF 12TH STREET EAST, AND THE POINT OF BEGINNING;

THENCE, CONTINUING ALONG SAID WEST LINE, NORTH 01°18'35" EAST, 51.76 FEET;

THENCE SOUTH 81°46'01" EAST 61.24 FEET;

THENCE SOUTH 88°34'00" EAST 428.89 FEET;

THENCE SOUTH 86°56'46" EAST 560.29 FEET;

THENCE SOUTH 88°33'56" EAST 263.93 FEET TO THE EAST LINE OF SAID SUBDIVISION;

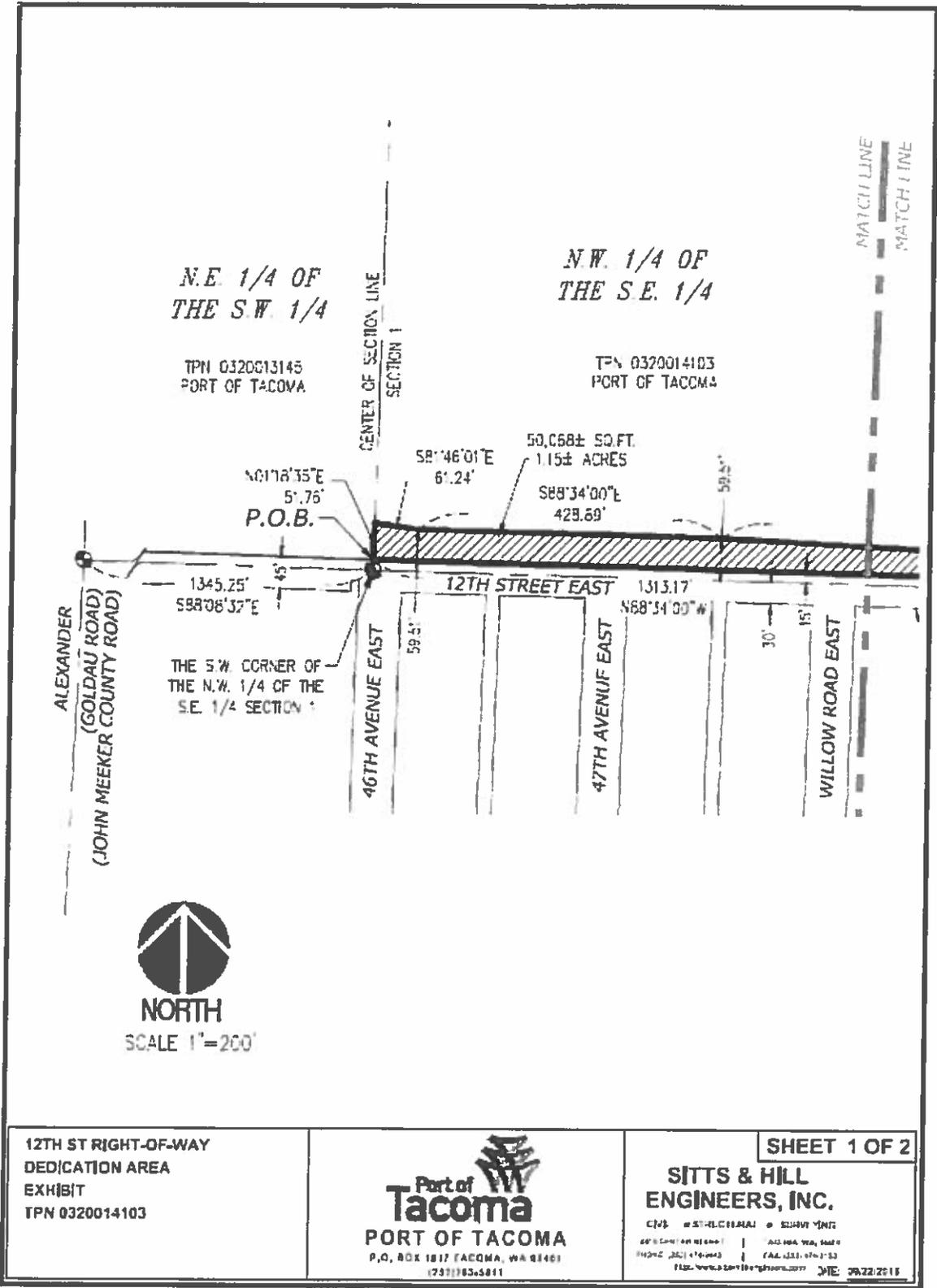
THENCE SOUTH 02°15'23" WEST, ALONG SAID EAST LINE, 28.67 FEET TO THE NORTH MARGIN OF 12TH STREET EAST;

THENCE NORTH 88°34'00" WEST, ALONG SAID NORTH MARGIN, 1313.17 FEET TO THE POINT OF BEGINNING.



MICHAEL A. MCEVILLY, P L S
WASHINGTON STATE REGISTRATION NO 44639
SITTS & HILL ENGINEERS, INC
4815 CENTER STREET, TACOMA, WA 98409

12TH Street ROW Dedication Description TPN 0320014103.doc
09/23/2016
Project No 15201

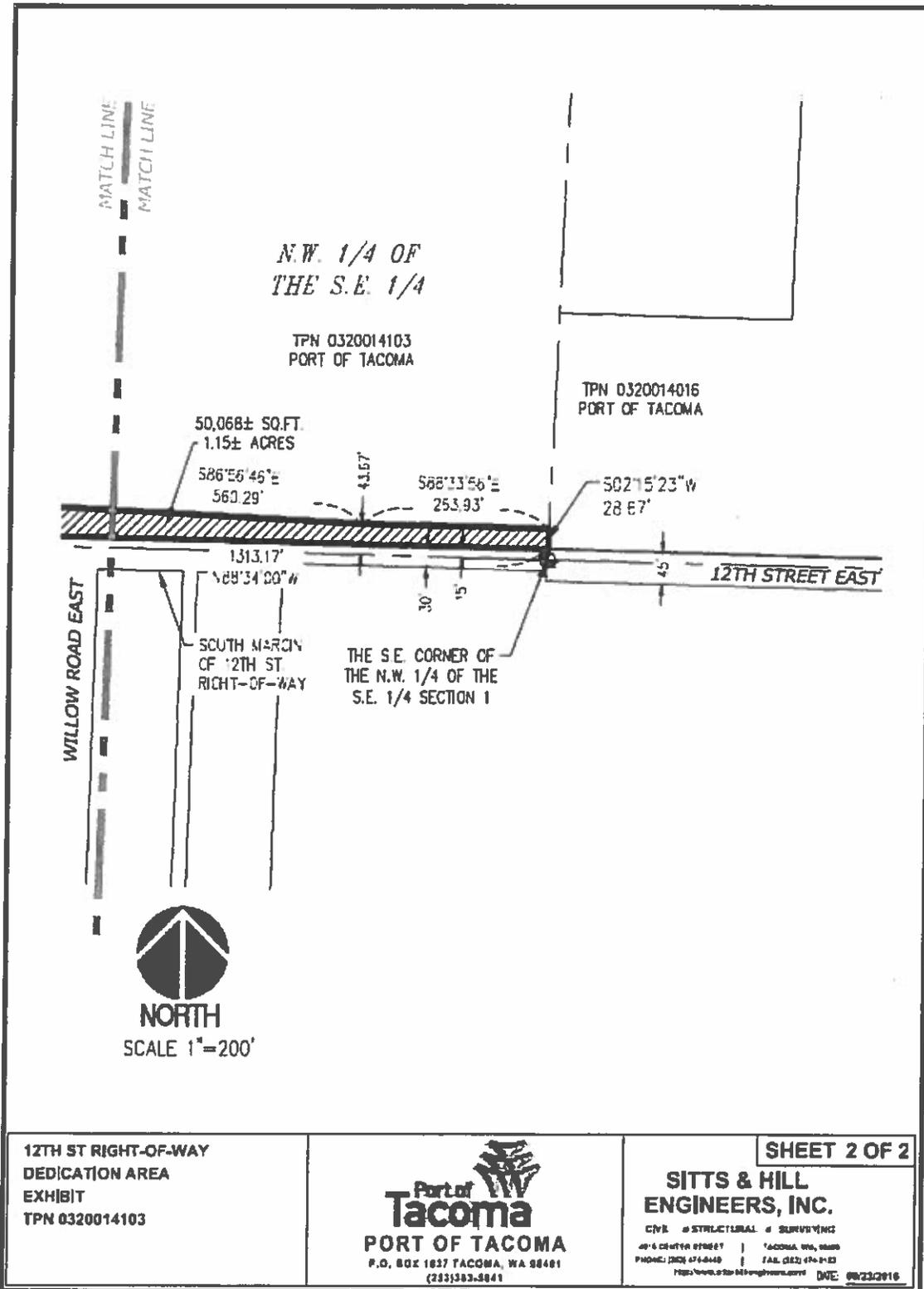


12TH ST RIGHT-OF-WAY
 DEDICATION AREA
 EXHIBIT
 TPN 0320014103



SHEET 1 OF 2

**SITTS & HILL
 ENGINEERS, INC.**
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 www.sittsandhill.com



12TH ST RIGHT-OF-WAY
 DEDICATION AREA
 EXHIBIT
 TPN 0320014103

Port of Tacoma
 PORT OF TACOMA
 P.O. BOX 1837 TACOMA, WA 98401
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SHEET 2 OF 2

**SITTS & HILL
 ENGINEERS, INC.**

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 PHONE: (253) 476-8448 | FAX: (253) 476-8133
 WWW.SITTSANDHILL.COM | DDC: 08/23/2016

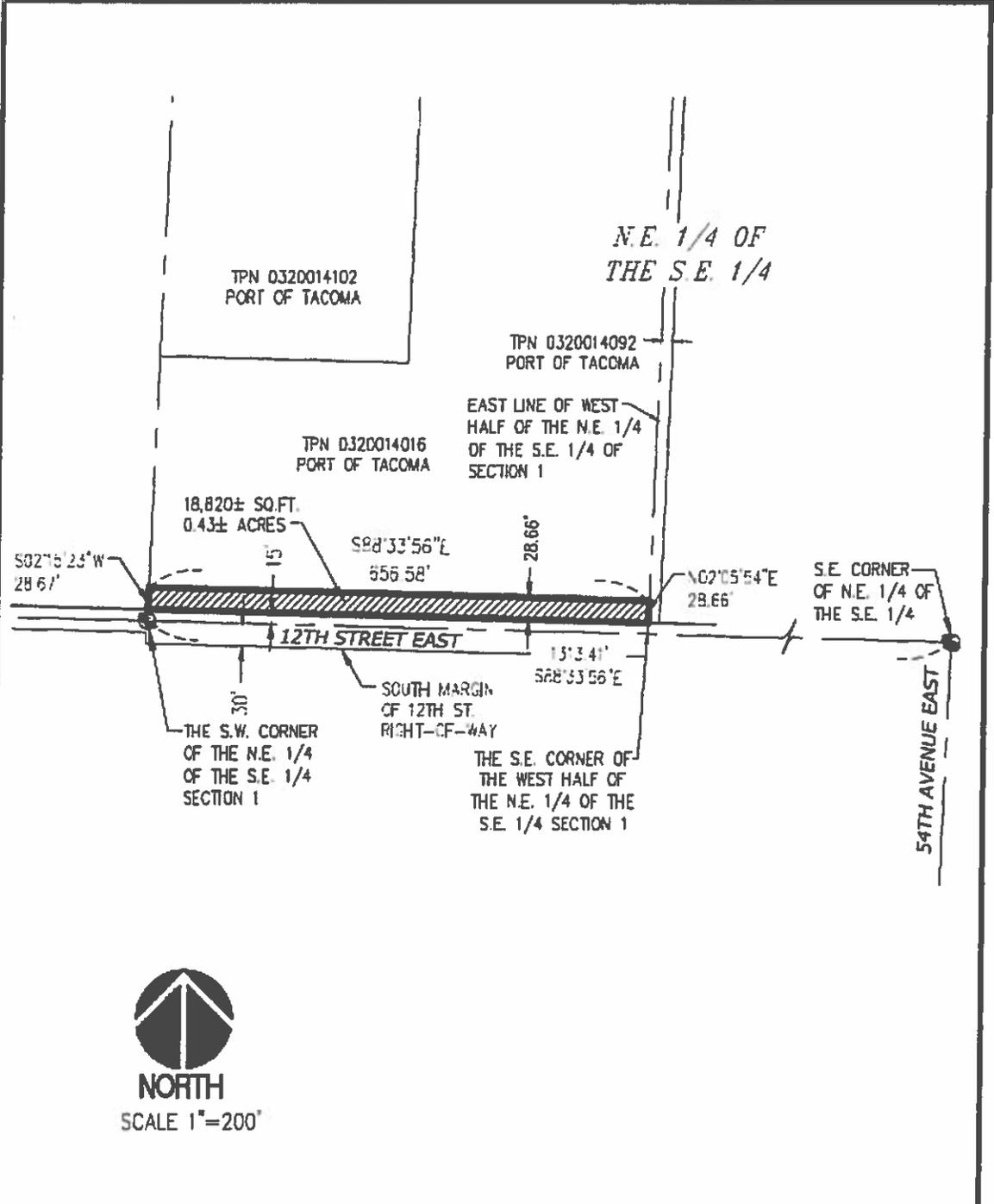
EXHIBIT A
Parcel C – ROW Abutting TPN 0320014016
DEDICATION LEGAL DESCRIPTION

THE NORTH 28.66 FEET OF THE SOUTH 43.66 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON.



MICHAEL A. MCEVILLY, P.L.S.
WASHINGTON STATE REGISTRATION NO. 44639
SITTS & HILL ENGINEERS, INC
4815 CENTER STREET, TACOMA, WA 98409

12TH Street ROW Dedication Description TPN 0320014016 doc
9/23/2016
Project No 15201




NORTH
 SCALE 1"=200'

<p>12TH ST RIGHT-OF-WAY DEDICATION AREA EXHIBIT TPN 0320014016</p>	 Part of Tacoma PORT OF TACOMA <small>P.O. BOX 1837 TACOMA, WA 98401 (252)383-8841</small>	<p style="text-align: right;">SHEET 1 OF 1</p> <p>SITTS & HILL ENGINEERS, INC. <small>CIVIL & STRUCTURAL & SURVEYING 4016 CENTER STREET TACOMA, WA, 98400 PHONE: (252) 476-0440 FAX: (252) 476-1133 http://www.sitshill-engineers.com DATE: 08/22/2016</small></p>
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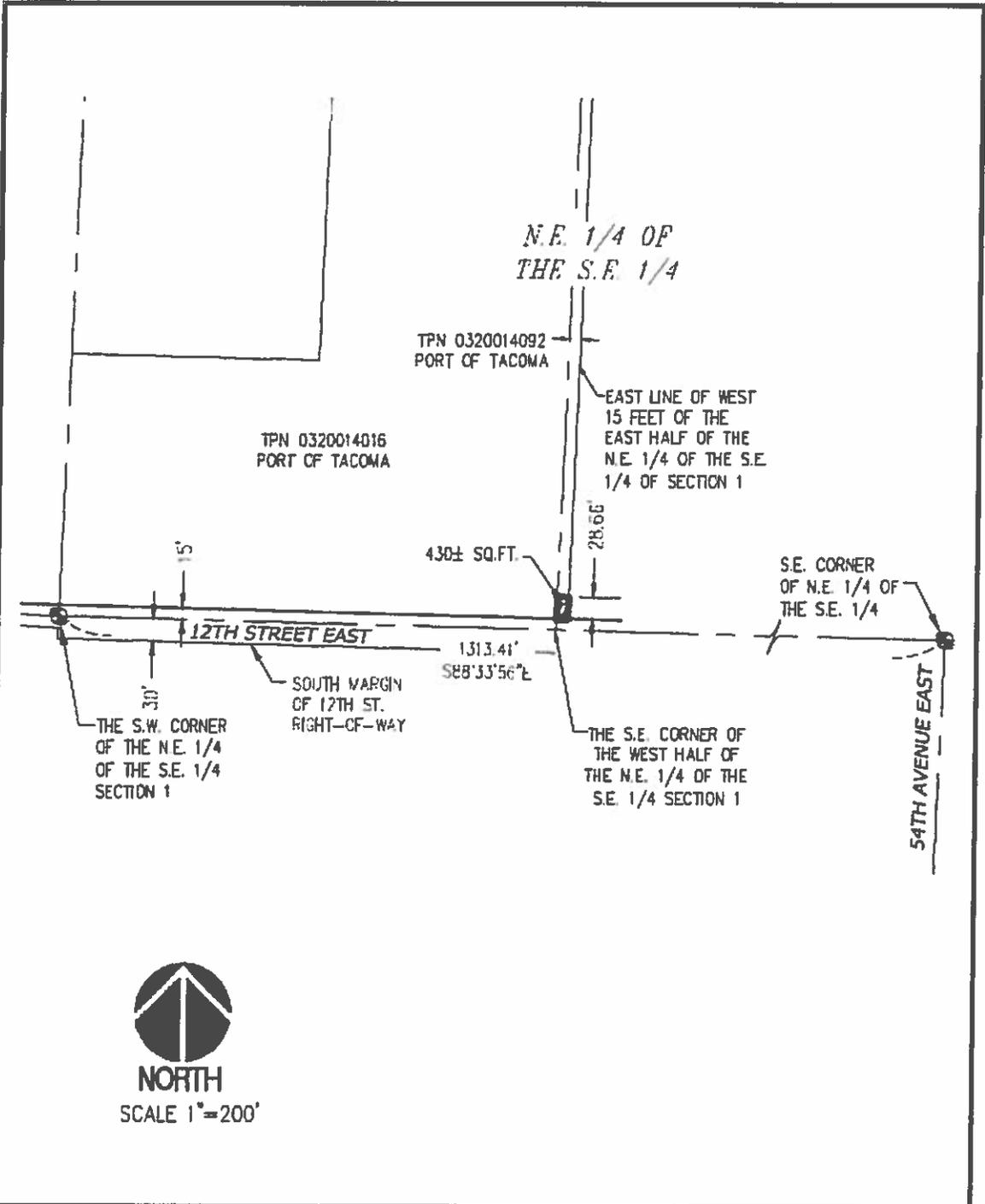
EXHIBIT A
Parcel D – Portion of TPN 0320014092
DEDICATION LEGAL DESCRIPTION

THE NORTH 28.66 FEET OF THE SOUTH 43.66 FEET OF THE WEST 15 FEET OF THE EAST HALF OF THE
NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3
EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON.



MICHAEL A. MCEVILLY, P.L.S.
WASHINGTON STATE REGISTRATION NO. 44639
SITTS & HILL ENGINEERS, INC.
4815 CENTER STREET, TACOMA, WA 98409

12TH Street ROW Dedication Description TPN 0320014092.doc
09/23/2016
Project No. 15201



12TH ST RIGHT-OF-WAY
DEDICATION AREA
EXHIBIT
TPN 0320014092

Port of Tacoma
PORT OF TACOMA
P.O. BOX 1837 TACOMA, WA 98401
(253)363-6841

SHEET 1 OF 1

**SITTS & HILL
ENGINEERS, INC.**

CIVIL & STRUCTURAL & SURVEYING
405 CENTER STREET | TACOMA, WA, 98401
PHONE: (253) 474-8448 | FAX: (253) 474-8731
FIRM: www.sittshill.com | DWE: 08/23/2016

Exhibit B
Portion of 8th Street East ROW from Transferred from Tacoma to Fife

Parcel A

ALL THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, COUNTY OF PIERCE, STATE OF WASHINGTON, LYING SOUTH OF THE SOUTH MARGIN OF 8TH STREET EAST MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH MARGIN OF 8TH STREET EAST AND THE EAST LINE OF THE WEST 15 FEET OF THE EAST HALF OF THE NORTH EAST QUARTER FO THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE NORTH 88°04'55" WEST, ALONG SAID SOUTH MARGIN, 37.19 FEET TO THE WEST TERMINUS OF SAID 8TH STREET EAST, SAID TERMINUS ALSO BEING THE EAST LINE OF VACATED BLUE ROAD AS DESCRIBED IN PIERCE COUNTY RESOLUTION 10433, AND RECORDED UNDER AUDITOR'S FEE NUMBER 2088183;

THENCE SOUTH 02°23'30" WEST, ALONG THE SOUTHERLY EXTENSION OF SAID WEST TERMINUS, 20.00 FEET;

THENCE SOUTH 88°04'55" EAST, PARALLEL WITH SAID SOUTH MARGIN, 37.29 FEET TO THE AFORESAID EAST LINE OF THE WEST 15 FEET OF SAID SUBDIVISION;

THENCE NORTH 02°05'54" EAST, ALONG SAID EAST LINE, 20 FEET TO THE POINT OF BEGINNING.

Parcel B

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHEAST OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, COUNTY OF PIERCE, STATE OF WASHINGTON, LYING BETWEEN THE NORTH AND SOUTH MARGIN LINES OF 8th STREET EAST MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1 AND THE EAST LINE OF THE WEST 15.00 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 1;

THENCE SOUTH 02° 05' 54" WEST, ALONG SAID EAST LINE, 15.00 FEET;

THENCE NORTH 88° 04' 55" WEST, 37.19 FEET TO THE WEST TERMINUS OF SAID 8TH STREET, SAID TERMINUS ALSO BEING THE EAST LINE OF VACATED BLUE ROAD AS DESCRIBED IN PIERCE COUNTY RESOLUTION 10433, AND RECORDED UNDER AUDITOR'S FEE NUMBER 2088183;

THENCE NORTH 02° 23' 30" EAST, ALONG THE NORTHERLY EXTENSION OF SAID WEST TERMINUS, 30.00 FEET;

THENCE SOUTH 88° 04' 55" EAST 37.04;

THENCE SOUTH 02° 05' 54" WEST, 15.00 FEET TO THE POINT OF BEGINNING.